

# Town of Los Altos Hills City Council Regular Meeting Minutes

Thursday, March 16, 2023

Council Chambers, 26379 Fremont Road, Los Altos Hills, California

Present: Mayor Linda Swan, Vice Mayor Stanley Q. Mok, Councilmember Lisa Schmidt, Councilmember George Tyson, Councilmember Kavita Tankha  
Absent: None  
Staff: City Manager Peter Pirnejad, City Attorney Steve Mattas, Public Works Director WooJae Kim, Administrative Services Director Sarina Revillar, Management Analyst II Cody Einfalt, Community Services Manager Sarah Robustelli, Project Manager Steve Padovan, Senior Planner Elaine Ling, City Clerk Deborah Padovan

## **CALL TO ORDER (6:00 P.M.)**

- A. Roll Call
- B. Pledge of Allegiance

The meeting was called to order at 6:03 p.m.

## **1. AGENDA REVIEW**

**Mayor Swan** announced that Item 2.A would be continued to the April meeting.

**City Attorney Mattas** explained that since most of the town was without power until an hour ago and the meeting was moved from the Council Chambers to the lobby of Town Hall for more natural light while the Council moved to the City Manager's Office, Council should consider making a motion that this was done to the local emergency and the meeting will be conducted according to the standards of AB 361.

**MOTION MADE AND SECONDED:** Mayor **Swan** moved to add an item to the agenda tonight to move the meeting due to the local emergency and to conduct the meeting to the standards of AB 361. The motion was seconded by Vice Mayor **Mok**.

### Public Comment

**Allan Epstein, Los Altos Hills**, said he would like the Council to cancel the meeting and reschedule to another time.

MOTION PASSED 5-0:

AYES: Swan, Mok, Schmidt, Tankha, Tyson

NOES: None

ABSTAIN: None

RECUSE: None  
ABSENT: None

**MOTION MADE AND SECONDED:** Mayor **Swan** moved to move the meeting due to the local emergency and to conduct the meeting to the standards of AB 361. The motion was seconded by Vice Mayor **Mok**.

MOTION PASSED 5-0:

AYES: Swan, Mok, Schmidt, Tankha, Tyson  
NOES: None  
ABSTAIN: None  
RECUSE: None  
ABSENT: None

**2. PRESENTATIONS AND APPOINTMENTS**

A. ~~Recognizing the 2022 STEM Winners from the Town of Los Altos Hills~~ – *This item was moved to the April City Council Meeting.*

B. Proclamation Recognizing Town Volunteer Scott Vanderlip

**Mayor Swan** and **Vice Mayor Mok** presented **Scott Vanderlip** with a proclamation thanking him for his time, effort, and years of service. **Mr. Vanderlip** graciously accepted the proclamation.

C. Appointment to the Los Altos Hills Environmental Initiatives Committee

**City Clerk Deborah Padovan** presented the application of **William “Bill” Ralston** for appointment to the Environmental Initiatives Committee.

**Mr. Ralston** introduced himself to the City Council and expressed his interest in serving.

**MOTION MADE AND SECONDED:** Councilmember **Schmidt** moved to appoint **William “Bill” Ralston** to the Los Altos Hills Environmental Initiatives Committee for a four-year term. The motion was seconded by Councilmember **Tyson**.

MOTION PASSED 5-0:

AYES: Swan, Mok, Schmidt, Tankha, Tyson  
NOES: None  
ABSTAIN: None  
RECUSE: None  
ABSENT: None

- D. Presentation by the Santa Clara County Office of the Sheriff Psychiatric Emergency Response Team

**Captain Neil Valenzuela** presented **Kristin Briston** and **Karen Seely**, officers with the County Sheriff's Psychiatric Emergency Response Team (PERT). PERT provides a collaborative team approach for individuals experiencing psychiatric crises. PERT combines mental health services with crisis peer support to reduce future encounters with law enforcement.

- E. City Council Appointment to the North County Library Authority (NCLA)

**City Manager Peter Pirnejad** presented the staff report. Council discussion ensued.

Public Comment

**Suzanne Epstein, Los Altos Hills**, urged the Council to continue to have a member of the public on the NCLA as it serves the citizens and the library better. She is willing to stay on until a new representative is found.

**MOTION MADE AND SECONDED:** Councilmember **Tankha** moved to direct staff to advertise the position to find a Los Altos Hills resident to fill the position. The motion was seconded by Councilmember **Schmidt**.

MOTION PASSED 5-0:

AYES: Swan, Mok, Schmidt, Tankha, Tyson  
NOES: None  
ABSTAIN: None  
RECUSE: None  
ABSENT: None

3. **PRESENTATIONS FROM THE FLOOR**

There were no public comments.

4. **CONSENT CALENDAR**

Public Comment

**Allan Epstein, Los Altos Hills**, spoke regarding items 4.H and 4.N. He said the scope of work is \$250K and there is no mention made of time and material. He doesn't think putting an Assistant Community Development Director and a Building Official make a lot of sense from an organizational standpoint.

**Rajiv Bhateja, Los Altos Hills**, asked about item 4.E and said he was approached by the City Manager and City Clerk for the technology committee to review the AV chambers design. He believes this bid is high.

**MOTION MADE AND SECONDED:** Councilmember **Tankha** moved to approve the Consent Calendar with the exception of items 4.H, 4.I, 4.K, 4.N, and 4.P. The motion was seconded by Vice Mayor **Mok**.

MOTION PASSED 5-0:

AYES: Swan, Mok, Schmidt, Tankha, Tyson  
NOES: None  
ABSTAIN: None  
RECUSE: None  
ABSENT: None

- A. Approval of Regular City Council Meeting Minutes – February 16, 2023
- B. Approval of Special City Council Meeting Minutes – February 28, 2023
- C. Review of Disbursements: January 1-31, 2023      \$1,254,782.55
- D. Approval of Treasurer’s Report for the Month Ended February 28, 2023 (Staff: S. Revillar)
- E. **Resolution 23-23** Awarding a Contract to The Shalleck Collaborative, Inc. to Design Upgrades to the AV and Broadcast Lighting Systems in the Los Altos Hills City Council Chambers in an amount not to exceed \$50,000 including contingency (Staff: D. Padovan)
- F. Proclamation Honoring Marsha Deslauriers on her Retirement from CHAC (Staff: D. Padovan)
- G. **Resolution 24-23** Approving the Fourth Amendment to the Memorandum of Agreement with other Santa Clara Valley Municipalities to Allow for Continuation of the Santa Clara Valley Urban Runoff Pollution Prevention Program and Authorizing the City Manager to Execute the Amendment (Staff: W. Kim)
- H. **Resolution 27-23** Authorizing the City Manager to Execute an Amendment to the Agreement with O. Nelson & Son, Inc. for Emergency Sinkhole Repair on Page Mill Road and Removal of Sediments and Cattails in Matadero Creek (Staff: W. Kim)

**Public Works Director WooJae Kim** presented the staff report.

**MOTION MADE AND SECONDED:** Councilmember **Tankha** moved to approve **Resolution 27-23** Authorizing the City Manager to Execute an Amendment to the Agreement with O. Nelson & Son, Inc. for Emergency Sinkhole Repair on Page Mill Road and Removal of Sediments and Cattails in Matadero Creek. The motion was seconded by Vice Mayor **Mok**.

MOTION PASSED 5-0:

AYES: Swan, Mok, Schmidt, Tankha, Tyson  
NOES: None  
ABSTAIN: None  
RECUSE: None  
ABSENT: None

- I. **Resolution 28-23** Authorizing the City Manager Issue a Request for Proposals for Annual Landscape Maintenance Services (Staff: W. Kim)

**Councilmember Tankha** asked for a clarification on this item. She asked if we should allocate our town staff to build pathways. If the Council directed us to spend additional time on pathways, we would keep this as an option - staff on an as-needed basis.

**MOTION MADE AND SECONDED:** Councilmember **Tankha** moved to approve **Resolution 28-23** Authorizing the City Manager Issue a Request for Proposals for Annual Landscape Maintenance Services. The motion was seconded by Councilmember **Schmidt**.

MOTION PASSED 5-0:

AYES: Swan, Mok, Schmidt, Tankha, Tyson  
NOES: None  
ABSTAIN: None  
RECUSE: None  
ABSENT: None

- J. **Resolution 25-23** Authorizing the City Manager to Execute a Construction Agreement With C2R Engineering, Inc. for the 2022 Sanitary Sewer Repair and Replacement Project not to exceed \$532,220 including contingency (Staff: D. Liang)
- K. **Resolution 29-23** Amending the Existing Municipal Resource Group, LLC (MRG) Agreement to Expand the Scope of Services and Increase the not to exceed amount to \$90,000 for Public Safety Consulting Services (Staff: C. Einfalt)

**City Manager Pirnejad** presented the staff report.

Public Comment

**Rajiv Bhateja, Los Alto Hills**, said a \$90K number is pretty high. He would prefer to see a phased implementation in this contract.

Council discussion ensued.

**MOTION MADE AND SECONDED:** Councilmember **Tyson** moved to approve **Resolution 29-23** Amending the Existing Municipal Resource Group, LLC (MRG)

Agreement to Expand the Scope of Services and Increase the not to exceed amount to \$90,000 for Public Safety Consulting Services. The motion was seconded by Councilmember **Schmidt**.

MOTION PASSED 5-0:

AYES: Swan, Mok, Schmidt, Tankha, Tyson

NOES: None

ABSTAIN: None

RECUSE: None

ABSENT: None

- L. **Resolution 32-23** Request for Authorization to Conduct a Request for Proposals for Information Technology (IT) Services (Staff: S. Revillar)
  
- M. **Resolution 26-23** Authorizing the City Manager to Enter into an Agreement with a Consultant not to exceed \$60,000 to Audit the License & Permit with Expenses for Applicant Refunds and Preparation of a Cost Allocation Plan and User Fee Study (Staff: S. Revillar)
  
- N. **Resolution 30-23** Approving Adding Assistant Community Development Director/Building Official Job Description to Building Series, approving a Budget Appropriation for Salary and Benefits for the position and Recruiting Services, and **Resolution 31-23** Approving Amending the City Council Employee Classification and Compensation Plan on the Salary Schedule (Staff: S. Revillar)

**Administrative Services Director Sarina Revillar** presented the staff report.

Public Comment

**Allan Epstein, Los Altos Hills**, said this isn't adding an additional person to the staff, it is changing the title of a current position.

**Kjell Karlsson, Los Altos Hills**, said the problem we are having is that a building official does not want to report to a planner. They need to individually report to the City Manager.

Council discussion ensued.

**MOTION MADE AND SECONDED:** Councilmember **Tyson** moved to approve **Resolution 30-23** Approving Adding Assistant Community Development Director/Building Official Job Description to Building Series, approving a Budget Appropriation for Salary and Benefits for the position and Recruiting Services, and **Resolution 31-23** Approving Amending the City Council Employee Classification and Compensation Plan on the Salary Schedule. The motion was seconded by Councilmember **Schmidt**.

MOTION PASSED 5-0:

AYES: Swan, Mok, Schmidt, Tankha, Tyson  
NOES: None  
ABSTAIN: None  
RECUSE: None  
ABSENT: None

- O. Request by Hills 2000 – Friends of the Hills for a Vines and Wines Event on October 15, 2023
- P. Request for the Mayor to Sign a Letter to the Chancellor at Foothill College Requesting Support for the Foothill-De Anza Community College Electrification Project and a Letter Requesting Support for Foothill College Freight Farm Funding Proposal Support (Staff: P. Pirnejad)

**City Manager Pirnejad** presented the staff report.

Council discussion ensued.

**MOTION MADE AND SECONDED:** Councilmember **Schmidt** moved to Direct the Mayor to Sign a Letter to the Chancellor at Foothill College Requesting Support for the Foothill-De Anza Community College Electrification Project and a Letter Requesting Support for Foothill College Freight Farm Funding Proposal Support. The motion was seconded by Councilmember **Tyson**.

MOTION PASSED 5-0:

AYES: Swan, Mok, Schmidt, Tankha, Tyson  
NOES: None  
ABSTAIN: None  
RECUSE: None  
ABSENT: None

- Q. Request for the Mayor to Sign a Letter to the Chancellor at Foothill College Requesting Support to extend Los Altos Hills Community Fiber Internet Access in Town (Staff: P. Pirnejad)

**5. NEW BUSINESS**

- A. **Resolution 33-23** to Renew and Extend the Term of the Concessionaire Agreement for the Westwind Community Barn owned by the Town of Los Altos Hills between the Town and Victoria Dye Equestrian, LLC. (Staff: S. Robustelli)

**Community Services Manager Sarah Robustelli** presented the staff report.

Council discussion ensued.

Public Comment

**Kjell Karlsson, Los Altos Hills**, said he was part of the ad hoc committee and the reason why the incentive portion wasn't put in was that the timing for doing that was for the Council to decide.

**MOTION MADE AND SECONDED:** Councilmember **Schmidt** moved to approve **Resolution 33-23** to Renew and Extend the Term of the Concessionaire Agreement for the Westwind Community Barn owned by the Town of Los Altos Hills between the Town and Victoria Dye Equestrian, LLC. The motion was seconded by Councilmember **Tankha**.

MOTION PASSED 5-0:

AYES: Swan, Mok, Schmidt, Tankha, Tyson  
NOES: None  
ABSTAIN: None  
RECUSE: None  
ABSENT: None

- B. Resolution Approving Modifications to Miscellaneous Pathways Project in the Adopted FY2022-23 Operating Budget and FY2023-2027 Five Year Capital Improvement Plan with Proposed Scope and Budget Appropriations; and Authorizing the City Manager to Solicit Proposals for Survey Staking Services and Execute Agreements not to exceed \$150,000 Total (Staff: W. Kim)

**Public Works Director WooJae Kim** presented the staff report.

Council discussion ensued.

Public Comment

**Rajiv Patel, Los Altos Hills**, talked about the Pathways fees. The past study was not a good study to generate correct numbers. The pathway fee was grossly underestimated. Unfortunately, we have not kept up with inflation. We don't need a study. Just increase the fee by 25% and use the money to do a nexus study next year.

**Jim Waschura, Los Altos Hills**, was unaware that the money for pathways was part of the General Fund. His hope is that the town becomes a town of pathways. It is achievable. We do pathway management, maintenance, and creation in-house. One possible option might be to grow the resources in-house for pathways maintenance and take that leap now.

**Allan Epstein, Los Altos Hills**, impact fees have to relate to the impact one new household adds to the system. One household added to the system is not going to pay for 37 miles of pathways. A nexus study was performed and has to be performed



every five years. The funds for the pathway are kept separately. There is \$1 million in the fund at this time. This type of consideration should be done at the budget time; it is inappropriate to be discussed at this time. This should be part of the budget process. Suggested the town should focus on completing the pathways that are in the budget this year.

**Mayor Swan** closed the Public Hearing.

**MOTION MADE AND SECONDED:** Councilmember **Tankha** moved to direct staff to take the 2023 Pathway Project Alternatives to the Pathways Committee for review and return to Council with recommendations. The motion was seconded by Councilmember **Schmidt**. *[Note: The resolution was not adopted.]*

MOTION PASSED 5-0:

AYES: Swan, Mok, Schmidt, Tankha, Tyson  
NOES: None  
ABSTAIN: None  
RECUSE: None  
ABSENT: None

- C. Introduction of **Ordinance 609** (First Reading) Amending Title 2, Chapter 4, of the Los Altos Hills Municipal Code Modifying the Purchasing System Ordinance to Increase City Manager’s Purchasing Authority and Threshold Amount For Formal Bid Process (Staff: W. Kim, P. Pirnejad) Motion to Waive Reading and Introduce the Ordinance

**Public Works Director Kim** presented the staff report.

Public Comment

**Allan Epstein, Los Altos Hills**, said there is a disconnect between the Cost Accounting Act \$60,000 and the request for additional authority up to \$60,000. The Cost Accounting Act only refers to public works projects - not all projects. Providing additional authority to the City Manager will result in less transparency for the Council, for the public and as such it would be more difficult to determine how the money is spent. Refer this to the FIC and let the committee work on it.

Council discussion ensued.

**MOTION MADE AND SECONDED:** Councilmember **Tyson** moved to Waive Reading and Introduce **Ordinance 609** (First Reading) Amending Title 2, Chapter 4, of the Los Altos Hills Municipal Code Modifying the Purchasing System Ordinance to Increase City Manager’s Purchasing Authority and Threshold Amount For Formal Bid Process. The motion was seconded by Vice Mayor **Mok**.

MOTION PASSED 4-1:  
AYES: Swan, Mok, Schmidt, Tyson  
NOES: Tankha  
ABSTAIN: None  
RECUSE: None  
ABSENT: None  
ABSENT: None

- D. **Resolution 34-23** Awarding a Planning Service Contract to Michael Baker International, Inc. For Rezoning Multi-Family Residential Overlay Zoning Districts with Objective Design Standards and Completing Associated Program Environmental Impact Report (EIR) Under California Environmental Quality Act. Total Estimated Contract Cost: \$601,620) (Staff: E. Ling)

**Senior Planner Elaine Ling** presented the staff report.

Council discussion ensued.

Public Comment

**Allan Epstein, Los Altos Hills**, asked about CEQA analysis. Did we explore whether there was any other short cuts or ways to reduce the costs by copying other cities?

**MOTION MADE AND SECONDED:** Councilmember **Schmidt** moved to Approve **Resolution 34-23** Awarding a Planning Service Contract to Michael Baker International, Inc. For Rezoning Multi-Family Residential Overlay Zoning Districts with Objective Design Standards and Completing Associated Program Environmental Impact Report (EIR) Under California Environmental Quality Act. Total Estimated Contract Cost: \$601,620). The motion was seconded by Vice Mayor **Mok**.

MOTION PASSED 5-0:  
AYES: Swan, Mok, Schmidt, Tankha, Tyson  
NOES: None  
ABSTAIN: None  
RECUSE: None  
ABSENT: None

6. **PUBLIC HEARINGS**

- City Council Ex Parte Contacts Policy Disclosure

There were no ex parte disclosures.

- A. Review the 2022 General Plan Annual Progress Report and 2022 Housing Element Annual Progress Report and Authorize Transmittal of the Reports to the Office of the Planning and Research and Department of Housing and Community Development,

respectively, by April 1, 2023, and determine the proposed action does not qualify as a project under California Environmental Quality Act Section 15061(b)(3). (Staff: E. Ling)

**Senior Planner Elaine Ling** presented the staff report.

**Mayor Swan** opened the Public Hearing.

Public Comment

**Forrest Linebarger, Mountain View**, said the inventory of sites is complete. According to housing element law, you have to expect that 85% of our RHNA is expected to be built. The town doesn't comply. It is time to stop pretending that the town's Housing Element is compliant. The town needs senior housing. He is proposing senior housing in town that would make up to 20% of our RHNA requirements.

**Victoria Garrett, Palo Alto**, said that she and her husband are getting older and would like to stay locally. It seems like there is nothing in the pipeline to stay close by and it would be great to have a place where they could go.

**Gayle Osmer** spoke in support of Silver Oaks Senior Housing.

**Bruce Garrett, Palo Alto**, said as a senior citizen he is worried about where he is going to live when he can no longer stay in his home. He is in support of senior housing.

**Mayor Swan** closed the Public Hearing.

**MOTION MADE AND SECONDED:** Councilmember **Schmidt** moved to Adopt the 2022 General Plan Annual Progress Report and 2022 Housing Element Annual Progress Report and Authorize Transmittal of the Reports to the Office of the Planning and Research and Department of Housing and Community Development, respectively, by April 1, 2023, and determine the proposed action does not qualify as a project under California Environmental Quality Act Section 15061(b)(3). The motion was seconded by Councilmember **Tyson**.

MOTION PASSED 5-0:

AYES: Swan, Mok, Schmidt, Tankha, Tyson  
NOES: None  
ABSTAIN: None  
RECUSE: None  
ABSENT: None

7. **STAFF REPORTS**

A. City Attorney - No report.

B. City Clerk - No report.

C. Planning Director

**Project Manager Steve Padovan** spoke about the status of the SB 9 ordinance. It is currently being reviewed by the ad hoc committee and it will go to the Planning Commission, hopefully in April.

D. Administrative Services Director

**Director Revillar** said staff is preparing for the interim audit that will be prepared in the next few weeks.

E. Public Works Director

**Director Kim** said that PW staff members have been busy with the recent atmospheric river storms, with over 70 trees down and have been working around the clock.

F. City Manager

**City Manager Pirnejad** reported on:

- Storm updates, including hours spent, trees down, road closures, power outages, and service calls.
- Residential burglaries as of March 14, 2023.
- On Tuesday, March 14, 2023, **Mayor Swan** along with **Santa Clara County Sheriff Bob Jonsen, Santa Clara County Fire Chief Suwanna Kerdkaew, and Resident Volunteer Rajiv Bhateja** shared a State of the Town address.
- MRG's work on engaging a security company as of Tuesday, March 14, 2023, including service patrol services, the ALPR review, and next steps.
- Public engagement.
- Housing Element Update and the Twin Oaks Property.
- Social Media and the Housing Element
- Conference in Virginia for CivStart
- Community Wildfire Protection Plan Meeting
- Community Services Updates

8. **REPORTS FROM COMMITTEES, SUB-COMMITTEES, AND COUNCILMEMBERS ON OUTSIDE AGENCIES**

A. Report by the Undergrounding Subcommittee (Councilmember Tyson)

**Councilmember George Tyson** presented the report and informed the Council that on Wednesday, March 8, 2023, he, along with staff, met with PG&E and walked all 5000' of the project. He was pleased to see the high levels of engagement and productive brainstorming during the field visit. No action was taken.

- B. Report from the Council Ad Hoc Committee Focusing on Broadband (Councilmembers Mok and Tankha)

**Vice Mayor Mok** said the next meeting is Thursday, March 23, 2023, at 10:00 a.m. They will be going over GovTech and the feasibility study and overall work. They will also be discussing the wireless facility and the ordinance.

- C. Report from the Council Ad Hoc Committee on Residential Burglaries (Councilmembers Tankha and Tyson)

**Councilmember Tankha** said they talked about next steps. They found that home hardening, education, making sure residents call if they see unusual activity are most important. That will be their focus in the coming months.

- D. Report and Possible Action from the City Council Ad Hoc Committee to Review the Changes to the Standing Committee Resolution (Councilmembers Schmidt and Tyson)

**Councilmember Schmidt** informed the Council that we will be holding a listening session on Wednesday, March 29, 2023, with committee chairs. They will discuss operations to keep things running smoothly and to make sure everyone understands their responsibilities.

She further said that the EPRC will be holding a dinner on Sunday, April 23, 2023, for safety leaders for neighborhood watch, Firewise members, and CERT members. They are looking for more interactions between these three groups.

- E. Status Reports from All Councilmembers on Committee Liaison Assignments and Outside Agencies Activities

**Vice Mayor Mok** reported that he currently sits on the Cities Association legislative review committee and provided a brief report.

**Mayor Swan** said that she met with other mayors in Santa Clara County to talk about common issues. She will be meeting with them quarterly.

## 9. COUNCIL INITIATED ITEMS

- A. Consideration of the Pathways Committee recommendation for naming the one of our paths for Art Lachenbruch (Mayor Swan)

**Mayor Swan** introduced the subject.

The Council provided direction for staff to return with a staff report in April.

**10. ADJOURN**

The meeting adjourned at 9:35 p.m.

Respectfully submitted,

*Deborah L. Padovan*

Deborah Padovan  
City Clerk

The minutes of the March 16, 2023, regular City Council meeting were approved as presented at the April 20, 2023, regular City Council meeting.