

Town of Los Altos Hills

City Council Special Meeting Minutes

Wednesday, May 17, 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, Assistant City Attorney Lindsay D'Andrea, Administrative Services Director Sarina Revillar, Public Works Director/City Engineer WooJae Kim, Interim Assistant to the City Manager Cody Einfalt, Community Services Manager Sarah Robustelli, Project Manager Steve Padovan, Senior Planner Elaine Ling, Associate Planner Jeremy Loh, City Clerk Deborah Padovan

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

- A. Roll Call
- B. Pledge of Allegiance

Mayor Swan called the meeting to order at 6:03 pm

1. AGENDA REVIEW

There were no changes to the agenda.

2. PRESENTATIONS AND APPOINTMENTS

- A. Appointment to the Los Altos Hills Technology Committee

City Clerk Padovan presented the application of **John Swan**.

John Swan expressed an interest in serving on the Technology Committee.

MOTION MADE AND SECONDED: Councilmember **Tankha** moved to appoint **John Swan** to the Technology Committee for a four-year term. The motion was seconded by Vice Mayor **Mok**.

MOTION PASSED 4-0-1:

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

RECUSE: None

ABSENT: None

B. Appointment to the Los Altos Hills Finance and Investment Committee

City Clerk Padovan presented the application of **Michelle Raffin**.

Michelle Raffin introduced herself to the City Council.

MOTION MADE AND SECONDED: Councilmember **Schmidt** moved to appoint **Michelle Raffin** to the Los Altos Hills Finance and Investment 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

C. Appointment to the Los Altos Hills Environmental Initiatives Committee

City Clerk Padovan presented the applications of **Johann George** and **Jim Scheinman**.

Jim Scheinman introduced himself to the Council and expressed his interest in serving on the committee.

MOTION MADE AND SECONDED: Councilmember **Tankha** moved to appoint **Jim Scheinman** to the Los Altos Hills Environmental Initiatives Committee. 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

D. Appointment to the Los Altos Hills Open Space Committee

City Clerk Padovan presented the application of **Paul Marcos**.

Paul Marcos introduced himself and expressed an interest in serving on the committee.

MOTION MADE AND SECONDED: Councilmember **Schmidt** moved to appoint **Paul Marcos** to the Los Altos Hills Open Space Committee. 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

~~E. Presentation on Proposed Magical Bridge Playground at Foothill College Project -
This item was not considered and will be scheduled for the June City Council meeting.~~

3. PRESENTATIONS FROM THE FLOOR

There were no presentations from the floor.

4. CONSENT CALENDAR

Mayor Swan pulled Items 4.D, 4.E, and 4.J for discussion. Item 4.H had already been removed from the agenda.

MOTION MADE AND SECONDED: Vice Mayor **Mok** moved to approve the Consent Calendar with the exception of Items 4.D, 4.E, 4.J, and 4.H. 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

- A. Approval of Regular City Council Meeting Minutes – April 20, 2023
- B. Review of Disbursements: April 1-30, 2023 \$1,525,347.17
- C. Approval of Treasurer’s Report for the Month Ended April 30, 2023 (Staff: S. Revillar)
- D. **Resolution 52-23** Approving the Plans and Specifications for the City Council Chambers Audio Video Project, and authorize staff to advertise the project for bids (Staff: D. Padovan)

Mayor Swan pulled the item.

City Clerk Padovan noted that this item is to provide for legal notice only.

City Manager Pirnejad added that the bid packages would be taken to the Technology Committee to make sure that have an opportunity to review them and vet the top candidates.

Mayor Swan would like the Technology Committee to explore less expensive options.

City Clerk Padovan explained that the consultant was suggesting a completely parallel effort with the Technology Committee to review the RFP line by line and suggest cost savings possibilities.

City Manager Pirnejad clarified that with Council approval, work on the plans and specs would continue and the item would go out for bid. Meanwhile, work with the Technology Committee would also continue and it would come back to Council when the bids have come in and the Technology Committee had spent time reviewing them.

Councilmember Tyson noted that improvements to the audio-visual equipment in the chambers are clearly needed.

Public Comment

Allan Epstein, Los Altos Hills, requested that the way the request for proposals document is prepared, you get an itemized bid back - not a lump sum.

MOTION MADE AND SECONDED: Councilmember **Tankha** moved to direct staff to continue to work with the Technology Committee and prepare a document so that it can go out to bid, and to bring it back to Council. The motion was seconded by Vice Mayor **Mok**.

City Clerk Padovan pointed out that the item included a resolution allowing staff to go out to bid. She said she will ask the consultant to prepare an itemized price list form to be included in the RFP. The resolution gives approval to send out the request for proposals, once it is ready.

MOTION AND SECOND AMENDED: Councilmember **Tankha** amended her motion, moving to approve **Resolution 52-23** Approving the Plans and Specifications for the City Council Chambers Audio Video Project and authorizing staff to advertise the project for bids. This is to be a parallel process to include the preparation of plans and specifications for the project while working with the Technology Committee to identify ways to save money and potentially modify the scope of work and to require the bid package to include an itemized price list. Vice Mayor **Mok** amended his second.

MOTION PASSED 5-0:

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

- E. **Resolution 53-23** Authorizing an Extension of the Professional Services Agreement with Alexander Atkins Design, Inc. for the Our Town Newsletter in an amount not to exceed \$37,000 for a Six-Month Period (\$25,000 for AAD and \$12,000 for printing and mailing (Staff: D. Padovan)

Mayor Swan pulled the item for discussion. She would like the contract to specify \$37,000 for a one-year term, perhaps reducing the number of issues, due to budget constraints.

Council discussion ensued.

MOTION MADE AND SECONDED: Councilmember **Tyson** moved to approve **Resolution 53-23** Authorizing an Extension of the Professional Services Agreement with Alexander Atkins Design, Inc. for the Our Town Newsletter in an amount not to exceed \$37,000 for a one-year Period (\$25,000 for AAD and \$12,000 for printing and mailing) and reducing the number of issues released annually from four to two. The motion was seconded by Councilmember **Schmidt**.

MOTION PASSED 4-1:

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

- F. Approval of Change in Regular Meeting Schedule for the Los Altos Hills Environmental Design and Protection Committee (Staff: D. Padovan)
- G. **Resolution 43-23** Directing that the Pride Flag be Raised for the Month of June 2023 (Staff: C. Einfalt)
- ~~H. Consideration of a Request for Amplified Sound at Purissima Park for use during a Birthday Party Field Rental (Staff: S. Robustelli) – This item was removed from the agenda and not considered.~~
- I. Motion to Remove the Tabling Policy from the 2023 City Council Strategic Priorities (Staff: S. Robustelli)

- J. Award contract to Eaton and Associates for Information Technology Managed Services for a two-year Agreement not to exceed \$243,168.00 (Staff: S. Revillar)

Mayor Swan pulled the item for discussion.

City Manager Pirnejad explained the process that was used when reviewing the proposals using a matrix. The town is required by law to award the contract to lowest responsive bidder. We had a long list of things we were looking for. Price is a big part of it, but it is not all of it. The top five most responsive bids were reviewed by the Technology Committee, and they concurred with our recommendation to select Eaton and Associates.

Council discussion ensued.

Public Comment

Bryan Swanson, SMSData Center, said he does not understand why the RFP is not going to the lowest bidder. He asked that the Council reevaluate the bids.

City Manager Pirnejad reiterated the process used for evaluating the bids.

MOTION MADE AND SECONDED: Mayor **Swan** moved that those wishing to provide public comment at tonight's meeting be allowed three minutes each to do so. 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

John Swan, Los Altos Hills, said the summary was reviewed, but the data was not correct. The Technology Committee's recommendation should be invalidated because they didn't have the right information.

Allan Epstein, Los Altos Hills, said it is a \$40,000 difference and you need to take the time to see if they are qualified to do the job. He recommends going through the evaluation process again. Continue this item to the June meeting and all bidders be considered.

Rajiv Bhateja, Los Altos Hills, provided a quick summary of the bid evaluation.

Bryan Swanson, SMSData Center spoke again and explained their bid. He said they would save the town \$43,000 per year and added that their customer service is available 24/7, unlike the smaller companies.

Council continued the item to the June Regular Council Meeting and directed staff to ask the Technology Committee to reevaluate all the proposals submitted.

- K. Receive Quarterly Investment Portfolio Report – Quarter Ending March 31, 2023 (Staff: S. Revillar)
- L. Memorandum of Understanding Among Local Public Agencies in Santa Clara County for Food Recovery Program Costs (Staff: S. Revillar)
- M. **Resolution 44-23** Authorizing a Time Extension of an Approved Site Development Permit for a New Residence at 27388 Sherlock Court; Lands of Chung; File #EX23-0001 & SD19-0003 (Staff: J. Loh)
- N. **Resolution 45-23** Accepting the Improvements to Concession Building at Purissima Park Project (Staff: D. Liang)
- O. **Resolution 46-23** Approving the Plans and Specifications for Storm Drain Improvements at Purissima Park, Story Hill Lane, and Oak Park Court; Authorizing Staff to Advertise the Project for Formal Bid; and Authorize the City Manager to Award a Construction Contract Not to Exceed \$220,000 (Staff: D. Liang)

Public Comment

Allan Epstein, Los Altos Hills, spoke regarding storm drain improvements - he was concerned that we don't have a complete list of everything considered. It would be prudent to look at the scope of the projects.

Public Works Director WooJae Kim responded that the storm drain improvement are being proposed for the next fiscal year. The work needs to start before the paving project and that is why this project is being moved forward.

- P. **Resolution 47-23** Approving the Fiscal Year 2023-24 Project List to be Funded by the State Senate Bill 1, the Road Repair and Accountability Act of 2017 (Staff: W. Kim)
- Q. **Resolution 48-23** Approving the Sewer Construction and Dedication Agreement for the 13101 and 13057 La Cresta Drive Sanitary Sewer Main Extension Project and Repealing Council Resolution 04-23 (Staff: W. Kim)
- R. Request to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 2023-2024 Transportation Development Act Article 3 Pedestrian/Bicycle Funding of \$45,136 for Summerhill Pathway Project (Staff: W. Kim) (**Resolution 49-23**)

- S. **Resolution 50-23** Authorizing Award of the Landscape Maintenance Services Agreement for Fiscal Years 2023-2025 to Bayscape Landscape Management Not to Exceed \$220,000 (Staff: W. Kim)
- T. **Resolution 51-23** Approving Amendment No. 1 to the Agreement with Bear Electrical Solutions, Inc. for Traffic Signal Preventative Maintenance and Repair Services to Extend the Term One Additional Year (Staff W. Kim)

5. **STAFF REPORTS**

A. City Attorney

No report.

B. City Clerk

- A. **City Clerk Deborah Padovan** complimented **Mayor Swan** on a great State of the Cities luncheon speech. She also noted that committees are having a quorum issue and asked that the ad hoc committee keep that in mind when updating the standing committee resolution.

C. Planning Director

No report.

D. Administrative Services Director

Administrative Services Director Sarina Revillar reported that next Thursday is the joint council/FIC budget meeting. The proposed budget will be sent out tomorrow.

E. Public Works Director

Public Works Director WooJae Kim reported that staff were recently informed by the County Housing & Community Development staff that the town was approved for \$400,000 in Community Development Block Grant (CDBG) funds for the Heritage House Upgrade project. This is great news for the project and the town. However, the town would need to expedite the project since a requirement of the grant is to spend all funds by April 2024. Staff is planning to return to Council next month with a grant funding agreement for approval. He also announced that next week is the 2023 National Public Works Week with the theme of “Connecting the World Through Public Works.” Public works connect us all through infrastructure and service and enhance the quality of life for the communities.

F. City Manager

City Manager Peter Pirnejad reported the following:

- The Town of Los Altos Hills received an **Award of Excellence for the TEDxLosAltosHills event** awarded by the California Parks and Recreation Society.
- This past weekend the town held its **21st Annual Pathways Run/Walk** at Byrne Preserve. There were 500 registered runners, and our staff, sponsors, and volunteers made it look easy.
- All Los Altos Hills residents should have received an invite to the **24th Annual Town Picnic** for Sunday, June 4th from 12:30-4:00 pm at Purissima Park.
- The end is in sight for the Battery Energy Storage System CIP with Syserco. Electrical equipment will start to be moved to Town Hall this upcoming Monday.
- The first draft of recommendations on the LAFCO County Wide Fire Service Review were discussed at a LAFCO meeting this past Monday (May 15th).
- He also provided current information on residential burglaries. To view the PowerPoint document, click [here](#).

Public Comment

Jim Waschura, Los Altos Hills, congratulated the Council for testing the extra police patrol. Would like to see side-by-side municipalities to see if our efforts in policing are being productive.

6. **REPORTS FROM COUNCIL LIASIONS ON STANDING COMMITTEES, AD HOC COMMITTEES, AND COUNCIL MEMBERS ON OUTSIDE AGENCIES**

A. Report by the Undergrounding Subcommittee (Councilmember Tyson)

Councilmember Tyson reported there is no further update from PG&E on the undergrounding project. However, his goal is to get the CPUC (California Public Utilities Commission) to allow utilities like PG&E to raise up the priority of wildfire-sensitive undergrounding projects higher than regular, urban ones.

B. Report from the Council Ad Hoc Committee Focusing on Broadband (Vice Mayor Mok and Councilmember Tankha)

Vice Mayor Mok said that the long-awaited feasibility study from Gov Tech has now been completed and it is online. As we move forward, this is not the end of the road yet. We still need to ask the Emergency Preparedness and Response Committee to review the report. In the future, he will be asking that a Broadband Advisory Board be formed as suggested by the Gov Tech report and will be appointing some residents

with deep subject matter knowledge to be a part of the process. He also will be requesting to extend fiber to Town Hall and to the three properties that the town owns. They plan to have as many additional locations as feasible with respect to the emergency preparedness group. Additionally, perhaps offer a project with one of the vendors for wireless connectivity.

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

Councilmember Tyson said the City Manager provided a report that was the material they discussed in their last ad hoc meeting. We need to focus on prevention rather than detection. He offered to host a neighborhood watch meeting in his neighborhood. He challenged the other councilmembers to do the same, as well as committee members.

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

Councilmember Tyson said they have met with committee chairs and are preparing edits to the standing committee resolution. They should expect to see a modification in the near future. The process will be transparent, and they will run it through the committee chairs. **Mayor Swan** asked that the standing committee resolution be updated to say that individuals should attend one or two meetings before applying for a committee.

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

Vice Mayor Mok reported that the Pathways Run was incredible with over 500 people running this year. He also reported on the activities of the Cities Association where they asked each member to come up with two laws that they would like to review. California passed 900 new laws last year. He requested that if anyone is aware of any upcoming laws that might impact us, please contact him directly.

Mayor Swan reported that the History Committee will be having a special meeting this Friday and they will be reviewing the proposed plans for the Heritage House remodel.

7. **COUNCIL INITIATED**

➤ City Council Ex Parte Contacts Policy Disclosure

A. Request to Place the Pathways Map Online for Public Use (Mayor Swan)

Mayor Swan presented the item.

Joe Mitchell, Pathways Committee, presented a request that the new pathways map be placed on the town website. The Pathways Committee voted unanimously to put the map online.

Council discussion ensued.

MOTION MADE AND SECONDED: Mayor **Swan** moved to direct staff to post current version of the Pathways Map online. 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

- B. Consideration of a Request by Santa Clara County to Include a Town Pathway on the County's Map (Mayor Swan)

Mayor Swan presented the item.

Pathways Committee member **Joe Mitchell** provided a presentation.

Council discussion ensued.

Public Comment

Michelle Raffin, Los Altos Hills, asked about Pathways Committee meetings and whether or not she could attend.

Allan Epstein, Los Altos Hills, said that the traffic could be increased and parking on trails.

MOTION MADE AND SECONDED: Councilmember **Tyson** moved to direct staff to coordinate with Pathways Committee to identify a proposed path alignment for the regional trail and bring alignment back to City Council for approval. 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

- C. Consideration to Direct Staff to Initiate a Pathway Impact Fee Study (Mayor Swan)

Mayor Swan invited **Pathways Committee Member Bob Elson** to present the request. He said the Pathways Committee recommends the City Council direct town staff to conduct a new pathway impact fee study and engage the committee members.

Council discussion ensued.

Public Comment

Allan Epstein, Los Altos Hills, the pathway fee is an impact fee and the impact fee methodology used by the consultant only justifies 11 miles can be built with impact fee money. The impact fee is required to be updated every five years. In 2024 an impact fee would have to be done in any event. The study uses \$80 per foot for the cost of a pathway. The impact fee recommended a fee for ADUs, but the Council at the time decided not to charge the fee. No general fund money is used to construct paths - the money comes from the pathway fund.

Carol Gottlieb, Los Altos Hills, asked if pathway fees can be used to pay for consultants. They should be used for the pathways, but not for consultants. She would like to know how this will impact the building of paths. Could the pathways committee do a study themselves and submit it to town and not go out to a consultant?

Assistant City Attorney Lindsay D’Andrea responded to the questions. She advised there are certain requirements that are necessary in an impact fee study. Clear nexus and have to make certain findings.

MOTION MADE AND SECONDED: Vice Mayor **Mok** moved to direct staff to use funds within the miscellaneous pathways CIP to enter into contract to prepare a Pathway Impact Nexus Fee Study, and also enter into a contract with a contractor to manage the effort and prioritize project in the work plan and CIP pathway projects that are underway. 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

- D. Request to Support the Staff Applying for and working on Streamlining Photovoltaic (PV) Permitting in the Town, Including Applying for a Grant and Engaging with a Consultant to help lead the work (Councilmember Tyson)

Councilmember Tyson presented the report.

Council discussion ensued.

Public Comment

Mike Salameh, Los Altos Hills, said that we will have to spend the money anyway, \$40K is a net benefit. He reiterated that the top priority for the EIC is the reach codes, and it requires town resources. We feel like we are falling behind.

Allan Epstein, Los Altos Hills, said we are always trading priorities. The number one permit in this town is for solar panels. They shouldn't be at the top of the list because people are coming in for PV permits now.

MOTION MADE AND SECONDED: Councilmember **Tyson** moved direct staff to prioritize the Photovoltaic (PV) permitting into the 2023 Work Plan, direct staff to apply for the grant funding from the California Energy Commission and enter into contracts necessary to complete said work. 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

- E. Request for Staff to Add the Native Garden Upgrade to the 2023 Work Plan and Necessary Budget Appropriation (Councilmember Tankha)

Councilmember Tankha presented the report.

Council discussion ensued.

Public Comment

Allan Epstein, Los Altos Hills, commented on the process, saying that there is supposed to be a planning and budgeting process that accounts for all of these items. Seven items have been added to the list today. He asked that the Council have discipline on how they prioritize projects.

Joe Mitchell, Los Altos Hills, spoke in favor of putting in native plants - perhaps a park within a native garden.

Elizabeth Loianz, Los Altos Hills, spoke in favor of the native garden. Asking for a budget to do the planning.

Peter Brown, Los Altos Hills, described the project - add new native plants; upgrade pathways; add picnic tables and seating areas and implement a green stormwater infrastructure system (rain garden), remove a eucalyptus tree, and plant a screening hedge.

MOTION MADE AND SECONDED: Councilmember **Tankha** moved to add the Native Garden Upgrade to the 2023 Work Plan and approve the initial allocation of \$40,000 for an architectural design firm for FY 23-24. The motion was seconded by Councilmember **Mok**.

MOTION FAILED 2-3:

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

8. ADJOURN

The meeting was adjourned at 9:21 p.m.

Respectfully submitted,

Deborah L. Padovan

Deborah Padovan
City Clerk

The minutes of the May 17, 2023, special City Council meeting were approved as presented at the June 15, 2023, regular City Council meeting.