

# Town of Los Altos Hills City Council Special Meeting Minutes

Wednesday, May 25, 2023

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

Mayor Swan called the meeting to order at 6:31 pm

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

- A. Make Determination and take action on any request from a Councilmember to participate in a meeting remotely due to just cause circumstances pursuant to Government Code Section 54953(f)(2)(A)(i). Receive notice that a Councilmember is participating in the meeting due to just cause circumstances pursuant to Government Code Section 54953(f)(2)(A)(i).

**MOTION MADE AND SECONDED:** Councilmember **Tyson** moved to make a determination to allow Councilmember Tankha to attend the meeting virtually under emergency circumstances. The motion was seconded by Councilmember **Mok**.

MOTION PASSED 5-0:

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

## B. Roll Call

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, Interim Assistant to the City Manager Cody Einfalt, Senior Planner Elaine Ling, City Clerk Deborah Padovan

## C. Pledge of Allegiance

### 1. **PUBLIC COMMENT (PUBLIC COMMENT IS LIMITED TO ITEMS THAT ARE THE SUBJECT OF THE SPECIAL MEETING)**

There were no public comments.

### 2. **ONGOING BUSINESS**

A. Update and Receive Comments on Site Selection for the Housing Element Specific to Twin Oaks and Arastradero Properties (Staff: P. Pirnejad)

City Manager Peter Pirnejad introduced the topic.

Public Comment

**Jim Steinmetz, Los Altos Hills**, asked about the contingency plan if St. Nicholas does not want to subdivide their site and develop it, and asked about very low and low-income units allocated to St. Nicholas and why that site received a greater percentage of very low and low-income allocation than any other site. He expressed concern about putting those units in close proximity to a K-8 school.

**City Attorney Steve Mattas** reminded the Council and the public that the special meeting agenda tonight is very focused on the Saddle Mountain/Twin Oaks residents tonight.

**Michael Grady, Los Altos Hills**, said the current draft of the housing element estimates for Twin Oaks, a total capacity of 92 units. There has been submitted to the Town by Twin Oaks a project that is about 350 units and if you add the adjacent two-plus acres and rezone 15 acres to 20 to 30, you are looking at 400 units along there. He implored the Council not to rezone 15 acres, but to rezone three lots most suitable for development, but do not create an entitlement across 15 acres.

**Ian Earnest, Los Altos Hills**, said the level of outreach of this project was not good. He received a letter about a pathway in his neighborhood, but he would have appreciated a letter about this project. He said he would like to see development done across the town.

**Helen Huong, Los Altos Hills**, said she just heard about this yesterday. She expressed concerns about Arastradero and the traffic problems that will occur. The roads are narrow and cannot support the development.

**John O'Connell, Los Altos Hills**, thanked the City Manager and City Attorney for arranging this meeting so quickly. He has communicated in the past that it is his intention to submit comments to HCD. He is in contact with Reid Miller with HCD. The fundamental requirement to meet state law is to meet low-income housing. Twin Oaks makes 20% of that target. The rest of it is in the place where they are not going to do it. He strongly believed the current housing element plan will not be found in compliance with the state's requirements.

**R.K. Anand, Los Altos Hills**, said his biggest concern is with Arastradero. There is already office and school traffic. He said the neighborhood had no clue about this project until today. This area is in a fire zone, and it is also an evacuation zone. He requested better communication from the town.

**Harl Sankar, Los Altos Hills**, expressed concerns about communications and having that

much housing in that one small area. It is unfair to the new residents too as they will be isolated in what will look like New York City projects. The current proposal is not thoughtful, and it lacks imagination.

**Junaid Qurashi, Los Altos Hills**, said he just found out about this proposal. He asked for better communication. We need to put our heads together as a bigger community in order to solve this problem.

**Anne Paulson, Los Altos**, said she was interested in the preliminary application for senior housing on the Twin Oaks site. She said she was unable to see the application or get information about the owner.

**Sasha Zbrozek, Los Altos Hills**, said he would love to help the Town out with a housing commitment and allow him to build the project he has in mind.

**JJ Zhuang, Los Altos Hills**, said he joined call five minutes ago. This issue affects every resident in the town and if we have invited everyone in the town, everyone will have an opinion.

**Sallie, an online attendee**, said that she agreed that this entire process was very poorly advertised. She does not understand why we would exceed the minimum number of units that we are required to put in Los Altos Hills. Putting in over 400 units is going to destroy Los Altos Hills and we pay a lot of money to live here.

**Carol Gottlieb, Los Altos Hills**, said she would like to give cede her time to John O'Connell.

**City Attorney Mattas** said it is up to the council if they want to allow someone to cede their time to someone else. Historically, the Council has not entertained requests to cede time; everyone is given the same amount of time.

**Linda Selker, Los Altos Hills**, said she found out about this meeting and topic at 4:30 today. She would like to find out more about the proposed project. She asked for more notice.

**LanVi Evans, Los Altos Hills**, said she wasn't aware of the housing element for Los Altos Hills. She asked that someone explain the timeline.

**Kathy Liccardo, Los Altos Hills**, said the communication has been poor for this issue. She asked what defines low income and what is going to happen with the quality of life here in Los Altos Hills.

**Duffy Price, Los Altos Hills**, addressed communications and asked that Our Town be used for communication. There is a lot to be discussed regarding the housing element, but we must have improvements in outreach and transparency.

The Council then considered using ceded time to allow Mr. O'Connell to make an additional public comment.

**Councilmember Schmidt** said there were a number of misconceptions going around the room and asked to have some time devoted to clearing up the misconceptions and the consequences of what we are doing.

**John O'Connell, Los Altos Hills** (using ceded time from Carol Gottlieb), said he would be making comments to HCD on the town's complete failure to meet the requirements under HCD and state law for public outreach, and consultation.

**Sandra Georgescu, Los Altos Hills**, said she observed the process of how this happened. Said she was part of the meeting that happened yesterday and one of the things that became clear in the meeting yesterday, was the discrepancy between what the residents had to say and what the town staff had to say.

Council discussion ensued. **Councilmember Tyson** asked the City Manager to explain what is happening currently with the housing element and to clarify that a project is not currently before the Council.

**Councilmember Schmidt** said that there are several steps in a process that has been going on for a year and a half. We are not here to adopt any development; we are not even close to that step. Anything proposed will have to go to the Planning Commission and through the entire process. We are trying to comply with state law to turn it in on time. If we don't get it submitted in time, we lose the ability to regulate the planning in our town.

**City Manager Pirnejad** explained the housing element process. This is the very beginning stages that have been unfolding for many years. It started at the state level, and it affects cities in the entire state. The Town was mandated to add 489 units to provide a place in our housing element to provide where they might be located. We need to comply with state statutes to determine that they are fair, affirmatively further fair housing, and that they are affordable at various levels. In the last housing element, we were given a number by the state, and we almost doubled it. Right now, we are dealing with very strict deadlines on when we can comply and one of them is May 31. If we do not have a certified housing element by May 31 deemed substantially compliant, then we basically must have an EIR, the zoning ordinance, and the objective design standards between now and January 31, 2024. There will be more opportunities for public input over the course of the next year.

**City Attorney Mattas** emphasized that Los Altos Hills has historically had one-acre minimum lots with single-family zoning or institutional uses. The state has imposed a requirement on cities that requires towns like Los Altos Hills to provide for the number of housing units the City Manager mentioned and that involves having some multi-family zoning. Currently, the Town does not have any multi-family zoning. The objective design standards are to develop those rules and regulations. Those will be public hearings heard at the Planning Commission and the City Council. There will be ample opportunity for the public to have input.

**Councilmember Schmidt** said that the individual who wanted to contact HCD, if the housing element is not approved, we lose all control. That means that we lose the authority to say no. We are all really working on this together and we want this to be a good project. Please consider that we are trying to make this as transparent and positive as possible.

**Mayor Swan** said that in Redondo Beach, a builder's remedy project came in for 2500 condo units and the Council and the Planning Commission said they couldn't stop them due to state law. We are working as hard as possible to prevent that from happening here in Los Altos Hills.

**Vice Mayor Mok** said that we are all in this together and we cannot stand separately on this issue. The State of California has elected officials that have enacted over three dozen housing laws since 1990. If we do not get certified, we would still be subject to the builder's remedy.

**Councilmember Tankha** echoed what other Councilmembers have said. She added that we have all lived in this town for many years and understand where everyone is coming from. The state has changed the rules and has taken over the mantle of what is good for the town. It is in our best interest to take a step back and see what this council is attempting to do. We are trying to limit the damage that could happen.

The Mayor opened up the floor for additional public comment at one minute per speaker.

**Michael Grady, Los Altos Hills**, said that everyone is in agreement that hundreds of units along Arastradero are not what anyone wants. The best way to ensure that hundreds of units don't go on Arastradero is not to rezone. Once you rezone you create a degree of entitlement.

**R.K. Anand, Los Altos Hills**, he said it sounds like we are held hostage to the May 31st deadline. He expressed surprise that in a year and a half, the town cannot think of a better strategy.

**Kathy Liccardo, Los Altos Hills**, thanked the Council for this meeting and hearing the public and said that it is an emotional issue. If there is one lesson to be learned, it is better communication.

**John O'Connell, Los Altos Hills**, suggested removing the property that was added on Arastradero and only zone lots 4, 5, and 6.

**Harl Sankar, Los Altos Hills**, questioned the decision to place all the housing on just three lots. The plan lacks creativity and fairness.

**Junaid Quarshi, Los Altos Hills**, said the issue has been around for a year and a half and expressed surprise that the Town didn't come to the residents to ask for help. We live in Silicon Valley and have the smartest people in the world living here.

**Duffy Price, Los Altos Hills**, said there is an answer and that is to join in their neighborhood voices to get a constitutional amendment on the 2024 ballot to change the housing laws.

An unidentified public comment speaker woman expressed concerns about building homes where there was wildfire risks.

**City Attorney Mattas** addressed comments about the housing element and said the current element does identify certain properties. California law has a no-net loss set of requirements. If you reduce the zoning in terms of housing, in one area, you can still do that, if you make it up somewhere else. The Council should understand that the current housing element before HCD, doesn't mean that the Council couldn't change that in the future - you just must deal with the no-net loss. The policy discussions that have been engaged in can also be held in the future.

3. **ADJOURN**

The meeting was adjourned at 7:54 p.m.

Respectfully submitted,

*Deborah L. Padovan*

Deborah Padovan  
City Clerk

The minutes of the May 25, 2023, special City Council meeting were approved as presented at the June 15, 2023, regular City Council meeting.