

Town of Los Altos Hills

City Council Regular Meeting Minutes

Thursday, June 15, 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, City Clerk Deborah Padovan, Administrative Services Director Sarina Revillar, Management Analyst II Cody Einfalt, Community Services Manager Sarah Robustelli, Project Manager Steve Padovan, Senior Planner Elaine Ling, Associate Planner Jeremy Loh, Public Works Director WooJae Kim

Mayor Swan called the meeting to order at 5:30 p.m.

CALL TO ORDER (5:30 P.M.) – CLOSED SESSION

- A. Roll Call
- B. Pledge of Allegiance

There was no reportable action resulting from the 5:00 p.m. Closed Session.

1. CLOSED SESSION

- A. CONFERENCE WITH LABOR NEGOTIATORS:
(Pursuant to Government Code Section 54957.6)
Agency Designated Representative: Peter Pirnejad
Unrepresented employee: City Attorney

2. ADJOURN TO CLOSED SESSION

Council adjourned to Closed Session at 5:31 p.m.

3. REPORT OUT OF CLOSED SESSION

See item 4.N.

CALL TO ORDER (6:00 P.M.) – OPEN SESSION

Mayor Swan called the meeting to order at 6:00 p.m.

1. AGENDA REVIEW

There were no changes to the agenda.

2. PRESENTATIONS AND APPOINTMENTS

A. Appointment to the Los Altos Hills Environmental Design and Protection Committee

City Clerk Padovan introduced **Lena Hsu**.

Lena Hsu expressed her interest in serving on the committee.

MOTION MADE AND SECONDED: Councilmember **Tankha** moved to appoint **Lena Hsu** to the Environmental Design and Protection 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

B. Mid-Peninsula Regional Open Space Presentation

Yoriko Kishimoto, President, Mid-Peninsula Regional Open Space, delivered the annual district presentation.

The Council received the report. No action was taken.

C. Presentation on Proposed Magical Bridge Playground at Foothill College Project

Dr. Kristina Whalen, President and **Simon Pennington, Associate Vice President, Foothill College**, presented the Magical Bridge project at the college and next steps.

The Council asked questions and received responses. No action was taken.

3. PRESENTATIONS FROM THE FLOOR

Ginger Summit, Los Altos Hills, spoke about the Redwood Grove pathway and would like to see it built. She would like to see it agendaized for a future meeting. She believed it should be a simple, easy process.

Dorit Perry, Los Altos Hills, spoke in support of safety and security in town and asked the Council what action items have the implemented since they are not renewing private patrol.

Carl Guardino, Tarana Wireless, encouraged everyone to attend the Tarana Wireless and Bloom Energy Third Annual Stars and Strides 5K-10K Community Run/Walk and Kids Fun Run on Saturday, July 1 in downtown San Jose at Discovery Meadow. This event benefits three hospitals and fourteen health care clinics. More information and registration can be found at <https://raceroster.com/events/2023/72371/bloom-energy-and-tarana-wireless-stars-and-strides-5k-10k-runwalk-and-kids-fun-run>.

Bridget Morgan, Los Altos Hills, thanked the Council and staff for the housing element and having it approved by the state. She expressed a worry that 88 condo rental units might eventually be built on the substandard lots on Mora Drive and high-density developments in other places in Town.

4. **CONSENT CALENDAR**

Councilmember Schmidt asked that items 4.H, 4.J and 4.L. be pulled for discussion.

City Manager Pirnejad asked to make a statement regarding item 4.N before the Consent Calendar is voted upon.

Public Comment

Susan Cretokos, Los Altos Hills, spoke on item 4.J and said she and others still use the manure pilot program on a regular basis.

City Manager Pirnejad stated that item 4.N is an amendment to the contract with Meyers Nave for City Attorney services. The proposed contract amendment increases the monthly general services retainer rate to \$13,465 per month and also increases the hourly rates for special services, litigation, and land-use cost recovery by approximately 5%.

MOTION MADE AND SECONDED: Councilmember **Tankha** moved to approve the Consent Calendar with the exception of Items 4.H, 4.J, and 4.L. 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 Special City Council Meeting Minutes – May 17, 2023
- B. Approval of Special Joint City Council/Finance and Investment Committee Meeting Minutes – May 25, 2023
- C. Approval of Special City Council Meeting Minutes – May 25, 2023
- D. Approval of Special City Council Meeting Minutes – May 31, 2023
- E. Review of Disbursements: May 1-31, 2023 \$716,737.50
- F. Approval of Treasurer’s Report for the Month Ended May 31, 2023 (Staff: S. Revillar)
- G. Approval of Change in Regular Meeting Date and Time for the Los Altos Hills Parks and Recreation Committee (Staff: D. Padovan)
- H. **Resolution 57-23** Approving an Amendment to the Reserve Policy (Staff: S. Revillar)

Vice Mayor Mok pulled the item for discussion. The AV system should be on an ongoing budget process. AV needs to be included as it depreciates. We should have a certain amount of money put aside on a per-year basis. He recommended adding a new subcategory of Technology to the CIP with the amount of \$460K. The depreciation schedule would be \$46K per year for ten years.

Administrative Services Director Sarina Revillar said she would make that change to the budget and confirmed with **Vice Mayor Mok** that this would be for the 2023-2024 budget.

MOTION MADE AND SECONDED: Vice Mayor **Mok** moved to approve **Resolution 57-23** Approving an Amendment to the Reserve Policy, *with an additional amendment to the IT portion of the policy for AV systems*. 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

- I. Request from the History Committee Seeking Permission to Hold September 10, 2023, History Walk featuring Historical Sites along Moody Road and the Fall Presentation “An Old Timers Gathering” on September 24, 2023

- J. Conclude the Manure Pilot program at Purissima Park (Staff: S. Robustelli)

Mayor Swan pulled the item for discussion. **Community Services Manager Sarah Robustelli** explained how the program works and said three residents said they no longer use the program.

Public Comment

Alisa Bredo, Los Altos Hills, said she appreciated the EIC offering this proposal. She found using the manure program difficult and it is not easy to dump a lot of manure. She suggested dumping on the ground at the compost pile.

Teresa Baker, Los Altos Hills, she said having it dumped at the compost pile at the end of Elena and Purissima would be ideal.

MOTION MADE AND SECONDED: Councilmember **Tyson** moved to approve the conclusion of the manure pilot program. The motion was seconded by Councilmember **Schmidt**.

MOTION PASSED 4-1:

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

- K. **Resolution 54-23** Rejecting All Bids Received for the 2023 Pavement Rehabilitation and Drainage Improvement Project; Approving Revised Project Plans and Specifications for Staff to Advertise for Formal Bid (Re-Bid); and Authorizing the City Manager to Award a Construction Contract Not to Exceed \$1,390,000 to the Lowest Responsible Bidder, Including Contingency Fund for Potential Change Orders (Staff: W. Kim)
- L. **Resolution 58-23** Approving the Plans and Specifications for Briones Way, Concepcion Road, and La Paloma Road Pathways for Staff to Advertise for Formal Bid; and Authorizing the City Manager to Award a Construction Contract Not to Exceed \$500,000 to the Lowest Responsible Bidder, Including Contingency Fund for Potential Change Orders (Staff: W. Kim)

Councilmember Schmidt pulled the item for discussion as she thought the cost was high. **Public Works Director WooJae Kim** addressed the cost issues.

Public Comment

Allan Epstein, Los Altos Hills, some issues need to be addressed. Delegating authority to the City Manager doesn't allow for public review and input. This project

is very important to the future of how pathways projects will be completed. If the bids come in at \$500K, we need an alternative approach to how pathways are built.

MOTION MADE AND SECONDED: Councilmember **Tyson** moved to approve **Resolution 58-23** Approving the Plans and Specifications for Briones Way, Concepcion Road, and La Paloma Road Pathways for Staff to Advertise for Formal Bid; and Authorizing the City Manager to Award a Construction Contract Not to Exceed \$500,000 to the Lowest Responsible Bidder, Including Contingency Fund for Potential Change Orders *as amended to delegate the authority for proceeding to an ad hoc committee comprised of Mayor Swan and Councilmember Schmidt, along with the City Manager, with the recognition that if the price is very high they are fully authorizing to reject it and wait until we have a better understanding.* 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

- M. **Resolution 55-23** authorizing the City Manager to renew and extend the term of the Los Altos/Los Altos Hills Little League Agreement for an additional three years (Staff: S. Robustelli)
- N. **Resolution 56-23** Approving Amendment No. 11 to the Agreement for City Attorney and Other Legal Services Between Meyers Nave and the Town of Los Altos Hills (Staff: P. Pirnejad)

5. ONGOING BUSINESS

- A. Resolution Authorizing Award of the Information Technology Managed Services and Authorize the City Manager to enter into a two-year agreement with Eaton & Associates for Fiscal Years 2023-2025 with an amount not to exceed \$243,168 with an option to extend two additional years (Staff: S. Revillar) – *The resolution was not approved.*

City Manager Peter Pirnejad presented the staff report. He suggested that the Council reject all bids, extend the Eaton & Associates contract for one year and hire a consultant to lead the bidding process.

Rajiv Bhateja, representing the Technology Committee, explained the committee process in selecting a vendor.

Allan Epstein, Los Altos Hills, said he doubts we could find a consultant more qualified than the Technology Committee. The services provided by both vendors are

the same. The other vendor is providing the same hours but at a higher hourly rate. If the hours were leveled, their agreement would be less.

Jim Fruuen, Stepford, they have been providing services in the Bay Area for 38 years and 30 have been dedicated to the private sector. They made their operations more efficient, and they have people with extremely high levels of skill. They get things done faster.

Gabrielle Nelson, Eaton & Associates, looking at May of this year, the town employees submitted 144 tickets to Eaton. Their pricing is not random but is based on their contract with Los Altos Hills.

Council discussion ensued.

MOTION MADE AND SECONDED: Councilmember **Tyson** moved that in light of recent events and in an effort to ensure all vendors are provided a fair and predictable process to submit proposals, to reject all the bids, extend the Eaton & Associates Contract for one year, direct staff to hire an expert in IT managed services to create and implement a new RFP and process that allows input and recommendations from stakeholders such as the Technology and others committees, staff and other stakeholders in a process that ensures we comply with public sector procurement best practices. Cost should be a factor in the selection process but not the determinant factor. 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

6. NEW BUSINESS

- A. **Resolution 59-23** Approving and Adopting the Town of Los Altos Hills Travel Policy (Staff: S. Revillar)

Administrative Services Director Sarina Revillar presented the staff report.

MOTION MADE AND SECONDED: Councilmember **Schmidt** moved to approve **Resolution 59-23** Approving and Adopting the Town of Los Altos Hills Travel Policy. 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 60-23** Approving and Authorizing a Financial Policy (Staff: S. Revillar)

Director Revillar presented the staff report.

MOTION MADE AND SECONDED: Councilmember **Schmidt** moved to approve **Resolution 60-23** Approving and Authorizing a Financial Policy. 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

C. **Resolution 61-23** Authorizing the Town of Los Altos Hills to Participate in the Employment Risk Management Authority (ERMA) – Employee Practices Liability (EPL) (Staff: S. Revillar)

Director Revillar presented the staff report.

MOTION MADE AND SECONDED: Councilmember **Tyson** moved to approve **Resolution 61-23** Authorizing the Town of Los Altos Hills to Participate in the Employment Risk Management Authority (ERMA) – Employee Practices Liability (EPL). 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

7. **PUBLIC HEARINGS**

➤ City Council Ex Parte Contacts Policy Disclosure

There were no ex parte communications.

A. **Resolution 62-23** of the City Council of the Town of Los Altos Hills Requesting that the Santa Clara County Tax Collector Collect Delinquent Sewer Charges, the 2023-

2024 Sewer Service Charges, and Contractual Assessment District Charges for Both the Palo Alto and Los Altos Sewer Basins (Staff: W. Kim)

Mayor Swan opened the Public Hearing.

Public Works Director WooJae Kim presented the staff report.

There was no public comment. **Mayor Swan** closed the Public Hearing.

MOTION MADE AND SECONDED: Councilmember **Tankha** moved to approve **Resolution 62-23** of the City Council of the Town of Los Altos Hills Requesting that the Santa Clara County Tax Collector Collect Delinquent Sewer Charges, the 2023-2024 Sewer Service Charges, and Contractual Assessment District Charges for Both the Palo Alto and Los Altos Sewer Basins. 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

- B. **Resolution 63-23** Adopting the Proposed FY 2023-24 Operating Budget and FY 2024-28 Five-Year Capital Improvement Plan Budget and Gann Limit for the Town of Los Altos Hills and Resolution Approving the FY 2023-24 Salary Schedule (Staff: S. Revillar)

Mayor Swan opened the Public Hearing.

Director Revillar presented the staff report. Council asked questions of staff and received responses.

There was no public comment. **Mayor Swan** closed the Public Hearing.

MOTION MADE AND SECONDED: Vice Mayor **Mok** moved to approve **Resolution 63-23** Adopting the Proposed FY 2023-24 Operating Budget and FY 2024-28 Five-Year Capital Improvement Plan Budget and Gann Limit for the Town of Los Altos Hills and Resolution Approving the FY 2023-24 Salary Schedule. 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

8. STAFF REPORTS

- A. City Attorney - No report.
- B. City Clerk - No report.
- C. Planning Director - No report.
- D. Administrative Services Director

Director Revillar said that the final audit is scheduled for the end of September.

- E. Public Works Director

Director Kim informed the Council about the Regional Water Quality Control Board has adopted the third iteration of the Municipal Regional Stormwater Permit, also known as MRP 3.0. The new permit requirements include significant changes and additional requirements for Provision C.3 related to New development and redevelopment. The key change for the town is that all single-family home projects that create and/or replace 10,000 sq. ft. or more of impervious surface will now be a regulated project requiring low-impact development (LID) involving site design and stormwater treatment measures. Town staff has been outreaching to the development communities regarding the regulation change. There will also be more information on this week's City Manager Weekly Report on the matter. Feel free to contact the Public Works or Planning staff members for any questions.

- F. City Manager

City Manager Pirnejad provided information on:

- Decreased residential burglary rates.
- The success of the recent Town Picnic.
- The upcoming Twelfth Annual 4th of July parade.
- New neighborhood watch zones.
- The City of Palo Alto's recently renewed contract with Pets in Need.
- Santa Clara County's FireSafe Council's announcement that the public comment period for the draft update to the County's Community Wildfire Protection Plan (CWPP).
- Santa Clara County administration has agreed to secure replacement funds for the CDBG monies that we thought we had identified for the Heritage House.

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

A. Report by the Undergrounding Subcommittee (Councilmember Tyson)

Councilmember Tyson reported that the PG&E drawing is complete, and they are about to complete their internal estimate.

No action was taken.

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

Vice Mayor Mok reported that they are moving forward. They have had conversation with LAHCF and AT&T and sometime before the end of year, they will bring something to the Council.

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

No report.

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 Tyson reported that the ad hoc committee has completed the draft and submitted to the City Clerk and the City Manager. It is currently with the City Attorney for review. Once that is in place, we will bring it forward to the committee chairs for review and come up with something that is acceptable to most.

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

Councilmember Tyson reported he attended the tour at the Stanford Energy Process sponsored by Silicon Valley Clean Energy. Last week he had the opportunity to visit Casa Diablo 4, the first geothermal project being built and started up in California in 30 years, in the Eastern Sierras.

10. COUNCIL INITIATED ITEMS

A. Request to Update the Council Ad Hoc Committee on Lifetime Volunteer Awards (Mayor Swan)

Mayor Swan presented the item. She suggested that the incoming Mayor be involved in the ad hoc committee. She suggested that the ad hoc committee be comprised of **Vice Mayor Mok** and **Mayor Swan**.

MOTION MADE AND SECONDED: Mayor **Swan** moved that the membership of Council Ad Hoc Committee on Lifetime Volunteer Awards be updated to include **Vice Mayor Mok** and **Mayor Swan**. 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. Request to Include Horses at the Fourth of July Parade (Mayor Swan)

Mayor Swan presented the item.

Council discussion ensued.

Public Comment

Alisa Bredo, Los Altos Hills, said that other cities all have horse parades.

Teresa Baker, Los Altos Hills, she would like to see the horses in the parade.

MOTION MADE AND SECONDED: Mayor **Swan** moved to allow horses in the 4th of July Parade. 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. Request to Consider Co-Sponsoring the Los Altos Rotary Fine Art in the Park Event by Providing a \$1,000 Grant (Mayor Swan)

Mayor Swan presented the item.

MOTION MADE AND SECONDED: Mayor **Swan** moved to provide \$1,000 Grant to the Los Altos Rotary Fine Art in the Park Event. 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

11. **ADJOURN**

The meeting was adjourned at 9:07 p.m. in memory of **David Struthers**.

Respectfully submitted,

Deborah Padovan

Deborah Padovan
City Clerk

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