

Town of Los Altos Hills

City Council Regular Meeting Minutes

Thursday, July 15, 2010
Council Chambers, 26379 Fremont Road

CALL TO ORDER, ROLL CALL AND PLEDGE OF ALLEGIANCE

Mayor Kerr called the City Council Regular Meeting to order at 6:30 p.m. in the Council Chambers at Town Hall.

Present: Mayor Breene Kerr, Mayor Pro Tem Rich Larsen, Councilmember Jean Mordo, Councilmember Ginger Summit and Councilmember Dean Warshawsky

Absent: None

Staff: City Manager Carl Cahill, Planning Director Debbie Pedro, Associate Planner Brian Froelich, Assistant Planner Nicole Horvitz, City Engineer/Public Works Director Richard Chiu, Finance Director Nick Pegueros, City Attorney Steve Mattas, and City Clerk Karen Jost

Council adjourned to Closed Session at 6:33 p.m.

CLOSED SESSION

CLOSED SESSION: CONFERENCE WITH REAL PROPERTY NEGOTIATORS:

Pursuant to Government Code Section 54956.8

Property: 26379 Fremont Road

Agency Negotiators: Carl Cahill and Steve Mattas

Negotiating Parties: Town of Los Altos Hills and Verizon

Under Negotiation: Terms and Conditions for Lease of Property

CLOSED SESSION: CONFERENCE WITH LABOR NEGOTIATOR

Pursuant to Government Code Section 54957.6

Agency Designated Representative: City Manager

Unrepresented Employee: City Attorney

PUBLIC SESSION

Council reconvened to Open Session at 7:00 p.m.

Mayor Kerr reported out of Closed Session. There was no reportable action taken; direction was given.

APPOINTMENTS AND PRESENTATIONS

1. Appointments to Standing Committees

Parks and Recreation Committee:

MOTION SECONDED AND CARRIED: Moved by Mordo, seconded by Warshawsky and passed unanimously to appoint resident Kit Gordon to the Standing Parks and Recreation Committee for a term of four years.

CONSENT CALENDAR

Item Removed: Agenda Item #7 (Councilmember Warshawsky)

MOTION SECONDED AND CARRIED: Moved by Larsen, seconded by Mordo and passed unanimously to approve the remainder of the consent calendar, specifically:

2. Approval of Meeting Minutes: City Council Regular Meeting – May 20, 2010
City Council Regular Meeting – June 17, 2010
3. Review of Disbursements: 6/1/10 – 6/31/10 \$1,217,409.71
4. Approval of 2010 Pavement Rehabilitation and Storm Drain Improvements Project Resolution No. 27-10
5. Approval of 2010 Sanitary Sewer Repair and Rehabilitation Project Resolution No. 28-10
6. Award of Contract for Preparation of Structural Construction Documents for Los Altos Hills Corporation Yard Building – Resolution No. 29-10
8. Acceptance of Grant of Pathway Easement: Lands of Nagel, 26525 Weston Drive Resolution No. 30-10
9. Award of Contract for Consulting Services to Evaluate and Prepare Design Documents for Pathway Projects and a Roadway Safety Improvement Project Resolution No. 31-10
10. Notification of Fast Track Approval: Lands of Kirk, 26045 Newbridge Drive; (File #8-10-ZP-SD); A request for a Site Development Permit for a 1,171 square foot first and second story major (Maximum height: 27') and interior remodel. CEQA Review: Categorical Exemption per Section 15303 (a)
11. Approval of Request for Extension of the Expiration Date of a Site Development Permit for a New Residence; Lands of Agam; 25621 Vinedo Lane (Lot 2), File #23-09-ZP-SD-GD
12. Approval of Request for Extension of the Expiration Date of a Site Development Permit for a New Residence; Lands of Agam; 25611 Vinedo Lane (Lot 3), File #315-08-ZP-SD-GD

13. Approval of Job Specifications for the Parks and Recreation Department
14. Adoption of 2010-11 Grant Funded Employee Wellness Program
15. Grant Awards to Non-Profit Partner Community Service Agencies
16. Resolution Authorizing an Agreement with High Energy Audits, Inc for Consulting Services for the Los Altos Hills GHG Inventory Update – Resolution No.32-10

Item Removed:

7. Award of Contract for Byrne Preserve Dead Tree Removal – Resolution No. 33-10

Councilmember Warshawsky requested clarification on the substantial number of trees marked in Byrne Preserve. He questioned if they had all been identified for removal. City Engineer/Public Works Director Richard Chiu provided an overview of the project. The Town was partnering with the Los Altos Hills County Fire District for the project. Not all of the trees marked would be cut down; some were slated for trimming and some for monitoring. The District would be inspecting the work to ensure that it was being done to their specific requirements for fuel management and safety.

Jitze Couperus, Los Altos Hills County Fire District Commissioner, offered that it was important that a portion of the felled trees remain on site for animal habitat. Tree branches that currently present a safety hazard near paths were also scheduled to be trimmed.

MOTION SECONDED AND CARRIED: Moved by Warshawsky, seconded by Mordo and passed unanimously to adopt Resolution No. 33-10 Awarding a Contract for Byrne Preserve Tree Removal (Davey Tree Expert Co.)

*COUNCIL CONSIDERATION OF URGENCY ITEM:

City Attorney Steve Mattas requested consideration of adding of an item to the agenda: Agenda Item #27 “Consideration of a Resolution of Intention to Create Eastbrook Subdivision Tract 5801 Contractual Assessment District No. 2010-1 for the Purpose of Financing Sewer Improvements”. Mattas explained that adoption of the resolution was a requirement for establishing a CAD. The resolution would also set the date, time and place for a public hearing that would afford interested persons an opportunity to comment or object to the proposed contractual assessment program. The addition of the agenda item required approval by a super majority of the City Council.

MOTION SECONDED AND CARRIED: Moved by Larsen, seconded by Summit and passed unanimously (5-0) to add Agenda Item #27 as described by the City Attorney.

PRESENTATIONS FROM THE FLOOR

Alexander Atkins, resident, requested that the Town work closely with the Sheriff to enforce compliance of the Town’s noise ordinance. He referenced the Town’s “Green Sheets” and the founders’ goal to retain a quiet, residential and somewhat “rural” environment. Atkins explained that his family had been greatly impacted by the noise

emissions from his neighbor's air conditioning unit. To date, the issue had not been permanently resolved to his satisfaction. Atkins requested that the City Council intervene in the issue and enforce compliance of the Town's ordinance.

Council referred the item to staff and directed them to advise the Council on their findings via a written communication. The investigation would be central to the Atkins request only.

PUBLIC HEARINGS

17. Introduction of an Ordinance Amendment to Title 10, Chapter 2, Article 8 of the Los Altos Hills Municipal Code Establishing a Water Efficient Landscape Ordinance CEQA review: Categorical Exemption per 15307 and 15378(b)(2) (Staff: D. Pedro) (Item Continued from June 17, 2010 City Council Meeting)

Associate Planner Brian Froelich introduced the agenda item. He provided a brief overview of the staff report before the Council. In 2006, the State of California adopted AB 1881 requiring the Department of Water Resources (DWR) to update the State Model Water Efficient Landscape Ordinance (Model Ordinance). All California local government agencies are required to adopt the Model Ordinance or develop a local ordinance that is at least as effective.

The Planning Commission had reviewed the item on May 6, 2010 and June 3, 2010 and recommended approval of the proposed Water Efficient Landscape Ordinance by a 3-2 vote (Commissioners: Collins, Harpootlian and Partridge-Ayes; Clow and Abraham-No).

The City Council had reviewed the draft ordinance at the June 17, 2010 meeting. The Council had requested additional information regarding the Parcel Water Budget formula, alternatives, and an analysis regarding the use of slope or Lot Unit Factor (LUF) in the formula.

The Town's proposed ordinance would bring the Town into conformance with AB1881. Council had before them for their consideration four different formulas for calculating the Parcel Water Budget (PWB) and the option of including a Water Conservation (WC) Factor in the ordinance. They included the State formula, the Standing Water Conservation Committee formula, the Planning Commission formula and an alternative formula developed by staff.

Froelich shared a Formula Comparison Table that illustrated the four different formulas calculation of the allowable PWB for a one acre parcel with different slopes, LUF and MDA as formula components. In addition, Froelich had prepared an Actual Usage Comparison Table using lot characteristics (raw data) and actual water usage of 14 different Town properties. Included in the comparison table were projected PWB for the properties using the Water Conservation Committee formula, Planning Commission formula and the Alternative formula.

Froelich advised the City Council that a letter received today from resident Barbara Goodrich commenting on the proposed ordinance was available on the dais. Goodrich opposed the draft ordinance.

Council Discussion:

Councilmember Mordo summarized the primary decisions before the Council with respect to the proposed ordinance: 1) should the slope be included in factoring the PWB; 2) should the formula include a water conservation factor less than the state model ordinance 1.0; 3) should penalties be imposed; and 4) whether to initiate an information campaign directed at existing residents to help them understand what their PWB would be for their parcel.

OPENED PUBLIC HEARING

Phil Mahoney, resident, expressed his opposition to the proposed ordinance and suggested that it was an example of over regulation by the Town. He noted that the Town was adopting an ordinance that was more restrictive than the State requirement. Mahoney questioned if the Council had considered the impact the proposed regulation would have on residents with families. He questioned if other communities were adopting more restrictive ordinances. Mahoney suggested that the Town put the ordinance to a vote of the residents.

Gary Waldeck, resident, Purissima Hills Water District Board member, commented that the Board of Directors had recommended a water conservation factor of 1.0 be used in calculating the PWB for the ordinance. However, as a resident and citizen of Los Altos Hills, he supported using a more stringent conservation factor of 0.6, 0.7 or 0.8. He supported the recommendations of Councilmember Mordo as outlined in his letter to the Council and included in the staff report as an attachment. In response to a Councilmember inquiry, he noted that the Water District did not believe that there was an immediate problem with water supply. He acknowledged that he had voted with the other Board members to recommend the conservation factor of 1.0 citing it as a good business decision for a water purveyor.

CLOSED PUBLIC HEARING

Councilmember Summit commented that she believed it was important for the Council to adopt an ordinance that was tailored to the Town's needs rather than the State Model Ordinance. She offered that the State model was onerous and would be more expensive for residents given the wide number of special professionals that would be required for a landscape project to be compliant and meet the criteria mandated by the ordinance. In addition, the State's ordinance included mandatory water audits. The model ordinances from Santa Clara County and BAWSCA were also problematic. She supported the addition of a water conservation factor of 0.8 in the formula as a good starting point. She noted that the factor could be amended in the future. In addition, Summit concurred with Councilmember Mordo that current residents should be sent advisory notices to make them aware of their water usage and to raise their level of awareness given the more restrictive water conservation compliance that will be required by the State in 10 years.

Council discussion ensued. Council reviewed the option of not taking any action. Councilmember Warshawsky explained that he was frustrated that AB1881 did not address water conservation and supported the Town complying with the requirement but at a minimum. Councilmember Mordo offered that the Town's ordinance had the potential to have a positive impact on water conservation. Mayor Pro Tem Larsen

supported a water conservation education campaign. He questioned if it could be considered “as good as” the State model as an acceptable alternative to the ordinance.

City Attorney Steve Mattas offered that the state legislature had provided municipalities with two options: enforce the State Model Ordinance or comply by adopting a town drafted ordinance.

Council discussed the option of penalties. No changes were made to the draft ordinance. A non-complaint project would forfeit the landscape deposit of \$5,000 after a one year grace period and two subsequent years of water audits.

MOTION MADE AND WITHDRAWN: Moved by Mayor Pro Tem Larsen, seconded by Councilmember Warshawsky to not move forward with any action on the ordinance and to launch an education campaign for Town residents on water conservation. The motion was withdrawn by Larsen.

MOTION MADE AND SECONDED: Moved by Mordo, seconded by Summit and passed by the following roll call vote to waive further reading and introduce Ordinance 520 as amended to reflect use of the alternative formula provided by staff with a water conservation factor of 0.8 to calculate the parcel water budget:

AYES: Mayor Kerr, Councilmember Mordo, Councilmember Summit
NOES: Mayor Pro Tem Larsen, Councilmember Warshawsky
ABSENT: None
ABSTAIN: None

Council discussed options for proceeding with an educational program for existing residents. It was suggested that staff work with the water purveyors to include information in their billings regarding a resident’s water consumption and parcel water budget as calculated by the ordinance formula. Planning Director Pedro explained the difficulties regarding identifying slope factors for all Town properties. Council suggested that staff treat all lots the same (one acre flat lot) for calculating the formula. Pedro added that a disclaimer would be required to reflect that the formula was not a true and accurate parcel water budget for the site.

MOTION SECONDED AND CARRIED: Moved by Mordo, seconded by Larsen and passed unanimously to direct staff to work cooperatively with the water purveyors to include in their monthly bills, the water parcel budget as calculated by the Town to the best of the Town’s approximation for their property.

18. Consideration of Resolution Adopting the Proposed Fast Track Guide for New Residences. CEQA Review: Categorical Exemption per Section 15378(b)(2)
(Staff: D. Pedro)

Planning Director Debbie Pedro introduced the item to Council. She provided a brief background report on the proposed Guide. The City Council, at their regular May 14, 2009 council meeting, voted unanimously to establish an Ad Hoc Subcommittee to

review and update the former Guidelines for Residential Design and Land Use. The original guidelines had been repealed in 2001.

The Ad Hoc Committee members included: Councilmembers Jean Mordo and Ginger Summit; Planning Commissioners Eric Clow and John Harpootlian and Peter Duxbury, Architect and Shawn Owen, Owen Homes, representatives from the Design Community.

The draft document had been forwarded to five Town Standing Committees for review and comment: Environmental Design and Protection, Pathways, Environmental Initiatives, Open Space Committee and Community Relations.

Pedro proceeded with a PowerPoint presentation illustrating the key components of the new Guide. The rationale for developing the Guide was to assist those who were planning to build a new residence to understand the basic philosophy behind the Town's General Plan and Zoning and Site Development ordinances. It was crafted as an educational tool to be used by residents, architects and designers. The Guide included 4 goals and 40 guidelines. The guidelines were a combination of 23 design principles that were encouraged and 17 mandatory standards that were required.

The proposed guide included a new improved format, updated information including references to Green Building requirements; and a point system checklist to quantify how closely the application complied with the set of development guidelines. In addition, the guide had been renamed "Fast Track Guide for New Residences."

The checklist that accompanied the guide worked on a negative point system. Each development guideline had an established point value between 1 to 5 (1=recommended, 5=very important). Projects that did not comply with a particular guideline would receive the applicable points. A new residence that scored 14 points or less would be eligible for a Fast Track hearing. With a project that scored between 15 to 21 points, the applicant would have the option to redesign the plan or be forwarded to the Planning Commission. A project that scored 22 points or greater would require review by the Planning Commission.

Pedro clarified that the Fast Track ordinance was approved by the City Council in 1999 to streamline the development process for projects that met all of the Town's regulations and had little or no neighborhood opposition. If approved, the Fast Track Guide for New Residences and Checklist would be used solely to determine whether a project would qualify for Fast Track review. When reviewing a project, the Site Development authority (Planning Director or Planning Commission) would not utilize the Fast Track Guide to assist with interpretations of the provisions of the Zoning and Site Development ordinances. Project review would be limited to elements of the proposed development which were specifically addressed by the General Plan, Zoning and Site Development Codes, and Town policies adopted by the City Council.

Pedro reviewed a list of 28 new residence projects that had been approved between January 1, 2009 and February 15, 2010 and tested on the proposed Fast Track Checklist. Findings: 21 projects qualified for Fast Track, 4 projects would have been given the option to revise their plans and 3 projects would have been forwarded to the Planning Commission.

Pedro advised the City Council that adoption of the Fast Track Guide would require amendments to the Town's Municipal Code. If approved by the City Council, staff would return to the Planning Commission and City Council with the related code amendments at a future meeting.

The Planning Commission had reviewed the Fast Track Guide at their June 3, 2010 meeting and voted 4-1 (Abrahams opposed) to recommend adoption of the Fast Track Guide with several changes. The changes were highlighted in the draft copy of the guide included in the City Council packet.

Pedro noted that a Townwide postcard mailing advising residents of the Planning Commission and City Council public hearings for the proposed Fast Track Guide for New Residences had been mailed on May 17, 2010.

Council Discussion:

Mayor Pro Tem Larsen requested clarification on what staff was proposing to ensure that the Fast Track Guide was not used to interpret the provisions of the Zoning and Site Development Code or used during the review process. Planning Director Pedro offered that she would be working closely with the City Attorney to add the clarifying language to the Town's Municipal Code that the Guide was to be used only to determine Fast Track eligibility and was not to be used as part of the Site Development review process.

Councilmember Warshawsky questioned if the Guide could potentially allow personal bias to be injected into the review process. He noted that setbacks, MDA, height restrictions were all quantifiable characteristics but terms found in the Guide like "unobtrusive" and "visible lots" were highly subjective. He thanked the Ad Hoc Committee for their efforts but expressed his concern that implementation of the Guide could be used by residents that didn't want any change to their neighborhoods to oppose applications. Warshawsky noted that during his eight year tenure on the Council, the Council had only reviewed 4 or 5 development projects and questioned if there was a real need for the proposed Guide.

Councilmember Summit offered that she believed the Guide would be an excellent educational tool for applicants that could potentially prevent them from spending money on designs that were inappropriate for their site. She noted that the Guide would direct the applicants to adjust their designs to the element specifics (constraints) of their lot. The Guide provided a visual definition of the Town's codes.

Council discussed the goals and checklist.

OPENED PUBLIC HEARING

Dot Schreiner, resident, supported adoption of the new Guide. She spoke to her experience on the original Development Design Guidelines committee in 1994.

Carol Gottlieb, resident, supported adoption of the new Guide. She appreciated the visual representations.

John Radford, resident, commented that his home had been approved by Fast Track and designed by Peter Duxbury, Architect and member of the Ad Hoc Committee. He had no issues with the proposed Guide but questioned how it would change the process and if the Guide would be tied to the current ordinance.

Jitze Couperus, resident, noted that the Town's original Design Guidelines have been adopted and used by many of the Town's municipal neighbors. He supported adoption of the new Guide.

Gary Waldeck, resident, commented that he has had numerous conversations with residents about their frustrations with the Town's Planning process. He offered that adoption of the new Fast Track Guide was a good step forward and suggested that it could potentially be a cost saving factor for applicants.

CLOSED PUBLIC HEARING

Council Discussion:

Councilmember Mordo offered that the proposed Fast Track Guide for New Residences was consistent with the Town's ordinances and clearly clarified the role of the Guide in the Planning process. The Fast Track Guide was crafted to be an educational tool to be used at the beginning of the planning process and to serve as a filter to assist applicants in qualifying for Fast Track. Additionally, it would help the staff be consistent and fact based in reviewing projects. Mordo noted that most Towns have guidelines and Architectural Planning Review Boards that review site development projects. He considered the Fast Track Guide a common sense approach to Planning.

Mayor Pro Tem Larsen offered that he would like to see the addition of water conservation to the Guide in the future. He wanted assurance that the document would not be employed as part of the review process until the proper ordinances were amended and in effect.

Councilmember Warshawsky acknowledged that he believed that the goal to simplify and clarify the review process was very noble; however, he was concerned that the Guide could be used by neighbors and were subject to personal bias. He questioned if the end result would be additional applications going to the City Council for review.

Councilmember Summit thanked Planning Director Debbie Pedro for relating the relative code and General Plan to the Guide's goals and guidelines.

MOTION SECONDED AND CARRIED: Moved by Summit, seconded by Mordo and passed by the following voice vote to adopt Resolution No. 34-10 adopting the Fast Track Guide for New Residences and directing staff to prepare amendments to the Municipal Code as determined necessary with the Guide becoming effective upon the effective date of the ordinance amendments:

AYES: Mayor Kerr, Mayor Pro Tem Larsen, Councilmember Mordo,
Councilmember Summit
NOES: Councilmember Warshawsky
ABSENT: None

ABSTAIN: None

CITY COUNCIL RECESSED: 9:00 PM

CITY COUNCIL RECONVENED TO OPEN SESSION: 9:05PM

19. Consideration of a Resolution Requesting that the Santa Clara County Tax Collector Collect Delinquent Sewer Charges and the 2010-2011 Sewer Service Charges for Both Palo Alto and Los Altos Sewer Basins (Staff: R. Chiu)

City Engineer Richard Chiu introduced the item to the City Council. The resolution before Council would direct the County Tax Collector to collect delinquent sewer charges and the annual sewer service charges (2010-2011) for both sewer basins. Staff has prepared all of the required documents that would accompany the required resolution.

Council reviewed the assessment list attached to the staff report.

OPENED PUBLIC HEARING

No public comments.

CLOSED PUBLIC HEARING

MOTION SECONDED AND CARRIED: Moved by Mordo, seconded by Larsen and passed unanimously to adopt Resolution No. 35-10 "Requesting that the Santa Clara County Tax Collector Collect Delinquent Sewer Charges for Both Palo Alto and Los Altos Sewer Basins.

20. LANDS OF PURISSIMA HILLS WATER DISTRICT (Applicant: T-MOBILE), 27299 Arastradero Road; File #41-10-CUP-VAR; A request for a Conditional Use Permit and Site Development Permit to co-locate on an existing wireless communications facility. The applicant is also requesting a variance to locate four (4) ground equipment cabinets (4'3"W x 2'6"L) within the property line setbacks. CEQA review: Categorical Exemption per Section 15301 (a) (Staff: D. Pedro)

Planning Director Debbie Pedro introduced the item to Council. The application before Council was for co-location on an existing monopine which houses the wireless communications facility for AT&T. T-Mobile was proposing to add an additional six panel antennas and construct four ground equipment cabinets along the west property line within the property line setbacks. The application included a request for a Conditional Use Permit, Site Development Permit and Variance. The Planning Commission had reviewed the application at their June 3, 2010 meeting and voted unanimously to recommend approval of the application subject to the Conditions of Approval and Findings of Approval included in the staff report before Council.

Pedro proceeded with a PowerPoint presentation that included; a vicinity map, site plan, elevations and photos of the existing monopine. She reviewed the Conditions of Approval with Council.

OPENED PUBLIC HEARING

Talin Aghazaria, T-Mobile representative, introduced herself and offered that she was available to answer questions.

CLOSED PUBLIC HEARING

MOTION SECONDED AND CARRIED: Moved by Warshawsky, seconded by Summit and passed unanimously to approve the request for a Conditional Use Permit, Site Development Permit and Variance subject to the recommended Conditions of Approval and recommended Findings of Approval in attachments 1 & 2 of the staff report dated July 15, 2010.

UNFINISHED BUSINESS

21. Town Goals

- Environmental Leadership and Outstanding Recreational Facilities

21A. Consideration of Westwind Barn Breakroom Renovation (Staff: R. Chiu).

Mayor Kerr introduced the item to Council. He noted that the kitchen area at the Barn had been removed during the seismic retrofit/safety project. The project was within the budget recently approved by Council. The proposal before Council would restore the kitchen/breakroom and was the last functional item to complete the interior renovation of the facility. The contractor had worked closely with staff to develop a prudent budget.

Councilmember Warshawsky questioned if donations had been considered as a means to support the project. Mayor Kerr offered that there would be many opportunities going forward for citizens to contribute to the beautification of the Barn but the project before Council was time sensitive and it would be cost effective to have the current contractor complete the functional component of the renovation.

Mayor Pro Tem Larsen concurred that the project would complete the renovation. However, going forward, he would like to see improvements driven by contributions.

Councilmember Summit questioned if “naming” opportunities might be a method for instigating donations for furnishing the room.

MOTION SECONDED AND CARRIED: Moved by Mordo, seconded by Kerr and passed unanimously to authorize the Public Works Director to execute a Change Order with Nexgen Builders, Inc. to renovate the Westwind Community Barn breakroom at a not-to-exceed amount of \$56,000.

22. Consideration of Grant Requests to Non-Profit Association Community Service Agency (Staff: N. Pegueros)

Finance Director Nick Pegueros introduced the item. In accordance with the direction provided by Council at their June 17, 2010 meeting, Pegueros had invited 2009-10 grant recipients to submit an application for the 2010-11 grant program. Agencies were

notified to request an amount not-to-exceed \$1,000. Five applications had been received and included in the meeting packet and one had been received today at Town Hall from Community School of Music and Arts (CSMA).

Councilmember Summit suggested that a grant to CSMA be considered in conjunction with the other applications. Council concurred.

Council proceeded to consider each application individually. Three aye votes were required to award the grant up to \$1000.

Huntington's Disease Society of America, Northern California Chapter:

Mayor Pro Tem Larsen recused himself from consideration of the grant. He currently sits on the agencies Board of Directors. He stepped down from the dais.

- The grant did not receive the required votes.

YWCA Silicon Valley (Support Network Department)

- The grant did not receive the required votes.

CHASE, Community Hope and Sober Events

- The grant was approved unanimously.

Morgan Autism Center

- The grant did not receive the required votes.

Los Altos Legacies

- The grant was approved unanimously.

Community School of Music and Arts (CSMA).

- The grant was approved by a 4-1 vote.

NEW BUSINESS

23. Consideration of Summer Meeting Schedule (Staff: K. Jost)

City Attorney Steve Mattas reviewed the public hearing requirements for the formation of the CAD to be discussed as the urgency agenda item #27.

MOTION SECONDED AND CARRIED: Moved by Kerr, seconded by Larsen and passed unanimously to schedule a special City Council meeting on Friday, August 6, 2010 at 6:30 p.m. to consider the proposed contractual assessment program (Eastbrook Subdivision Tract 5801 Contractual Assessment District No. 2010-1).

PASSED BY CONSENSUS OF THE CITY COUNCIL: To cancel the August 19, 2010 regular City Council meeting. A special meeting of the City Council would be convened if deemed necessary.

24. Consideration of Resolution Establishing a Preferential Parking District in Los Altos Hills (Bledsoe Court) (Staff: S. Garcia)

City Engineer Richard Chiu introduced the item. Letters had been sent to the residents on Bledsoe Court advising them of the proposed preferential parking district. No comment letters opposing the district had been received at Town Hall. The district was being established as a result of parking complaints caused by overflow parking from the Rancho San Antonio Open Space Preserve. No parking signs had been installed on Moody Road between Tapa Way and Old Snakey Road to help mitigate the parking problem. The preferential parking would ensure that parking due to the new restrictions did not negatively impact Bledsoe Court.

OPENED PUBLIC COMMENT

G.L. Pang, resident, commented that his neighborhood on Moody Springs Court might be interested in establishing a Preferential Parking District. He identified several concerns that he had with the process and suggested that the Town should be responsible for the cost of the installation of no parking signs and the Sheriff directed to enforce the parking restriction even though his street was private. Pang believed that the parking issue was created by the lack of enforcement of parking at the trailhead on Moody Road.

CLOSED PUBLIC COMMENT

Council briefly discussed the parking restrictions set by the Preferential Parking District. Council concurred that no parking on legal holidays be added to the parking signs.

MOTION SECONDED AND CARRIED: Moved by Kerr, seconded by Larsen and passed unanimously to adopt Resolution No. 36-10. Section 1 amended to read “The City Council hereby establishes a preferential parking area for Bledsoe Court, Los Altos Hills between the hours of 7am – 7pm, Saturday, Sunday and legal holidays”.

25. Resolution approving Amendment No. 4 to Professional Services Agreement between Meyers Nave and the Town of Los Altos Hills

MOTION SECONDED AND CARRIED: Moved by Larsen, seconded by Mordo and passed unanimously to adopt Resolution No. 37-10 approving Amendment No. 4 to the Professional Services Agreement between Meyers Nave and the Town of Los Altos Hills.

26. Consideration of Proposed Lease between Verizon Wireless and the Town of Los Altos Hills for a Wireless Communications Facility at 26379 W. Fremont Road (Staff: C. Cahill)

MOTION SECONDED AND CARRIED: Moved by Larsen, seconded by Warshawsky and passed unanimously to remove this item from the agenda.

27. Consideration of a Resolution of Intention to Create Eastbrook Subdivision Tract 5801 Contractual Assessment District No. 2010-1 (Added as *Urgency Item by unanimous vote of the City Council. See meeting minutes page 3)

City Attorney Steve Mattas provided an overview of the item before Council. At their January 8, 2010 meeting, the City Council directed staff to work with the Eastbrook subdivision owners to develop a funding agreement for the eligible improvements. Subsequently, the Council authorized the City Manager to award a contract for construction of the sewer improvements and enter into loan or repayment agreements with each of the property owners for reimbursement of the project costs. The property owners paid last year's payment by invoice. The resolution before Council would establish a mechanism for making payments with property taxes. In addition, the resolution established the date, time and place for a public hearing, established the boundaries of the district and directed the City Engineer to prepare a report.

Mattas clarified that the action did not involve annexation or pre-annexation of the area.

MOTION SECONDED AND CARRIED: Moved by Kerr, seconded by Larsen and passed unanimously to adopt Resolution No. 38-10 "Resolution of Intention to Create Eastbrook Subdivision Tract 5801 Contractual Assessment District No 2010-1 for the Purpose of Financing Sewer Improvements".

PLANNING COMMISSION REPORT

No Report – The Planning Commission had not convened a meeting since the last City Council meeting.

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

Mayor Pro Tem Larsen reported that the Town had received a notification letter from the VTA that they had collected the required signatures from the county and the cities necessary for the change to the VTA's Governance Structure. Representation for north counties cities would be reduced from 3-2 members. The current representation will expire in 2012.

Councilmember Summit reported that she and City Engineer/Public Works Director Richard Chiu had met with Stanford representatives to discuss the Stanford trail. The project was moving forward. She provided an update to Council on the path components. Bike trails have been incorporated on Arastradero as part of the plan. Parking was not being addressed. Potential traffic issues were being investigated.

Councilmember Summit reported that the newly established Senior Committee was very active and engaged in working on future projects.

STAFF REPORTS

City Manager
City Attorney
City Clerk

No reports were given.

COUNCIL INITIATED ITEMS

No Items Scheduled

ADJOURNMENT

There being no further business, the meeting was adjourned by consensus of the City Council at 10:05 p.m.

Respectfully submitted,

Karen Jost
City Clerk

The minutes of the July 15, 2010 Regular City Council meeting were approved as presented at the September 16, 2010 Regular City Council meeting.