

# Town of Los Altos Hills

## City Council Special Meeting Minutes

Thursday, January 15, 2026, at 4:30 P.M.

Council Chambers, 26379 Fremont Road, Los Altos Hills, California &  
2800 I-10 Frontage Road, Port Allen, Louisiana 70767

Present: Mayor Rajiv Bhateja, Vice Mayor George Tyson, Council Member Stanley Mok,  
Council Member Linda Swan, and Council Member Kavita Tankha

Absent: None

Staff: Acting City Manager Cody Einfalt, Community Development Director Jay  
Bradford, and City Clerk Arika Birdsong-Miller

### **CALL TO ORDER (4:30 P.M.)**

Mayor Bhateja called the meeting to order at 4:30 P.M.

### **ROLL CALL**

Mayor Rajiv Bhateja, Vice Mayor George Tyson, Council Member Stanley Mok, Council  
Member Linda Swan, and Council Member Kavita Tankha were present.

Council Member Swan participated remotely at 2800 I-10 Frontage Road, Port Allen, Louisiana  
70767.

### **1. PUBLIC COMMENT (Public Comment is Limited to Items which are the Subject of the Special Meeting)**

**1. Susan Stark**, a Los Altos Hills resident, expressed concern that the proposed unconditional commitment before the Council would not adequately protect the Town from liability under California's Brown Act. She referenced a letter submitted earlier that day by Attorney Joshua Safran, which she stated outlined several alleged Brown Act violations, including serial communications among Council Members, the creation of an Alternative Sites Committee without proper public notice, site walks, and the use of staff and the City Attorney as intermediaries to build consensus outside of public meetings. Stark argued that the proposed Attachment A does not address or acknowledge those specific allegations and instead merely states that the Council will continue to follow the law while denying any violation occurred. She asserted that this type of statement does not satisfy the Brown Act requirement to cease the specific conduct alleged. Stark further stated that, in her view, the proposed commitment would not prevent potential litigation or shield the Town or individual Council Members from liability, and that a court would likely compare the allegations in Safran's letter to the Council's stated commitment and find them inconsistent. She suggested that the Council instead consider curing the alleged violations in a more transparent manner before being reminded that public comment was limited to two minutes.

**2. Mitesh Dhruv**, a Los Altos Hills resident, commented regarding concerns about potential Brown Act violations and transparency related to the O'Keefe Preserve and the Alternate Sites Committee. He stated that the Town should address the concerns openly and ensure decisions are made transparently. He also expressed concerns regarding the Town's response to

allegations of Brown Act violations and encouraged the Council to act in the interest of residents and public accountability.

## **2. CLOSED SESSION**

- A. Conference with Legal Counsel – Anticipated Litigation  
(Pursuant to Government Code Section 54956.9(d)(2))  
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Govt. Code Section 54956.9– Two cases

**Mayor Bhateja** adjourned the Special Meeting to enter into Closed Session at 4:37 p.m. to discuss the following item: Conference with Legal Counsel – Anticipated Litigation (Pursuant to Government Code Section 54956.9(d)(2)); Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9 – Two cases.

Closed Session adjourned, and the City Council reconvened in Open Session.

## **3. OPEN SESSION OF SPECIAL MEETING**

- A. Consideration and Issuance of Brown Act Unconditional Commitment pursuant to Government Code Section 54960.2

The City Council reconvened in open session to consider the issuance of an Unconditional Commitment pursuant to the Brown Act (Government Code Section 54960.2). City Attorney Claire Lai provided a report regarding the Town's receipt of a letter alleging potential Brown Act violations and explained that the Town disputes the allegations but may issue an unconditional commitment as an option under state law. The City Attorney also recommended minor edits to the proposed commitment included in the agenda packet. The City Council discussed the item and considered the proposed edits.

### **PUBLIC COMMENT**

**1. Mitesh Dhruv**, a Los Altos Hills resident, asked the Council and Town Attorney to clarify the Town's position regarding the alleged Brown Act violations. He asked whether the Town was acknowledging that a Brown Act violation had occurred in the past and committing not to violate the law in the future, or whether the Town's position was that no violation had occurred at all. Dhruv noted that the legal consequences would differ depending on which position the Town was taking.

**Town Attorney Claire Lai** responded that the Town disagrees with the allegation that a Brown Act violation occurred. She referenced the staff report and stated that the facts presented indicate that no violation took place. Lai explained that the proposed unconditional commitment is an option provided under state law that allows a legislative body to foreclose potential litigation related to alleged Brown Act violations. She clarified that making an unconditional commitment does not require the Town to admit that a violation occurred. She further explained that the statute explicitly states that such a commitment is not considered an admission or evidence of wrongdoing, but rather a legal

mechanism available to the legislative body to address allegations and potentially avoid litigation.

**Mitesh Dhruv** responded to Attorney Lai's explanation regarding the unconditional commitment under the Brown Act. He disagreed with the interpretation that the "safe harbor" provision allows the Town to simply commit to following the law in the future without acknowledging that a violation occurred. Dhruv argued that, in his view, the provision requires the Town to acknowledge that a violation took place in order to properly cure it. He stated that if the Council does not acknowledge wrongdoing, the matter will likely proceed to litigation. Dhruv asserted that his group has gathered evidence, including photographs and other documentation, which they believe shows that several Council Members visited the property outside of a public meeting and that activities occurred outside of public view. He urged the Council to acknowledge that a violation occurred and commit to avoiding similar actions in the future. Dhruv stated that while he observed that one of the proposed amendments appeared to be a step in the right direction, he believed that without acknowledging a violation, the effort to avoid litigation would be ineffective. He cautioned that the dispute could lead to prolonged legal action and potentially broader consequences related to housing laws, such as the Builder's Remedy, and urged the Council to address the issue in a way that would prevent further conflict.

**Vice Mayor Tyson** made a motion to Approve the Issuance of a Brown Act Unconditional Commitment Pursuant to Government Code Section 54960.2, incorporating the modifications presented by City Attorney Claire Lai and displayed on the screen. **Council Member Swan** seconded the motion. **APPROVED, VOTE 5-0**

**MOTION PASSED: 5-0**

**AYES:** Bhateja, Tyson, Mok, Swan, Tankha

**NOES:** None

**RECUSE:** None

**ABSTAIN:** None

**ABSENT:** None

#### **4. ADJOURN**

The meeting was adjourned.

Respectfully submitted,

Arika Birdsong-Miller