

Town of Los Altos Hills

City Council Special Meeting Minutes

Thursday, April 16, 2026 at 5:00 P.M.

Council Chambers, 26379 Fremont Road, Los Altos Hills, CA 94022

Present: Mayor Rajiv Bhateja, Vice Mayor Bhateja George Tyson, Council Member Stanley Mok, Council Member Linda Swan, and Council Member Kavita Tankha
Absent: None
Staff: City Attorney Steve Mattas and City Clerk Arika Birdsong-Miller

CALL TO ORDER (5:00 P.M.)

Mayor Bhateja called the meeting to order at 5:00 P.M.

1. ROLL CALL

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

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

1. **Michael Grady**, a Los Altos Hills resident, expressed concern regarding the lack of detail provided in the agenda description for the closed session item and referenced discussions relating to alleged Brown Act issues involving the O'Keefe area residents. Mr. Grady questioned whether the agenda description was sufficient if the subject involved potential litigation or settlement discussions.

In response, **City Attorney Steve Mattas** clarified that the closed session related to correspondence received from legal counsel representing the O'Keefe area residents, which included a threat of litigation.

2. **John O'Connell**, a Los Altos Hills resident, commented that concerns regarding the Town's handling of closed session agenda descriptions and Brown Act compliance had previously been raised. Mr. O'Connell referenced Government Code Section 54956.9(e) and expressed concern that the Town was discussing potential Brown Act-related litigation in closed session without sufficient public disclosure. Mr. O'Connell further stated that the lack of transparency was causing concern among residents in the Saddle Mountain area and urged the Town to operate in a more open and transparent manner. Mr. O'Connell emphasized the importance of maintaining public trust and encouraged the Council to carefully consider how it conducts Town business.

Council Member Tankha asked the City Attorney why the agenda description for the closed session item did not more clearly reflect the subject matter being discussed. Council Member Tankha expressed concern about maintaining public trust and stated that repeated concerns regarding transparency could undermine community confidence in the Town's actions.

City Attorney Steve Mattas responded that the language included on the agenda was taken directly from the Brown Act safe harbor provisions governing notices related to threatened

litigation. Mr. Mattas explained that the provisions apply when a public agency receives a threat of litigation, particularly when the matter is time-sensitive. Mr. Mattas stated that the Town could provide additional public information regarding the nature of the threat prior to entering closed session, which had been done during the meeting. He further advised that while the Brown Act requires the agenda language used for the item, the Council could provide direction in the future if it wished to include additional information beyond the minimum notice requirements.

Council Member Tankha further stated that while the Brown Act establishes minimum notice requirements, she preferred that the Town provide additional information to the public whenever possible so long as doing so would not create legal risk for the Town. Council Member Tankha noted that similar concerns regarding transparency had arisen previously and stated that, because the nature of the matter was ultimately disclosed publicly during the meeting, she believed additional information could have been included in the agenda description. Council Member Tankha expressed her preference that future agenda descriptions include more information rather than less when appropriate.

3. **John O'Connell** further commented regarding the Brown Act provisions governing closed sessions related to threatened litigation. Mr. O'Connell disagreed with the City Attorney's interpretation of the applicable Brown Act requirements and referenced Government Code Section 54956.9(e), stating that nondisclosure of the subject matter is appropriate only when the facts giving rise to potential litigation are not yet known to a potential plaintiff. Mr. O'Connell expressed his opinion that the Town's use of the closed session agenda description did not meet that standard and stated that the provision was intended for situations in which disclosure itself could alert a potential plaintiff to unknown facts.

Council Member Swan commented that the matter appeared to require a more extensive discussion and asked whether the discussion could be postponed to a future meeting due to time constraints and other scheduled items.

Council Member Tankha stated that the City Attorney's role is to protect the Town in his professional capacity and cautioned against making comments that could be perceived as personal criticism. Council Member Tankha further stated that the Council could have a future discussion regarding ways to provide greater transparency to the public while still protecting the interests of the community.

3. **ADJOURN TO CLOSED SESSION TO DISCUSS THE FOLLOWING:**

- A. CLOSED SESSION – Conference with Legal Counsel: Anticipated Litigation
Significant Exposure to Litigation Pursuant to Section 54956.9 (d)(2): One Case

Mayor Bhateja adjourned to Closed Session at 5:11 P.M.

4. **REPORT OUT OF CLOSED SESSION**

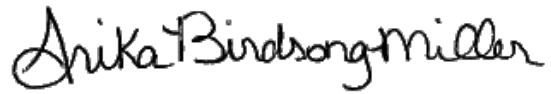
City Attorney Steve Mattas reported that the Council considered the closed session item related to correspondence received from counsel representing the SHIELD organization.

Mr. Mattas stated that the Council provided direction to the City Attorney during closed session and that there was no reportable action at that time.

5. **ADJOURN**

Mayor Bhateja adjourned the meeting at 5:40 P.M.

Respectfully submitted,

A handwritten signature in black ink that reads "Arika Birdsong-Miller". The script is cursive and fluid, with the first name "Arika" starting with a large capital 'A' and the last name "Birdsong-Miller" following in a similar style.

Arika Birdsong-Miller