Town of Los Altos Hills
City Council Regular Meeting Minutes

Thursday, May 14, 2026, 2026 at 5:30 P.M.
Council Chambers, 26379 Fremont Road, Los Altos Hills, California,

Present:	Mayor Rajiv Bhateja, Vice Mayor George Tyson, Councilmember Stanley Mok, Councilmember Linda Swan, and Councilmember Kavita Tankha
Absent:	None
Staff:	City Manager Cody Einfalt, Community Development Director Jay Bradford, Finance Director Thomas Leung, Public Work Director WooJae Kim, Management Analyst Joram Parcutilo, City Attorney Amara Morrison filling in for Steve Mattas, City Clerk Arika Birdsong-Miller, Administrative Clerk/Technician Keren Brunner

CALL TO ORDER (5:30 P.M.)
Mayor Bhateja called the meeting to order at 5:30 P.M.

ROLL CALL
Mayor Rajiv Bhateja, Vice Mayor Tyson, Councilmember Stanley Mok, Councilmember Linda Swan, and Councilmember Kavita Tankha were present.

PRESENTATIONS FROM THE FLOOR

PUBLIC COMMENT
There were no public comments.

CLOSED SESSION

A. CLOSED SESSION Conference with Legal Counsel – Existing Litigation
(Pursuant to Government Code Section 54956.9(d)(1))
Grady v. Town of Los Altos Hills, Santa Clara, Sup Ct. Case No. 25CV457402

PUBLIC COMMENT
There were no public comments.

Mayor Bhateja adjourned to Closed Session.

REPORT OUT OF CLOSED SESSION
City Attorney Morrison reported that the City Council met in Closed Session and had no reportable action.

CALL TO ORDER
Mayor Bhateja reconvened the meeting in Open Session for the Regular Meeting of the Los Altos Hills City Council at 6:00 p.m.

ROLL CALL
Mayor Rajiv Bhateja, Vice Mayor Tyson, Councilmember Stanley Mok, Councilmember Linda Swan, and Councilmember Kavita Tankha were present.

PLEDGE OF ALLEGIANCE – Recited.

1. **AGENDA REVIEW**
   Mayor Bhateja requested to discuss ITEM 11A prior to ITEM 5.

2. **PRESENTATIONS AND APPOINTMENTS**
   A. Proclamation Recognizing May 2026 as Asian Americans and Pacific Islander (AAPI) Month (Councilmember Mok)

   Councilmember Mok presented the proclamation recognizing May 2026 as Asian Americans and Pacific Islander (AAPI) month and shared his family's immigration story.

   B. Proclamation Recognizing May 2026 as Building Safety Month (Mayor Bhateja)

   Mayor Bhateja presented the proclamation recognizing May 2026 as Building Safety Month to staff member Building Technician Gerry Igtanloc.

   C. Proclamation Recognizing May 2026 as Affordable Housing Month (Mayor Bhateja)

   Mayor Bhateja presented the proclamation recognizing May 2026 as Affordable Housing Month to Alta Housing representative, Mr. Randy Suda.

   D. Proclamation Recognizing May 17-23, 2026, as National Public Works Week (Staff: W. Kim)

   Mayor Bhateja presented the proclamation recognizing May 17-23, 2026, as National Public Works Week to the Director of Public Works, WooJae Kim.

   E. Presentation from the Pathway Committee on the 2 options for the DeAnza Trail (Pathway Committee Chair: N. Erndt)

   Nick Erndt, Chair of the Pathways Committee, presented recommendations for routing the Juan Bautista de Anza Historic Trail either through or around Los Altos Hills. The committee evaluated connections between Rhus Ridge Trailhead and the Pearson-Arastradero Preserve area.

   One option would route the trail *through* the Town along existing major roads and pathways, including Moody Road, Purissima Road, and Arastradero Road, providing a relatively flat and accessible route that highlighted community features.

   The second option would be to route the trail *around* the Town using existing regional trail systems through open space preserves west of town, creating a more scenic but steeper hiking experience. Erndt stated that both options were considered reasonable alternatives for the city's consideration.

Councilmember Tankha expressed her support for the trail route through the open space preserves, stating that it reflected the character of Los Altos Hills. She asked about the pros and cons of each option.

Mr. Erndt responded that the primary tradeoff between the two options was accessibility. He explained that the preserve route provided a more strenuous, backpacking-style hiking experience similar in feel to the Pacific Coast Trail but offered less access to public transportation and support services. In contrast, the in-town route provided easier access and support along the way.

Councilmember Mok asked whether hikers on the Juan Bautista de Anza Historic Trail would camp in Los Altos Hills similarly to hikers on the Pacific Coast Trail.

Mr. Erndt responded that the trail is intended primarily as an additional recreational trail system rather than a long-distance camping route and noted that, while it intersects with the Pacific Coast Trail in some areas, it is a separate trail system without a defined camping framework.

Vice Mayor Tyson asked whether there had been any discussion or pushback regarding Juan Bautista de Anza's historical role in colonization and treatment of Indigenous peoples.

Mr. Erndt acknowledged that the committee had discussed negative historical associations related to DeAnza and noted that there had been some pushback on those grounds. He stated that the Council could consider those concerns in determining whether and how to support the trail, while the committee had primarily focused on identifying the safest and most practical route options for potential trail users.

Councilmember Swan stated that most hikers would likely choose the shorter, flatter route through Los Altos Hills rather than a longer, more strenuous alternative. She noted that the in-town route followed major roads and would have minimal impact on residents, and that historical interpretation (including plaques) could address the trail's significance without determining its alignment. She expressed support for the flatter, more direct route through town, believing it would be the most practical option.

Mayor Bhateja asked whether there would be any cost to the Town for implementing the trail. **Councilmember Swan** responded that the National Park Service would provide the signage, and the Town would be responsible only for installation, similar to existing trail signage such as the "no bikes" signs.

<u>**PUBLIC COMMENTS**</u>

1. **Sue Welch,** a Los Altos Hills resident, stated she could not access clear information on the route options and raised concerns about a National Park Service map showing a trail alignment through Byrne Preserve and private lands. She questioned how that route was included and requested it be removed, citing concerns about private property easements and lack of council approval. She expressed support for the on-road route through town, noting

it would have less residential impact, and briefly commented on the historical context of the expedition.

Mr. Erndt noted that the committee had prior communications with the National Park Service regarding the mapped routes. He explained that the Pathways Committee's goal over the past year and a half had been to identify reasonable and appropriate alignments for the City, and that both proposed options were intended to avoid routing through private property or backyard areas, including Byrne Preserve where possible. He stated that the committee aimed to provide a clear, direct, and appropriate route for submission to the National Park Service.

Councilmember Swan stated that the National Park Service would likely determine its own routing unless the Town clearly designates its preferred alignment. She emphasized that this process was an opportunity for the Town to establish its intended route rather than simply accept existing map representations.

Mayor Bhateja CLOSED PUBLIC COMMENTS and entertained a motion from the Council.

MOTION MADE AND SECONDED: Councilmember Swan motioned to APPROVE the flatter pathway, Option 1, for the National Park Service trail going through the Town for the DeAnza Trail.

The motion was seconded by **Vice Mayor Tyson**.

MOTION PASSED	**5-0**
AYES:	Bhateja, Tyson, Mok, Swan, Tankha
NOES:	None
RECUSE:	None
ABSTAIN:	None
ABSENT:	None

City Manager Einfalt clarified that this agenda item was not advertised as a PUBLIC HEARING item and if the Council wished to entertain a motion, then it would need to return to a future council meeting.

The Council indicated their wish to have this item agendized appropriately at a future council meeting so they could take action.

F. Reappointment to the Los Altos Hills Environmental Initiatives Committee (EIC) – Mike Salameh (Staff: A. Miller)

City Clerk Birdsong-Miller provided the staff report and Vice Mayor Tyson endorsed the reappointment of Mike Salameh.

MOTION MADE AND SECONDED: Mayor Bhateja motioned to APPROVE the reappointment of Mike Salameh to the Environmental Initiatives Committee (EIC) for another 4-year term.

The motion was seconded by **Vice Mayor Tyson**.

MOTION PASSED	**5-0**
AYES:	Bhateja, Tyson, Mok, Swan, Tankha
NOES:	None
RECUSE:	None
ABSTAIN:	None
ABSENT:	None

G. Reappointment to the Los Altos Hills Environmental Design & Protection Committee – Grace Tsang (Staff: A. Miller)

City Clerk Birdsong-Miller provided the staff report and Councilmember Tankha endorsed the reappointment of Grace Tsang.

MOTION MADE AND SECONDED: Councilmember Tankha motioned to APPROVE the reappointment of Grace Tsang to the Environmental Design & Protection Committee (EDPC) for another 4-year term.

The motion was seconded by **Councilmember Mok**.

MOTION PASSED	**5-0**
AYES:	Bhateja, Tyson, Mok, Swan, Tankha
NOES:	None
RECUSE:	None
ABSTAIN:	None
ABSENT:	None

H. Reappointments (3) to the Los Altos Hills Emergency Preparedness & Response Committee (EPRC) – Amita Sachdeva, Dave Stewart, and Terry Kearney (Staff: A. Miller)

City Clerk Birdsong-Miller provided the staff report and Mayor Bhateja endorsed the reappointments of Amita Sachdeva, Dave Stewart, and Terry Kearney.

MOTION MADE AND SECONDED: Vice Mayor Tyson motioned to APPROVE the reappointments of Amita Sachdeva, Dave Stewart, and Terry Kearney to the Emergency Preparedness & Response Committee (EPRC) for another 4-year term each.

The motion was seconded by **Councilmember Swan**.

MOTION PASSED	**5-0**
AYES:	Bhateja, Tyson, Mok, Swan, Tankha
NOES:	None
RECUSE:	None
ABSTAIN:	None
ABSENT:	None

3. PRESENTATIONS FROM THE FLOOR

1. **Malika Junaid,** Planning Commissioner, thanked the Council for including the Planning Commission in the Housing Element Committee process. She noted that the Commission was awaiting clarification on meeting schedules and time commitments before assigning a liaison member to the committee.

2. **Dave Kehlet**, a Mora Drive resident, reported that he and his neighbor had resolved a long-standing nine-year dispute related to the Los Altos Hills View and Sunlight Obstruction from Trees Ordinance. He requested that the Council, Planning Commission, and EDPC ensure that both sides of neighbor disputes are considered when such issues are brought forward, noting that prior proceedings had largely proceeded without input from his side. He encouraged residents to maintain direct communication and resolve disagreements early to preserve goodwill. Kehlet stated that the View Ordinance functioned as intended by preventing litigation and avoiding enforcement difficulties, and he expressed support for keeping the ordinance unchanged.

3. **Laura Birdsall,** Director of Medical and Behavior Services at Pets in Need, introduced the organization as the Town's municipal animal shelter partner through the Palo Alto Animal Shelter Partnership. She described Pets in Need as a nonprofit serving the Peninsula and Bay Area for over 60 years, providing sheltering, adoption, foster care, veterinary and behavioral services, vaccine clinics, and pet food support. She noted the organization serves nearly 9,800 animals annually and invited Council and residents to visit and tour their facilities. Birdsall emphasized their role as a broader community resource for animal care and support and mentioned an upcoming event on June 13, 2026.

4. **Chelsea Denton,** Director of Development and Marketing for Pets in Need, announced an upcoming Pet Care Assistance Day on June 13 offering vaccines, microchips, deworming treatments, and preventative care services. She invited Councilmembers, residents, and community members to visit the shelter and learn more about its programs and volunteer opportunities. Denton also announced the organization's annual fundraising event, "Party Like an Animal," scheduled for September 13 at the Ameswell Hotel.

   City Manager Einfalt confirmed with Mayor Bhateja that the Pets in Need information will be shared in the upcoming weekly newsletter.

   Councilmember Swan asked what types of animals they microchipped and asked if they did horses**. Ms. Denton** responded that they microchipped dogs, cats, and rabbits, but not horses**.**

   Mayor Bhateja noted that there was a Kiwanis Pet Parade occurring this Saturday.

   Councilmember Mok noted that their shelter was categorized as a "no-kill" shelter and asked what that meant. Ms. Denton responded that Pets in Need's "no-kill" status was measured by its live release rate, which reflects the percentage of animals leaving the shelter alive through adoption, return to owner, or transfer. She stated that the organization currently has a 96% live release rate, exceeding the 90% benchmark for no-kill shelters, and noted that Pets in Need serves as the municipal shelter for Palo Alto, Los Altos, and Los Altos Hills.

   Mayor Bhateja CLOSED PRESENTATIONS FROM THE FLOOR.

4. **INFORMATIONAL REPORTS (ITEMS ARE FOR INFORMATIONAL PURPOSES ONLY)**
   A. Treasurer's Report (Staff: T. Leung)

   B. Disbursement Report (Staff: T. Leung)

   C. Quarterly Investment Report (Staff: T. Leung)

   Finance Director Leung noted that ITEM 4 contained reports that were for informational purposes only and did not require a staff report.

   Mayor Bhateja then introduced ITEM 11A from the agenda for discussion.

5. **CONSENT CALENDAR**
   Mayor Bhateja asked councilmembers if there were any items they wished to pull from the CONSENT CALENDAR. He identified ITEM K regarding the Magdalena Road Pathway Project and ITEM Q regarding the Selectron contract for removal from the consent calendar for separate discussion.

   The City Attorney stated that, pursuant to Government Code Section 54953, the Town was required to publicly report the proposed compensation for the City Manager employment agreement included in Consent Calendar, ITEM P. The reported annual salary for Mr. Einfalt was $282,000.

   Mayor Bhateja OPENED PUBLIC COMMENT on the Consent Calendar.

   PUBLIC COMMENT
   1. **Allan Epstein** commented on Consent Calendar Items J and N. Regarding Item J, he opposed implementing an automatic cost-of-living adjustment policy, stating that such policies reduced flexibility, rewarded non-performance, and limited funds available for merit-based increases. Regarding Item N, he expressed concern that the engineer's estimate for the sanitary sewer repair project had been significantly underestimated and noted that some proposed line segments could not proceed due to pending permits from water agencies. He recommended revisiting the project scope, obtaining the necessary permits, and discussing with the contractor whether pricing could be held for a future phase of work.

      Mayor Bhateja asked about concerns that the engineer's estimate for the sanitary sewer repair project appeared to be approximately twice the awarded bid amount. **Director Kim** responded that the Town had hired a consultant to prepare the design and estimate, and that the consultant had used a very conservative approach due to the complexity of the project, including sewer segments requiring deep trench work. He explained that engineer's estimates are generally based on average anticipated bids rather than the lowest possible bid and noted that the selected bid came in significantly lower than expected, which staff viewed positively.

   2. **Jill Grunwald** asked whether residents who are not connected to the sewer system would receive any form of compensation related to the sewer capital projects. **Director Kim** responded that the sewer capital projects are funded through sewer rates, indicating that compensation would not apply to residents who are not part of the sewer system.

   3. **John O'Connell**, commenting on ITEM I on the Consent Calendar, expressed concerns, which involved waiving the reading and adopting the ordinance related to zoning modifications. He noted that during the previous meeting, there were unresolved questions about whether the

Department of Housing and Community Development (HCD) would accept certain provisions. Mr. O'Connell stated that adopting the ordinance without first receiving an updated report or informing the public of the final content was inappropriate. He recommended that the item be presented fully, the ordinance read before adoption, and ultimately suggested that the item be pulled from consideration.

Director Bradford explained that multiple attempts had been made to contact the Department of Housing and Community Development (HCD) and the director responsible for reviewing housing elements. The city also worked through a consultant who had a strong relationship with HCD and had heard back regarding other projects, but responses related to this specific matter largely went unanswered.

Mayor Bhateja sought clarification on whether a response had officially been received regarding the issue, specifically concerning the proposed 0.5-acre versus 0.75-acre minimum standard.

Director Bradford stated that the only communication received was a text message relayed through the consultant advising the city to keep the minimum lot size requirement at 0.5 acres rather than increasing it to 0.75 acres.

Mayor Bhateja CLOSED PUBLIC COMMENTS.

Mayor Bhateja asked if any of the councilmembers wished to pull ITEM I from the Consent Calendar. There was some discussion about the timing of this item and the city attorney clarified that they needed to take act tonight.

MOTION MADE AND SECONDED: Vice Mayor Tyson motioned to APPROVE Consent items, except for Items K and Q.

The motion was seconded by **Councilmember Swan**.

MOTION PASSED	**5-0**
AYES:	Bhateja, Tyson, Mok, Swan, Tankha
NOES:	None
RECUSE:	None
ABSTAIN:	None
ABSENT:	None

A. Approval of the April 10, 2026, Special City Council Meeting Minutes (Staff: A. Miller)

B. Approval of the April 16, 2026, Special City Council Meeting Minutes (Staff: A. Miller)

C. Approval of the April 16, 2026, Regular City Council Meeting Minutes (Staff: A. Miller)

D. Approval of the April 17, 2026, Special City Council Meeting Minutes (Staff: A. Miller)

E. Approval of the April 29, 2026, Special City Council Meeting Minutes (Staff: A. Miller)

F. Resolution Directing that the Pride Flag Be Raised for the Month of June 2026 (Staff: J. Parcutilo)

G. Waive Reading and Adopt and Ordinance Amending Title 2, Chapter 1 “Councilmember Salaries” of the Los Altos Hills Municipal Code to Increase the Councilmembers’ Salaries to Nine Hundred Fifty Dollars a Month (Staff: J. Parcutilo)

H. Waive Reading and Adopt an Ordinance Amending Title 10 (Zoning and Site Development) of the Los Altos Hills Municipal Code to Establish Reasonable Accommodation Procedures for Land Use and Zoning Decisions Consistent with Housing Element Program B-9 (Staff: J. Bradford)

I. Waive Reading and Adopt an Ordinance Amending Article 16 (Multifamily Development Standards) of Chapter 1 (Zoning) of Title 10 (Zoning and Site Development) of the Los Altos Hills Municipal Code to Revise Multifamily Development Standards (Staff: J. Bradford)

J. Resolution Amending the Employee Handbook to Establish a July 1 Cost of Living Adjustment (COLA) Schedule (Staff: T. Leung)

K. Resolution Approving Capital Budget Reallocations of $42,567 of Pathway Fund from the Summerhill Pathway and $45, 136 of Transportation Development Act Article 3 Fund from the Miscellaneous Pathways to the Magdalena Road Pathway Project; Approving the Plans and Specifications for the Magdalena Road Pathway Project; and Authorizing Staff to Advertise the Project for Formal Bid (Staff: W. Kim)

Mayor Bhateja noted that the City had received communications from residents regarding the Summerhill Pathway and invited Council members to share any comments or perspectives on the feedback received from the community thus far.

Councilmember Swan stated that, based on her understanding from the Pathways Committee, funding for the Summerhill Pathway project had already been allocated, but the project could not yet move forward because all necessary permits had not been secured. She explained that the proposal appeared to temporarily shift some of the allocated funds away from the project until it was ready to proceed, with the expectation that the funding would be restored once the Summerhill project was prepared to move forward. Swan emphasized that the project was long overdue.

Vice Mayor Tyson expressed support for shifting funds to advance pathway projects that are currently ready to proceed, stating that the report’s logic made sense. However, he echoed Councilmember Swan’s concerns about the long-delayed Summerhill Pathway project, noting that he understood residents’ frustrations after many years of discussion. Tyson emphasized the importance of not signaling that the project was being deprioritized and urged continued efforts to move it forward. He also offered to assist in working with the county to help navigate and accelerate the complex permitting process so the pathway project could proceed.

Councilmember Mok noted that the Summerhill Pathway has been under discussion for a very long time, recalling that it was first raised with him about seven years ago and is still not completed. He expressed support for moving the project forward and indicated he would be satisfied if progress could be made to advance it in a meaningful way.

Mayor Bhateja raised concern about the cost of the Magdalena pathway project, noting that it worked out to over $1.7 million per mile, which was significantly higher than the $1 million per mile estimate from the Nexus study on pathways–about 70% above expectations.

Councilmember Swan asked for clarification on which pathway was being referenced, and the Mayor confirmed it was the Magdalena pathway proposal.

Mayor Bhateja then requested further insight from Mr. Kim regarding the reasons for the higher-than-expected cost.

Director Kim explained that the cost discrepancy related to the Magdalena pathway was tied to how the overall asset estimates were calculated in the Nexus study for pathway impact fees. He clarified that the system includes both roadside and off-road pathways, but the Magdalena project specifically involves a roadside pathway, which is typically more expensive. He noted that roadside pathways require additional construction elements such as imported materials like quarry fines and header boards, which increase costs. As a result, while the Nexus study reflects a blended cost of different pathway types, this project reflects only the higher-cost roadside component, explaining why its per-mile cost is greater than the earlier estimate.

Councilmember Tankha recused herself at this time in the discussion, citing she lives on Magdalena. She left the dais until the discussion of Item K was completed.

Mayor Bhateja asked whether the same consultant used for the sewer study had been used to estimate the cost of the pathway project. **Director Kim** responded that the estimate was prepared in-house and was based on bids received two years earlier for work similar to the Concepcion, La Paloma pathway projects. He explained that the site conditions for the current project would also require retaining walls and extensive clearing and grubbing, contributing to higher costs. The estimate was developed by averaging past bids, which had shown a wide range. He noted that the approach was intentionally conservative to avoid underestimating costs, though in the future they might consider using a lower percentile of bids for more refined estimates.

Mayor Bhateja OPENED PUBLIC COMMENT for Item K.

PUBLIC COMMENTS

1. **Carol Gottlieb** stated that she supported temporarily reallocating funds to the Magdalena pathway as long as the funding was returned for the Summerhill Pathway project. She described concerns about traffic and safety on her street, noting it functions as a connector road with frequent speeding and limited enforcement due to jurisdictional complexities between the Town and county areas. Ms. Gottlieb expressed hope that some progress would be made on Summerhill within the next year. She also pointed out what she saw as an inconsistency in how the projects were being handled, noting that Magdalena would proceed despite missing segments, while Summerhill would not, and concluded by expressing willingness to have a pathway built on her property.

2. **Cheryl Evans** shared a personal account of living at the corner of Mira Loma and Summerhill for 13 years, during which her two children had no safe route to school and were forced to walk in the street. She explained that she and her family had been waiting for the Summerhill pathway for a total of 26 years and had since moved away. Ms. Evans described the area as dangerous for pedestrians, citing repeated vehicle accidents on the hill, including cars losing

control on the curve and crashing into a nearby lot. She emphasized the safety risks faced by children in the area and urged the council to complete the pathway without further delay.

3. **John O'Connell** questioned the pathway cost estimates, arguing that $1.7 million per mile seemed high compared to other public pathway projects and suggesting the city's financial review process needed more scrutiny. He said the issue was not cost per mile but how many miles could actually be built and urged a more practical approach focused on maximizing construction within a set budget rather than spending more for less progress.

4. **Allan Epstein** said the proposed pathway seems overestimated in cost, noting much of the route is already usable with only a couple of challenging properties needing work. He criticized design standards as outdated or unnecessary, pointed to poor maintenance of existing Magdalena pathways, and argued the Town should only address the most difficult segments rather than build the full project at high cost. He also noted no new pathways had been built this fiscal year.

   Councilmember Swan responded to comments about roughing up the pathways, stating that even if horses were not commonly seen on Magdalena, riders were still allowed and could use the area. She shared a personal experience in which her horse slipped on a seal-coated surface that had not been properly roughened, causing the horse to fall with her, and emphasized safety concerns as the reason for the requirement. She added that horses were permitted anywhere in town, so their presence could not be ruled out.

   Allan Epstein replied that he had not seen a horse in the area for 30 years.

   Mayor Bhateja CLOSED PUBLIC COMMENT.

MOTION MADE AND SECONDED: Councilmember Swan motioned to APPROVE the Capital Budget Reallocations of $42,567 of Pathways Fund from the Summerhill Pathway and $45,136 of Transportation Development Act Article 3 Fund from the Miscellaneous Pathways to the Magdalena Road Pathway Project; Approving the Plans and Specifications for the Magdalena Road Pathway Project; and Authorizing Staff to Advertise the Project for Formal Bid.

The motion was seconded by **Vice Mayor Tyson**.

MOTION PASSED	**4-0-1**
AYES:	Bhateja, Tyson, Mok, Swan
NOES:	None
RECUSE:	Tankha
ABSTAIN:	None
ABSENT:	None

Mayor Bhateja stated that the cost of the pathways, particularly the $1.7 million per mile estimate, was in his view excessive and noted strong resident concerns about the Summerhill Pathway project. He asked Director Kim to explain the city's plans moving forward.

Director Kim responded that staff had been coordinating with the Pathway Committee and actively following up with the county regarding the status of a response letter related to ADA compliance concerns for the Summerhill Pathway. He said the county had not yet responded, as they were reportedly consulting with their county attorney, and he committed to continuing follow-up, noting potential support from Vice Mayor Tyson.

Mayor Bhateja requested a report at the next council meeting. Director Kim agreed to provide an update, and **City Manager Einfalt** added that the item could be placed on a future agenda and that he would also apply additional pressure through county contacts, including arranging a meeting with a supervisor.

L. Resolution Approving the FY27 Project List for Annual Pavement Rehabilitation and Drainage Improvement to be Funded by State Senate Bill 1, the Road Repair and Accountability Act of 2017 (Staff: W. Kim)

M. Resolution Requesting the Santa Clara County Tax Collector to Collect Delinquent Sewer Charges and the FY27 Sewer Service Charges for Both the Palo Alto and Los Altos Sewer Basins (Staff: D. Liang)

N. Resolution Awarding a Construction Contract for the 2026 Sanitary Sewer Repair and Replacement Project to Casey Construction, Inc., the Lowest Responsible and Responsive Bidder, for an Amount of $410,365, and Authorizing the City Manager to Execute the Construction Contract; and Approving Project Contingency Funds of $82,073, and Authorizing the Public Works Director to Approve Potential Contract Change Orders withing the Said Funds (Staff: D. Liang)

O. Resolution Accepting Dedication of Right-of-Way Easement (Lands of Rothkopf); 23503 Ravensbury Avenue (Staff: W. Kim)

P. Resolution Approving the City Manager Employment Agreement between the Town of Los Altos Hills and Cody Einfalt (Staff: S. Mattas)

Q. Resolution Authorizing the City Manager to Execute a Contract with Selectron Technologies, Inc. to Purchase an Automatic Notification and Online Inspection Scheduling Software for a Total Purchase Price of $100,000 (Staff: J. Bradford)

Mayor Bhateja discussed Item Q, the contract with Selectron Technologies, noting that staff had recommended Option 3, a five-year agreement. However, he expressed preference for Option 2, which would allow a three-year no-penalty exit clause for a slightly higher cost of about $3,000. He explained that, given the rapid pace of technological change, the flexibility to exit earlier could be beneficial if better or less expensive solutions became available. He also noted that the Technology Committee had raised concerns about committing to a five-year contract. He then recommended proceeding with Option 2, which was for a 5-year contract with a 3-year no-penalty exit clause and asked whether staff had any objections or concerns.

Director Bradford explained that staff had originally recommended Option 3 due to fiscal constraints in the current fiscal year budget. However, given the Council's direction toward Option 2, the contract would need to be revised and returned for approval at a future meeting, likely delaying implementation until the next fiscal year. He noted that, as a result of this timing change, the previous budget-related concerns would no longer be an issue.

Mayor Bhateja OPENED PUBLIC COMMENT.

No comments.

Mayor Bhateja CLOSED PUBLIC COMMENT.

MOTION MADE AND SECONDED: Mayor Bhateja motioned to ACCEPT the staff report and move forward with Option 2.

The motion was seconded by **Councilmember Mok**.

MOTION PASSED	**5-0**
AYES:	Bhateja, Tyson, Mok, Swan, Tankha
NOES:	None
RECUSE:	None
ABSTAIN:	None
ABSENT:	None

6. **ONGOING BUSINESS**

7. **PUBLIC HEARINGS**
City Council Ex Parte Contacts Policy Disclosures:

Councilmember Swan *had communications with the Pathways Committee, as she is their council liaison, and with Carol Gottlieb.*

Mayor Bhateja *had communications with several unidentified residents.*

Vice Mayor Tyson *had communications with Planning Commissioner Jim Waschura.*

Councilmember Mok *had communications with the Open Space Committee.*

Councilmember Tankha *reported no ex parte communications.*

A. Consideration and Direction on a Draft Initiative Measure Regarding the "Green Sheets" Land Use Principles (Staff: S. Mattas)

City Attorney Mattas provided a staff report on the revised "Green Sheets Initiative" measure. He explained that, following prior Council direction, the initiative had been narrowed to two main components: allowing certain animals on properties under defined conditions, and amending the land use element to prohibit new large-scale industrial, commercial, or retail uses, while exempting existing businesses and small home-based operations.

He outlined the ballot timeline, noting that if the Council wanted to place the measure on the November ballot, action would need to be taken by August 6, 2026, with practical deadlines requiring a decision in June due to the Council's July recess schedule. Mr. Mattas added that the Council could refer the initiative to committees, including the Planning Commission due to the land use changes, with feedback due by June 8 to be included in the June meeting materials.

He clarified that the current action was not for approval or denial, but for the Council to decide whether to send the initiative to committees and the Planning Commission for review before making a final decision on whether to proceed to the ballot.

Councilmember Tankha asked staff about possibly arranging a survey for this item to receive resident input and **City Manager Einfalt** stated it was possible.

Councilmember Mok expressed concern about the timeline for the Green Sheets Initiative, emphasizing that if the Council intended to move forward with the measure, it needed to ensure the process stayed on schedule to meet the required deadlines.

Councilmember Swan suggested that the City Manager include information about the Green Sheets Initiative in the city newsletter to invite public comments. She supported referring the measure to town committees for review, noting that those groups are actively involved in community issues. However, she stated that she would not support delaying the process for a broader town-wide survey, arguing that the topic had already been discussed extensively and that residents would ultimately have the opportunity to vote on the measure if it proceeded to the ballot.

Vice Mayor Tyson stated he had no questions.

The Council and staff engaged in a discussion about the estimate of cost incurred so far and the projected future cost, which was estimated to be about $20,000.00 or less.

Mayor Bhateja stated that while he supported the concept of limiting new commercial and industrial development without voter approval, he was concerned that requiring a public vote for every change could become cumbersome, particularly if the Council needed to act quickly in response to lawsuits or state law requirements. He asked whether there were alternative approaches, such as requiring a unanimous Council vote to approve such changes, which would create a high threshold for modifications without necessarily requiring the matter to return to voters each time.

City Attorney Mattas explained that the proposed land use element amendments were governed by state law, which required approval by a majority vote of the Council, meaning the Council could not impose a stricter voting threshold such as unanimity for those changes. He added that, for non–general plan policies such as certain animal-related regulations, the Council could adopt a policy encouraging a supermajority vote requirement, but future councils would not be legally bound by it and could choose to override it. Mattas also clarified that any land use element amendment already required at least three affirmative Council votes under state law, and in situations involving recusals or conflicts of interest, the remaining members would effectively have needed to vote unanimously.

Mayor Bhateja expressed concerns about how the proposed animal provisions would apply if multifamily housing developments such as townhouses, condominiums, or apartments were built in town in the future. He questioned how the code would function in those settings, noting that the prospect of residents keeping animals such as piglets in condominium units raised practical concerns for him.

City Attorney Mattas explained that the proposed animal provisions were part of the land use element policy and that the Council could adopt separate rules for multifamily housing. He noted that the Council could distinguish between single-family and multifamily properties through zoning or future land use amendments, including restricting certain types of animals in multifamily developments due to space limitations or compatibility concerns. While the current initiative did not make that distinction, Mr. Mattas said the Council could add such provisions in the future, particularly for larger or non-traditional animals.

Councilmember Swan noted that the existing code required at least one acre of land to keep horses or other large animals, meaning small townhouse lots would not have qualified. **Mayor Bhateja** raised additional questions about how the rules would have applied to multifamily developments on larger parcels, including whether animals such as piglets could have been kept there. He also asked whether the town had limited the number of animals allowed on a property, questioning where boundaries would have been set for smaller animals like chickens. **Director Bradford** responded that staff would need to review the specific municipal code provisions, adding that the town's multifamily zoning referenced "household pets and domestic animals," though those terms were not specifically defined in that section and would have required further research.

Mayor Bhateja OPENED PUBLIC COMMENT.

PUBLIC COMMENTS

1. **John O'Connell** said he still saw unintended consequences in the proposed land use element changes and questioned what the town would gain from them. He noted that the policies could still be changed by a simple Council majority and argued this could reduce flexibility for future decisions. He also disagreed with applying different rules to certain parcels under state law constraints. He concluded that the proposal added cost and uncertainty without clear benefits and said decision-making should remain with the Council.

2. **Eric Bredo** said he respected John O'Connell's comments but disagreed with his concerns. He explained that the proposal was intended to make it more difficult for a small number of Council members, or a "rogue mayor," to change key town values. While acknowledging that the measure would reduce flexibility, he said that was intentional to protect important policies. He encouraged the Council to move forward with the proposal as planned.

3. **Anand Raganathan** said he was unclear about the motivation behind the proposal and emphasized that Council policymaking normally involves balancing competing interests through detailed, case-by-case discussion. He argued that putting policies on the ballot removes that nuance and reduces complex issues to simple yes-or-no decisions, which he said was not an effective way to make policy. He also criticized the idea of "locking in" specific policy preferences to limit future Council flexibility, questioning the legitimacy of doing so and arguing that elected Councils should retain the ability to make and update decisions over time as part of the democratic process.

4. **Carol Gottlieb** supported codifying the Green Sheets Initiative, citing long efforts to preserve the pathway system and warning it could be weakened without protections. She also opposed allowing commercial uses and emphasized preserving the town's rural and equestrian

character. She argued that major policy changes affecting these values should not be left to a small Council majority.

5. **Teresa Baker** said she supported moving forward with the proposal to make it harder to change the town's Green Sheets policies, expressing concern that Council decisions can be easily influenced and may not always fully account for long-term implications. She said she wanted to preserve the rural character of the town and its pathway system, which she viewed as central to the community's identity. Baker emphasized that she did not want those elements to be lost due to future policy changes.

6. **Nick Erndt**, a longtime resident and head of the Pathways Committee, said that the town's pathways were an important shared system used by pedestrians, cyclists, horses, and wildlife. He emphasized their value to the community and argued that decisions allowing a small number of Council members to remove or significantly alter existing pathways should not be permitted. He said major changes to foundational town features should go to a public vote rather than being decided by a small Council majority.

7. **Mike Orlando**, Vice Chair of the Pathways Committee, supported taking the proposal to the voters and emphasized the importance of the town's pathway system to its rural character. He said the pathways were a unique regional feature and a key reason he moved to and remains in the town. Orlando referenced the town's founding vision and expressed concern about preserving that legacy as surrounding communities change. He concluded that any changes to the town's character should require a very high threshold.

8. **Sue Welch** supported keeping the initiative open for further review by committees and residents, saying there had not been enough time for full consideration. She expressed concern that future Councils might not share current community values and could make significant changes with only a small number of votes. Welch suggested that codifying principles in the Green Sheets could help protect the town's existing policies and character, and she supported continued public and committee review of the initiative.

9. A **resident (2:09 in video)** stated that there appeared to be strong public support for adding pathways to the initiative, noting that they were not currently included in the proposal.

10. **Kjell Karlsson** stated that the initiative was not about restricting future councils but about allowing residents to help set long-term policy direction. He said he supported giving the community a role in shaping these decisions and did not see the proposal as improperly binding future councils. He also questioned concerns about multifamily housing and animal restrictions, suggesting that such issues would likely be handled by homeowners' associations and arguing that the initiative was meant to prevent a small number of Council members from banning animals or major town features like horses or chickens without broader input.

Mayor Bhateja CLOSED PUBLIC COMMENT.

Councilmember Mok said the town lacked a formal mission statement and described the Green Sheets as the closest equivalent, reflecting long-standing community values. He emphasized principles such as large lot sizes, privacy, fiscal restraint, and reliance on contracted services. Mok expressed concern that a small number of future Council members could significantly alter those values and said he supported making it more difficult to change them going forward to better protect the town's current direction.

Councilmember Tankha said she had shifted her position and now supported the two key elements of the initiative. While she had previously opposed expanding the ballot measure, she said allowing livestock and restricting commercial real estate aligned with the town's identity and values, and she was now comfortable supporting those provisions.

Vice Mayor Tyson reiterated his earlier position, describing the proposal as aspirational but overly simplistic in trying to preserve the town's current character. He argued that concerns about "rogue" Council members making drastic changes were mitigated by existing democratic safeguards and election mechanisms. Tyson emphasized a cost-benefit perspective, noting that the initiative would divert staff time and resources, including from projects like the Summerhill Pathway, while offering limited benefit. He concluded that pursuing the measure for the next election cycle would be a mistake and said he would not support further work on it.

Councilmember Swan said she had been advocating for the initiative since 2021 and asked how long it would take to recall a Council member. The City Attorney responded that a recall would likely take at least six months, including signature gathering, qualification, and an election process, which could be a special or general election. Ms. Swan noted that this timeframe would allow significant policy changes to occur in the interim without control, and she warned that once permits were issued and projects approved, they could not easily be reversed without legal and financial consequences, citing a case in Los Gatos where an attempted reversal led to significant costs after approvals had already been granted.

Councilmember Tankha noted that permitting timelines had already extended well beyond six months, citing her own two-year ADU permitting experience. Councilmember Swan responded that while permits could take time, zoning and policy decisions could have long-term consequences once approved and clarified that the proposal was about placing the issue before voters rather than the Council directly setting policy. Ms. Tankha raised concerns that additional costs beyond the estimated ~$20,000 would likely have been required and questioned how any campaign-related efforts would have been funded.

Councilmember Swan and **City Attorney Mattas** clarified that the City could not use public funds for campaigning, and that any support would have had to come from residents, though the Council could take a position on the measure.

Councilmember Tankha suggested a quick public poll to gauge community opinion, which **Councilmember Swan** said she could support if it did not delay the process. Staff noted that committee review would have been low-cost, though legal or additional staff analysis would have increased expenses, and that the measure had already been largely drafted.

Mayor Bhateja noted staff had identified relevant municipal code provisions on animals.

City Manager Einfalt explained that the code explicitly limited cats to three per household and set horse limits of two per acre for private stables, with additional allowances for partial acreage and discretionary permitting for commercial stables. He added that other general requirements related to animal enclosures and sanitation could also impose practical limits.

Councilmember Swan clarified the horse rule, noting that properties slightly over an acre could allow additional horses based on acreage calculations.

Mayor Bhateja asked whether a privately run solar farm selling electricity would be allowed under the initiative. The City Attorney said it would likely be treated as a prohibited commercial use, while noting legal and definitional uncertainties.

Mr. Mattas clarified that a town-owned utility would be different, but private solar generation for sale would likely be prohibited. They also confirmed that, as written, even small retail uses in multifamily housing could be prohibited unless “large-scale” is more clearly defined.

Mayor Bhateja said residents generally wanted to preserve the rural character of Los Altos Hills and avoid commercial, industrial, and large-scale retail development. He supported the intent of the initiative but questioned how critical a ballot measure was compared to relying on the Council, noting concerns about delays and flexibility if urgent action was needed in the future. He acknowledged concerns about “rogue” Council actions but also warned that requiring voter approval could slow responses to legal or policy needs. He said he supported the general goals but remained concerned about situations where the town might need to act quickly, such as energy projects or other unforeseen requirements, without lengthy public processes.

MOTION MADE AND SECONDED: Mayor Bhateja motioned to…

- promptly conduct a public survey to gather resident input on this matter, noting he (Mayor Bhateja) was willing to assist with that process, including use of the email list that has been referenced.

- that this item that this item be referred to the appropriate committees, including the land use committees, for their review and feedback, as well as the Planning Commission, with all committee and commission responses to be completed and submitted by June 8th.

- that staff return to the City Council at the June meeting with the results of the survey and the feedback from the committees and Planning Commission, so that the Council may then consider all input and decide how to proceed at that time.

The motion was seconded by **Councilmember Tankha**.

MOTION PASSED	**4-1**
AYES:	Bhateja, Mok, Swan, Tankha
NOES:	Tyson
RECUSE:	None
ABSTAIN:	None
ABSENT:	None

Councilmember Tankha directed staff not to spend additional time or money on the initiative before June 8th, including avoiding further town attorney or committee-related expenses. She instead supported conducting a public poll to gather resident input before moving forward. City Manager Einfalt responded that staff intended to minimize costs by reusing the existing staff report for Planning Commission review rather than preparing new materials.

8. NEW BUSINESS

A. Receive the Cost Allocation Plan and Development Services Fee Study and Approve a Resolution Adopting the Town of Los Altos Hills Master Fee Schedule and Local Building Valuation Multiplier (Staff: J. Bradford and T. Leung)

City Manager Einfalt explained that although the agenda item was written to allow the Council to adopt the proposed resolution that evening, staff did not expect final approval to occur yet because several questions remained unresolved following a recent FIC meeting. He said staff anticipated bringing the matter back for further discussion at the June meeting.

He noted that if the Council adopted the fees in June, a required 30-day implementation period would push the effective date to around July 18 rather than the originally planned July 1 timeline. Mr. Einfalt stated that staff was not concerned about the delay and that the budget could absorb the later implementation date. He also explained that the proposed fees had already been incorporated into assumptions used for the upcoming budget discussion, but that Council feedback from both meetings could still be integrated moving forward.

Director Bradford introduced Nicole Kissam of NBS to present a high-level overview of the town's cost allocation and fee study, after which staff would discuss the policy implications and proposed fee structure.

Nicole Kissam explained that NBS completed two analyses for the town: a cost allocation plan to determine administrative overhead costs, and a fee study focused on achieving full cost recovery for planning, building, and engineering services. She said the study followed standard governmental cost-allocation practices and legal requirements that fees not exceed the reasonable cost of providing services.

Ms. Kissam described how the study analyzed annual costs, hourly staff rates, and per-service fees using budget data, workload estimates, and staff time assumptions. She emphasized that the current phase involved Council policy decisions about how much of the full cost should actually be recovered through fees.

She concluded that the town currently recovers about 43% of the total cost of providing development-related services, and that adopting fees at full cost recovery levels could generate roughly $2 million in additional annual revenue.

Vice Mayor Tyson asked whether cost recovery limits applied by department or across the entire fee program. **City Attorney Morrison** responded that departments could not subsidize one another, and that exceeding 100% recovery within a department would have been unlawful and subject to challenge. Mr. Tyson also asked how recovery would be evaluated over time, and Ms. Morrison explained that ongoing overcollection could have created legal risk if applicants or taxpayers believed fees were inequitable.

Councilmember Mok noted that the study showed the town recovered only 43% of development-service costs and questioned whether fees might need to more than double. **City Manager Einfalt** said periodic fee studies were standard practice and acknowledged the town was overdue for one.

Director Bradford explained that the new figures reflected both rising costs and changes in how staff time was tracked, including separating engineering and planning work that had previously been bundled into building permit revenues.

Councilmember Tankha questioned the reported 43% cost recovery rate, saying she remembered the previous fee study showing significantly higher recovery levels and doubted rising costs alone explained the difference. She suggested Finance Committee Chair Allan Epstein could provide additional context. **Mayor Bhateja** responded that increasing costs were likely a major factor and said the issue could be discussed further during public comment.

Director Bradford explained that the new fee model used a blended hourly rate based on the town's cost allocation plan to simplify implementation and improve transparency. Staff also cleaned up the fee schedule by removing unused fees and better aligning categories with departments. He said the updated system, including pass-through consultant costs, was expected to generate about $4 million annually and approach roughly 99% cost recovery, though actual recovery would likely be lower due to rising costs and ongoing general fund subsidies such as long-range planning. He also noted adjustments to how overhead was applied to capital projects so they would only be charged when work was actively occurring.

Mayor Bhateja paused the presentation to ask about the $1.1 million "City Manager" cost allocation line item. Staff explained it was not just the City Manager's salary, but the full City Manager's office, including administrative staff, contract costs, and overhead supporting all departments and Council functions. **Finance Director Leung** added that this figure was consistent with recent budgets for the entire office, and **Director Bradford** clarified it represented overhead costs without a direct revenue source, not a single position.

Director Bradford summarized that staff updated planning, building, and engineering fees to better align charges with actual service costs. Changes included adding new fee categories for state-mandated processes, restructuring building fees from a flat model to a tiered system, and separating administrative and technical review costs. He also noted adjustments to deposits based on community feedback and revised valuation methods to better distribute costs between small and large projects. Overall, he said the new structure ties fees more directly to staff time and workload to improve cost recovery and transparency.

Mayor Bhateja asked for clarification on the fee table, noting confusion between dollar figures and volume data. Director Bradford and NBS explained that the table shows project counts within valuation tiers and incremental $1,000 segments above thresholds, not direct dollar amounts. NBS gave a $70,000 example to show how a project is split across tiers for fee calculation, and the Mayor confirmed his understanding.

Continuing with his presentation, Director Bradford compared proposed permit fees to current fees and neighboring cities, noting the analysis was normalized by property valuation for consistency. He said smaller projects, including many under ~$1.5M valuation, would generally see higher costs, while some larger projects could see lower costs. He explained that total costs include both base fees and impact fees, though a full cross-city total comparison was not shown. Staff also noted ADUs may increase in cost under full cost recovery, and suggested possibly subsidizing them at around 80% recovery, shifting roughly $100K–$200K to the general fund.

Director Bradford explained that the town uses ICC-based valuation tables with regional multipliers and has refined its method to better align project valuations with local conditions. He reiterated that fees must be recovered at the individual service level and cannot be cross-subsidized between programs, and that the tiered structure better matches costs to project size.

He said Council could choose to subsidize certain permits—such as ADUs or electrification-related upgrades—at roughly 70–80% cost recovery, which the budget could absorb, and asked whether Council wished to apply such subsidies.

The **Mayor** questioned a major reduction in plan check consultant costs under the new fee model, noting that a ~$13,000 cost would drop to about $5,500 for a $2.25M project and asking what data supported that assumption. **Mr. Bradford** responded that consultant plan check costs are tied to the overall cost-of-service model and are expected to balance out across the full fee program, with higher recovery on smaller projects offsetting changes in larger ones, resulting in an overall more stable cost recovery across the system.

The **Mayor** noted that in the $2.25M home example, the cost-recovery fee appeared to decrease from about $40,000 to $30,000 (excluding impact and outside fees). He questioned how that could be consistent with rising costs over time and whether prior or current fees were misaligned. **Mr. Bradford** responded that he would reference a different illustration from the packet to further explain how the cost changes and fee calculations were derived.

The **Mayor** questioned the proposed reduction in plan check costs from about $13,000 to roughly $5,500 for the same type of project, noting that the City Attorney had emphasized fairness in charging across projects. He said he had difficulty understanding how both figures could be considered fair for equivalent work.

NBS explained that the current system uses a flat percentage of construction value, which scales fees linearly with project cost. Under that model, larger projects often pay disproportionately more even though regulatory effort does not increase at the same rate. She said the new approach replaces this with a tiered structure tied more closely to actual regulatory effort, which is not linear. As a result, fees at the high end may decrease while lower-end projects may increase, reflecting a recalibration toward workload rather than project value.

Vice Mayor Tyson asked whether the previous system relied on applicant-reported construction values multiplied by a flat 0.9% fee, noting that such a method could be manipulated, and contrasted it with the proposed approach using standardized square-foot valuation tables, which he suggested would be more consistent and defensible for auditing purposes.

The **Mayor** asked how the new valuation method would handle applicant-submitted project values and whether those figures would simply be accepted. **Director Bradford** responded that higher-than-average declared values would be accepted, but lower-than-average values would be adjusted upward to the standardized valuation baseline.

Mayor Bhateja OPENED PUBLIC COMMENT.

PUBLIC COMMENT

1. **John O'Connell** said the presentation did not clearly distinguish between costs already covered by property taxes and incremental permit-related costs that should be recovered

through fees. He also questioned whether residents and contractors were being treated too similarly under the fee structure and said the proposal needed further review before adoption.

2. **Allan Epstein**, a member of the Finance and Investment Committee, stated that he was available to answer questions from the Council regarding the committee's review and discussions of the fee study.

   Councilmember Tankha said she recalled the prior fee study targeting roughly 90% cost recovery, not 43%. **Mr. Epstein** confirmed that was correct, explaining that the current 43% figure reflected today's costs compared against fee levels that had remained largely unchanged for six years. He said several factors drove the increase: overhead allocations rose from about $2 million to $3.7 million, hourly staff rates increased significantly, engineering costs rose faster than inflation, and estimated hours required for tasks also increased. He added that the new tiered fee structure shifted more cost burden onto smaller projects because the analysis showed those projects required proportionally more staff effort.

   Mayor Bhateja questioned why fees for larger projects had decreased under the new model, despite rising costs over the past six years. **Mr. Epstein** explained that the revised fee structure assumed regulatory effort for larger projects did not increase linearly with project value, resulting in lower relative fees for high-value projects and higher fees for smaller projects. He noted that permit fees were now based on estimated staff hours multiplied by fully burdened hourly rates within a tiered structure, rather than a flat percentage of project value. **Mayor Bhateja** remained concerned that the relative costs still appeared disproportionately low for large homes compared to smaller projects, while Mr. Epstein acknowledged surprise at the outcome but said the consultant's analysis concluded the fee structure reflected actual staff time and regulatory effort.

   Councilmember Tankha questioned whether the estimated staff hours underlying the fee model were accurate or potentially double-counted. **Nicole Kissam of NBS** explained that the estimates were based on typical workflows provided by Town staff, including inspections, drive time, paperwork, and administrative processing. Ms. Tankha argued that smaller projects, such as bathroom remodels, appeared to receive disproportionately high charges relative to the actual inspection time involved. **Director Bradford** responded that even short inspections required additional administrative and processing work, and noted that multiple inspections for plumbing, electrical, drywall, and final approval could easily exceed the one-hour estimate assigned to a small project.

   Mayor Bhateja said the Council understood that project costs were not linear but remained concerned about the extent of the disparity between small and large projects. He requested that staff return the analysis to the Finance and Investment Committee for a closer review of the methodology and assumptions behind the estimated hours and tiered fee structure before bringing the proposal back to Council.

   Vice Mayor Tyson said he was not surprised that project costs were not linear and agreed that larger projects would not necessarily require proportionally more staff time. He expressed concern about the Council getting too deep into questioning individual inspection durations and repeatedly revisiting the analysis after significant work had already been completed by staff, consultants, and the Finance and Investment Committee. Mr. Tyson noted that Mr.

Epstein had defended the methodology and questioned whether the Council was struggling to make a decision despite the extensive review already conducted.

Allan Epstein said he was comfortable with the work that had been done and was not suggesting anything was incorrect. He said the Finance and Investment Committee simply wanted to review the arithmetic and methodology behind a few sample projects, such as a bathroom remodel, ADU, and $2.5 million home, to better understand how the calculations fit within the tiered fee structure. Mr. Epstein emphasized that he was not requesting additional analysis, only a closer review of the existing work, so the committee could explain it clearly to the Council and determine whether they were comfortable with the results.

Councilmember Swan said she agreed that staff and the consultant had already done significant work and that no additional study was needed. She supported only requesting clarification to better understand the methodology, rather than reopening the analysis, and favored moving the process forward.

Mr. Epstein said he believed staff and the consultant had done solid work collecting and structuring the data, but he could not confirm whether the resulting fees were fair or equitable without reviewing the underlying calculations in more detail. He noted that the Council had only seen part of the full picture so far, primarily building fees, and that planning and engineering fees also changed significantly due to updated hourly assumptions. As an example, he cited a site development planning fee increasing from $1,560 to $9,342, attributing the change to revised assumptions about staff hours. He emphasized that he was prepared to provide an opinion once he had reviewed the detailed work product.

3. **John O'Connell** said the plan check fee structure had raised concerns because it was still calculated as a percentage of permit fees, creating large disparities between large projects and small remodels. He argued that, if fees were intended to reflect actual costs, the methodology should have been reviewed more carefully rather than being tied to permit values. He also noted that despite prior efforts to reduce fees for smaller projects, the new structure appeared to have shifted costs onto them in a different way. He supported additional Finance and Investment Committee review to better understand the changes.

Mayor Bhateja CLOSED PUBLIC COMMENT.

Mayor Bhateja said he appreciated the work that had been done and was not questioning its integrity, but said the Council needed a clearer understanding of the methodology and results. He stated that the Finance and Investment Committee was the appropriate venue to review and clarify the details before final Council action.

Mayor Bhateja said he would send the item back to the Finance and Investment Committee for review at its June 1st meeting, with a follow-up report back to Council in June to help move the process forward. He also asked for Council direction on subsidies for ADU, heat pump HVAC, and heat pump water heater fees. Councilmembers generally supported a 20% subsidy for those categories, and staff confirmed that no formal motion was required at that stage.

No motion.

MOTION MADE AND SECONDED: Councilmember Swan motioned to continue the Council meeting past 10PM and that they take a break.

The motion was seconded by **Mayor Bhateja**.

MOTION PASSED	**5-0**
AYES:	Bhateja, Mok, Swan, Tankha, Tyson
NOES:	None
RECUSE:	None
ABSTAIN:	None
ABSENT:	None

The meeting recessed at 9:51PM and reconvened at 10:04PM

B. Emergency Preparedness & Response Committee (EPRC) Request for Reconsideration of Support for AB2517 (Staff: J. Bradford)

City Manager Einfalt said the item returned to the agenda for two reasons: a request from the EPRC and the fact that the prior Council vote had been a 2–2 split due to one member's absence, supporting reconsideration. He explained that the proposed legislation was viewed by the committee as beneficial because it would require CAL FIRE to conduct a public input process before releasing wildfire hazard maps. This would allow the community to provide feedback on potential inaccuracies or local topographic conditions that may not be fully reflected in the maps, creating a more participatory process before adoption.

Mayor Bhateja OPENED PUBLIC COMMENT.

<u>**PUBLIC COMMENT**</u>

1. **Elizabeth Wilson** said she believed the item raised concerns about transparency and local control. She argued that residents with knowledge of local terrain should have meaningful input, and expressed concern that the proposed process would shift decision-making to the state level in a way that was less visible and less accountable. She stated that once decisions were made by CAL FIRE, they would be difficult for local agencies to challenge and urged the Council not to support sending a letter in favor of the proposal.

   Director Bradford clarified that the bill does not remove local authority to assign higher hazard classifications to properties under existing state law. He said it also supports local control in cases of mixed-use parcel designations, aligning with concerns previously raised by residents. He concluded that the bill generally reflects the points raised, including those mentioned by Elizabeth Wilson.

2. **John O'Connell** opposed the bill, stating he believed the existing CAL FIRE methodology for determining fire hazard severity zones was reasonable and well thought out. He expressed concern about transparency, questioning staff outreach to committees and the lack of clarity about which bodies were being consulted. He argued that changes under the bill could negatively affect local interests and urged the Council not to send a supporting letter, aligning his comments with prior public opposition.

City Manager Einfalt clarified that staff did not initiate outreach to committees; instead, the discussion was independently initiated and agendized by the EPRC. **Mayor Bhateja** confirmed this account, noting the item returned to Council because the EPRC had strong interest in it. **John O'Connell** acknowledged his earlier interpretation was incorrect and thanked them for the clarification.

Mayor Bhateja CLOSED PUBLIC COMMENT.

City Manager Einfalt explained that the EPRC supported the bill because it would introduce a public input process before CAL FIRE releases fire hazard maps, allowing residents to comment on map accuracy and local topographic conditions. He noted that the bill does not remove local authority to adjust hazard designations after release, but adds an earlier stage of public participation in shaping the maps.

Councilmember Kavita Tankha stated that she believed the town's existing process and the baseline CAL FIRE maps were already adequate and, in some respects, more restrictive than the proposal.

City Manager Einfalt responded that the concern raised by the EPRC was that CAL FIRE maps did not fully account for local topography and that the bill would allow broader public input on map formation before release. He emphasized that the proposal would not force state determinations on the town and would still allow local jurisdictions to adjust classifications afterward.

Councilmember Tankha questioned whether the discussion implied that the public had superior fire expertise, which Einfalt rejected, clarifying that the intent was to broaden input rather than replace technical judgment.

City Manager Einfalt clarified that the bill's intent extended beyond a single jurisdiction and that similar support had been seen across multiple California cities, including backing from the League of California Cities. He noted that the proposal had received broad support from local governments who viewed it as improving transparency and public participation in the fire hazard mapping process.

Mayor Bhateja explained that the purpose of the bill was to allow additional public comment on CAL FIRE maps before finalization, while still leaving final authority with the state agency.

Councilmember Tankha raised concerns about how the public hearing process would function, asking whether it could allow concentrated neighborhood influence over individual properties. **City Manager Einfalt** responded that the bill provides for a public input process, including hearings, rather than limiting participation to informal comments.

City Attorney Morrison explained that the bill would require a 30-day public comment period for draft fire severity maps, during which stakeholders could submit written feedback. She added that CAL FIRE would then be required to respond within 30 days to comments from local agencies regarding land use and zoning issues. She concluded that the bill would increase transparency in the state's fire severity mapping process.

Councilmember Swan stated that the bill would increase transparency and local control, noting that Cal Cities had reviewed and supported it. She expressed support for the proposal, describing it as a positive step.

Vice Mayor Tyson said he had missed the prior discussion but reviewed the report and was supportive of the proposal. He noted he appreciated the increased transparency and the unanimous support referenced in the report and indicated he was inclined to vote in favor of the item.

Mayor Bhateja OPENED PUBLIC COMMENT.

No Comments.

Mayor Bhateja CLOSED PUBLIC COMMENT.

MOTION MADE AND SECONDED: Mayor Bhateja motioned to support AB2517.

The motion was seconded by **Councilmember Swan**.

MOTION PASSED	**5-0**
AYES:	Bhateja, Mok, Swan, Tankha, Tyson
NOES:	None
RECUSE:	None
ABSTAIN:	None
ABSENT:	None

C. Consideration of a Resolution of the City Council of the Town of Los Altos Hills Calling a Municipal Election to be held on Tuesday, November 3, 2026, and Requesting Consolidation and Performance of Services from the County of Santa Clara Registrar of Voters (Staff: A. Miller)

City Clerk Birdsong-Miller provided a quick overview of her staff report. She explained the proposal to consolidate the upcoming election with Santa Clara County to fill two vacant 4-year City Council seats. Because there were no incumbents, the nomination period would close on August 7 at 5 p.m., and if the number of candidates did not exceed the number of seats, the Council could appoint candidates instead of holding a contested election. She noted the required deadline to submit the consolidation to the County was August 19.

Mayor Bhateja confirmed with staff that the nomination deadline was August 7, and that the County would need to be informed by August 19 if the election were to be canceled.

City Clerk Birdsong-Miller clarified that coordination with the County would continue after the deadline if only two candidates qualified, allowing time for Council action to formally approve cancellation of the election if appropriate.

MOTION MADE AND SECONDED: Councilmember Swan motioned to pass a resolution for the City Council to call a municipal election to be held on Tuesday, November 3rd, and request consolidation and performance services from the County of Santa Clara Registrar of Voters.

The motion was seconded by **Councilmember Mok**.

MOTION PASSED	**5-0**

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

D. Resolution Approving a Three-Year Concessionaire Agreement with Victoria Dye Equestrian, LLC, for the Operation of Westwind Community Barn (Staff: J. Parcutilo)

Management Analyst Parcutilo presented a 3-year concession agreement for Westwind Community Barn, operated by Victoria Day Equestrian. Key points included:

- Clarified maintenance responsibilities between the Town and operator
- Established a formal maintenance and capital improvement plan for facilities
- Updated safety, insurance, and operational requirements (including vaccination and reporting updates)
- Increased monthly management payment from $3,300 to $4,000 to reflect cost-of-living changes
- Maintained revenue split at 85% operator / 15% Town for services revenue
- Noted collaboration with staff, FIC, and Council members during negotiation
- Emphasized improved accountability, fiscal structure, and long-term stewardship of the barn

Council was asked to approve the new agreement.

Mayor Bhateja OPENED PUBLIC COMMENT.

<u>**PUBLIC COMMENT**</u>

1. **Ella Sakamoto** expressed strong support for renewing the Westwind Community Barn agreement with Victoria Day Equestrian, describing the operator as integral to the barn community and its programs. She highlighted a positive culture among riders, boarders, and visitors, and praised staff for being proactive and community-minded, including examples of employees independently maintaining equipment and supporting barn operations.

2. **Allan Epstein** clarified that the Finance and Investment Committee did not formally review the contract, but instead provided ad hoc members to support the process. He stated his strong support for renewing the agreement with Victoria Day Equestrian, noting his long-standing familiarity with the operator and praising improved coordination between the Town and operator on capital improvement planning and facility condition assessments. He added that while the operator is experienced in equestrian operations, the Town must remain proactive in managing the aging infrastructure of the barn.

3. **Jitze Couperus** stated that he had initially intended to strongly support the item if there had been opposition, given his 50-year history with Westwind Barn. He contrasted earlier decades of operational difficulties with the improvements made since Victoria Day Equestrian began managing the facility about a decade ago. He praised the operator for significantly improving the barn and described it as one of the Town's finest assets, urging approval of the renewal agreement.

Mayor Bhateja CLOSED PUBLIC COMMENT.

Councilmember Mok reflected on his long history in the Town since 1996 and noted how different Westwind Barn operations were before Victoria Day Equestrian's involvement. He stated that without her leadership it would be difficult for the Town to manage the facility, praised her performance as "incredible" and "marvelous," and expressed his appreciation for her efforts in operating the barn.

Councilmember Tankha reflected that over the past 20 years the Town had made significant progress, particularly in how Westwind Barn was operated and maintained. She emphasized the importance of continuing to support what the community values and staying the course and thanked the operator for their ongoing work and contributions.

Councilmember Swan reflected on her prior role as the last president of Friends of Westwind before the Town took over operations of the barn. She noted that since Victoria Day Equestrian began managing the facility about 12 years ago, the barn, programs, and overall condition had improved significantly. She also mentioned walking the site recently and observing its good condition and continued value for community events and equestrian use and thanked the operator for their work and responsiveness to feedback.

Vice Mayor George Tyson said he did not have as deep a history with the Westwind Barn as other speakers, noting limited involvement related to nearby pathways. He nonetheless expressed appreciation for the facility and thanked the operator for taking care of it.

Mayor Rajiv Bhateja expressed strong support for Westwind Community Barn and its operator, describing both the barn and Victoria Day Equestrian as "treasures" to the Town. He thanked the operator for their contributions and stated that the Town would not be the same without their presence and work.

MOTION MADE AND SECONDED: Mayor Bhateja motioned to APPROVE this contract, which is a Three-Year Concessionaire Agreement with Victoria Dye Equestrian, LLC for the Operation of Westwind Community Barn.

The motion was seconded by **Councilmember Swan**.

MOTION PASSED	**5-0**
AYES:	Bhateja, Mok, Swan, Tankha, Tyson
NOES:	None
RECUSE:	None
ABSTAIN:	None
ABSENT:	None

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

A. Formal Closure of Completed Ad Hoc Committees (Staff: A. Miller)

City Manager Einfalt presented a list of ad hoc committees for possible "sunsetting," noting that several could be dissolved because their work was complete or no longer needed. He identified the Westwind Barn ad hoc committee as ready to sunset due to the approved agreement, along with the City Manager contract ad hoc and the mayoral rotation committee following prior actions.

Council members reviewed additional committees, with some questioning the status of ongoing groups such as sewer, Rule 20A undergrounding, Green Sheets, and Little League-related ad hocs, leading to discussion about whether certain committees were still active or necessary. The group generally agreed that several committees, including at least four identified items, could be sunset.

MOTION MADE AND SECONDED: Mayor Bhateja motioned to sunset the Westwind Barn, the City Manager contract, the Green Sheets Review, and the Mayoral Rotation Ad Hoc Committees.

The motion was seconded by **Councilmember Swan**.

MOTION PASSED	**5-0**
AYES:	Bhateja, Mok, Swan, Tankha, Tyson
NOES:	None
RECUSE:	None
ABSTAIN:	None
ABSENT:	None

B. Alternate Sites Ad Hoc Committee Discussion on How to Approach Applications for Potential Multifamily Sites (Mayor Bhateja and Vice Mayor Tyson)

Mayor Bhateja raised a scenario from the alternate sites ad hoc committee (which he and Vice Mayor Tyson serve on), describing a hypothetical resident willing to offer property for multifamily rezoning to help meet housing goals (RENA). He asked how the Town should respond if the property owner supports rezoning but cannot afford the upfront costs.

He noted the need for a structured agreement, potentially including cost recovery provisions if the proposal does not proceed, and requested staff input on how such a case would be handled, including the rough cost associated with rezoning actions.

CM Einfalt responded that the cost would depend on the specific proposal but would generally include standard planning application fees and processing costs. He noted that additional costs could apply if an environmental review were required, depending on the site and the scope of the rezoning request.

Director Bradford responded that, over the full process, the Town estimated roughly $100,000 to $200,000 in total costs for a rezoning effort. He explained this would include staff time, City Attorney work, consultant services to revise zoning or procedures, and administrative work such as preparing staff reports and supporting public hearings.

Councilmember Tankha followed up by asking whether rezoning costs would only be incurred after a decision to proceed with multifamily zoning, expressing concern about spending resources on projects that might not ultimately move forward after public input.

Mayor Bhateja explained that in the hypothetical scenario, a resident could agree to proceed with rezoning if the Town waived fees, meaning the property owner would not bear out-of-pocket costs. He emphasized the need for Council direction on whether to support such an approach and how to structure the process if it were pursued.

Vice Mayor Tyson added that the purpose of the discussion was to understand whether and how the Council could make such a pathway feasible for residents in those circumstances.

Councilmember Swan then noted that any decision would likely depend on the property's location and suitability, suggesting site-specific considerations would be important in evaluating such proposals.

Director Bradford said staff was developing a flexible framework to help the ad hoc committee identify and evaluate potential Housing Element sites. He noted that similar efforts have sometimes been subsidized in the past when housing mandates were strong, and said the Town could consider fee waivers or cost-sharing during the current interim period to support housing goals. He emphasized that any site would still require full feasibility review and Council oversight, including criteria for possible incentives or waivers, and stressed the need for safeguards to ensure the Town can recover costs if a project does not move forward.

Mayor Bhateja explained that any potential site would first be evaluated with staff for feasibility, including access, fire safety, sewer capacity, and other standard criteria used for multifamily consideration before moving forward with any agreement with a property owner.

Councilmember Swan responded that rezoning efforts costing a couple hundred thousand dollars could significantly increase land value, and therefore the Town should ensure it is able to recoup those costs. She expressed concern that the Town could otherwise fund rezoning efforts that ultimately benefit private owners or developers, and suggested mechanisms such as liens or other safeguards to recover public expenses, whether or not the property is ultimately developed.

Mayor Bhateja noted that the Town could not require a property owner to build after rezoning or directly tie rezoning approvals to repayment obligations, and that costs would typically only be recouped later through development, sale, or partnership.

Councilmember Swan suggested using time-based conditions or a lien on the property to ensure the Town could recover rezoning costs if development did not proceed, which the Mayor indicated was a reasonable approach to consider.

Councilmember Swan suggested adding protections such as a lien or a 5-year repayment "balloon" structure so the Town could recover rezoning costs if development does not occur. She said costs should not be spent without safeguards and proposed that if owners chose not to develop, they would need to repay the Town, rather than leaving public funds unrecovered after rezoning efforts.

Councilmember Mok expressed concern about moving forward with a new committee process and agreed with Councilmember Swan's financial safeguards. He also raised concern about neighbor opposition, noting that expanding potential sites down to half-acre parcels could spread impacts across more of the Town and lead to similar pushback regardless of location.

Mayor Bhateja clarified that any rezoning proposal would still be subject to the standard legal requirements, including public notice, public hearings, and opportunities for community input. He emphasized that the Town could not proceed informally or without transparency, and that the process would remain fully open and regulated before any final action could be taken.

Councilmember Tankha asked whether the Town would only incur costs after completing the public hearing process. **Mayor Bhateja** responded that any agreement with a property owner could be structured so that spending or commitments occur only after public hearings, potentially making Council approval contingent on the outcome of that process.

Councilmember Tyson argued for initiating the process with limited "seed funding," noting that early-stage costs are often necessary to evaluate feasibility such as utilities or site conditions. **Councilmember Tankha** pushed back, emphasizing the need for clear incentives for actual development and concern that rezoning alone could occur without follow-through.

Mayor Bhateja added that the Town's motivation is to secure more viable Housing Element sites, even if development timing is uncertain, and noted that while rezoning can change allowable use to multifamily, it does not force immediate construction.

Councilmember Swan said that if a property owner sought rezoning in order to increase sale value and potentially flip the property to a developer, the Town should ensure it is able to recover its costs for that rezoning process.

Mayor Bhateja agreed, stating that if a property is sold or developed after rezoning, the Town should recoup its funds associated with the process.

Councilmember Tyson suggested using the Council's feedback to develop a proposal for the following month, potentially by setting aside a fixed amount in a fund to support early-stage work. He noted that the approach would allow the Town to gauge costs and adjust the program based on actual funding needs and outcomes.

Mayor Bhateja OPENED PUBLIC COMMENT.

PUBLIC COMMENT

1. **John O'Connell** stated that he had previously sent Councilmembers Tyson and Bhateja a list of potential housing sites, noting most were privately owned and unlikely to produce significant lower-income housing. He argued that the Town's main opportunity for meaningful affordable housing lay in open space reserves, citing examples from other jurisdictions, and urged caution about entering any agreement that could limit use of such land for housing due to potential legal constraints.

2. **Elizabeth Wilson,** a resident, asked whether the Town had considered directly purchasing properties for housing development rather than relying on private owners or developers, suggesting it could allow the Town more control over what is built and potentially support employee housing.

   Mayor Bhateja responded that the Town had not been approached with such proposals but had been actively identifying and contacting property owners from various lists, including those provided by residents, to explore potential sites for multifamily rezoning and housing opportunities.

Mayor Bhateja CLOSED PUBLIC COMMENT.

Director Bradford noted that staff could incorporate property acquisition into the broader framework for identifying housing sites and evaluate it alongside other implementation tools.

Mayor Bhateja responded that purchasing property could require significant public expenditure with uncertain long-term outcomes. **Councilmember Swan** suggested that grant funding or low-income housing support might help offset costs and accelerate development.

Mayor Bhateja concluded that the ad hoc committee would return with a more defined proposal for Council review at a future meeting, likely the June meeting.

No Motion.

10. STAFF REPORTS

A. City Attorney

No.

B. City Clerk

City Clerk Birdsong-Miller provided an update on two newly formed committees with open applications: the Housing Element Implementation Committee and the Planning Commission.

She reported that only two applications had been received so far for the Housing Element Implementation Committee, with appointments expected at the June meeting. For the Planning Commission, two incumbents had requested reappointment, and three additional new applications had been received, with all appointments also scheduled for the June 18 City Council meeting.

C. Community Development Director

Director Bradford updated the Council that the department was recruiting for an assistant planner position, with onboarding expected at the start of the next fiscal year if the hiring process proceeds successfully. He noted a strong candidate pool and also referenced two recently hired interns, adding that additional staffing adjustments may be discussed during the upcoming budget process.

D. Finance Director

Director Leung provided a brief update regarding the upcoming joint Finance and Investment Committee and City Council budget meeting scheduled for the following morning at 10 a.m.

E. Public Works Director

Director Kim reported that the annual road rehabilitation project began May 4, with asphalt overlay work completed on Corbetta Lane and East Sunset Drive and continued work scheduled on Fremont Road, including lane closures and traffic control through construction, with overall completion expected by late June or July.

He also provided updates on the Heritage House project, noting that final punch-list work is underway and completion is expected by the end of May, alongside coordination for furniture and IT installation.

Additionally, he announced that the El Monte Fire Station Utility Underground Rule 20A project received the APWA Silicon Valley Chapter Project of the Year award, and noted the Town still has approximately $685,000 in remaining Rule 20A credits, with a consultant engaged to evaluate options before credits expire in 2033.

F. City Manager

Director Einfalt reported a series of updates, including plans for a fire department town hall and continued community engagement on development and safety concerns, as well as upcoming discussions on the sheriff's contract and strategic use of allocated public safety hours.

He also noted ongoing sewer negotiations with the City of Los Altos, recent discussions with PG&E regarding transformer placement on development sites, and upcoming coordination with the ad hoc committee on a proposal review.

Additionally, he announced the hiring of five summer interns, upcoming community events including a picnic, and provided brief updates on staff capacity and recent public engagement activities such as the pathway run.

Mayor Bhateja congratulated the City Manager on the new role, expressed confidence and support from Council and staff, and wished for continued success. He then concluded the meeting by moving to adjourn.

11. COUNCIL INITIATED ITEMS

A. Consideration to Implement Coded Enforcement Fines and Charges for Service in the Town (Mayor Bhateja)

Mayor Bhateja introduced Council Item 11A regarding potential implementation of code enforcement fines and service charges in the Town. He stated that both staff and residents had expressed concerns about difficulties enforcing municipal code provisions because the Town lacked enforcement mechanisms used by other jurisdictions.

City Manager Einfalt clarified that the Town has historically contracted with CSG, a consulting firm, for code enforcement services. He stated that the consultant's hours had recently been increased from 20 to 40 hours per week to address a backlog of cases. Mr. Einfalt also noted that the item was being presented as a Council-initiated discussion for framing purposes and did not represent a formal staff recommendation.

Director Bradford explained that the Town's code enforcement program was funded entirely by the general fund and staffed by a code enforcement officer working alongside a dedicated code enforcement attorney. He described ongoing challenges caused by staffing transitions and a backlog of unresolved cases, particularly involving unpermitted work such as grading and construction, which often required coordination across multiple departments and agencies. Bradford noted that simpler violations were typically resolved within 30 to 90 days, while more complex cases remained open for years. He stated that expanding code enforcement staffing to full-time and adding legal support were intended to improve responsiveness and case resolution. Bradford also noted that the Town lacked enforcement tools such as citations, civil remedies, and updated nuisance abatement procedures, and stated that adding those tools could improve compliance, reduce long-term violations, and shift some enforcement costs away from the general fund and onto violators.

PUBLIC COMMENT

1. **Davey Davidson,** joined by her husband Al Whaley, spoke in support of stronger code enforcement measures in Los Altos Hills. She described ongoing issues with a neighboring property involving alleged unpermitted excavation, grading, hardscaping, and structures within an open space conservation area. Davidson stated that repeated violations over several years contributed to a landslide in March 2023 that threatened their property. She expressed concern that the Town lacked an effective enforcement process to hold violators accountable and repair damages, and presented photographs showing erosion, unpermitted concrete work, bridges, debris, and other alleged violations visible from their property.

2. **Al Whaley** described concerns about trash, debris, and unpermitted work within a protected creek and riparian habitat area, stating that the conditions potentially violated local, county, and state environmental regulations. He requested restoration of the hillside to its natural slope to prevent further erosion and protect neighboring property, as well as cleanup and restoration of the open space conservation area. Whaley stated that while existing codes already required such restoration, the Town currently lacked a state- and county-compliant enforcement structure necessary to effectively act on violations. He urged the Council to establish a stronger enforcement framework like those used in neighboring communities.

   Mayor Bhateja invited Director Bradford to provide staff insight to these comments and **Director Bradford** stated that the matter described by the speakers was one of the Town's long-standing code enforcement cases and had been handled by multiple code enforcement officers over several years. He explained that the property had previously been inspected and issued a recorded notice of violation, but the violations allegedly continued. Mr. Bradford stated that the Town had had trouble obtaining cooperation from the property owner, citing repeated delays and unsuccessful attempts to schedule meetings. He noted that staff were now working toward obtaining an inspection warrant after establishing a documented pattern of denied or unsuccessful access attempts.

3. **John O'Connell** stated that the Town can enforce codes but does so inconsistently. He cited a past case involving George Perlagos, who received fines related to code enforcement actions, as an example of enforcement being applied in some situations but not others. Mr. O'Connell argued that other residents have received long-standing code enforcement letters without meaningful follow-through or resolution, leading to unequal treatment. He concluded that code enforcement should be applied consistently and equitably across all residents.

   Councilmember Tankha stated that during her time on the Planning Commission, she had seen code enforcement processes used to red-tag unpermitted construction and require corrections to bring work back into compliance. She affirmed that enforcement tools do exist but agreed that they are not always applied consistently, noting that the reasons for that inconsistency were unclear.

John O'Connell acknowledged Councilmember Tankha's example and added that he was aware of another case on Saddle Mountain where a resident was red-tagged for conducting work without finalized permits. He thanked the Council for the discussion.

Mayor Bhateja invited Director Bradford to provide staff insight to these comments and **Director Bradford** clarified that the discussion was not primarily about code enforcement tools themselves, but about permit-related penalties applied after a code enforcement action. He explained that while penalties can be applied when permits are later sought, this mechanism only applies if property owners proceed to apply for permits. He noted that some long-standing cases have not reached that stage because the property owners have not submitted permit applications.

4. **Beth Most**, a Los Altos Hills resident, described her experience with code enforcement related to an unpermitted pickleball court built by a neighbor adjacent to her property. She stated that despite reporting the issue in October 2024 and following up repeatedly over 19 months, she initially saw no enforcement action taken. She said she eventually hired an attorney, after which the Town issued deadlines for the neighbor to submit plans and stated these were ignored without consequence. Ms. Most expressed frustration that enforcement was delayed or ineffective and stated that the project ultimately proceeded into the standard permitting process without a formal code violation being issued. She concluded by expressing concern about inconsistent enforcement and the message it sends to residents.

Mayor Bhateja CLOSED PUBLIC COMMENT.

Councilmember Swan stated that there were two distinct issues under discussion: charging for repeated code enforcement services and the application of fines and enforcement actions. She expressed concern that some property owners are able to proceed with unpermitted construction and later obtain permits, effectively legitimizing work after the fact. She referenced similar situations involving encroachments into easements and noted that such cases can be difficult to reverse once construction has occurred. Ms. Swan concluded that while charging for repeated enforcement may be appropriate, the application of fines and enforcement appeared uneven and inconsistent.

Councilmember Mok expressed concern about the number of long-standing code enforcement cases and situations involving unpermitted work or stop-work orders. He stated that the Town should ensure development is done properly and safely, emphasizing that construction should meet appropriate standards and not create safety risks or environmental harm. He urged that these issues be reviewed and addressed more effectively.

Councilmember Tankha stated that the Town should revisit its code enforcement approach, noting that enforcement has historically been complaint-driven rather than proactive to avoid encouraging neighbor disputes. She observed that limited staffing, including a single or part-time code enforcement officer, has contributed to inconsistent enforcement. Ms. Tankha argued that allowing retroactive legalization of unpermitted work can send the wrong signal and encourage noncompliance, and she supported clearer, more consistently applied rules with some level of penalty to deter violations. She acknowledged the challenge of addressing completed construction and emphasized the need to develop a more structured and balanced enforcement framework going forward.

Vice Mayor Tyson stated that the item was Council-initiated and supported moving it forward for consideration. He expressed concern about examples raised during public comment and emphasized the importance of consistent rule enforcement in the Town. Mr. Tyson stated that the primary goal should be effective enforcement rather than revenue generation, though fines could serve as a deterrent and help recover costs. He concluded that he was in favor of advancing the proposal to strengthen code enforcement.

Mayor Bhateja stated that there were two distinct aspects to code enforcement: penalties that could be applied when a property owner sought a permit after the fact, and situations where no permit application was submitted, which limited the Town's ability to enforce corrections. He noted concerns that in some cases, such as long-standing violations, the Town lacked sufficient tools to compel compliance. Mr. Bhateja expressed support for strengthening enforcement authority and referenced other jurisdictions as examples of more effective systems. He concluded by requesting that staff return with a proposal outlining additional enforcement tools and options for addressing violations both with and without permit applications.

City Manager Einfalt explained that recent discussions about code enforcement led staff to identify gaps in staffing and legal expertise. He noted that the Town had since brought on a code enforcement attorney to support enforcement actions, including notices, abatement processes, and inspection efforts. He stated that the attorney had been working with the code enforcement officer and holding office hours at Town Hall to assist with more complex cases. Mr. Einfalt acknowledged the Council's direction and confirmed that staff could return with a proposal regarding fee recovery and related program improvements.

Councilmember Mok asked that future staff analysis include consideration of property owners' rights, including what structures or uses are permissible, whether limitations apply to existing conditions, and how personal property rights should be balanced with future enforcement standards.

Director Bradford responded that code enforcement already considers property rights as part of its process, with an emphasis on education and allowing opportunities to correct unintentional violations without excessive penalties. He acknowledged concerns raised by residents regarding long-standing and severe violations, noted that some past cases had been difficult to resolve due to limited enforcement tools, and stated that additional mechanisms could improve the Town's ability to address such cases going forward.

Mayor Bhateja noted that some issues raised in public comment, such as riparian damage, may fall under county jurisdiction and asked that this be considered in future staff analysis. **Director Bradford** responded that enforcement often involves coordination with multiple agencies and that the Town must operate within its own jurisdictional limits while respecting those boundaries. He added that the Town does request removal of clearly non-compliant improvements, since such items cannot be legitimized or "vested" through the permitting process.

No motion. Meeting pivoted to review and discuss ITEM 5.

12. ADJOURN
Mayor Bhateja adjourned the meeting at 11:07 PM.

Respectfully Submitted,

Arika Birdsong-Miller

Arika Birdsong-Miller, City Clerk