



Santa Clara County Creeks Coalition

Advocates for living streams

The Honorable Jean Mordo, Mayor and Members of the City Council
City of Los Alto
By email

February 13, 2018

Re: Next Steps in Improving Fish Passage on Stevens Creek

Dear Mayor Mordo and Members of the City Council,

The principal mission of the Friends of Stevens Creek Trail is to complete the Stevens Creek Trail but we are also concerned about the wildlife corridor through which the trail runs – a corridor enjoyed by citizens of Los Altos as well as the neighboring cities.

We are interested in assuring that the steelhead trout that have been coming up Stevens Creek for thousands of years to spawn and then return to the ocean can continue to do so.

Two years ago, we secured funding for a \$75,000 engineering study of ways to remediate the barriers that limit the ability of steelhead trout to swim up and down Stevens Creek. The local match for our grant application came from \$4800 to \$6300 contributions from the Cities of Mountain View, Cupertino, and Sunnyvale and the Open Space District.

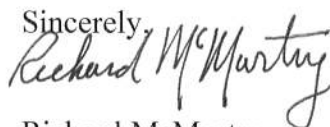
On January 22, we held a meeting to discuss next steps to implement the study recommendations. Representatives of the San Francisco Public Utilities Commission thanked us for bringing the barrier created by the Hetch Hetchy pipeline crossing in Mountain View and indicated they would meet with NOAA Fisheries and if something was needed there, they would take care of it. The Water District announced that it was releasing a request for proposal to replace the Moffett Blvd. fish ladder with a much better one. We are proud of the activity that our work has generated and would like to move forward on removing the barrier at the Deep Cliff Golf Course.

Our experts have calculated that if four agencies donate \$9900, we will have the local match necessary to leverage 75% of the construction funds from the Water District. We will be reaching out to your staff to discuss this in more detail, but we are hoping that you could agendize discussion of this item at your next council meeting.

We were very well received at the Cupertino and Sunnyvale Council meetings last week and hope we can look forward to this issue being discussed soon.

Our request is very timely because we have just received a report by Dr. Jerry Smith formerly of San Jose State, concluding that the steelhead trout have been wiped out of the Coyote Creek watershed because of flow management problems and barriers to fish migration. It would be good to do everything we can to assure that this same tragedy doesn't happen to Stevens Creek.

We are hoping to meet with you to discuss this project and hope that you could agendize a discussion of this item at your meeting in late February or early March.

Sincerely,

Richard McMurtry
Program Coordinator

Submitted @ Los Altos City Council Meeting

February 13, 2018

DATE

February 13, 2018

Historical Alteration Permit Review by the Historical Commission
on August 28, 2017

Dear Mr. Mayor and city council members,

This is a follow-up letter to my January 18, 2018 email about the same subject, the review process for a Historical Alteration Permit of the Historic Landmark on 571 Cherry Avenue.

I would like to request that the City Council (CC) examines the circumstances under which the August 28, 2017 approval of the application for a Historical Alteration Permit came about. Such an examination should be open to the public and **prior to issuing an alteration permit** for the above Historic Landmark.

Here are some of the reasons for my request:

(1) As pointed out in my previous email, during the August 28, 2017 HC meeting it became clear to me that Mr. Chapman had a serious **conflict of interest** by acting both as project designer and member of the Historical Commission (HC).

(2) In the same meeting, Mr. Chapman tried to influence HC staff liaison Gallegos who also was the city's planning representative in the then upcoming Design Review meeting.

Mr. Chapman also violated the Browns Act, since he insisted on discussing a topic that was related to his project, but not on the HC agenda. The lengthy discussion happened after the HC voting on the alteration permit.

(3) Based upon the two items above, the CC should also investigate whether Mr. Chapman attempted and/or actually did influence other HC members prior to the August 28 HC vote.

(4) During the HC review meeting there were no questions by HC members to staff or the applicant about the actual design, even though the Administrative Design Review had flagged the bulkiness of the proposed building addition. Here is a quote from the staff report:

*"On May 31, 2017, a design review application was submitted for a one-story addition to a one-story house at 571 Cherry Avenue. During the administrative design review of the application, staff identified that the proposed **addition's size and scale** were bulkier and more massive than the existing Historic Landmark house and **not compatible with the design concept of the existing structure.**"*

Submitted @ Los Altos City Council Meeting

February 13, 2017

DATE

I.e., the bulkiness concerns were not about the proposed alterations in comparison to its neighbors (as discussed and defended by Mr. Chapman in the design review appeal before the City Council), but about the new addition in comparison to the remaining historic house. In other words, this is not so much a design guidelines issue but a historic preservation issue; and that issue was never addressed during the HC review.

(5) The proposed alterations include significant changes to a Historic Landmark and yet, no HC member expressed any concern at the August 28 review. Please remember that the remodeling includes:

- unnecessary demolition of parts of the existing historic home,
- unnecessary removing of historic material and
- the addition of over 160(!) % new floor space.

Effectively, the remainder of a moderately sized previous historic building is becoming part of the front of a new 3760(!) sqf large building.

My issue is not with the homeowners. Nor is it with the fact that, going forward, they will benefit financially significantly because the HC approved their "rehabilitation" project of a Mills Act property. The real issue is that it looks to me like a volunteer of our city is advancing his and his client's interests by taking advantage of his position as a commissioner.

Sincerely,
Kurt Seifert
1545 Clay Drive, Los Altos