

From: [Chris Jordan](#)
To: [City Council](#)
Cc: christopher.diaz@bbklaw.com; [Jon Maginot](#); [Jim Sandoval](#); [Jon Biggs](#); [Steve Golden](#)
Subject: FW: Council Packet - 08/27/19
Date: Monday, August 26, 2019 4:12:07 PM

Council –

Below are the responses to agenda questions from one Council member.

For the study session on solid waste, we have been asked if we can produce a chart showing rates for 2021 and 2022 similar to the rate chart we have for 2020. Our consultants are going to attempt to do something with this request, but so far they have indicated that our rates should be in a similar position when compared to others in the future as most of the contracts include a very similar annual rate adjustment.

Chris

STUDY SESSION

- Will someone from MTWS be in attendance to answer questions?
- Will there be a change in the single stream recycling?
- Report states 35-gallon is the most popular level of residential service. What is the breakdown between the levels offered? Does MTWS or the City know what the key contributing factors are for to the high usage of the 36 gal garbage?
 - What is the breakdown between the levels offered?

<i>SF Container Size</i>	<i>Number</i>	<i>%</i>
<i>20 gal</i>	<i>1492</i>	<i>16%</i>
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<i>95 gal</i>	<i>239</i>	<i>3%</i>
<i>Total</i>	<i>9401</i>	<i>100%</i>

- Does MTWS or the City know what the key contributing factors are for to the high usage of the 36 gal garbage?

It's typically a function of a rate-payer's preference based on cost and the amount of garbage and singlestream recyclable materials they generate. 32-35 gallon containers are generally the most common subscription size in most high-diversion communities, followed by 20-gallon. Typically very few 65- and 95-gallon containers are subscribed to in high-diversion

communities.

REGULAR MEETING

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This will be corrected and placed on the dais.

- **Item 7:** Letters of support regarding FCC Rulemaking - did the author of the letters consider including a request for additional studies of the communicative effects of RF and noise on health, safety and welfare of the public?

No that wasn't considered. The letters were drafted to simply indicate a show of support for the introduced legislation.

- **Item 9:** R3-4.5 Zoning Code -

- Have any of the parcels converted their two-family dwelling unit into a single-family dwelling unit? This had been alluded to when this was first brought to Council's attention. Assuming one has, what would happen if a homeowner wanted to modify that home? Grandfathered in vs. triggering a conversion back to a two-family unit

The current zoning code precludes a single-family dwelling as a permitted use. Staff is unaware of any building permits to legally complete a conversion of two-family dwelling unit to a single-family dwelling unit. If any such conversion was completed, it was done without permits and therefore would need to be converted back to a two-family dwelling unit.

- How do the proposed minimum setbacks (Table in 14.16.070 A) compare to the original "as built" setbacks?

The City does not have any record of the as built setbacks and does not have the original building plans to compare with the proposed setbacks.

- What are our creek setbacks in other districts? Are there any water district easements on the parcels abutting the creek?

Other than some specific setbacks requirements that pertain to Adobe Creek (Section 6.32.040), the City doesn't have a codified setback requirement for creeks. However, in 2007, the City adopted a resolution to implement the Water Resources Protection Collaborative (collaborative of the County, all the cities in Santa Clara County and the Water District) guidelines which in effect requires the greater of a 20-foot setback to the top of bank or two-to-one slope stability area.

The Water District owns a strip of land that roughly follows the Stevens Creek corridor and there is at least one property in the Marshall Meadows tract abutting the creek that appears to have a District easements per the Assessor's map.

- 14.06.110 B refers to "front or exterior side yard setbacks" and "interior side or rear

yard setback” but those terms are not used in the table in 14.16.070 A. This may contribute to ambiguity. Is it possible to better describe or align the terms being used?

Due to the unique lot patterns and orientation of dwellings and parcels with a mix of street fronting and “flag lots” it was more confusing to use the traditional yard/setback terminology. After several versions of drafting ordinances to describe yard areas, the terms used in the referenced table appeared to most accurately describe yard relationships and setback applications.

- Does state law allow us to preclude ADUs in multi-family districts?

The answer is no.

Specifically, state law requires the city to allow ADUs on any lot that both:

- 1. Is zoned to allow single-family or multifamily residential use, AND*
- 2. Has only one single-family dwelling on it.*

So no, the city may not preclude ADUs in multifamily zones, or in mixed-use zones or in any other zone that allows single- or multifamily uses (point 1) — but it may preclude ADUs on lots with multifamily or multiple single-family dwellings on the lot (point 2).

- **Item 10:** CRS District Amendments -

- Was there any consideration for parsing out the definition of “Personal service” so that some use may be included on First, Main and State Streets vs. all or nothing?

There was no consideration given to this.

From: [Chris Jordan](#)
To: [City Council](#)
Cc: christopher.diaz@bbklaw.com; [Jon Maginot](#); [Jim Sandoval](#)
Subject: FW: Council Packet - 08/27/19
Date: Tuesday, August 27, 2019 3:52:59 PM
Attachments: [image001.png](#)
Importance: High

Council –

I apologize – there were a couple of questions asked by a council member that we missed in our responses yesterday. Those response are included here.

We were also asked about rates for solid waste beyond 2020. Below is an explanation of what those rates might look like for Los Altos as well as our consultant’s best estimate for other cities.

Chris

From: Jim Sandoval <jsandoval@losaltosca.gov>
Sent: Tuesday, August 27, 2019 3:17 PM
To: Chris Jordan <cjordan@losaltosca.gov>
Cc: Jon Maginot <JMaginot@losaltosca.gov>; Wendy Meisner <wmeisner@losaltosca.gov>
Subject: FW: Council Packet - 08/27/19
Importance: High

Chris,

It appears the answers to the first two Study Session questions below didn’t show up in the email to CC. The answers are YES and NO, respectively.

The following is the response to a Council member’s question regarding the MTWS study session item:

We know the 2021 and 2022 rates for Los Altos and Los Altos Hills because those rates have been negotiated as a part of contract extensions. However, the 2021 and 2022 rates for the other communities are not yet known, and most likely have not yet been calculated, because they are still largely in the middle of their contracts or under negotiation.

For the sake of comparison, the two tables below depict the following for the most-commonly subscribed 35-gallon and 1-cubic yard containers over a 5-year period:

- the actual known rate increases for Los Altos Hills over the next five years
- the proposed “15-year contract scenario” rate increases for Los Altos over the next three years, and an assumed 4% CPI beginning in year 2023
- the proposed “10-year contract scenario” rate increases for Los Altos over the next three years, and an assumed 4% CPI beginning in year 2023

the list of rates for other nearby communities, assuming a 4% CPI increase each year and no assumed rate increases to account for the China National Sword and the intensive regulatory mandates proposed by CalRecycle

Single-Family 35 Gallon	2017-2019	2020	2021	2022	2023	2024
Cupertino	\$26.32	\$28.47	\$29.61	\$30.79	\$32.02	\$33.30
Menlo Park	\$28.60	\$29.74	\$30.93	\$32.17	\$33.46	\$34.80
Los Gatos	\$28.70	\$31.04	\$32.28	\$33.57	\$34.92	\$36.31
Saratoga	\$30.23	\$32.70	\$34.00	\$35.36	\$36.78	\$38.25
Santa Clara	\$33.74	\$36.49	\$37.95	\$39.47	\$41.05	\$42.69
Mountain View	\$33.90	\$36.67	\$38.13	\$39.66	\$41.24	\$42.89
Martinez	\$34.36	\$37.16	\$38.65	\$40.20	\$41.80	\$43.48
Milpitas*	\$36.51	\$37.97	\$39.49	\$41.07	\$42.71	\$44.42
Los Altos (15 Yr Scenario)	\$35.82	\$39.04	\$42.17	\$45.12	\$46.92	\$48.80
Los Altos (10 Yr Scenario)	\$35.82	\$39.37	\$43.27	\$47.55	\$49.45	\$51.43
Half Moon Bay	\$36.99	\$40.01	\$41.61	\$43.27	\$45.00	\$46.80
Los Altos Hills	\$42.85	\$48.57	\$52.95	\$57.71	\$62.91	\$68.57
Sunnyvale*	\$46.88	\$50.71	\$52.73	\$54.84	\$57.04	\$59.32
Palo Alto	\$50.07	\$56.32	\$58.57	\$60.92	\$63.35	\$65.89

Commercial 1 Cubic Yard	2017-2019	2020	2021	2022	2023	2024
Cupertino	N/A	N/A	N/A	N/A	N/A	N/A
Santa Clara*	\$88.28	\$95.48	\$99.30	\$103.28	\$107.41	\$111.70
Mountain View*	\$103.80	\$112.27	\$116.76	\$121.43	\$126.29	\$131.34
Los Altos Hills	\$107.90	\$122.32	\$133.32	\$145.32	\$158.40	\$172.66
Milpitas	\$121.17	\$126.02	\$131.06	\$136.30	\$141.75	\$147.42
Menlo Park**	\$124.69	\$129.68	\$134.86	\$140.26	\$145.87	\$151.70
Los Altos (15 Yr Scenario)	\$140.51	\$153.16	\$165.41	\$176.99	\$184.07	\$191.43
Los Altos (10 Yr Scenario)	\$140.51	\$154.42	\$169.71	\$186.51	\$193.97	\$201.73
Sunnyvale*	\$158.70	\$171.65	\$178.52	\$185.66	\$193.08	\$200.81
Los Gatos	\$166.19	\$179.75	\$186.94	\$194.42	\$202.20	\$210.28
Martinez*	\$173.86	\$188.05	\$195.57	\$203.39	\$211.53	\$219.99
Half Moon Bay	\$174.56	\$188.80	\$196.36	\$204.21	\$212.38	\$220.87
Palo Alto*	\$178.54	\$200.83	\$208.87	\$217.22	\$225.91	\$234.95
Saratoga	\$198.18	\$214.35	\$222.93	\$231.84	\$241.12	\$250.76



Jim Sandoval, P.E. | Director | City Engineer
Engineering Services Department | City of Los Altos

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jsandoval@losaltosca.gov

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