



PUBLIC CORRESPONDENCE

The following is public correspondence received by the City Clerk's Office after the posting of the original agenda. Individual contact information has been redacted for privacy. This may *not* be a comprehensive collection of the public correspondence, but staff makes its best effort to include all correspondence received to date.

To send correspondence to the City Council, on matters listed on the agenda please email PublicComment@losaltosca.gov

From: [REDACTED]
To: [Public Comment](#)
Cc: [Gabriel Engeland](#); [Andrea Chelemengos](#); [REDACTED]
Subject: Public Comment - Item #3, Council meeting of September 21, 2021
Date: Friday, September 17, 2021 6:15:36 PM

Dear Mayor Fligor and Council Members,

On behalf of Los Altos Community Voices (LACV), the Steering Committee urges you to follow the Planning Commission's recommendation against adoption of the proposed public land preservation ordinance (Title 14, Zoning Amendment). Adoption of such an ordinance invalidates Los Altos voters' 2018 rejection of Measure C.

Robin Abrams, Curtis Cole, Kim Cranston, Cathy Lazarus, Bill Sheppard, Marie Young
LACV Steering Committee

From: [REDACTED]
To: [Public Comment](#)
Subject: PUBLIC COMMENT AGENDA ITEM 3 - SEPTEMBER 21, 2021 - Public Land Protection Ordinance
Date: Saturday, September 18, 2021 5:42:06 PM

Dear Mayor Fligor, Vice Mayor Enander, Councilmember Lee Eng, Councilmember Meadows, and Councilmember Weinberg,

I am writing to you today asking you to vote against the Public Land Protection Ordinance. I am sure that the vast majority of residents and councilmembers want to ensure that our parks and other city owned lands stay safe, as do I. However, this proposed ordinance is an attempt by the people behind Measure C to overturn the will of the voters substitute their judgement instead. As you are aware, Los Altos voters rejected Measure C in 2018, and earlier this year, the Planning Commission voted 6-1 against this proposed ordinance. I believe all of you have been city commissioners in the past, and know how frustrating it is to have City Council ignore your recommendation, especially if it is almost unanimous.

There may come a time where the city will need some flexibility on a property swap (e.g. 999 Fremont) or other activity, and this ordinance would tie the hands of Council. I trust the current Council as our elected officials to make the right decisions on these matters. Thank you for your consideration.

Sincerely yours,

Joe Beninato
Los Altos, California

From: [REDACTED]
To: [Public Comment](#)
Subject: [External Sender]PUBLIC COMMENT Item 3 September 21, 2021
Date: Sunday, September 19, 2021 4:53:25 PM
Attachments: [9-16-18 land use table from staff report annotated.pdf](#)

Council Members:

On October 9, 2018, Council voted to adopt an ordinance regarding "disposition of city owned land."

Staff report at:

https://www.lostosca.gov/sites/default/files/fileattachments/city_council/meeting/43237/item_4_disposition_of_city_owned_land.pdf

In essence, the ordinance says:

A Voter approval shall be required for any of the following:

1 The sale or transfer of title of any City-owned land to another party whether public or private with a General Plan land use designation of "Parks" or "Other Open Space" and

2 The re-designation of City-owned land with a General Plan land use designation of "Parks" or "Other Open Space" to a different land use designation except that the re-designation of any City-owned land from "Parks" to "Other Open Space" and vice versa shall not require voter approval.

Minutes from that meeting:

https://www.lostosca.gov/sites/default/files/fileattachments/city_council/meeting/43237/10-9-18_revised_clean.pdf

4. Ordinance No. 2018-450: Zoning Code Amendments regarding the disposition of City-owned property: Adopt Ordinance No. 2018-450 regarding the disposition of City-owned property with an "Other Open Space" and "Parks" land use designation

Vice Mayor Lee Eng expressed concerns that the Ordinance does not protect all public lands.

Action: Upon a motion by Councilmember Bruins, seconded by Councilmember Prochnow, the Council adopted Ordinance No. 2018-450 regarding the disposition of City-owned property with an "Other Open Space" and "Parks" land use designation by the following vote: AYES: Bruins, Mordo, Pepper, Prochnow; NOES: Lee Eng; ABSTAIN: None; ABSENT: None.

Hillview Park is not covered under this ordinance because it is classified as both Park and Institutional land. (See attached.) For **three years**, residents have waited to have Hillview Park protected. Instead, we have a convoluted and weak proposal that's bound to meet resistance.

From the staff report: "... the Planning Commissioners noted this is an overreaching approach to a problem that does not exist. That is, there are no plans or stated intentions to sell or transfer title of all or portions of the Civic Center Complex or any other City owned lands."

Not true. The Theatre Working Group has proposed a theatre on one of our parking plazas. In a letter to Council dated August 23, 2021, the League of Women Voters "... advocated that Los Altos use one of its downtown parking plazas for an all-affordable housing development."

Further: "All the Commissioners agreed that they want park lands and open space protected but felt this Ordinance goes way beyond this intended purpose."

I'm sure you agree we should protect our park lands and open space. So, why can't we do that simple, most necessary, obvious thing and designate Hillview Park a park?

It's my understanding a surveyor would be required. I don't know how much that would cost, but given the staff and legal time it's taken to deliberate and produce this PLP, a survey might have been cheaper. It certainly would have been quicker.

As a resident, I'd like to know the exact designation(s) of the entire Civic Center property. It's got lots of different buildings and uses. Is Hillview Park the only plot that's confusing? Should the police station and the museum have the same designation? The library and the Bus Barn Theatre? I don't know the answer, but I would think you, the Council, would want to finally clarify land use at the biggest piece of property the city owns.

I don't want to lose any of our scarce public land to private interests. We continue to wrestle with the Friends of the Library sheds. We don't know what the theatre group will want. We're under pressure to build housing. Let's start with protecting our civic center, and make it a hard and fast protection that a future city council can't overturn.

Thank you,
Pat Marriott

Approximate Address	Land Use (GP)	lot Size (ft2)
1 N San Antonio Rd (Civic Center Campus- City Hall, PO, LAYC, Orchard)	Public and Institutional	206
1 N San Antonio Rd (Civic Center Campus- Library, Bus Barn, Soccer/Baseball fields, Hillview Community Center)	Public and Institutional	598
		562
		987
1575 Holt Ave (Grant Park) HOW CAN THE SAME ADDRESS BE A PARK AND SINGLE FAMILY LOTS?	Park	172996
1575 Holt Ave (Grant Park)	Single Family, Small Lot (4 du/net acre)	11556
1575 Holt Ave (Grant Park)	Single Family, Small Lot (4 du/net acre)	12966
1575 Holt Ave (Grant Park)	Single Family, Small Lot (4 du/net acre)	13032
Portland Ave/ Miramonte Ave (Heritage Oaks Park)	Open Space; Park	203924
Lincoln Park	Park	193406
Lincoln Park parking along University Ave	Park	30536
1285 Fremont Ave (Marymeade Park)	Park	97556
707 Fremont Ave (McKenzie Park)	Park; Public and Institutional	352411
482 University Ave (Redwood Grove)	Open Space; Park	59192
482 University Ave (Redwood Grove)	Park; Open Space	170381
482 University Ave (Redwood Grove)	Park; Open Space	5341
411 Rosita (Rosita Park)	Park	249163
400 University Ave (Shoup Park)	Park, Open Space; Single Family, Small Lot (4 du/net acre);	156176
400 University Ave (Shoup Park)	SAME QUESTION AS ABOVE.	
2 N San Antonio Rd (Village Park)	Open Space; Park	10018
1975 Grant Road (Woodland Library)	Park	30926
10 Almond Ave (Fire Station)	Public and Institutional	63828
10 Almond Ave (Fire Station)	Public and Institutional	39287
201 Covington Rd (Los Altos School District- Los Altos Parent Preschool, Stepping Stones Preschool, Covington School, Rosita Park)	Public School/ Park	664662
647 N San Antonio Rd (Tiny tots)	Public and Institutional	15675
647 N San Antonio Rd (Tiny Tots)	Public and Institutional	6120
1st St (Parking Plaza 1)	Downtown Commercial	46258
2nd St (Parking Plaza 2)	Downtown Commercial	46695
3rd St (Parking Plaza 3)	Downtown Commercial; Public and Institutional	88401
1st St (Parking Plaza 4)	Public and Institutional	24833
2nd St (Parking Plaza 5)	Public and Institutional	25994
State St (Parking Plaza 6)	Public and Institutional; Downtown Commercial	25296
1st St (Parking Plaza 7)	Public and Institutional	45454
2nd St (Parking Plaza 8)	Outside of City Limits; Public and Institutional	51213
4th St (Parking Plaza 9)	Public and Institutional	7874
4th St (Parking Plaza 10)	Public and Institutional	25234
Parking behind State of Mind	Downtown Commercial	4500
Along Permanente Creek at Portland Ave and Miramonte Ave	Public and Institutional	5800
N Springer Rd and El Monte Ave (corner parcel/ public art) THESE PARCELS ARE NOT LISTED AS PARKS	Park	17868
NE corner of Fremont Ave and Grant Road	Park	94080
SE corner of Grant Road and Fremont Ave ON ANY OTHER PARK LIST	Park	10685
Bike trail on Fallen Leaf Lane	THIS LAND BELONGS TO THE SF PUC	
Paco Drive and Springer	HOW CAN THIS BE OPEN SPACE AND SINGLE FAMILY LOTS?	
Along Grant Road between Richardson Ave and Green Oak Lane	Open Space; Single Family, Small Lot (4 du/net acre)	2100
Corner of Bendigo Dr and Green Oak Lane	Open Space; Single Family, Small Lot (4 du/net acre)	2105
Green Oak lane & Grant Road	Planned Community	5155
Green Oak lane & Grant Road	Planned Community	11228
Green Oak lane & Grant Road	Planned Community	1169
Along Los Altos Ave across from Santa Rita Ave	Single Family, Small Lot (4 du/net acre)	3920
Corner of N San Antonio Road and Arbuero Way	Single Family, Small Lot (4 du/net acre)	9472
N Corner of Woodstock Ln and S. El Monte Ave	Single Family, Small Lot (4 du/net acre)	9636
Ranchita Court	Single Family, Small Lot (4 du/net acre)	3104
S Corner of Woodstock Ln and S. El Monte Ave	Single Family, Small Lot (4 du/net acre)	10099
SE corner of El Camino Real and San Antonio Road	Thoroughfare Commercial	13908

From: [REDACTED]
To: [Public Comment](#)
Subject: Community center rezoning
Date: Sunday, September 19, 2021 5:30:19 PM

I am in agreement with Pat Marriot's recent public comment on this topic. I also want to urge Council to honor the commitment made by the previous Council in 2018 as to how to deal with this very important topic. I find it very disturbing that the current Planning Commission has completely ignored the 2018 Council decision and has recommended not to implement it now. Commissions are appointed by the Council and have not been elected by the residents, and I expect the current Council to honor the commitment of the prior Council. Jim Jolly
Los Altos resident

Sent from my iPhone

September 20, 1942

City Council Members and Staff

I strongly oppose the recommendation of the Planning Commission not to designate Hillview lands as park land protected forever as promised and directed by the previous city council.

Moreover, residents do not get to choose members of this commission and their recommendations should have no more or less weight than residents.

If you choose to not adequately protect Hillview lands as promised you are ignoring the history behind Measure C and the promises made by previous commissions to not sell city owned lands.

It looks like once again private interests continue to have their eye on using Hillview lands for special purposes like low income housing or leasing to the Friends of the Library or some other use instead of saving as open space for public use. Once this land is gone it cannot be replaced.

This is why I worked hard to try to pass Measure C that would have protected the public from having any city council sell or lease our public land without a vote of the people. I fear that some of you simply cannot be trusted to protect city owned land as evidenced by what you are now going to debate and possibly renege on.

I urge city council to come together to protect Hillview lands as promised by previous councils and reject the Planning Commission recommendation which does not represent the views of most residents.

Frank Martin

From: Freddie Park [REDACTED]
Sent: Monday, September 20, 2021 2:54 PM
To: City Council <council@losaltosca.gov>; Andrea Chelemengos <achelemengos@losaltosca.gov>
Cc: Freddie Wheeler [REDACTED]
Subject: [External Sender]City Council Meeting September 21, 2021, PUBLIC COMMENT regarding Item #3

PUBLIC COMMENT REGARDING ITEM #3, CITY COUNCIL MEETING SCHEDULED SEPTEMBER 21, 2021

Dear Mayor Fligor, Vice Mayor Enander, Council Members Lee Eng, Meadows and Weinberg,

Hillview needs to be designated as Parks or Other Open Space. That was promised and voted on by the City Council in October 2018 in order to defeat Measure C. You need to honor that Council's vote and its promise to all the voters that believed that enacting that ordinance would prevent any City Council from selling off city-owned land. I am asking that you do what's right, honor that Council's vote, and designate Hillview as Parkland or Other Open Space. If the Overlay proposed by City Attorney Jolie Houston is too broad, then do the survey of Hillview that is required to designate it as Parkland or Other Open Space and stop delaying fulfilling this promise to voters! We need to know that when our City Council promises something, and enacts an Ordinance in order to defeat a ballot Measure, that it will keep its word. Subsequent Councils have designated all the other lands that the public thought of as parks as Parkland or Other Open Space. The only remaining such city-owned land is Hillview Park. Please designate this land as Parkland or Other Open Space and finally honor the 2018 City Council promise.

I sincerely hope you will do the right thing with respect to Hillview. If you think this Overlay is too broad, then reject it but don't leave Hillview in the air. If you reject this Overlay, please instruct the Staff at tomorrow night's Council meeting to take all the steps necessary including a survey in order to designate Hillview as Parkland or Other Open Space.

Why should you do this? Because three years ago Measure C was on the November 2018 ballot and the sitting City Council was concerned that it might win. In order to make sure Measure C was defeated it decided to try to put a competing measure on the ballot but abandoned that idea in favor of enacting a City Ordinance that it said would make Measure C unnecessary. We can only wonder how many voters believed that Council, thought that they would honor their vote, and therefore decided it wasn't necessary to vote for Measure C because the City Council was going to protect our city-owned land. And in particular, they reasoned, as many of us still perhaps foolishly do, that no City Council would have the gall to offer up any of our extremely scarce parkland for sale for any reason.

Just as a reminder of what happened, here is the link for you to read yourself and here is an excerpt from the Staff Report basically summing up what the City Council did in 2018 to defeat Measure C:

Note: Staff recommended approval of this Ordinance!!

https://www.losaltosca.gov/sites/default/files/fileattachments/city_council/meeting/43237/10-9-18-revised-clean.pdf

Background

The City Council met several times in the spring and summer and discussed various options for placing a ballot measure before the voters in November that would limit or prohibit the City's ability to dispose of its property.

Rather than placing an item on the ballot, at a special meeting on August 7, 2018, the City Council directed staff to begin the process of amending the General Plan, and any necessary ordinances, to require voter approval for the sale, transfer of title, or re-designation of City-owned land with an "Other Open Space" or "Parks" land use designation.

The City Council is considering an ordinance that:

- Prohibits the sale or transfer of City-owned land with a "Parks" or "Other Open Space" General Plan Land Use Designation without voter approval; and
- Prohibits the re-designation of City-owned land with a "Parks" or "Other Open Space" General Plan Land Use Designation to another General Plan Land Use Designation without voter approval.

The proposed amendments also provide that the voter approval requirement may be waived by Council to comply with Federal or State law governing the provision of housing.

At its meeting of September 25, 2018, the City Council introduced and waived further reading of Ordinance No. 2018-450.

Discussion/Analysis

Ordinance No. 2018-450 will go into effect 31 days after adoption.

Options

- 1) Adopt Ordinance No. 2018-450

Advantages: Helps protect and preserve City-owned lands with the "Other Open Space" and "Parks" land use designations by making certain land use actions for these

lands subject to voter approval

October 9, 2018

Subject: Ordinance No. 2018-450: Zoning Code Amendments regarding the disposition of City-owned property

Disadvantages: May limit the City's ability to efficiently address future unknown circumstances regarding City-owned properties with these land use designations

2) Do not adopt Ordinance No. 2018-450

Advantages: Disadvantages:

Recommendation

May provide the City with flexibility to address future unknown circumstances in an efficient manner

Does not provide for the additional protective and preservation measures for City-owned lands with the "Other Open Space" and "Parks" land use designations

Staff recommends Option 1.

And to make certain you know exactly what the Ordinance said, here it is in its entirety:

https://www.losaltosca.gov/sites/default/files/fileattachments/city_council/meeting/43237/item_4_disposition_of_city_owned_land.pdf

ORDINANCE NO. 2018-450

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS AMENDING CHAPTER 14.66, GENERAL PROVISIONS, BY ADDING SECTION 14.66.271, TO TITLE 14, ZONING, OF THE LOS ALTOS MUNICIPAL CODE THAT PROHIBITS: (1) THE SALE OR TRANSFER OF TITLE OF CITY-OWNED LAND; AND (2) THE RE- DESIGNATION OF CITY-OWNED LAND DESIGNATED AS "PARKS" OR "OTHER OPEN SPACE" WITHOUT VOTER APPROVAL

WHEREAS, the City of Los Altos has a unique arrangement of land uses that require regulations and standards that preserve the character of the community and provide for compatibility of adjacent uses; and

WHEREAS, under the City's police power, the City may enact comprehensive land-use and zoning regulations to promote community values, beauty, health, safety and welfare; and

WHEREAS, the Open Space, Conservation, and Community Facilities Element of the Los Altos General Plan provide for public facilities and services and ensure a high quality of living for residents of and visitors to Los Altos; and

WHEREAS, the “Other Open Space” and “Parks” General Plan Land Use designations provide for appropriate land uses and certain site development standards that help protect and maintain public parks, open space, facilities and services; and

WHEREAS, the City Council desires to amend the City of Los Altos General Plan to prohibit the sale, transfer of title, or re-designation of City owned lands with a “Other Open Space” or “Parks” General Plan Land Use Designation without voter approval; and

WHEREAS, the amendments to the General Plan would require voter approval of: (i) the sale or transfer of title of any City-owned land; and (ii) the re-designation of any City-owned land with a General Plan land use designation of “Other Open Space” or “Parks” to any other use; and

WHEREAS, at its September 6, 2018 meeting the Planning Commission of the City of Los Altos reviewed the amendments to Chapter 14.66, General Provisions and voted to recommend their approval to the City Council.

NOW THEREFORE, the City Council of the City of Los Altos does hereby ordain as follows:

SECTION 1. FINDINGS. After considering the record before it, including but not limited to the agenda report, presentation of staff, public comment, and discussion, the City Council hereby finds that adoption of this Ordinance will help protect and promote public health, safety, comfort, convenience, prosperity and welfare by clarifying the City’s existing regulations.

Ordinance No. 2018-450 1

ATTACHMENT 1

SECTION 2. AMENDMENT OF CODE. The following Section, is hereby added to Chapter 14.66, General Provision, of Title 14, Zoning, of the Los Altos Municipal Code.

14.66.271 Voter Approval Required for Sale, Transfer, or Re-designation of City Owned “Parks” and “Other Open Space” Lands

A. Voter approval shall be required for any of the following:

1. The sale or transfer of title of any City-owned land to another party, whether public or private, with a General Plan land use designation of “Parks” or “Other Open Space”; and
2. The re-designation of City-owned land with a General Plan land use designation of “Parks” or “Other Open Space” to a different land use designation, except that the re-designation of any City-owned land from “Parks” to “Other Open Space”, and vice versa, shall not require voter approval.

B. For purposes of this Policy, approval by a vote of the People is accomplished when an action is placed on the ballot at a general or special election through any procedure authorized in the California Elections Code, and a majority of the voters voting on the measure vote in favor of it.

C. The voter approval requirement may be waived by the City Council where necessary to comply with State or Federal law governing the provision of housing, including but not limited to affordable housing requirements.

SECTION 3. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision or decisions shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

SECTION 4. COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT. Based on all the evidence presented in the administrative record, including but not limited to the staff report for the proposed Ordinance, the City Council hereby finds and determines that the proposed Ordinance relates to organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment, and therefore is not a project within the meaning of the California Environmental Quality Act (“CEQA”) and the State CEQA Guidelines, sections 15378(b)(5). Alternately, this Measure is exempt from CEQA pursuant to State CEQA Guidelines, section 15061(b)(3), “the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment” as the Ordinance has no potential to result in a direct, or reasonably foreseeable, indirect impact on the environment.

SECTION 5. CUSTODIAN OF RECORDS. The documents and materials associated with this Ordinance that constitute the record of proceedings on which the City Council’s findings and determinations are based are located at Los Altos City Hall, One North San Antonio Road, Los Altos, California. The City Clerk is the custodian of the record of proceedings.

Ordinance No. 2018-450 2

ATTACHMENT 1

SECTION 6. NOTICE OF EXEMPTION. The City Council hereby directs City staff to prepare and file a Notice of Exemption with the County, County Clerk within five working days of the adoption of this Ordinance.

SECTION 7. PUBLICATION. This Ordinance shall be published as provided in Government Code section 36933.

SECTION 8. EFFECTIVE DATE. This Ordinance shall be effective upon the commencement of the thirty-first day following the adoption date.

The foregoing Ordinance was duly and properly introduced at a regular meeting of the City Council of the City of Los Altos held on September 25, 2018 and was thereafter, at a regular meeting held on October 9, 2018 passed and adopted by the following vote:

AYES: NOES: ABSENT: ABSTAIN:

Attest:

Jon Maginot, CMC, CITY CLERK

Sincerely,

Freddie Wheeler
Los Altos Resident for 27 years

Freddie Park Wheeler



From: [REDACTED]
To: [Public Comment](#)
Subject: PLP - Item # 3 on 9/21/21 Agenda
Date: Monday, September 20, 2021 10:44:44 PM

Honorable Mayor and Council Members,

I urge you to follow the Planning Commission's recommendation against adoption of the proposed public land preservation ordinance (Title 14, Zoning Amendment). Adoption of such an ordinance invalidates Los Altos voters' 2018 rejection of Measure C.

Please vote NO on this item. The voters trust that the Council will protect our parklands, especially the spaces perceived to be and enjoyed for use as parkland. Previous Council members gave grave assurance to the community that this Hillview land would be made a permanent park to be enjoyed by the city.

Title 14, Zoning Amendment doesn't do the job. Please do yours. Vote NO on this item.

Sincerely,

Marjorie Karlgaard
1250 Montclair Way

Dear Council Members

Hillview Park is a Park in the Parks Master Plan, yet it is not designated as a Park in our General Plan

I urge you to approve the PLP to bring Hillview Park in line with the zoning of all our other parks. City Council Promised it;s residents that they would fix the problem

At the time of Measure C Council told voters that they did not need to vote YES on Measure C because the Council would fix ALL the discrepancies. They did fix Grant Park and other park land, but not hillview.

We put our trust in you. It's time to live up to your commitment.

Sincerely

Roberta Phillips

