

DATE: 5/13/2025

TO: COUNCILMEMBERS

FROM: CITY MANAGER'S OFFICE

SUBJECT: COUNCIL Q&A FOR MAY 13, 2025 CITY COUNCIL REGULAR MEETING

Agenda Item 2 (COPS / SLESF Grant):

- Do we need a resolution formally accepting the grant?
Answer: The agenda packet was amended on 05/12/25 to include a resolution as an attachment to Item #2 – COPS Funding. You may find the updated packet here: <https://www.losaltosca.gov/citycouncil/page/city-council-meeting-208>
- Has the City ever forfeited COPS/SLESF grants because of failure to expend or encumber the funds within two fiscal years?
Answer: We have never had to return any grant allocation.

Agenda Item 3 (Special Event Sponsorship):

- The resolution refers to the “Easter Egg Hunt,” while City announcements have referred to the “Spring Egg Hunt” (see [example here](#)). Should the resolution use the updated term “Spring” for consistency?
Answer: The example mentioned in the link was for the City-coordinated Spring Egg Hunt, which is different than the event in the resolution. The event outlined in the resolution is for the Downtown Los Altos Easter Egg Hunt coordinated by LAVA and the name was copied from their website.
- It should be Spring Egg Hunt, not Easter Egg Hunt in the Resolution, unless it's referring to LAVA's Downtown Egg Hunt, in which case we should call it the Downtown Egg Hunt.
Answer: The event in this resolution refers to the Downtown Egg Hunt. City Staff copied the name from their website, but it can be updated to Downtown Egg Hunt in the resolution at Council direction.
- Council requested information and/or a rationale for the Corvette show, can you please provide that or explain why we should continue sponsoring this event?
Answer: City staff reached out to LAVA who provided the following answer.

Thank you for asking the Los Altos Village Association (LAVA) to provide a rationale for the continued partial event underwriting, via 50% City sponsorship, of the Corvette Spectacular.

Corvette Spectacular is more than 40 years old, and has been hosted by Downtown Los Altos for the last 15. It features more than 120 Corvettes displayed along Main St, and informal judging and prizes awarding First, Second and Third generation

participants. There is also a raffle with prizes from our Downtown merchants. It is a car show emphasizing fun and comradery among owners.

The Santa Clara Corvettes Club is the primary event organizer, under the auspices of the National Council of Corvette Clubs (NCCC). LAVA provides support around permitting, logistics and promotion.

Last year, the City charged LAVA \$2,117.88 for its services. Typically, the Club pays LAVA \$2,500 to offset these and other minor ancillary costs.

According to data on the 2024 event from location data software, Placer.ai, the Downtown triangle attracted 8.3k visitors on the day of the event, compared to an average of 6.3k on other Sundays in September 2024.

The most represented age group according to demographical data was 5-14, suggesting it remains a popular event for families. Whilst some LAVA events are pitched at adults, Corvette Spectacular helps keep the calendar of Downtown events diverse and family-focused, with broad appeal. We have received a lot of anecdotal feedback about the popularity of a car show Downtown.

Club feedback is that this event is one of the most popular car shows in the state, precisely because of its location, with participants traveling from Monterey, the Sierras, and even further, for the opportunity to spend time in Los Altos.

Should the City decide to discontinue its financial support, LAVA would be unable to support the event due to budgetary constraints and current fundraising challenges. It is most likely the Santa Clara Corvettes Club would move the event elsewhere or perhaps even cancel it.

We ask that you please continue your partial event underwriting of the Corvette Spectacular so our Downtown can continue to benefit from this event. Thank you for your consideration.

Agenda Item 4 (Special Event Sponsorship Policy):

Answer: City staff has attached an amended resolution for the Special Event Sponsorship Policy at the direction of the City Attorney.

Agenda Item 5 (Solid Waste Collection Rates):

- The staff report reads as follows (second ¶ in the discussion section):

“ . . . there is an additional increase to 15 individual rates to account for CPI adjustments that did not occur in prior years. 2 of these rates were calculated such that they failed to account for the CPI increase that took place between 2022 and 2023, and 13 of these rates were calculated such that they failed to account for the CPI increase that took place between 2021 and 2022.”

 - Why did these miscalculations happen?

Answer: The solid waste consultant made corrections to apply CPI in those prior years (it had not been applied to those rates in the MTWS application), and those corrections were not reflected in the subsequent MTWS rate applications.

- What processes are in place to make sure that this doesn't happen again?

Answer: The solid waste consultant created a new template for MTWS to use in rate applications moving forward. That template was used this year.

- Are we forcing these 15 rate payers to pay extra to "catch-up" so they pay what they should have been paying had the calculations been correct when first applied? If not, does that mean all other rate payers subsidized those 15 rate payers?

Answer: The rates are mostly charged to the City only, and we don't have information about whether they were charged at all during the time that they had only one and not two CPIs applied, because they are rates for on-call services: debris boxes for the City, single-family bulky waste collections that exceed the two "free" pickups per year, and Collection of Large Items Containing Freon. There would be no risk of subsidization. The mistake was in the MTWS rate application, and MTWS is not retroactively charging those rates.

- How much of an extra adjustment will these ratepayers face?

Answer: The City's debris box rates went up by between \$68.14 and \$77.38 due to the CPI catch-up. The Single-Family Bulky Waste Collection (loose) rate went up by \$2.68, and the Single-Family Collection of Large Items Containing Freon went up by \$5.38.

- Resolution: Doesn't the resolution need to cover the extra increase for the 15 rate payers who benefitted from miscalculations?

Answer: The resolution adopts the rates and states the % increase, just as the prior resolutions did. If the MTWS rate application had been correct, the rates would have all been increased as stated in the prior resolutions; therefore, because it is a typographical error that is now corrected, those rates don't need to be called out.

- Does the Water-Sewer-Trash Consumer Price Index refer to the [data published](#) by the Federal Reserve Bank of St. Louis?

Answer: The CPI increase is defined by the Collection Service Agreement as follows: The index published by the U.S. Department of Labor, Bureau of Labor Statistics, Series Id: CUSR0000SEHG, Water and sewer and trash collection services in U.S. city average, all urban consumers, seasonally adjusted, U.S. city average.

The link appears to be displaying data with the source of the Bureau of Labor Statistics, but the Federal Reserve Bank of St. Louis is not referenced during the rate application process. Data is accessed from the Bureau of Labor Statistics.

- If so, which time period was used to calculate the 4.86% increase?

Answer: The Collection Service Agreement describes the following procedures, including the period to be used as February to February:

Subsequent Adjustments. On April 1, 2013 and each April 1st thereafter, using one-hundred percent (100%) of the twelve (12) month average percentage change in the CPI between February of the current year to February of the prior year, CONTRACTOR shall apply such percentage change to all approved current Maximum Service Rates and submit the CONTRACTOR'S request for an adjustment in the Maximum Service Rates to the CITY in the same form as Exhibit 1.

Agenda Item 7 (Household Hazardous Waste):

- Are any records kept regarding resident usage of the Household Hazardous Waste collection program?

Answer: Yes, records are maintained regarding resident usage of the Household Hazardous Waste Collection Program. The County utilizes a secure database that tracks appointments made by residents, including their names, addresses, and the dates of service. This information is collected solely for operational and administrative purposes, such as scheduling, service verification, and program planning. All data is handled in accordance with applicable privacy regulations.

During FY23/24, the participation of the City of Los Altos was 1,386 and as of the end of April, the participation for FY24/25 is 1,151.

Agenda Item 9 (Fire Hazard Severity Zones):

- Have the Highlands residents in the Fire Hazard Severity Zones been notified, either by the City or other appropriate agency?

Answer: No, they have not been notified yet by the City. Staff will make sure they know of the adoption of the map.

Agenda Item 10 (Gas Powered Leaf Blowers):

- Reportedly other jurisdictions issue citations based only on submitted photo or video evidence, without direct observation by a city official. Have queries to other jurisdictions revealed more details about such procedures, with their apparent due process concerns?

Answer: Staff has reached out to jurisdictions within the Bay Area which have noted this method of reporting. It was not made clear in direct interviews with those jurisdictions why or how they believe this to be a legal mechanism. Staff still believes that this is a due process issue, which is why the Council in 2023 did not allow this type of reporting structure.

- In the Analysis section of the staff report, the number of days in 2023 from 4/11/2023 through the end of the year is approximately 265 days, not 365 days. This also affects the total days shown for code enforcement in Development Services rather than PD, so ~755 days rather than 855 days.

Answer: Noted.

Agenda Item 11 (Sherwood Gateway Zoning and Specific Plan):

- The staff report (second ¶ in the background section) reads “. . . Variances are deemed unconstitutional when granted for Use in the State of California.” Really? Then why do we have a procedure where developers can ask for variances?

Answer: the statutory justification for a variance is that the owner otherwise would suffer unique hardship under the general zoning regulations because a particular parcel is different from the others to which the regulation applies due to its size, shape, topography, location, or surroundings. Variances may not be granted to authorize a use that is not otherwise authorized by the zoning regulations. (*In this case, a variance could not authorize a residential only development on the ground floor within the CN District, as that is expressly not allowed*). Rather variances allow deviations from regulations on physical standards such as lot sizes, floor area ratios for buildings, and off-street parking requirements. Variances are, in effect, constitutional safety valves to permit administrative adjustments when application of a general regulation would be confiscatory or produce a unique hardship.

- What parcels will be legal nonconforming if the Council adopts staff’s recommendation? If the parcels are legal nonconforming, doesn’t that mean property owners can’t improve or expand their properties?

Answer: No properties would be legal nonconforming after the adoption of these amendments; all Zoning designations would be consistent with the applicable Land Use Designation in the General Plan. Note, there may be existing Physical Nonconforming issues with properties, which already may exist.

- Resolution repealing the Sherwood Gateway Specific Plan: There is no operative clause actually revoking the plan; only a whereas stating an intent to do so.

Answer: Noted. Staff will provide an additional clause which operatively revokes the specific plan.

- Resolution Amending Section 14.88: LAMC § 14.88 has 73 subsections – which specific subsection are we amending with the exhibit to this resolution?

Answer: We are amending the existing Zoning Designation by adoption of the Ordinance similarly to Section 14.88.580 where multiple parcels all at once are being changed to the same classification. Attachment #9 has been provided as a supplemental document for this item, which reflects the change in Zoning Designation.

- The analysis refers to Thoroughfare Commercial (TC) zones, while the table has a column for CT zones. Are these the same? (This may be related to the Zoning Designation Inconsistency subsequently discussed.)

Answer: TC is the Land Use Designation in the General Plan. CT is the Zoning Designation in the Municipal Code. These are different. The Zoning will be changed while the Land Use Designation of the General Plan will remain the same.

- Please clarify the difference between Zoning designation and Land Use designation.
Answer: all parcels must have two designations. One for the adopted Zoning Map, and one for the adopted General Plan Map (also called Land Use Designation). One for Zoning, and one for General Plan.
- Attachment 7: This draft ordinance mentions repeal of the specific plan in the Whereas section, but does not seem to include it among the operative actions.
Answer: Noted. Staff will provide an additional clause which operatively revokes the specific plan.
- Please confirm that the proposed changes to CT affect CT zones throughout the city not just in the Sherwood triangle area.
Answer: That is correct.

Agenda Item 12 (Nonprofit and Civil Organization Contributions):

- The application from the American Legion says that they sponsor the Glorious Fourth event. This conflicts with our resolution in agenda item 3. Please clarify.
Answer: The application states that the American Legion supports the Glorious Fourth Event, which includes providing small handheld flags for attendees. The City is the main organizer for this event.
- Has Arts Los Altos coordinated with PARC at all on their request?
Answer: This request has not come before PARC yet.
- American Legion application - Are the disaster recovery activities and facilities described coordinated with the Resilient Los Altos program?
Answer: As far as City staff knows, this would be separate from the efforts of Resilient Los Altos. According to the application, this would be used to purchase blankets and other supplies for the American Legion Hall during a time of emergency.
- Arts Los Altos application - Would this grant be funded from the Public Art Development Fee?
Answer: Per LAMC 3.52.020, the Los Altos Public Art Funds can be expended on the “acquisition, placement, maintenance, and promotion of temporary and permanent art and art programs on city-owned, public property throughout the city.” This use would fall in line with that use if the temporary art installation was placed on city-owned public property. Arts Los Altos’ prior year’s applications sought funding for public art on private property, which would not qualify.
- Special Operations Finding Kids application - Has the Los Altos Police Department had any interactions with this organization?
Answer: The Los Altos Police Department has not had any interaction with this organization.
- Same question about Pacific Clinics, if that information is known to the City.

Answer: The Los Altos Police Department has not had any interaction with this organization.

- Please describe in-kind and other support we already give to each of this year's applicants, including any ongoing annual grants, for example, include if we provide facility space, staff time (or time off to volunteer), etc. This includes Compassion Week (facility space, staff time to volunteer), the Chamber (current annual grant), the LAMV Community Foundation (facility space), Arts Los Altos (grant in 2024), and any other support for these and other applicants.

Answer: Please see below for a list of in-kind and other support for this year's applicants.

American Legion

- None

Arts Los Altos

- \$10,000 grant
- Use of rooms at Community Center with waived fees (\$448 in 2024, none in 2025)

Compassion Week

- Use of City banner space without fee
- Use of rooms at the Community Center and Grant Park with waived fees (\$923 in 2023, unsure on 2024)
- Employees spent 76.75 hours to volunteer at various Compassion Week activities individually and as teams across all levels of the organization from Professional to Executive Staff

Los Altos Chamber of Commerce

- \$67,500 annual contract
- Use of rooms at Community Center with waived fees (\$299 in 2024, none in 2025)

Los Altos Mountain View Community Foundation

- Use of rooms at Community Center with waived fees (\$264 in 2024, \$220 in 2025)

Special Operations Finding Kids

- None

- For organizations that received a grant last year (e.g. Arts Los Altos, the Chamber), how were those grants utilized?

Answer: The only organization to receive a grant last year was Arts Los Altos for \$10,000, which they utilized to complete an art installation in Downtown Los Altos.

- Did the temporary art installation proposed by Arts Los Altos get reviewed by the PARC commission?

Answer: It has not yet been presented or reviewed by the PARC Commission.

- What is the balance in our fund for the arts (1% from development). Is there anything that would prevent us from using those funds to fulfill grant requests like the one in Agenda item 12 for Arts Los Altos?

Answer: The current balance in this fund is \$679,829.29. Per LAMC 3.52.020, the Los Altos Public Art Funds can be expended on the “acquisition, placement, maintenance, and promotion of temporary and permanent art and art programs on city-owned, public property throughout the city.” This use would fall in line with that use if the temporary art installation was placed on city-owned public property.

- What is the dollar range that we have typically granted for requests like these? The most we’ve granted on a single, one time request?

Answer: The highest approved amount for a one-time request was in 2023 for \$20,000, which was the only one-time request approved. In 2024, there was one one-time request approved for \$10,000.

- As I understand it from the Arts Los Altos folks, they propose to install this artwork in the downtown plaza. Aside from the grant we’ll consider, has that usage of the plaza been discussed with the City?

Answer: Arts Los Altos met with City staff about a month ago where staff learned about this potential art installation for the first time. They pitched a few different locations with a preference for Veterans Community Plaza. In that discussion, they did not identify a final location because it was unclear how large the final installation would be, how long the installation would be in place, the installation may require electricity, and City staff was waiting on direction from Council. It was determined that City staff and Arts Los Altos would meet again if approved by Council for further discussion on logistics because there would be many moving parts.

The use of Veterans Community Plaza for this art installation has limitations due to space, accessibility, and electricity. This art installation would require a significant amount of space that may occupy the majority of this public area and potentially create accessibility issues for pedestrians. Furthermore, this installation requires electricity to operate, which may require electrical improvements due to the limited power supply. Any type of generator would require a permit from the Bay Area Air Quality Management District, which would be a separate process beyond any City requirements.

City staff would need to properly review this installation and meet with multiple departments before determining the feasibility of this installation.

RESOLUTION NO. 2025-__

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS
ADOPTING THE LOS ALTOS SPECIAL EVENT SPONSORSHIP POLICY**

WHEREAS, the City Council recognizes that special events enhance the City's lifestyle and provide benefits to the City; and

WHEREAS, the City Council finds that the sponsorship of certain long-standing special events provides a benefit to the community; and

WHEREAS, on April 22, 2025, the City Council found that the sponsorship of particular special events would qualify as government speech and constitutes a message that the City of Los Altos desires to convey on behalf of its residents;

WHEREAS, this policy is intended to create clear guidelines for the sponsorship of special events on City property.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Los Altos hereby adopts the policy attached hereto as **Exhibit 1**.

I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution passed and adopted by the City Council of the City of Los Altos at a meeting thereof on the ____ day of ____, 2025 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Pete Dailey, MAYOR

Attest:

Melissa Thurman, CITY CLERK

EXHIBIT 1 LOS ALTOS SPECIAL EVENT SPONSORSHIP POLICY

City Council has the authority to review special event sponsorship requests and approve them on a case-by-case basis. When a special event sponsorship request is approved, the City Council would be required to adopt the particular event as government speech. Public agencies have the right to free speech on their own property, which means the City Council can convey any event, message, or symbol as their own speech on their own property without opening it into a public forum. Such authorization by the City Council shall take the form of a resolution, which shall include the following information:

- (1) The date or dates on which the event will take place;
- (2) A finding that the special event constitutes government speech in that the particular message conveyed by the special event is a message that the City Council wishes to express on behalf of the residents of the City;
- (3) A statement describing the particular message conveyed by the special event and expressing the reason or reasons the City Council wishes to express that message on behalf of the residents of the City; and
- (4) A statement that the resolution is adopted pursuant to this policy and a statement of reasons why the adoption of the resolution is consistent with this policy.

Under no circumstances shall the City Council authorize the sponsorship of a special event that:

- (1) Represents a group, organization, or movement that advocates the unlawful overthrow of the state or federal government;
- (2) Commemorates a rebellion against the federal government by the government of any state;
- (3) Advocates discrimination or intolerance against individuals on the basis of any classification specified in Civil Code Section 51;
- (4) Endorses or expresses a preference for any religious sect;
- (5) Advocates for or against a candidate for public office, a political party, or a ballot measure or proposition; or
- ~~(6) Is considered highly offensive to persons of average sensitivity within the community; or~~
- ~~(7)~~ (6) Poses a real and substantial threat to public safety based on objective circumstances or criteria.

The City Council may consider authorizing the sponsorship of a special event pursuant to this policy referral of the entire Council on motion of any Councilmember made during the time reserved at regular City Council meetings for discussion of future agenda items, or at the recommendation of a commission of the City. The City Council may also consider authorizing the sponsorship of a special event on application of a resident or community group, as long as they shall complete a Special Event Sponsorship Application Packet, on a form to be created by the City Manager or designee.

City staff shall provide a recommendation to City Council for every application on whether the proposed special event meets the above criteria listed 1 through 7 for a special event sponsorship, which will allow City Council to make the final determination on the application.

This policy is intended for the City's sole benefit, and nothing herein is intended to confer any legal right or privilege on any member of the public.

City of Los Altos requires all non-profit organizations or Los Altos residents interested in having the City of Los Altos sponsor a special event to meet all the below guidelines and submit a completed application packet.

1. Applicant Guidelines

- a. Only special events that are consistent with the City's vision, mission, and ongoing strategic priorities, incorporating themes of diversity, equity, social justice and inclusion.
- b. At no time will the City of Los Altos sponsor special events that pose a danger to public health or public safety, are deemed to be inappropriate or offensive in nature, support discrimination, prejudice or religious or political movements
- c. All special events will be sponsored in accordance with all applicable laws.

2. Application Procedure

- a. Applicant will complete the Special Event Sponsorship Application Form and required documentation.

3. Review and Approval Process

- a. Applications will be reviewed by City staff for completeness.
- b. Approval of the special event sponsorship is at the discretion of the City Council.

4. Fee Guidelines

- a. Applicants may be required to pay any additional costs that were incurred beyond the authorized special event costs by City Council.