

**DATE:** 6/14/22  
**TO:** Councilmembers  
**FROM:** City Manager  
**SUBJECT:** COUNCIL Q&A FOR JUNE 14, 2022 CITY COUNCIL REGULAR MEETING

**Item 2. Reject Bid for Annual Storm Drain Improvements on Milverton Road**

**Question:** How much worse will the problem get if we delay maintenance/repair of these drywells?

**Answer:** We are not maintaining or repairing existing dry wells. The scope of the project is to install new dry wells along Milverton Road. The conditions will remain as they are today if the new dry wells are not built. The severity of the problem depends on the rain intensity in any given year.

When utilities or infrastructure issues exist for a specific neighborhood or set of homes, it is common for them to be addressed through the formation of a special district. Staff would be happy to provide additional information on this option.

**Question:** Is there any reason to believe that we will receive lower bids to maintain the drywells if we put this project out for an RFP within the next several years?

**Answer:** The bidding climate tends to follow the overall economic climate. Recent uncertainty over supply chains and labor costs have meant aggressive escalation of recent bids. Generally, material and labor costs tend to escalate over time. It is possible that an economic downturn would result in more favorable bids, but that is nearly impossible to forecast.

Additionally, and as noted above, the current course of action is only one way to potentially address this option.

**Question:** How many other drywells does the City maintain? What is the plan to maintain and repair those drywells, so they do not fail like the ones in Milverton?

**Answer:** Based on our Storm Water Master Plan, there are currently a total of 25 existing drywells in the City. Due to continued lack of funding and resources, the maintenance of existing dry wells was suspended since the early 1990's. There is no current plan to maintain or repair the existing dry wells. Any future improvements will require new designs to meet the current standards and regulations.

**Item 3. SB-1 Road Repair and Accountability Act Resolution:**

**Question:** How did staff choose these 15 projects to submit for SB1 funding?

**Answer:** Project streets are based on City's pavement management report from 2020, where a consultant produced recommended streets and treatment list for the next 5 years. Street selection is based on pavement condition index (PCI) and available funding.

**Question:** Does staff intend that all of these projects will be completed in the next fiscal year (regardless of whether SB1 funding is used)? If not, how does staff propose to prioritize the projects?

**Answer:** Project of FY22/23 will likely be carried out in FY23/24. This is due to the nature of bidding period and desired construction season. Paving projects are usually done in summer when the temperature is right, and school is out on break. The pavement project is the top priority among all CIP projects and will be carried out every year.

#### **Item 4. Approve Contract: Authorize the City Manager to execute an agreement on behalf of the City with Alta Planning + Design**

**Question:** Each of the past two years we budgeted \$60,000 for Alta, and in one of those years the entire \$60,000 wasn't needed. Why does Alta now propose to need \$77,407 per year?

**Answer:** The full \$60k was not used in the first year due to City Staff turnover, City deciding between hiring a part-time in-house staff person vs a consultant, and the contract with the consultant beginning part way through the year. Additionally, the funds came from the Operating Fund, so they were lost at the end of the year if not used on time. Additional funds were included to provide specific help with issues at LAHS, and to account for rate increases over the next two years.

**Question:** Please provide a detailed breakdown of how Alta anticipates spending the \$77,407 requested over each of the next two years.

**Answer:** Please see attached scope of work

#### **Item 7. Contract Amendment: Complete Streets Master Plan**

**Question:** When are we going to initiate a traffic calming and traffic management plan?

**Answer:** After the CSMP is adopted staff will have increased capacity to begin new projects such as the traffic calming and traffic management plans. Please see attached scope of work for updates included in this round of revisions.

#### **Item 8. Hold the Public Hearing, Consider Resolution No. 2022**

**Question:** Would single family homes with ADUs, How?

**Answer:** Single-family homes with ADUs are serviced by one shared lateral (connection) to the sanitary sewer main. The parcels are charged using the same calculations and methodology for single-family homes (parcels) regardless of whether there is an ADU or not. The charge is a combination of the base charge and the water usage charge.

**Question:** Would the base charges be calculated for a single-family home with 1 ADU, and with 2 ADUs?

**Answer:** See answer above. The number of ADUs does not affect the methodology used to calculate the sewer service charges, only the water use of the parcel during the wettest months affects the charges.

#### **Item 9. FY 2021/22 Budget Appropriations: Review and Approve Final Adjustments to FY 21/22 Budget appropriations**

**Question:** Can all of the changes be accepted via motion, or does there need to be a formal resolution to adopt the final changes to the FY 22 budget?

**Answer:** Yes, the Changes can be adopted by Motion a resolution can be prepared for signature at the next meeting, it was done this way in case the discussion leads to recommended changes.

**Question:** Why is there a \$55,000 planned expense in the 2024/25 budget related to the CAAP?

**Answer:** The \$55,000 in the 24/25 is for continued implementation of the CAAP. In order to enact the CAAP the City will need to budget and expend funds around research, programs, events, and application. Additionally, it is likely further experts will need to be retained and this cost is likely to increase. As an example, the current budget contains funds for contractor support as well as more work on the CAAP by the consultant. The proposed budget contains \$30,000 for ongoing expert support and \$50,000 for program implementation. These costs will increase in future budgets.

**Question:** Why will it cost \$10,000 to move the Walter Singer bust?

**Answer:** The \$10,000 is for the construction of a base/pedestal for the bust.

**Question:** Please describe and explain the scope of CIP (TS-01058). Why is its cost split between Prop 1B and traffic congestion relief?

**Answer:** This relates to FY 22 and was presented at Midyear. It was the El Monte sidewalk closure project that was charged to CDBG, but we do not have any grant, so the other eligible Gas tax funds were used to cover the difference

**Question:** Where in our budget are we accounting for the Milverton dry wells (CD-01012)? If we are not moving forward with the project this year, then shouldn't the money allocated to that project show as a cancellation in this analysis?

**Answer:** The project has a budget in the project number mentioned for 950,000 in FY 23 Budget. However, as noted above, the Council may want to consider the formation of a special district to address this infrastructure issue.

**Question:** On the reconciliation (revenues): What are "miscellaneous" and "one time" revenues?

**Answer:** The only one-time item is the ARPA \$1.5 million

### **Item 10. Proposed FY 2022/23 Mid-Term Budget**

**Question:** Attachment 6, I didn't see Public Art Fund fees listed, although maybe I missed it, shouldn't they be included in the Fee Schedule?

**Answer:** We can add the Public Art Fee to the Fee Schedule. The fee is set by ordinance and does not need to be adopted annually. Changes to the fee should be made by ordinance.

**Question:** Does there need to be a formal resolution to adopt the modifications to the FY 23 budget and CIP? (There are resolutions on the Gann Limit, the fee schedule, and the pay schedule, but not the overall budget.)

**Answer:** Yes, the Changes can be adopted by Motion. A resolution can be prepared for signature at the next meeting, it was done this way in case the discussion leads to recommended changes.

**Question:** The Gann Limit resolution appears to set an appropriations limit less than the operating budget for FY 23. How is that allowed?

**Answer:** This is correct the GANN only deals with Tax related revenues that can be collected to spend. If the limit is \$10 and we collect \$11 (Taxes only) the \$1 cannot be spent for general purposes

**Question:** p. 85/(10 of staff report): Do we really need ANOTHER parks facilities assessment? We know what to do at Grant facility, including buildings and basketball courts. We know the useful lives of the playground equipment and the replacement needs. We know the age/status of lawns, etc.

**Answer:** This item is currently listed as a future CIP project. Staff does not believe a further master plan is needed at this point but did not complete the zero-based budget process for items that were outside of the current budget.

**Question:** p. 91/(16 of staff report): Text discussed the available balance of \$2.52M. However, table 2 on page 88/13 shows \$2.63M available and allocates that \$2.63 (the table matches the text description). The \$2.52M in the text appears to be an error. Please confirm the correct information.

**Answer:** That is correct, the right number is \$2.63M as shown in the table

**Question:** p. 91.16: The unassigned fund balance appears to be separate from ARPA reserve. The \$1.5M of ARPA funds discussed on page 81/6 does not appear in any table in the staff report (but see detail at p. 101, Special Revenue Funds “Grants ARPA Fund” shows \$0, but p. 105 shows transfer out to ARPA Fund (3<sup>rd</sup> line near top). Please resolve the apparent discrepancy in the two tables and how part of the money is used in the budget vs. the \$1.5 residual proposed for a reserve.

**Answer:** When the original budget was approved \$3.6M of APRA was considered as revenue to the general fund and an amount of 1.5M was a proposed transfer to the ARPA fund we believe this was done to balance the FY 23 Budget. As part of the MID year Budget, we are eliminating this transfer out to the ARPA fund (Fro which there was no planned spending) and leaving the balance in the General Fund. This is why the Transfer out is eliminated in the Mid-term Budget and the Special revenue funds

**Question:** p. 92/(17 of staff report) – please explain the GANN limit comment, “...and if tax revenues come in excess of \$1.5 M...” Which tax revenues? Compared to what? New revenues because of a yet unidentified bond measure? Or property taxes? Or ???

**Answer:** The GANN limit is calculated based on Budgeted Tax Revenues which are Property Tax, Sales Tax , Off Hwy Veh Fees , Utility Users Tax , Business License Tax , Documentary Trans, Building Dev. Tax , Transient Occ. Tax (please see page 115 for the listing and calculations) the current limit is at 97% or the value of the 3% balance is 1.429 million. If revenues from the above-listed taxes exceed this (over a 2-year period) there is a potential of

having to refund to tax payers or using it for very specific purposes. A Potential Bond measure or special purpose raised tax would NOT fall under the GANN limit

**Question:** Beginning at p. 94, the charts do not properly show changes in many of the yellow highlighted boxes. These seem to relate to changes made in the FY 22 budget. There may be a version or “print” error. It was easy to compare these charts to those for agenda item 9, but the charts for item 10 should really stand alone.

**Answer:** There are 2 sets of attachments one is for Item 9 which reflected FY 22 changes and the second set is for Item 10 which reflects FY23 information

### **Item 11. Wireless Telecommunications Facilities Ordinance and Design Guidelines:**

**Question:** Has staff considered the extent to which the preferred fake tree design, with its plastic leaves, will contribute to microplastics in local water resources?

**Answer:** Because the potential for installation of a faux tree wireless facility is remote, the potential for impacts to local water resources due to microplastics from such a facility is similarly remote. Should a faux tree wireless facility actually be proposed, staff would prepare conditions of approval to protect local water resources from adverse impacts due to microplastics.

**Question:** Should we not require that wireless facilities comply with APCO ANSI 2.106.1.,

**Answer:** Staff has reviewed the APCO ANSI 2.106.1-2019 standards document<sup>[1]</sup> and does not recommend that these standards be adopted as part of the proposed wireless telecommunications facilities ordinance for the following reasons:

- According to the City’s RF experts, APCO ANS 2.106.1-2019 standards are designed for application to large macro facilities. Requiring small cells to comply with these standards would require too much additional hardware for wireless facilities to meet the definition of a small wireless telecommunications facility, thereby precluding their installation within public rights-of-way.
- APCO ANS 2.106.1-2019 standards differ from typical building, fire, electrical, and other codes in that they are not fully prescriptive and require a certain degree of discretion in the review of a proposed wireless telecommunications facility. They cannot be implemented in all cases.
  - The APCO ANSI 2.106.1-2019 document specifically acknowledges that the “high cost associated with meeting these requirements may not be feasible at all sites.” The APCO document states that the parties associated with a wireless facility will need to “consider the importance of the site, be it a site that aggregates substantial traffic or the criticality of a facility it serves, against the cost to achieve these requirements” and that the “risk of failure shall also be assessed for the site.” (page 7).
  - The APCO document further acknowledges that some sites may lack the space or have other constraints to meet some of the requirements of APCO ANSI 2.106.1-2019, regardless of cost (page 7). This “underscores the need to assess the cost of each requirement against risk and the likelihood of that risk.”

<sup>[1]</sup> APCO International, *ANSI/APCO Public Safety Grade Site Hardening Requirements, APCO ANS 2.106.1-2019*, 2019.

**Question:** Can you please tell me why wireless providers should not have to provide the same plans regarding electrical and structural design that residential and commercial applicants must submit.

**Answer:** Requirements for the types of building design plans to be submitted as part of an application for wireless facility should be specified as part of application requirements rather than as part of City ordinance.

Staff also notes that wireless telecommunications facilities attached to utility poles are structurally different than residential and commercial buildings. In addition, PG&E utility facilities to which many if not most small wireless telecommunications facilities in Los Altos would be attached are not, themselves, subject to City review and requirements. In fact, the City is preempted from reviewing the design of PG&E facilities.

- If the City Council finds that APCO ANSI standards, as they may be updated from time to time, have some value as a resource document in the review of proposed macro wireless facilities within the City, it could direct staff to include a requirement as part of wireless facilities application packets that the carrier must identify any proposed deviations from the most recent APCO ANS 2.106.1 standards for fire protection, electrical equipment and loads, and temporary power supply in the event of an electrical outage.

**Question:** Should we fail to adopt APCO ANSI standards, can staff guarantee that residents will be able to reach 911 with their cell phones if there is an emergency like an earthquake or strong winds? Who is responsible for checking to see what the wind tolerance is for these facilities?

**Question:** How are we able to ensure that members of the public would be able to reach 911 emergency network in an emergency.

**Answer:** The ordinance being considered by the City addresses the location of wireless telecommunications facilities within the City limits recognizing that changes in technology will occur over time as facilities are proposed by carriers and are reviewed and processed by the City. Providing a guarantee that residents would be able to reach 911 with their cell phones in the event of an emergency (such as an earthquake or strong winds) of any magnitude is not something credible for staff, carriers, or any governmental agency or standards institute to consider providing. Regardless of the best efforts of carriers; governmental agencies; utility providers; building, electrical, fire, and other codes, and institutes providing guidance for telecommunications-specific design standards, some risk of temporary disfunctions in an area's wireless facilities system cannot be completely avoided.

**Question:** Can you tell us if our police department is still managing the 911 public safety answering point?

**Answer:** The Police Department maintains 911 dispatchers.

**Question:** Have the revisions reflected in the current 6/14 draft ordinance improved or made worse our potential liability relative to the 2019 Urgency Resolution?

**Answer:** Whereas the 2019 Urgency Resolution provided for buffer zones around residential areas, schools and parks, the new ordinance, including the 6/14 draft, utilizes a preference approach to regulating the siting of wireless facilities, which the carriers have indicated is preferable to the buffer zone approach. Any analysis of the potential for liability posed by the new ordinance would be attorney-client privileged information reserved for closed session with the Council.

**Question:** The May 10 version of the ordinance seems more clear and less complicated than the current version, have the changes made the current draft ordinance more or less legally defensible than the May 10 draft?

**Answer:** The primary proposed revisions to the May 10 version of the ordinance involve a proposed reorganization of the ordinance to reflect the preferences between colocation with existing facilities and (1) building- and roof-mounted facilities within commercial zones, (2) facilities within rights-of-way in commercial zones, (3) facilities on properties with non-residential that are located within residential zones, and (4) rights-of-way within areas zoned residential. Substantive revisions proposed in the proposed June 14 ordinance are identified in the staff agenda report and include:

- Minor modifications to Findings B, C, K, and O.
- Modify wording so that the term “small” wireless facility refers only to only small facilities, while the term “wireless facilities” refers to all wireless facilities, including both small facilities and large telecommunications towers.
- Revise guidelines for separation of new wireless facilities from residential dwelling units (see Sections 14.82.030 B2 a and b) to be based on required setbacks of the zoning district within which the dwelling unit is located, and to avoid placement of wireless facilities within a required front, side, or rear yard residential setback.
- Adding aesthetic-based criteria addressing small wireless facilities within public rights-of-way and public utility easements within and adjacent to parks (see Sections 14.82.030 C1a and C2d). These standards provide for new wireless facilities within and adjacent to parks and school to be placed on existing poles within public rights-of-way and public utility easements.
- Modifying the standard requiring upgrading of wireless facilities to incorporate new technology where feasible, to apply only when a modification of an existing facility is proposed or when a new permit is sought to replace an expiring permit for an existing facility (see Section 11.12.065).

The May 10 and current versions of the ordinance are substantively the same. Neither employs a buffer zone around residential areas, schools and parks and both utilize a preference system. Any analysis of the relative legal defensibility of these versions of the ordinance would be attorney-client privileged information reserved for closed session with the Council.

**Question:** In the interim until a new ordinance is in effect, can we repeal the 2019 urgency ordinance at the June 14 meeting to mitigate the legal risk we’ve increased by delaying a new ordinance adoption in the event the judge picks up the case before a new ordinance comes into effect?

**Answer:** In theory, the City could repeal the current wireless ordinance – the 2019 urgency ordinance – leaving no wireless ordinance in place. That would mean that there would be no applicable siting restrictions or criteria at play for the siting of wireless facilities in the City. In other words, a wireless carrier could place their wireless facilities anywhere permitted under state and federal law. Any analysis of the legal risks for various options would be attorney-client privileged information reserved for closed session with the Council.

**Question:** Would a repeal of the 2019 regulations before a new ordinance takes effect default to pre-2019 regulations or to no City regulations?

**Answer:** It would default to no specific City locational or design regulations for wireless facilities. The limited standard provisions for right-of-way encroachment permits could be applied. Were a wireless facility to be proposed for placement on a building, only the Building Code would apply.

**Question:** Page 139 (bottom of pg 6 of the staff report) says that staff recommends, "*Preventing a small wireless facility from being placed within a public utility easement that runs across a required front, side, or rear yard residential setback*" but aren't there existing utility poles in these easements already and so why would we prohibit adding small facilities to existing poles when that is otherwise a preference?

**Answer:** The intent of the proposed standard is to provide separation of wireless telecommunications facilities from residential dwelling units and avoid placement of wireless facilities immediately adjacent to residential dwelling units

**Question:** Although we don't know where carriers may want to put their small cell facilities, does the May 10 draft ordinance in theory allow for adequate cell coverage in LA (or at least better than we have now under the 2019 regulations)? Does the June 14 draft ordinance allow better or worse coverage than the May 10 draft?

**Answer:** Both the May 10 and June 14 versions of the proposed ordinance provide substantially more locations within Los Altos where small wireless telecommunications facilities could be installed than do the 2019 regulations. The June 14 draft ordinance provides marginally fewer potential sites for small wireless facilities than does the May 10 version of the ordinance but would provide for equivalent coverage potential.

**Question:** Essentially not allowing facilities in the areas of schools and parks creates a safety hazard regarding coverage at schools, the high schools and middle schools in particular. During the bomb threat(s) within the past year, students were not able to contact parents. Are we confident that the current June 14 draft ordinance doesn't present safety issues regarding cell access at schools?

**Answer:** The specific standard recommended in the June 14 ordinance (Section 14.82.030 C2d) would permit small wireless telecommunications facilities within a public right-of-way or public utility easement if it is either located on an existing public utility pole or there is no feasible location within 500 feet of the proposed location. Landscaping and/or screening of the facility would also be required. Paragraph C2d(3) should be revised as follows:

"Landscaping and/or screening is provided to conceal the facility from view of [the adjacent school or park](#) ~~adjacent dwelling units~~ to the extent feasible."

**Question:** At 7<sup>th</sup> "Whereas" there is a reference to Attachment B. Attachment A is referenced in the 11<sup>th</sup> "Whereas" (and it is not attached). Perhaps there should be a change to the references and to the labels on the attachments to make them sequential to match the resolution.

**Answer:** Attachment "B" refers to written comments that were received during the 30-day public review period for the Notice of Preparation. This attachment was previously provided to the City Council and will be attached to the CEQA Resolution should the City Council approve the proposed negative Declaration.

The CEQA Resolution will also be revised so that reference to "Attachment A" precedes reference to "Attachment B."

**Question:** Final "Whereas" – delete "and" at the end of the paragraph

**Answer:** The final "Whereas" will be revised to read as follows:

**WHEREAS**, the City Council reviewed and considered the proposed Negative Declaration as required by CEQA Guidelines Section 15074(a); ~~and~~

**Question:** At the end of paragraph "Now, therefore..." add "and"



**Answer:** The referenced paragraph will be revised to read as follows:

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Los Altos that the above recitals are true and correct and are incorporated herein by reference as if set forth in full; and

**Question:** Page 2, subparagraph “Aesthetics” second sentence: “Building-mounted wireless telecommunications facilities would not be permitted to add to the height of bulk of buildings.” “The first “of” should be “or”.

**Answer:** The referenced sentence will be revised to read as follows:

Building-mounted wireless telecommunications facilities would not be permitted to add to the height ~~of~~ or bulk of buildings.

**Question:** Page 3, subparagraph “Biological Resources”, line 3 add hyphen between “building” and “mounted”

**Answer:**

**Question:** Page 3, subparagraph “Cultural Resources” line same hyphen needed in both first and second sentences (between “building” and “mounted”).

**Answer:** Page 3, subparagraph “Cultural Resources” line same hyphen needed in both first and second sentences (between “building” and “mounted”).

The referenced sentences will be revised to read as follows:

Wireless telecommunications facilities associated with the proposed development standards and design guidelines would occur within roadway rights-of-way or within existing development sites (roof- and building-mounted facilities).

**Question:** Please read page 6, bottom paragraph, and page 9, final paragraph before “Be It Further Resolved,” in the paragraph that begins “The City of Los Altos is not located within...” The text in both paragraphs indicates that “... areas west of Foothill Expressway “are not identified “...as permitted location for wireless telecommunication facilities.” Please confirm where in the proposed new muni code there is such exclusion for this area (commonly known as “The Highlands”). I cannot find such a direct exclusion.

**Answer:** The referenced paragraphs will be revised to read as follows:

The City of Los Altos is not located within a Very High Fire Hazard Severity Zone as delineated on California Department of Forestry and Fire Protection (CAL FIRE) State Responsibility Area and Local Responsibility Area maps [State Responsibility Area \(SRA\) Viewer \(arcgis.com\)](#). The City is largely developed and only portions of the area west of the ~~Foothill Expressway I-280~~ freeway are located near wildland areas that would be susceptible to fire. Such areas are not identified in proposed development standards and design guidelines as a permitted location for wireless telecommunications facilities. All wireless facilities installations would be required to comply with applicable code requirements to ensure fire safety.

**Question:** Page 9 Subparagraph “Utilities and Service Systems line 3, I think the word “not” is missing between “would” and “consume”.

**Answer:** The referenced sentence will be revised to read as follows:

Proposed development standards and design guidelines for wireless telecommunications facilities would not generate an increase in population due to increased residential or business uses and would not consume water or generate wastewater or solid waste on an ongoing basis.

## Wireless – Main Ordinance

**Question:** p. 6, 14.82.030.A, B., and C – Are the titles for each sufficiently clear that A is most preferred (it says so), B is second (it says “...following Colocation...), and C is truly least? C says “Less Preferred...” and describes (in 1.) “... on properties outside of public rights-of-way and public utilities easements” which is clearly less preferred to B.1 but NOT clearly less preferred to B.2, which cover certain properties in public rights-of-way and public easements. C.2. then covers “less preferred” within public rights of way. The basic question is: Is the rank order of preferences absolutely clear in B and C? It seems quite confusing to me.

**Answer:** The title for Section 14.82.030 B should be revised to read as follows:

B. Preferred Locations ~~Preferences following Colocation~~ for Wireless Telecommunications Facilities [following Colocation](#)

The order for sections within 14.82.030 would thus reflect the following order of preferences:

A. Colocation

A. Preferred Locations for Wireless Telecommunications Facilities following Colocation

A. Less Preferred Locations

A. Thus, all locations cited in Section C (Less Preferred Locations) would be less preferred to those identified in Section B (Preferred Locations for Wireless Telecommunications Facilities following Colocation), and all locations cited in Section B would be less preferred than Colocation (Section 14.82.030 A).

**Question:** p. 7, 14.82.030 B.2.b references “...paragraph a above.” However, this could be ambiguous because there is a B.1.a. and a B.2.a. It appears the intended reference is to B.1.a. Can this be made more clear?

**Answer:** Section 14.82.030B.2.b will be revised to read as follows:

b. Following colocation and the locations identified in paragraph [14.82.030 B.2.a](#), above, the preferred location for a wireless telecommunications facility is within a public right-of-way or public utility easement fronting or within one of the Zoning Districts identified in the following subsections of Municipal Code Section 14.04.010 (not shown in order of preference).

**Question:** p. 11 C.2.d(3) – why is there an exclusive focus on screening to conceal the facility from adjacent dwellings, when the intent of this section is to minimize impact on the parks and schools? It would seem, at a minimum, that screening of a facility in a park would be required, irrespective of visual impact on any nearby dwellings.

**Answer:** Paragraph C2d(3) will be revised as follows:

“Landscaping and/or screening is provided to conceal the facility from view of [the adjacent school or park adjacent dwelling units](#) to the extent feasible.”

**Question:** p. 14 Section 5.A. change “repeal” to “repealed”

**Answer:** Section 14.82.040 is revised to read as follows:

A. Title 11.12 of the Municipal Code for the City shall be [repealed](#) and/or amended to make the following changes to the existing text of Chapter 11.12:

**Question:** p. 21 This should be Section 6 (original), as Section 5 begins on page. 14. Also, in the paragraph itself, the word “review” probably is supposed to be “repeal”

**Answer:** Section numbering will be corrected.

SECTION 6. DESIGN STANDARDS is revised to read as follows:

The City Council hereby ~~reviews the prior Design Standards called forth in Resolution No. 2019-35 adopted on August 5, 2019 and~~ adopts new Design Guidelines in a separate resolution that repeals Resolution No. 2019-35 in its entirety to regulate the design standards for wireless telecommunication facilities. The effective date of the new Design Guidelines and repeal of Resolution No. 2019-35 [originally adopted on August 5, 2019](#) shall coincide with the effective date of this ordinance.

**Question:** p. 22 The remaining sections need to revert to their prior numbers (6, 7, and 8 should be 7, 8, and 9).

**Answer:** Section numbering will be corrected as requested.

### **Design Guidelines - Resolution**

**Question:** Whole document: Please fix “collocation” to “colocation”

**Answer:** The word “collocation” will be revised to “colocation” throughout the document.

**Question:** 1.H. Do we want to mention that all residential developments beginning in the 1960s required undergrounding of utilities and all rebuilt homes similarly require undergrounding of utility connections?

**Answer:** The primary point of Finding H is to ensure that approvals for wireless telecommunications facilities within Los Altos not hinder utility undergrounding efforts by introducing numerous new wireless telecommunications facilities, including cabinets, wires, cables, and bulky equipment that visually impede and clutter the City’s public rights of way.

Los Altos’ standards for requiring undergrounding of utilities are contained in Municipal Code Section 12.68.020.

Finding H in the Design Guidelines Resolution is revised to read as follows.

A. The City’s beauty is an important reason for businesses to locate in Los Altos and for residents to live here. The City’s economy, as well as the health and well-being of all who visit, work, or live in Los Altos, depends in part on maintaining the City’s beauty. The City has been moving towards the undergrounding of various utilities, including the First Street and Lincoln Park Undergrounding Utility projects, and needs to ensure that this effort is not hindered by the addition of numerous wireless telecommunications facilities, including cabinets, wires, cables, and bulky equipment that visually impede and clutter the City’s public rights of way. [Municipal Code Chapter 12.68 provides specific standards for new and relocated utility services to be placed underground.](#) The New Design Guidelines serve to encourage the reduction of all appurtenant equipment, screening of same, and efforts at undergrounding.

**Question:** Section 4 add open quotation mark [“] before the word Underground

**Answer:** SECTION 4. DEFINITIONS will be revised to read as follows:

The definitions set forth in Section 11.12.020 of the Municipal Code are incorporated by reference into this Resolution. In addition, the **Appendix** provides definitions for “Small Cell Facility” and “Underground Areas.”

**Question:** Section 5 change “extend” to “extent”

**Answer:** SECTION 5. SEVERABILITY will be revised to read as follows:

If any provision of this resolution or its application to any person or circumstances is held invalid, such invalidity has no effect on the other provisions or applications of the resolution that can be given effect

without the invalid provision or application, and to this extent<sup>d</sup>, the provisions of this resolution irrespective of the invalidity of any portion thereof.

## **Design Guidelines - Appendix**

**Question:** Whole document: Please fix “collocation” to “colocation” (some are ok)

**Answer:** The word “collocation” will be revised to “colocation” throughout the document

**Question:** IV.I. Pole Height Calculation. Second paragraph. Remove excess word “is” [“Pole height shall be is measured....”]

**Answer:** Section IV.I.2 will be revised to read as follows:

**Pole Height Calculation.** Legally required lightning arresters and beacons shall be included when calculating the height of facilities. Pole height shall be ~~is~~ measured from the top of foundation, which should be flush with the ground, to the top of pole or top of antenna, whichever is greater.

## **Item 12. AB 481 Military Equipment Use Policy: Review the Los Altos Police Department Draft Policy 709 and provide modifications as needed**

**Answer:** "We received questions and recommendations from Councilmembers as residents on AB 481. We want to respond fully to each of the questions and recommendations; however, Chief Galea is on vacation and Captain Krauss is off on Mondays.

She will be able to respond by tomorrow, but Jolie and I will likely not be ready to review or edit the responses. We do not think the recommendations make sense, and would not support including them, but we want to make sure we are responsive."

## **Minutes**

- Bottom of page 7, starting the list of outreach with “religious institutions” implies a priority that Council didn’t assign, please revise and move that, preferably to the end of the sentence:  
... having City Staff lead a robust effort working with Alta on outreach to ~~religious institutions~~, all schools (public, private, religious), ensure certificated and non-certificated school staff as well as badged and administrative public service professionals as well as all of Los Altos business and religious institutions. "