



1 North San Antonio Road
Los Altos, California 94022-3087

MEMORANDUM

DATE: 9/6/22

TO: Councilmembers

FROM: City Manager

SUBJECT: COUNCIL Q&A FOR THE SEPTEMBER 06, 2022 CITY COUNCIL
REGULAR MEETING

Item 1: Accept Annual Development Impact Fees Report

Question: Page 2 of the staff report (pg 5 of packet), states that "*State law requires the City to make this report available for public inspection at least 15 days before the City Council accepts the report ...* ", and also states that "*the notice on the availability of this report was posted on August 24, 2022*". Can we receive this report on September 6 even though notice of availability was 14 rather than 15 days in advance? Since the report was included in the August 23 Council meeting as an Informational item, the report was technically available >15 days before accepting the report even if notice wasn't posted.

Answer: The 8/23 City Council meeting agenda published to the public on 8/15. We may change the date to August 15th. Yes, It meets the time period

Item 3: 4350 El Camino Real Multiple Family Development Project

Question: How close is the nearest structure of 4350 El Camino and 4388 El Camino? (On both parts the line that is perpendicular to Los Altos Avenue and the one that is perpendicular to El Camino) Considered to be the back and the side of the property.

Answer: For 4350 ECR – the rear setback is at 7' 6.5" with similar setbacks on the adjoining neighbors. It is safe to assume 12-15ft distance between the proposed structure and the neighboring structure at the rear. On the El Camino side setback, the proposed project shows 7'2" with a similar setback on the neighbor's side. It is safe to assume 10-12ft distance between structures on proposed project and neighbor on El Camino Real.
For 4388 W El Camino Real.

Item 4: Environmental Commission Reach Codes Recommendation

Question: Please clarify what adoption of the reach codes on Agenda 4 will apply to. (E.g. Does it only apply to new construction or replacement of existing appliances as well)

Answer:

- Adoption of the recommended Reach Codes will apply to new construction and any remodel of 50% or greater of the square footage of a structure.
- If the recommended Reach Codes are adopted all new construction would be required to be all-electric.
- The recommended Reach Codes change the definition of “New Construction” to include the remodel or addition of an existing property of 50% or greater of the foundation or framing (as determined by square footage).
- In the 50% or greater remodel or addition scenario these properties must convert to all-electric and remove gas appliances.

Question: Will the EV vehicle infrastructure apply to new construction only?

Answer: The recommended Electric Vehicle Reach Codes will apply primarily to new construction, however, there will be instances where they will be applied to existing structures. The EV Reach Codes could be incorporated at existing structures if there is an upgrade to an electrical system or if additional parking is being added. There are exceptions for this application based on overall cost and affordable housing.

Question: Does any of these reach codes apply to any buildings being sold?

Answer: The recommendation before the City Council tonight does not include modifications upon the sale of a property.

Question: How much is implementation of this plan going to cost? Cost who? The homeowners? Can we have a financial analysis before passing the reach codes?

Answer: At this time, it is unknown what the cost associated with implementation will be.

As noted in the Agenda Report, staff is recommending the completion of a Cost Effectiveness Study for the recommended Reach Codes. The Cost Effectiveness Study has been standard practice in the adoption of previous Reach Codes.

For the City government, additional costs will be incurred during the building plan check process as city-specific code regulations will require specialized review from in-house or third-party consultants. It is not determined if this cost will be recovered in fees or charges to an applicant.

Question: Regarding remodels, how did the staff arrive at 50% in determining if a building would be considered new construction?

Answer: The recommendation before the City Council was determined by the Environmental Commission and is based on the Bay Area Model Reach Codes. The Bay Area Model Reach Codes were developed in collaboration with: Peninsula Clean Energy (PCE), Silicon Valley Clean Energy (SVCE), East Bay Community Energy (EBCE), Alameda County, Santa Clara County, and San Mateo County Office of Sustainability (OOS).

Question: Are fines part of this reach code agenda adoption? If any, how will be they be tracked and implemented? Does the city acquire records from PG&E on which households are using or

being billed for natural gas? Can the city acquire these records or are they personal information protected by privacy acts? If so, how do we plan to obtain the information to fine/penalize the violators? Who will be charged with auditing these violations and how much will that cost the city?

Answer: No. Fines are not included in the recommendation from the Environmental Commission with regards to Reach Code adoption.

Question: If the 50% of a remodel does not include a kitchen, will they be exempt from replacing their gas kitchen appliances since it is not part of the remodel? Will this remodel then require the house to be made to be 100% electric?

Answer: No, there is not an exemption in the recommended Reach Codes for a structure where a 50% remodel excludes the kitchen. In this scenario, the property would be required to go all electric.

Item 5: Commission Appointments: Consider Commission applications and make appointments as appropriate

Question: Why does page 2 of the staff report (pg 51 of the packet) indicate there is a Public Arts Commission partial term to fill? That was not part of the recruitment nor were we informed of a vacancy in Public Arts even during the Commission interviews on Aug 30. Please explain when we learned of this vacancy and how we can fairly fill a vacancy we didn't recruit for.

Answer:

The Public Arts Commission recruitment was advertised along with all other openings but received no interested applicants.

Minutes

Question: When will we see the minutes of the August 23 meeting?

Answer: The August 23, 2022 Minutes will be available at the September 20, 2022 Regular Meeting.