



CITY COUNCIL MEETING AGENDA

7:00 PM - Tuesday, November 28, 2023
via Videoconference and In Person

Agenda packet amended on 11/27/2023 to include an attachment to Item 7

PARTICIPATION: Members of the public may participate by being present at the Los Altos Council Chamber at Los Altos City Hall located at 1 N. San Antonio Rd, Los Altos, CA during the meeting. Public comment is accepted in person at the physical meeting location, or via email to PublicComment@losaltosca.gov.

RULES FOR CONDUCT: Pursuant to Los Altos Municipal Code, Section 2.05.010 "Interruptions and rules for conduct": Understanding that the purpose of the city council meetings is to conduct the people's business for the benefit of all the people, in the event that any meeting of the city council is willfully interrupted by a person or group of persons so as to render the orderly conduct of the meeting impossible, the mayor, mayor pro tem, or any other member of the city council acting as the chair may order the removal of the person or persons responsible for the disruption and bar them from further attendance at the council meeting, or otherwise proceed pursuant to Government Code Section 54957.0 or any applicable penal statute or city ordinance.

REMOTE MEETING OBSERVATION: Members of the public may view the meeting via the link below, but will not be permitted to provide public comment via Zoom or telephone. Public comment will be taken in-person, and members of the public may provide written public comment by following the instructions below.

<https://losaltosca.gov.zoom.us/j/82436623881?pwd=tIoUaO4jbLaTVP0vQH5wtIbkeE3ahV3.1>

Telephone: 1-669-444-9171 / Webinar ID: 824 3662 3881 / Passcode: 256709

SUBMIT WRITTEN COMMENTS: Prior to the meeting, comments on matters listed on the agenda may be emailed to PublicComment@losaltosca.gov. Emails sent to this email address are sent to/received immediately by the City Council. Emails sent directly to the City Council as a whole or individually, and not sent to PublicComment@losaltosca.gov will not be included as a public comment in the Council packet.

Please note: Personal information, such as e-mail addresses, telephone numbers, home addresses, and other contact information are not required to be included with your comments. If this information is included in your written comments, they will become part of the public record. Redactions and/or edits will not be made to public comments, and the comments will be posted as they are submitted. Please do not include any information in your communication that you do not want to be made public.

Correspondence submitted in hard copy/paper format must be received by 2:00 p.m. on the day of the meeting to ensure distribution prior to the meeting. Comments provided in hard copy/paper format after 2:00 p.m. will be distributed the following day and included with public comment in the Council packet.

The Mayor will open public comment and will announce the length of time provided for comments during each item.

AGENDA

CALL MEETING TO ORDER

ESTABLISH QUORUM

PLEDGE OF ALLEGIANCE

REPORT ON CLOSED SESSION

CHANGES TO THE ORDER OF THE AGENDA

SPECIAL ITEMS

New Los Altos Police Captain Introduction

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Members of the audience may bring to the Council's attention any item that is not on the agenda. The Mayor will announce the time speakers will be granted before comments begin. Please be advised that, by law, the City Council is unable to discuss or take action on issues presented during the Public Comment Period. According to State Law (also known as "The Brown Act") items must first be noted on the agenda before any discussion or action.

[11-28-2023](#) Written Public Comments

CONSENT CALENDAR

These items will be considered by one motion unless any member of the Council or audience wishes to remove an item for discussion. Any item removed from the Consent Calendar for discussion will be handled at the discretion of the Mayor.

- [1.](#) Quarterly Investment Portfolio Report – Quarter Ended September 30, 2023
- [2.](#) Authorize the City Manager to execute a Mills Act agreement with property owners of 41 Hawthorne Avenue. This project is categorically exempt from environmental review under Section 15331 ("Historical Resource Restoration/Rehabilitation") of the California Environmental Quality Act (CEQA)
- [3.](#) Consider authorizing Addendum No. 12 to the Regional Water Quality Control Plant Basic Agreement; and consider finding that the Council's action is exempt from review under CEQA pursuant to CEQA Guidelines Section 15301 and that none of the circumstances in CEQA Guidelines Section 15300.2 applies.
- [4.](#) Waive Second Reading and Adopt Zoning Ordinance Text Amendments which implement programs identified in the adopted housing element, Program 1.A: Rezone for RHNA Shortfall;

Program 1.B: Facilitate Higher Density Housing in the Commercial Thoroughfare (CT) District; Program 1.C: Allow Housing in the Office Administrative (OA) District; Program 1.E: Update the Loyola Corners Specific Plan; Program 1.F: Rezone Village Court Parcel; Program 1.G: Rezone Housing Sites from Previous Housing Elements; Program 3.I: Allow Residential Care Facilities Consistent with State law; Program 3.J: Explicitly Allow Manufactured Homes Consistent with State law

DISCUSSION ITEMS

- [5.](#) Introduce and waive further reading of an ordinance of the City Council of the City of Los Altos amending Chapter 11.08 Tree Protection Regulations
- [6.](#) Report Out on Shared Police Services Study With Los Altos Hills: Discuss the initial analysis and information in this staff report and provide direction as to whether the City Council would like to further study shared Police services with Los Altos Hills
- [7.](#) Authorization by City Council for the use of Civic Center Land for the Construction of Outdoor Library Patio and send to Planning Commission for Final Design Approval. The project is exempt from review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3)
- [8.](#) Approve the restated employment agreement for City Manager which includes a base salary of \$284,595

INFORMATIONAL ITEMS

There will be no discussion or action on Informational Items

- [9.](#) Tentative Council Calendar and Housing Element Update Calendar

COUNCIL/STAFF REPORTS AND DIRECTIONS ON FUTURE AGENDA ITEMS

ADJOURNMENT

Council Norms: It will be the custom to have a recess at approximately 9:00 p.m. Prior to the recess, the Mayor shall announce whether any items will be carried over to the next meeting. The established hour after which no new items will be started is 11:00 p.m. Remaining items, however, may be considered by consensus of the Council.

SPECIAL NOTICES TO THE PUBLIC

In compliance with the Americans with Disabilities Act, the City of Los Altos will make reasonable arrangements to ensure accessibility to this meeting. If you need special assistance to participate in this meeting, please contact the City Clerk 72 hours prior to the meeting at (650) 947-2610.

Agendas Staff Reports and some associated documents for City Council items may be viewed on the Internet at <http://www.losaltosca.gov/citycouncil/online/index.html>.

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, and that are distributed to a majority of the legislative body,

will be available for public inspection at the Office of the City Clerk's Office, City of Los Altos, located at One North San Antonio Road, Los Altos, California at the same time that the public records are distributed or made available to the legislative body.

If you wish to provide written materials, please provide the City Clerk with 10 copies of any document that you would like to submit to the City Council for the public record.

Melissa Thurman

From: Roberta Phillips <robertaphillips1@gmail.com>
Sent: Friday, November 24, 2023 2:41 PM
To: City Council; Public Comment
Subject: Council meeting Nov 28 Item # 7

Dear Council Members

I looked at the the Staff Report for Item #7

It is for the Library Patio

The report does not tell the community how large the Patio is. it does not say if any land that is currently part of the Historic Orchard will be used by the Library. Are you making the square footage smaller ?

I heard rumors that the plan is to shove the trees closer together.

The roots of Apricot trees grow out , not down. They need to have room to grow and have maintenance equipment get to the trees.

Has the Orchardist or the History Museum had a chance to review the plans? I have heard that the Library wants to use land that is now part of the Orchard to the tune of thousands of square feet.

The community has not been given a chance to see the plans and comment. We have to be present at the Council meeting to comment, which is difficult. I hope no decision will be made without community involvement.

Save the Orchard

Roberta Phillips

32 year resident of Los Altos

Melissa Thurman

From: Bill Hough <psa188@yahoo.com>
Sent: Monday, November 27, 2023 9:52 AM
To: Public Comment
Cc: City Council
Subject: public comment on item not on the November 28 agenda

The Hamas attacks against Israel were an atrocity. It is difficult for me to discuss terrorism without using inappropriate language. I was in New York on 9/11, so I have first-hand knowledge regarding how awful the indiscriminate killing of innocent non-combatants can be. I was close enough to the World Trade Center site to smell the unpleasant odor of burnt flesh mixed with jet fuel that was present after the atrocity.

That said, there is no reason beyond stupid virtue signaling for the Los Altos City Council to waste time and effort to state the obvious. It is not Council's place to opine on foreign events. regardless of how awful these events might be. There are enough issues in governing this town without wasting time on irreverent issues.

Council needs to stay in its lane and deal with City issues.

Bill Hough
Los Altos

Melissa Thurman

From: Pat Marriott <patmarriott@sbcglobal.net>
Sent: Monday, November 27, 2023 12:12 PM
To: Public Comment
Subject: PUBLIC COMMENT ITEM #7 PATIO NOVEMBER 28, 2023

Council Members:

I want to preface my comments about the patio by reflecting on the bigger picture: the civic center. Over the years, individual land use decisions have been made without a holistic plan. We have book storage sheds, a school garden, a dog park. All came about because of specific interest groups making a case for their needs.

Now we have another special interest group before you, which may or may not conflict with our historic orchard, important to yet another specific interest group. I understand all those groups wanting city support. I love dogs, I love libraries, and I love the orchard.

We have a limited supply of public land. That's why your vote tonight is so important and why you must ensure lots of public input before your "final action and approval of the project."

The staff report says, "The project before the City Council tonight reflects the direction provided on June 27, 2023" and recommends Council "send to Planning Commission for Final Design Approval."

What will you send?

There's nothing other than a vague description of location (north side of library) and features (umbrellas, fence, etc.). No square footage. No info on how many people can be accommodated. No sketches.

I thought all materials relevant to an agenda item were supposed to be included in the packet when the agenda is posted. However, the patio committee is holding back information until the last minute, just as it did at the June 27th council meeting.

Without a detailed plan to study prior to this November 28th council meeting, residents are left in the dark, unable to provide input. This is especially problematic since remote comments have been cut off.

I would think Council would also want to see the details before the meeting so you would have time to give thoughtful consideration to the proposal.

The patio task force presented an update at the most recent library commission meeting October 5. It reported: "The next meeting of the Advisory Committee (which will be virtual) is targeted for late October / early November, when the floor plan concept will be presented with character images. In late November there will be a Study Session with the Planning Commission and the City Council where a refined, illustrative plan will be presented along with a 3-D model."

The last two planning commission meetings were canceled, so I'm wondering why Council is getting the plan without any prior input. The city philosophy used to be that commission meetings were the

place to residents to provide comments. However, the staff report says, "Consideration by the Planning Commission after tonight shall reflect final action and approval of the project."

Once you give your "final" OK, what chance do residents – or commissioners have – to voice any opinions?

Without all relevant documents and without prior review by the planning commission, this item should not be on the agenda.

Thanks for listening,
Pat Marriott

Melissa Thurman

From: Robin Chapman <rchaps2@gmail.com>
Sent: Monday, November 27, 2023 2:28 PM
To: Public Comment
Subject: Los Altos Heritage Orchard

Monday November 27, 2023

Dear Madame Mayor, Los Altos City Manager, and Members of the Los Altos City Council:

I understand you are making a decision Tuesday, November 28, 2023, on a proposed patio for the Los Altos Library that would encroach upon the Los Altos Heritage Orchard, officially designated a City Historic Landmark by the Los Altos City Council in 1981. This cannot be done under the California Environmental Quality Act without public hearings and public reviews by the designated commissions in the City of Los Altos. State law says local citizens must be consulted if designated landmarks are removed, changed, or damaged in any way. Doing this could risk the status Los Altos has as a Certified Local Government under CEQA and this could mean the city would lose control of its ability to approve its own Environment Impact Reports. That would be a great loss for the city.

There are several other points worth mentioning:

- 1) The care of Los Altos Heritage Orchard has been so negligent in recent years that many of the apricot trees in it have died. As a consequence, the city has set aside money in its budget to enable the orchard to be restored, with the Los Altos History Museum designated as the agency to do the restoration. Are you seeking approval of a library patio into land where an irrigation system is about to be added and new trees are just about to go in? Restoration on one hand and construction into the Orchard on the other? This makes no sense at all.
- 2) The Heritage Orchard had no landmark sign nor interpretive sign for nearly 40 years. After a great deal of work by local citizens, both a landmark sign and an interpretive sign, designed by the Los Altos History Museum and paid for by the city, were finally installed in July 2019. I understand this proposed patio would require the destruction of the interpretive sign. Removing it after only four years isn't just a waste of money, it makes the Orchard's context a mystery for residents who don't already know its history.
- 3) The Los Altos Heritage Orchard sits on city land. The Los Altos Library is a county library. Does the city have no public hearing process that would allow residents to comment when the city seeks to give away a piece of a City Historic Landmark for use by a county agency?

My parents moved to Los Altos in 1950 and I was raised in Los Altos where my parents lived for more than six decades. I returned to Los Altos after many years as a journalist to care for my parents in their final illnesses. The beauty of Los Altos has inspired me to write three books about our region in the years since my return, and though I have recently moved to the nearby coast I continue to cherish the fact that I'll always be a Los Altos native. One of the unique landmarks of Los Altos is its Heritage Orchard. Architect Frank Lloyd Wright helped early city leaders choose this spot in the orchard for its Civic Center. A previous council gave it landmark status. Residents love it. I hope you will continue to protect and conserve it for generations to come.

Very truly yours,

Ms. Robin Chapman

Melissa Thurman

From: Mary Cunneen Lion <mclion@aol.com>
Sent: Tuesday, November 28, 2023 12:56 PM
To: Public Comment
Cc: Paul 'Chip' L. III Lion
Subject: Library Patio proposal and encroachment on City landmark and Historic Orchard

Our names our Mary and Chip Lion, and have been city residents in Los Altos for over 60 years. We are writing to you today to ask that you do not approve the proposed project plan for the Library Patio Project, Agenda Item #17 that encroaches and alters the City's Landmark Heritage Orchard, and additionally directly stops and interferes with the City's approved and funded Restoration Project and historic, protected city treasure that is finally getting the attention that it deserves.

As volunteers in the Orchard for the last four months in the Restoration Project, we work in the orchard digging ditches, watering trees, collecting soil samples, analyzing health status of trees, every Tuesday Friday Saturday and Sunday. We have been so excited about the city's approval to restore the Los Altos landmark HERITAGE APRICOT ORCHARD. We also have talked to many people who stop us in our neon yellow vests to ask about our work and are so excited about this restoration to replant, irrigate and save these precious trees.

Some of the comments include: "This reminds me of my childhood". "Never let any more trees die." "Thank you." "We love this historic orchard." "Plant more trees." "How can I help?" The public excitement is overwhelming.

Our work in setting irrigation, soil prep and tree site preparation will be rewarded by the 300 apricot trees planned to be delivered in January, that maps to the City's Landmark Resolution, Historic Preservation Ordinance and associated parcel map.

We were surprised over the weekend to find out that the 2nd iteration of the Library Patio Proposed project was sited and located in the City Landmark Heritage that is ready to be planted and restored.

While we acknowledge the library, it cannot be at the cost of our protected landmark City Heritage Orchard.

This proposed plan is an encroachment on a protected City Historic Landmark. Plain and simple. It goes against City's agreement, resolution and ordinances which call for it's continued stewardship and protection by the City. As stewards of the City's historic and environmental assets and public lands, it is your job to properly protect these lands against runaway plans or landmark and historic land encroachment protected by City Ordinance and Resolutions, and the associated agreements for historical and environmental preservation under County and State provisions. Vote no on this location.

Chip Lion
Mary Cunneen Lion

Melissa Thurman

From: karenjsolheim@gmail.com
Sent: Tuesday, November 28, 2023 12:52 PM
To: Public Comment
Subject: PUBLIC COMMENT - NOT ON THE AGENDA

My name is Karen Solheim. I am a long-time resident of Los Altos.

I participated in the dog park public forum in October. I also plan to attend the second session on December 6. I would like to share some of my observations from the October session.

First, I heard a city employee say that there is plenty of parking next to the library. When I asked what parking he was talking about, he pointed to a small lot which is always full during library hours. The planners of the dog park seem to not realize that the parking lots at Hillview are shared by the visitors to the library, the history museum, the theater, the community center, the soccer field, the baseball diamond, as well as those who cannot find parking in downtown Los Altos for special events. Dog owners seeking to use the dog park are likely to be disappointed that there is no place to park.

Second, someone from the parks commission remarked that people always complain about losing parking spaces, but they get used to it. Who will tell the elderly citizens and young parents with their small children that they will have to get used to walking long distances to the library, sometimes in the rain? Visiting the library is one of the few free indoor activities available to the elderly and those with small children.

Third, I heard someone from the parks commission say that if we are going to have a dog park, let's have a world-class dog park. I can understand this enthusiasm, especially with a million dollar budget, but I hope it can be accomplished while balancing the needs of dog owners and other Los Altos residents.

Fourth, the parking lot is shaded by several very old majestic oak trees. Some of the dog owners at the design session said that the debris from the oak trees will hurt the dogs' feet. They suggested removing or greatly trimming back the trees. Please do not remove more protected oak trees.

Finally, many people at the design session offered suggestions that will allow keeping the parking lot and the oak trees while keeping the dog park at Hillview. They include: 1) reducing the size of the dog park, 2) splitting the dog park into one for small dogs and a separate one for large dogs while renovating the temporary dog park for the small dogs, and 3) taking a small part of the soccer field equal to the parking lot area for the dog park.

I recognize that the city has tried for years to find an acceptable location for a much-needed dog park. However, I hope that this frustration will not cause a default to a plan acceptable to the least number of people. As you know, over 400 people signed a petition asking to keep the parking lot across from the library.

I am looking forward to the December 6 dog park forum at 6:30pm at the Community Center. I hope a beautiful and usable dog park with ample parking will be the result.

Melissa Thurman

From: Catherine Nunes <nunescath@gmail.com>
Sent: Tuesday, November 28, 2023 4:30 PM
To: Public Comment
Cc: City Council
Subject: Agenda Item #7 Use of Landmark Heritage Orchard Land for Library Patio Project

Dear City of Los Altos and City Council,

My name is Catherine Nunes. I have been a resident of Los Altos for over 30 years. I have been active in the community on city and public issues impacting environmental, natural and historic resources, the treasured places, spaces and trees that Los Altans love; and most especially the resources and landmarks the City has deemed important to preserve and protect.

Today, I am writing/speaking regarding the Library Patio Project and the requested "Authorization by City Council for the use of Civic Center Land for construction of a proposed outdoor library patio." I am requesting that you vote NO on this proposed move into the Los Altos Heritage Orchard, a City Historic Landmark. The "Civic Center" space was not properly identified as such in the paperwork on this project.

The Los Altos Heritage Orchard has been preserved repeatedly by the City of Los Altos since the deaths of Gilbert and Margaret of Smith. In 1978, after their deaths the preservation of this orchard was awarded the esteemed Historic Preservation Award from Santa Clara County. In 1981, the Los Altos Heritage Orchard was named a City Historic Landmark under the California Environmental Quality Act (CEQA), which identifies the history in our landscapes as being a key part of the environment worthy of protection. The 1981 council vote of landmark resolution 91-31 was filed with an Exhibit A map of the designated historic landmark space. With that vote the Orchard was registered with the State of California and protected by State law under CEQA.

First, our Heritage Orchard was beloved land, chosen. Then it was protected again and again by the City of Los Altos with resolution and ordinance in successive years. It is now protected by state law under CEQA, registered as a City Historic Landmark and subject to the provisions of your required stewardship as a Certified Local Government.

Because of all this protection, you are required to follow Local, County and State rules and procedures if you want to change even a part of this beloved space.

You should vote NO on this measure and I believe you will reject the proposed plans to alter this beloved space because if you vote in favor, you would be the first city council to give this precious land away. Once gone, it will never come back.

You have just recently authorized funds to restore the Los Altos Heritage Orchard. Why would you chop it up when the trees and sprinkler systems are now on order? Or claim it had no trees on the proposed area because they were removed for replanting?

People in Los Altos love this beautiful space. Please don't build on it. It is a protected, treasured Orchard and needs you to honor its historic land designations and environmental stewardship, and care.

I urge you to: Vote No.

Catherine Nunes
Los Altos Resident

November 27, 2023

Dear Mayor Meadows and Members of the Los Altos City Council,

As the Mayor's term comes to an end, we'd like to congratulate and thank her for a year of strong and effective leadership that led to many accomplishments.

We're especially proud that the 6th cycle housing element, which was approved by the Council early in 2023, has been certified by the Department of Housing and Community Development (HCD) for the state of California. While it hasn't been easy, we also applaud the Council's efforts to rezone parts of the city while, so far, leaving R-1 zoning untouched.

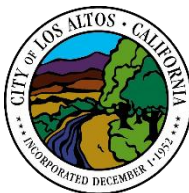
It also appears that with the strong leadership of City Manager Gabe Engeland, who the Council unanimously agreed to hire in 2021, both staffing shortages and financial management are being addressed appropriately.

In addition, the Council adopted revised norms and procedures for itself, set aside a parking plaza while the Los Altos Stage Company studies the feasibility of a downtown theater, and adopted a new annual budget and budgeting process, among other actions.

Many thanks to each of you for all you do for the residents of Los Altos.

Warm regards,

Los Altos Community Voices Steering Committee
Robin Abrams, Kim Cranston, Cathy Lazarus, Bill Sheppard, Marie Young



AGENDA REPORT SUMMARY

Meeting Date: November 28, 2023

Subject Quarterly Investment Portfolio Report – Quarter Ended September 30, 2023

Prepared by: Minh Nguyen, Senior Accountant

Reviewed by: June Du, Finance Director

Approved by: Gabriel Engeland, City Manager

Attachment(s):

1. Portfolio Mix Charts
2. Investment Policy Compliance Chart
3. LAIF Balance 09-30-23
4. LAIF Performance Over Time
5. CAMP Balance 09-30-23
6. PFM Investment Report Quarter Ended September 30, 2023

Initiated by:
Staff.

Fiscal Impact:
None

Environmental Review:
Not applicable

Policy Question(s) for Council Consideration:

- None

Summary:

- This report presents the status of the City’s investment portfolio through September 30, 2023. The reporting model has been developed in coordination with PFM Asset Management LLC (PFM), the City’s investment portfolio managers.

Staff Recommendation:

Receive the Investment Portfolio Report through September 30, 2023.

City Manager
GE

Reviewed By:
City Attorney
JH

Finance Director
JD



Subject: Quarterly Investment Portfolio Report – Quarter Ended September 30, 2023

Purpose

These quarterly reports are presented to both the City Council and the Financial Commission to keep both bodies apprised as to the status of the City’s investment holding and demonstrate compliance with the City’s Investment Policy.

Background

A review of the Investment Portfolio Report Quarter Ended September 30, 2023 was presented and discussed by the Financial Commission on November 20, 2023. The Financial Commission reviewed the Quarterly Investment Portfolio Report ending September 30, 2023, and had a brief discussion.

Discussion/Analysis

The summary provided below presents the sum of all City investment holdings. The City’s portfolio par value and market value, including LAIF and CAMP but excluding operating cash, as of September 30, 2023, was \$67,482,285 and \$65,935,360 respectively. The City’s operating cash, as of September 30, 2023, was \$3,412,122.

As of September 30, 2023, 19.3% of the City’s portfolio was placed in medium-term Corporate Notes, 14.5% in Asset-Backed Securities, 0.8% in Supra-National Agency Bond, 3.4% in Federal Agency Securities (Fannie Mae, Federal Home Loan Bank, Federal Home Loan Mortgage, and Federal Farm Credit), 3.3% in Certificate of Deposits, and 33.4% in US Treasuries, with the balance of 10.3% in LAIF and 15.1% in CAMP respectively. This portfolio mix is illustrated as part of Attachment 1 with LAIF balance and performance as Attachments 3 and 4 and CAMP balance as Attachment 5.

Full compliance with the City’s Investment Policy is monitored closely and on a per-trade basis as illustrated in Attachment 2. In accordance with California Government Code 53646(b)(3), the City of Los Altos has the ability to meet its pool expenditure requirements for the next six months.

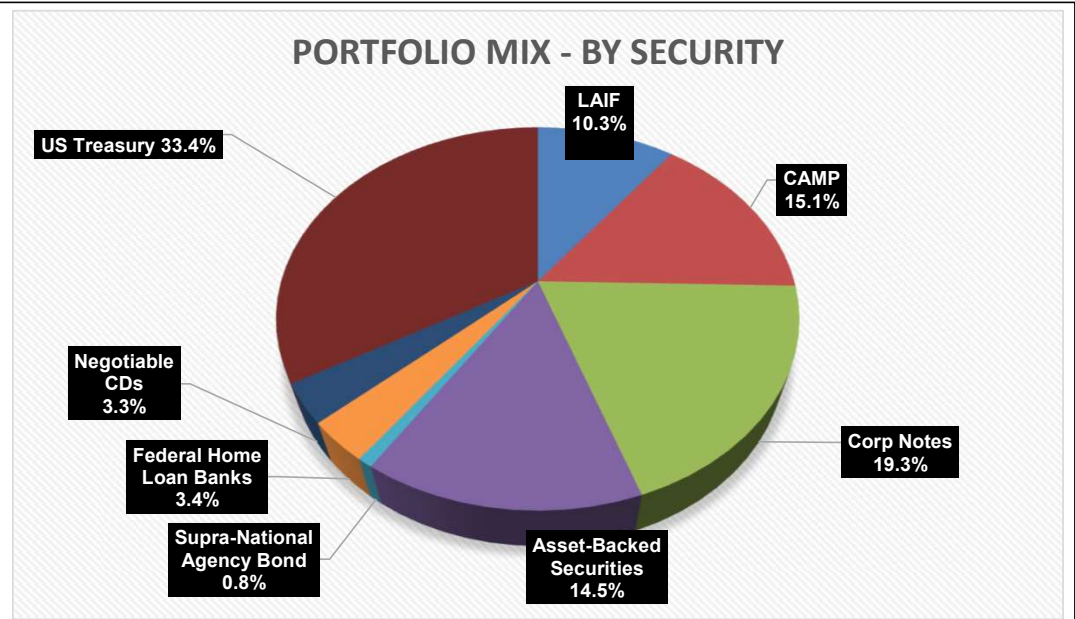
As part of these quarterly updates, a status report is prepared by PFM which is included as Attachment 6: Investment Performance Review for the Quarter Ended September 30, 2023. It is important to note that this report highlights the performance of City investments that fall outside its liquid holdings with LAIF and CAMP. This has been intentionally crafted to isolate the performance of the City’s independently managed investments. The return of the portfolio over ten years is 1.07%, which is highlighted on page 16 of the PFM Investment Performance Review Report (Attachment 6).

Recommendation

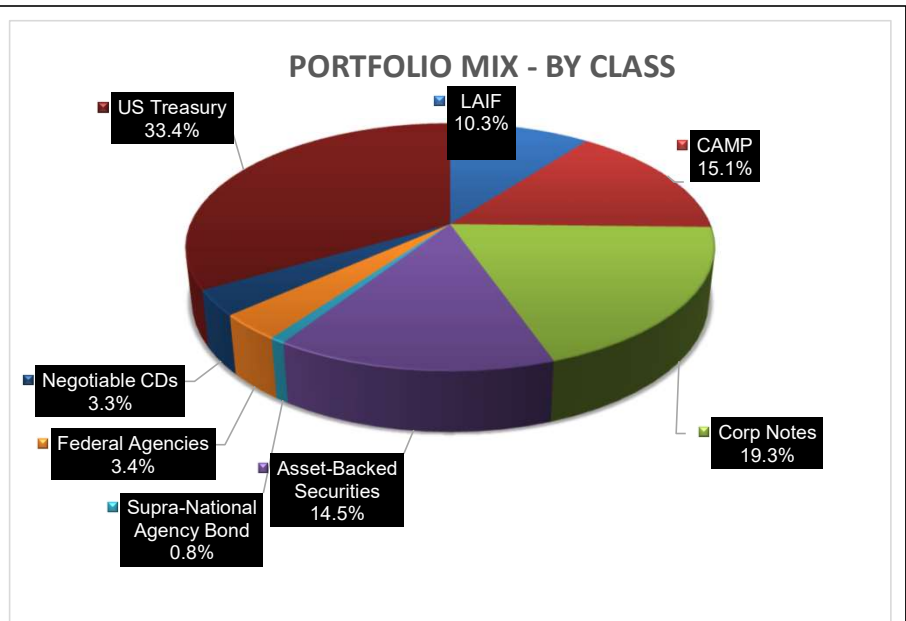
Receive the Investment Portfolio Report Quarter Ended September 30, 2023

**Attachment 1
Portfolio Mix Charts
September 2023**

Security Type	% of Total	Portfolio Mix By Security
LAIF	10.3%	6,919,966
CAMP	15.1%	10,165,098
Corp Notes	19.3%	13,001,000
Asset-Backed Securities	14.5%	9,785,070
Supra-National Agency Bond	0.8%	535,000
Federal Home Loan Banks	3.4%	2,321,151
Negotiable CDs	3.3%	2,225,000
US Treasury	33.4%	22,530,000
* Totals	100%	67,482,285



Security Type	% of Total	Portfolio Mix Par Value	Market Value
LAIF	10.3%	6,919,966	6,919,966
CAMP	15.1%	10,165,098	10,165,098
Corp Notes	19.3%	13,001,000	12,591,625
Asset-Backed Securities	14.5%	9,785,070	9,561,933
Supra-National Agency Bond	0.8%	535,000	509,191
Federal Agencies	3.4%	2,321,151	2,186,410
Negotiable CDs	3.3%	2,225,000	2,209,670
US Treasury	33.4%	22,530,000	21,791,468
	100%	67,482,285	65,935,360
Corp Notes		13,001,000	12,591,625
Asset-Backed Securities		9,785,070	9,561,933
Supra-National Agency Bond		535,000	509,191
US Treasury/Agencies		24,851,151	23,977,877
Negotiable CDs		2,225,000	2,209,670
Accrued Interest		-	344,147
		50,397,220.32	49,194,443
Margin Over (Under) Par			(1,202,778)



Attachment 2
Investment Policy Compliance Chart
September 2023

Agenda Item # 1.

City Investment	% Mix	Par Value	Earliest Term	City Policy Term Limitation	City Policy \$ Limitation	City Policy % Limitation	CAPACITY	% Compliance Yes/No	Term Compliance Yes/No
LAIF	10.3%	6,919,966	07/01/22	No Term	75,000,000	100%	68,080,034	Yes	N/A
CAMP	15.1%	10,165,098	n/a	Overnight		100%	57,317,187	Yes	N/A
Corp Notes	19.3%	13,001,000	06/08/23	5 Years		30%	7,243,686	Yes	Yes
Asset-Backed Securities	14.5%	9,785,070	08/21/23	5 Years		20%	3,711,387	Yes	Yes
Supra-National Agency Bond	0.8%	535,000	05/24/23	5 Years		20%	12,961,457	Yes	Yes
Federal Agencies	3.4%	2,321,151	07/01/22	5 Years		100%	65,161,134	Yes	Yes
Negotiable CDs	3.3%	2,225,000	12/02/22	5 Years		30%	18,019,686	Yes	Yes
US Treasury	33.4%	22,530,000	09/30/23	5 Years		100%	44,952,285	Yes	Yes
	<u>100%</u>	<u>67,482,285</u>							

California State Treasurer *Fiona Ma, CPA*



Local Agency Investment Fund
P.O. Box 942809
Sacramento, CA 94209-0001
(916) 653-3001

November 06, 2023

[LAIF Home](#)
[PMIA Average Monthly Yields](#)

CITY OF LOS ALTOS

CITY TREASURER
ONE NORTH SAN ANTONIO ROAD
LOS ALTOS, CA 94022

[Tran Type Definitions](#)

Account Number: 98-43-481

September 2023 Statement

Effective Date	Transaction Date	Tran Type	Confirm Number	Web Confirm Number	Authorized Caller	Amount
9/19/2023	9/18/2023	RW	1738672	1699065	YUJUN DU	-1,500,000.00

Account Summary

Total Deposit:	0.00	Beginning Balance:	8,419,966.40
Total Withdrawal:	-1,500,000.00	Ending Balance:	6,919,966.40

Attachment 4 - LAIF Performance Over Time



POOLED MONEY INVESTMENT ACCOUNT

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
1977	5.770	5.660	5.660	5.650	5.760	5.850	5.930	6.050	6.090	6.090	6.610	6.730
1978	6.920	7.050	7.140	7.270	7.386	7.569	7.652	7.821	7.871	8.110	8.286	8.769
1979	8.777	8.904	8.820	9.082	9.046	9.224	9.202	9.528	9.259	9.814	10.223	10.218
1980	10.980	11.251	11.490	11.480	12.017	11.798	10.206	9.870	9.945	10.056	10.426	10.961
1981	10.987	11.686	11.130	11.475	12.179	11.442	12.346	12.844	12.059	12.397	11.887	11.484
1982	11.683	12.044	11.835	11.773	12.270	11.994	12.235	11.909	11.151	11.111	10.704	10.401
1983	10.251	9.887	9.688	9.868	9.527	9.600	9.879	10.076	10.202	10.182	10.164	10.227
1984	10.312	10.280	10.382	10.594	10.843	11.119	11.355	11.557	11.597	11.681	11.474	11.024
1985	10.579	10.289	10.118	10.025	10.180	9.743	9.656	9.417	9.572	9.482	9.488	9.371
1986	9.252	9.090	8.958	8.621	8.369	8.225	8.141	7.844	7.512	7.586	7.432	7.439
1987	7.365	7.157	7.205	7.044	7.294	7.289	7.464	7.562	7.712	7.825	8.121	8.071
1988	8.078	8.050	7.945	7.940	7.815	7.929	8.089	8.245	8.341	8.397	8.467	8.563
1989	8.698	8.770	8.870	8.992	9.227	9.204	9.056	8.833	8.801	8.771	8.685	8.645
1990	8.571	8.538	8.506	8.497	8.531	8.538	8.517	8.382	8.333	8.321	8.269	8.279
1991	8.164	8.002	7.775	7.666	7.374	7.169	7.098	7.072	6.859	6.719	6.591	6.318
1992	6.122	5.863	5.680	5.692	5.379	5.323	5.235	4.958	4.760	4.730	4.659	4.647
1993	4.678	4.649	4.624	4.605	4.427	4.554	4.438	4.472	4.430	4.380	4.365	4.384
1994	4.359	4.176	4.248	4.333	4.434	4.623	4.823	4.989	5.106	5.243	5.380	5.528
1995	5.612	5.779	5.934	5.960	6.008	5.997	5.972	5.910	5.832	5.784	5.805	5.748
1996	5.698	5.643	5.557	5.538	5.502	5.548	5.587	5.566	5.601	5.601	5.599	5.574
1997	5.583	5.575	5.580	5.612	5.634	5.667	5.679	5.690	5.707	5.705	5.715	5.744
1998	5.742	5.720	5.680	5.672	5.673	5.671	5.652	5.652	5.639	5.557	5.492	5.374
1999	5.265	5.210	5.136	5.119	5.086	5.095	5.178	5.225	5.274	5.391	5.484	5.639
2000	5.760	5.824	5.851	6.014	6.190	6.349	6.443	6.505	6.502	6.517	6.538	6.535
2001	6.372	6.169	5.976	5.760	5.328	4.958	4.635	4.502	4.288	3.785	3.526	3.261
2002	3.068	2.967	2.861	2.845	2.740	2.687	2.714	2.594	2.604	2.487	2.301	2.201
2003	2.103	1.945	1.904	1.858	1.769	1.697	1.653	1.632	1.635	1.596	1.572	1.545
2004	1.528	1.440	1.474	1.445	1.426	1.469	1.604	1.672	1.771	1.890	2.003	2.134
2005	2.264	2.368	2.542	2.724	2.856	2.967	3.083	3.179	3.324	3.458	3.636	3.808
2006	3.955	4.043	4.142	4.305	4.563	4.700	4.849	4.946	5.023	5.098	5.125	5.129
2007	5.156	5.181	5.214	5.222	5.248	5.250	5.255	5.253	5.231	5.137	4.962	4.801
2008	4.620	4.161	3.777	3.400	3.072	2.894	2.787	2.779	2.774	2.709	2.568	2.353
2009	2.046	1.869	1.822	1.607	1.530	1.377	1.035	0.925	0.750	0.646	0.611	0.569
2010	0.558	0.577	0.547	0.588	0.560	0.528	0.531	0.513	0.500	0.480	0.454	0.462
2011	0.538	0.512	0.500	0.588	0.413	0.448	0.381	0.408	0.378	0.385	0.401	0.382
2012	0.385	0.389	0.383	0.367	0.363	0.358	0.363	0.377	0.348	0.340	0.324	0.326
2013	0.300	0.286	0.285	0.264	0.245	0.244	0.267	0.271	0.257	0.266	0.263	0.264
2014	0.244	0.236	0.236	0.233	0.228	0.228	0.244	0.260	0.246	0.261	0.261	0.267
2015	0.262	0.266	0.278	0.283	0.290	0.299	0.320	0.330	0.337	0.357	0.374	0.400
2016	0.446	0.467	0.506	0.525	0.552	0.576	0.588	0.614	0.634	0.654	0.678	0.719
2017	0.751	0.777	0.821	0.884	0.925	0.978	1.051	1.084	1.111	1.143	1.172	1.239
2018	1.350	1.412	1.524	1.661	1.755	1.854	1.944	1.998	2.063	2.144	2.208	2.291
2019	2.355	2.392	2.436	2.445	2.449	2.428	2.379	2.341	2.280	2.190	2.103	2.043
2020	1.967	1.912	1.787	1.648	1.363	1.217	0.920	0.784	0.685	0.620	0.576	0.540
2021	0.458	0.407	0.357	0.339	0.315	0.262	0.221	0.221	0.206	0.203	0.203	0.212
2022	0.234	0.278	0.365	0.523	0.684	0.861	1.090	1.276	1.513	1.772	2.007	2.173
2023	2.425	2.624	2.831	2.870	2.993	3.167	3.305	3.434	3.534			



Customer Service
PO Box 11813
Harrisburg, PA 17108-1813

ACCOUNT STATEMENT

For the Month Ending

September 30, 2023

City of Los Altos

Client Management Team

Jeremy King

Key Account Manager
213 Market Street
Harrisburg, PA 17101-2141
1-800-729-7665
kingj@pfmam.com

Rachael Miller

Client Consultant
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1-800-729-7665
millerr@pfmam.com

Contents

- Cover/Disclosures
- Summary Statement
- Individual Accounts

Accounts included in Statement

6170-001	City of Los Altos CAMP
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Important Messages

CAMP will be closed on 10/09/2023 for Columbus Day.

CITY OF LOS ALTOS
VIVIAN CHU
1 N SAN ANTONIO RD
LOS ALTOS, CA 94022

Online Access www.camponline.com

Customer Service 1-800-729-7665



Account Statement

For the Month Ending September 30, 2023

Important Disclosures

Important Disclosures

This statement is for general information purposes only and is not intended to provide specific advice or recommendations. PFM Asset Management LLC ("PFMAM") is an investment adviser registered with the U.S. Securities and Exchange Commission and a subsidiary of U.S. Bancorp Asset Management, Inc. ("USBAM"). USBAM is a subsidiary of U.S. Bank National Association ("U.S. Bank"). U.S. Bank is a separate entity and subsidiary of U.S. Bancorp. U.S. Bank is not responsible for and does not guarantee the products, services or performance of PFMAM. PFMAM maintains a written disclosure statement of our background and business experience. If you would like to receive a copy of our current disclosure statement, please contact Service Operations at the address below.

Proxy Voting PFMAM does not normally receive proxies to vote on behalf of its clients. However, it does on occasion receive consent requests. In the event a consent request is received the portfolio manager contacts the client and then proceeds according to their instructions. PFMAM's Proxy Voting Policy is available upon request by contacting Service Operations at the address below.

Questions About an Account PFMAM's monthly statement is intended to detail our investment advisory activity as well as the activity of any accounts held by clients in pools that are managed by PFMAM. The custodian bank maintains the control of assets and executes (i.e., settles) all investment transactions. The custodian statement is the official record of security and cash holdings and transactions. PFMAM recognizes that clients may use these reports to facilitate record keeping and that the custodian bank statement and the PFMAM statement should be reconciled and differences resolved. Many custodians use a settlement date basis which may result in the need to reconcile due to a timing difference.

Account Control PFMAM does not have the authority to withdraw funds from or deposit funds to the custodian outside the scope of services provided by PFMAM. Our clients retain responsibility for their internal accounting policies; implementing and enforcing internal controls and generating ledger entries or otherwise recording transactions.

Market Value Generally, PFMAM's market prices are derived from closing bid prices as of the last business day of the month as supplied by Refinitiv or Bloomberg. For certain short-term investments or where prices are not available from generally recognized sources the securities are priced using a yield-based matrix system to arrive at an estimated market value. Prices that fall between data points are interpolated. Non-negotiable FDIC-insured bank certificates of deposit are priced at par. Although PFMAM believes the prices to be reliable, the values of the securities may not represent the prices at which the securities could have been bought or sold. Explanation of the valuation methods for a registered investment company or local government investment program is contained in the appropriate fund offering documentation or information statement.

Amortized Cost The original cost of the principal of the security is adjusted for the amount of the periodic reduction of any discount or premium from the purchase date until the date of the report. Discount or premium with respect to short term securities (those with less than one year to maturity at time of issuance) is amortized on a straightline basis. Such discount or premium with respect to longer term securities is amortized using the constant yield basis.

Tax Reporting Cost data and realized gains / losses are provided for informational purposes only. Please review for accuracy and consult your tax advisor to determine the tax consequences of your security transactions. PFMAM does not report such information to the IRS or other taxing authorities and is not responsible for the accuracy of such information that may be required to be reported to federal, state or other taxing authorities.

Financial Situation In order to better serve you, PFMAM should be promptly notified of any material change in your investment objective or financial situation.

Callable Securities Securities subject to redemption prior to maturity may be redeemed in whole or in part before maturity, which could affect the yield represented.

Portfolio The securities in this portfolio, including shares of mutual funds, are not guaranteed or otherwise protected by PFMAM, the FDIC (except for certain non-negotiable certificates of deposit) or any government agency. Investment in securities involves risks, including the possible loss of the amount invested. Actual settlement values, accrued interest, and amortized cost amounts may vary for securities subject to an adjustable interest rate or subject to principal paydowns. Any changes to the values shown may be reflected within the next monthly statement's beginning values.

Rating Information provided for ratings is based upon a good faith inquiry of selected sources, but its accuracy and completeness cannot be guaranteed.

Shares of some local government investment programs and TERM funds are marketed through representatives of PFMAM's affiliate, PFM Fund Distributors, Inc. which is registered with the SEC as a broker/dealer and is a member of the Financial Industry Regulatory Authority ("FINRA") and the Municipal Securities Rulemaking Board ("MSRB"). You may reach the FINRA by calling the FINRA Hotline at 1-800-289-9999 or at the FINRA website address <https://www.finra.org/investors/investor-contacts>. A brochure describing the FINRA Regulation Public Disclosure Program is also available from FINRA upon request.

Key Terms and Definitions

Dividends on local government investment program funds consist of interest earned, plus any discount ratably amortized to the date of maturity, plus all realized gains and losses on the sale of securities prior to maturity, less ratably amortization of any premium and all accrued expenses to the fund. Dividends are accrued daily and may be paid either monthly or quarterly. The monthly earnings on this statement represent the estimated dividend accrued for the month for any program that distributes earnings on a quarterly basis. There is no guarantee that the estimated amount will be paid on the actual distribution date.

Current Yield is the net change, exclusive of capital changes and income other than investment income, in the value of a hypothetical fund account with a balance of one share over the seven-day base period including the statement date, expressed as a percentage of the value of one share (normally \$1.00 per share) at the beginning of the seven-day period. This resulting net change in account value is then annualized by multiplying it by

365 and dividing the result by 7. The yields quoted should not be considered a representation of the yield of the fund in the future, since the yield is not fixed. **Average maturity** represents the average maturity of all securities and investments of a portfolio, determined by multiplying the par or principal value of each security or investment by its maturity (days or years), summing the products, and dividing the sum by the total principal value of the portfolio. The stated maturity date of mortgage backed or callable securities are used in this statement. However the actual maturity of these securities could vary depending on the level or prepayments on the underlying mortgages or whether a callable security has or is still able to be called.

Monthly distribution yield represents the net change in the value of one share (normally \$1.00 per share) resulting from all dividends declared during the month by a fund expressed as a percentage of the value of one share at the beginning of the month. This resulting net change is then annualized by multiplying it by 365 and dividing it by the number of calendar days in the month.

YTM at Cost The yield to maturity at cost is the expected rate of return, based on the original cost, the annual interest receipts, maturity value and the time period from purchase date to maturity, stated as a percentage, on an annualized basis.

YTM at Market The yield to maturity at market is the rate of return, based on the current market value, the annual interest receipts, maturity value and the time period remaining until maturity, stated as a percentage, on an annualized basis.

Managed Account A portfolio of investments managed discretely by PFMAM according to the client's specific investment policy and requirements. The investments are directly owned by the client and held by the client's custodian.

Unsettled Trade A trade which has been executed however the final consummation of the security transaction and payment has not yet taken place.

Please review the detail pages of this statement carefully. If you think your statement is wrong, missing account information, or if you need more information about a transaction, please contact PFMAM within 60 days of receipt. If you have other concerns or questions regarding your account, or to request an updated copy of PFMAM's current disclosure statement, please contact a member of your client management team at PFMAM Service Operations at the address below.

PFM Asset Management LLC
Attn: Service Operations
213 Market Street
Harrisburg, PA 17101

NOT FDIC INSURED NO BANK GUARANTEE MAY LOSE VALUE



Account Statement - Transaction Summary

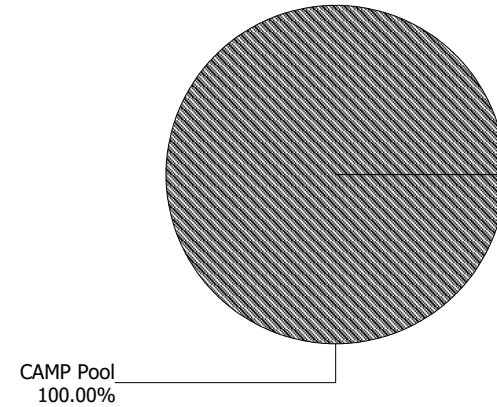
For the Month Ending **September 30, 2023**

City of Los Altos - City of Los Altos CAMP - 6170-001

CAMP Pool	
Opening Market Value	10,118,955.57
Purchases	46,142.72
Redemptions	0.00
Unsettled Trades	0.00
Change in Value	0.00
Closing Market Value	\$10,165,098.29
Cash Dividends and Income	46,142.72

Asset Summary		
	September 30, 2023	August 31, 2023
CAMP Pool	10,165,098.29	10,118,955.57
Total	\$10,165,098.29	\$10,118,955.57

Asset Allocation	
CAMP Pool	100.00%





Account Statement

For the Month Ending **September 30, 2023**

City of Los Altos - City of Los Altos CAMP - 6170-001

Trade Date	Settlement Date	Transaction Description	Share or Unit Price	Dollar Amount of Transaction	Total Shares Owned
CAMP Pool					
Opening Balance					10,118,955.57
09/29/23	10/02/23	Accrual Income Div Reinvestment - Distributions	1.00	46,142.72	10,165,098.29
Closing Balance					10,165,098.29

	Month of September	Fiscal YTD July-September		
Opening Balance	10,118,955.57	10,026,486.99	Closing Balance	10,165,098.29
Purchases	46,142.72	138,611.30	Average Monthly Balance	10,122,031.75
Redemptions (Excl. Checks)	0.00	0.00	Monthly Distribution Yield	5.55%
Check Disbursements	0.00	0.00		
Closing Balance	10,165,098.29	10,165,098.29		
Cash Dividends and Income	46,142.72	138,611.30		



CITY OF LOS ALTOS

Investment Performance Review For the Quarter Ended September 30, 2023

Client Management Team

Monique Spyke, Managing Director
Allison Kaune, Senior Analyst

PFM Asset Management LLC

1 California Street Ste. 1000
San Francisco, CA 94111-5411
415-393-7270

213 Market Street
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717-232-2723

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Market Update

Current Market Themes



- ▶ The U.S. economy is characterized by:
 - ▶ Stronger than expected growth, supported by a resilient consumer
 - ▶ Inflation that remains stubbornly above the Federal Reserve's ("Fed") target range
 - ▶ Continued creation of new jobs by the labor market, albeit at a moderating pace



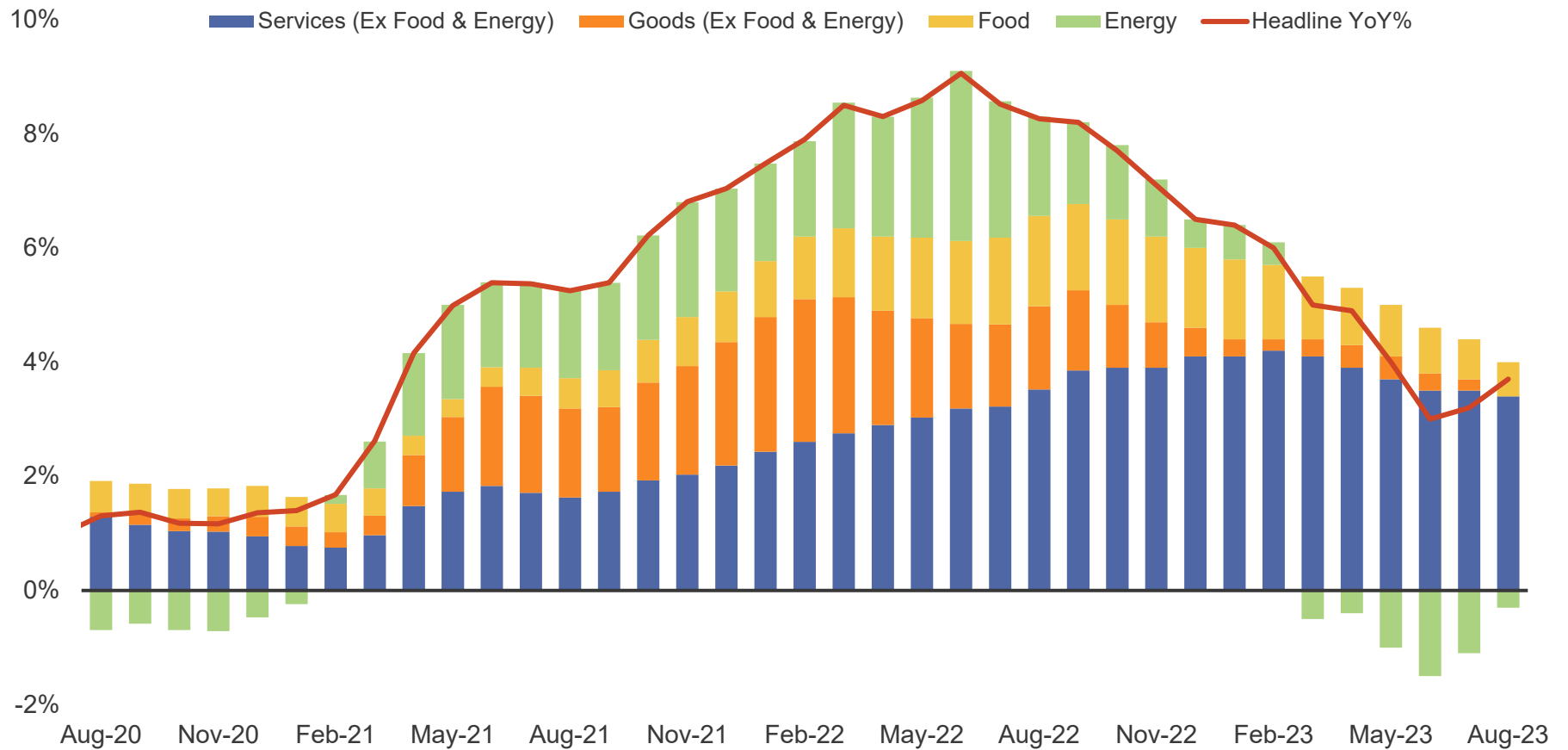
- ▶ Fed pauses again in rate hike campaign
 - ▶ After hiking in July, the Federal Reserve held rates steady at the September FOMC meeting as expected
 - ▶ The Fed's most recent "dot plot" indicated one more rate hike for 2023 and set the stage for interest rates to remain "higher-for-longer"
 - ▶ Updated FOMC economic projections point to stronger GDP growth expectations, higher inflation, and slightly lower unemployment for the remainder of 2023 and into 2024



- ▶ Interest rates reached their highest levels since 2006-7
 - ▶ The U.S. government rating downgrade by Fitch had little impact, although it highlighted growing worry about the erosion of governance standards and fiscal irresponsibility
 - ▶ Treasury yields across the curve rose during Q3. Sticky inflation, a "higher for longer" market consensus, increased Treasury borrowing, and reduced Treasury holdings by China and Japan weighed especially on the long end of the curve
 - ▶ The next concern is the annual federal budget process and potential for a government shutdown

Inflation Gradually Falling, But Sensitive to Recently Rising Energy Prices

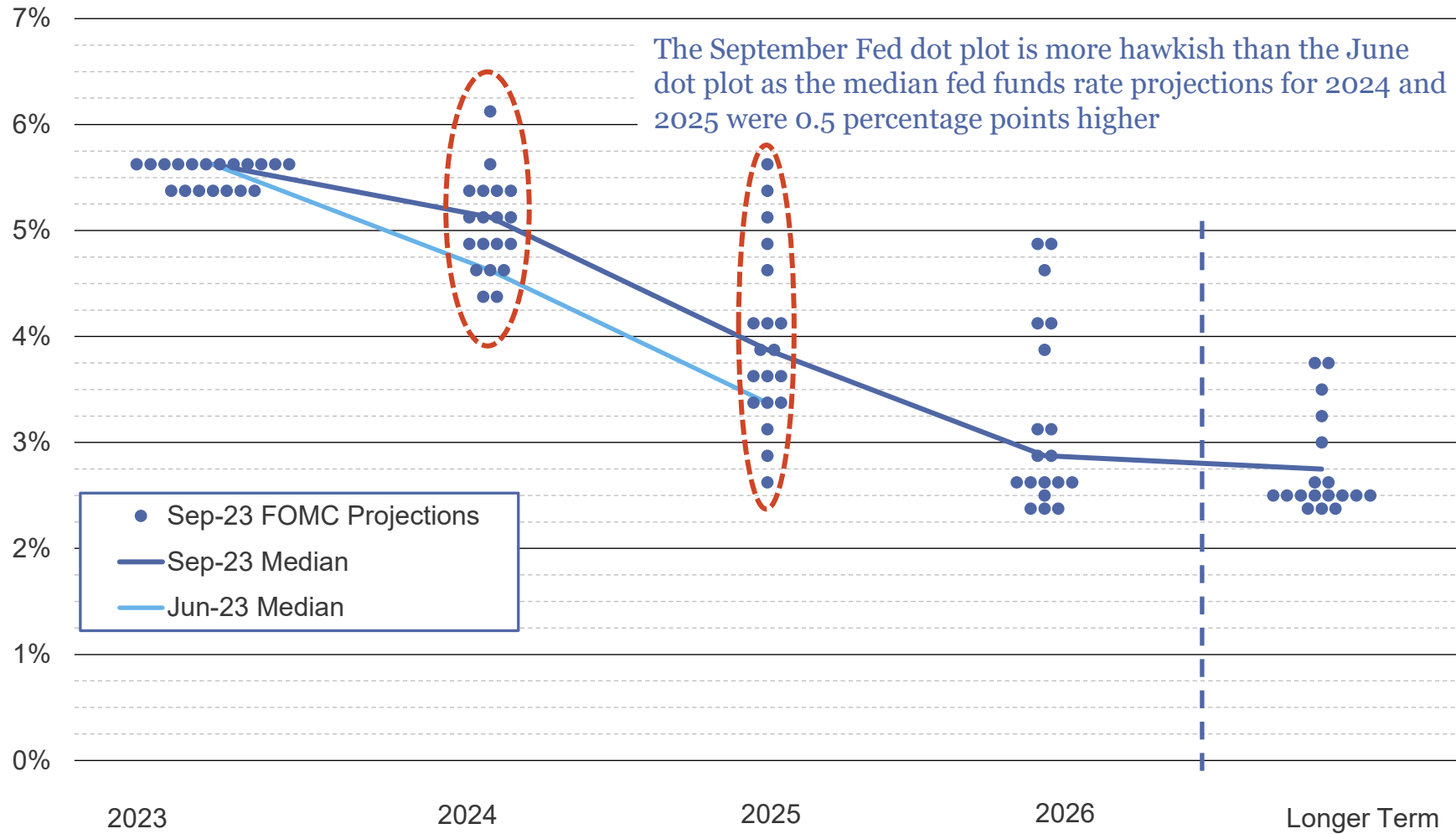
Factors Contributing to the Consumer Price Index (CPI YoY)



Source: Bloomberg, as of August 2023.

Fed's Updated "Dot Plot" Projects Rates To Be "Higher for Longer"

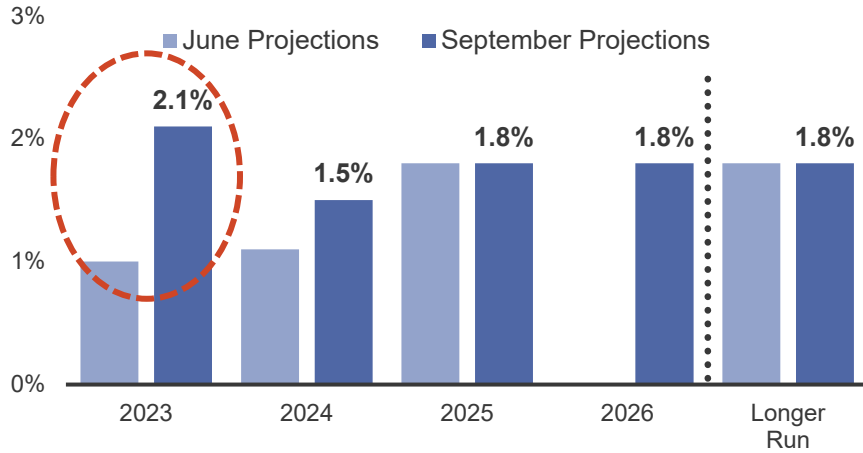
Fed Participants' Assessments of 'Appropriate' Monetary Policy



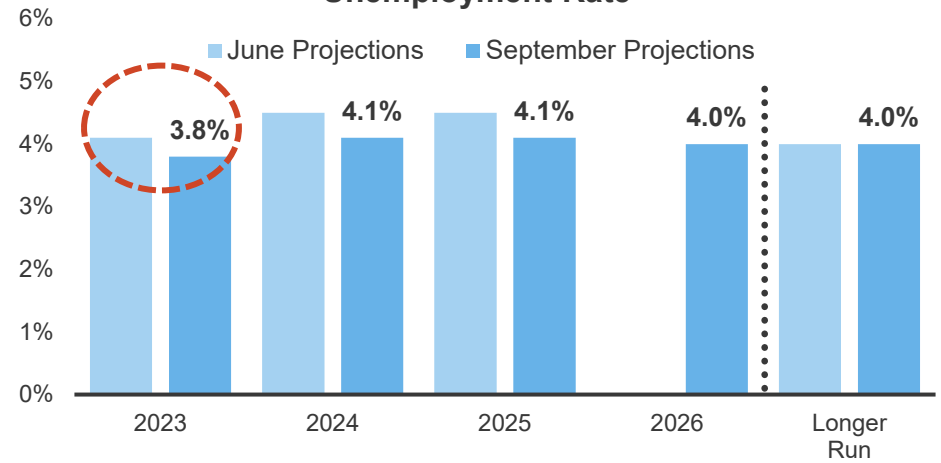
Source: Federal Reserve and Bloomberg. Individual dots represent each Fed members' judgement of the midpoint of the appropriate target range for the federal funds rate at each year-end.

The Fed's Protections for Growth and Employment Were More Upbeat

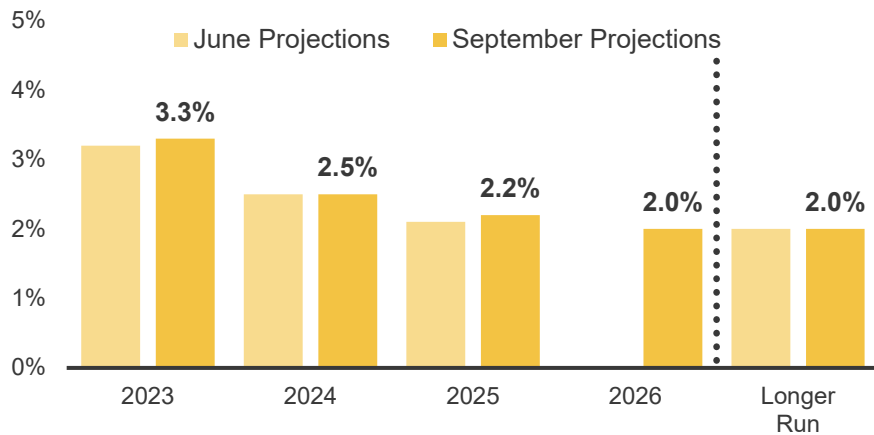
Change in Real GDP



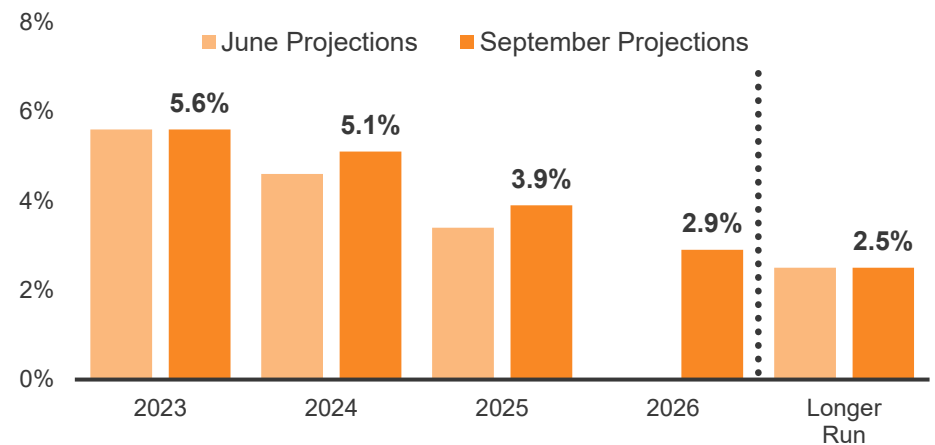
Unemployment Rate



PCE Inflation



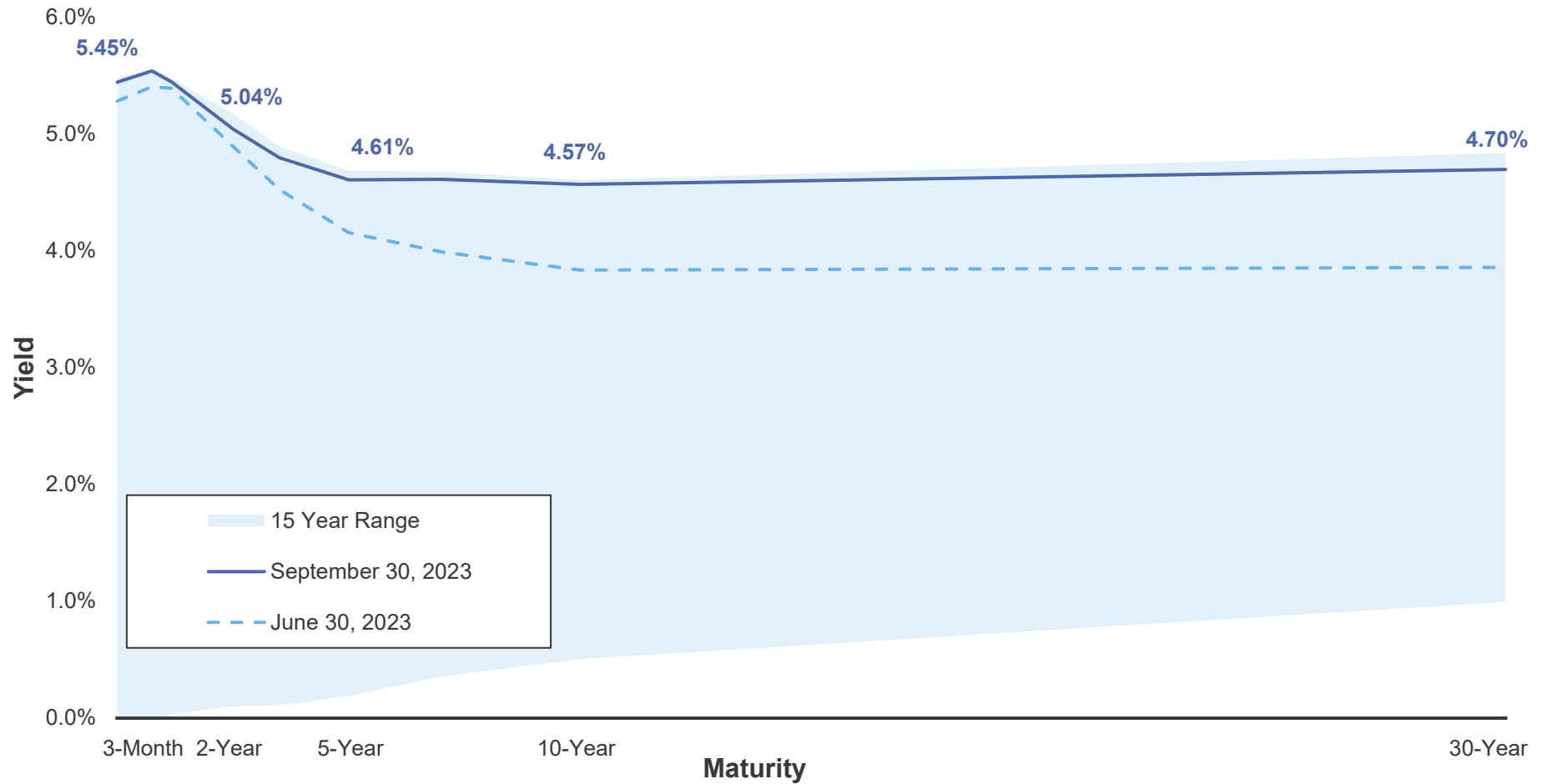
Federal Funds Rate



Source: Federal Reserve, latest economic projections as of September 2023.

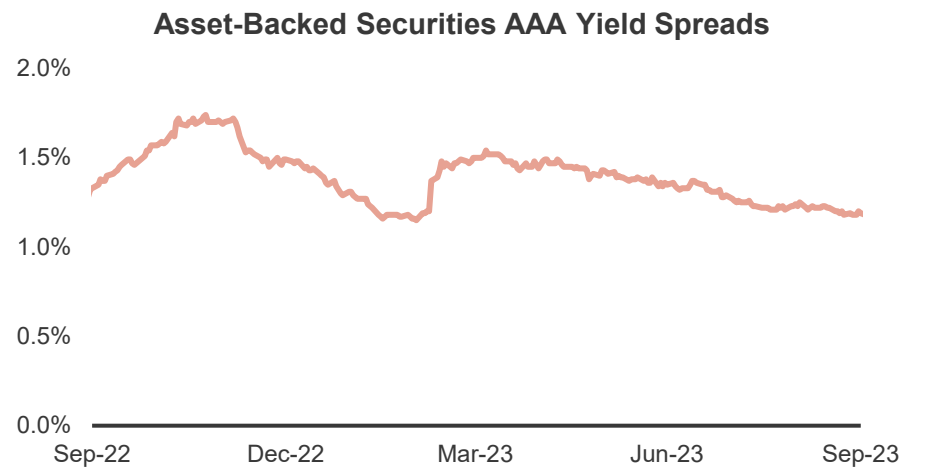
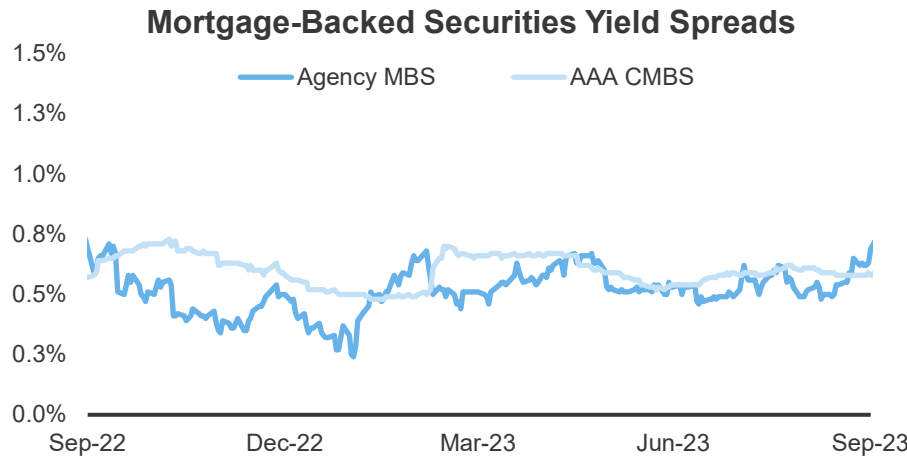
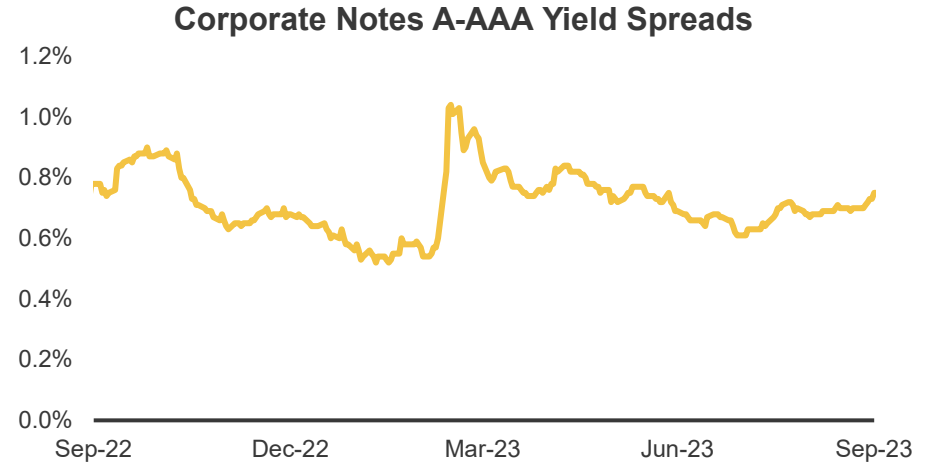
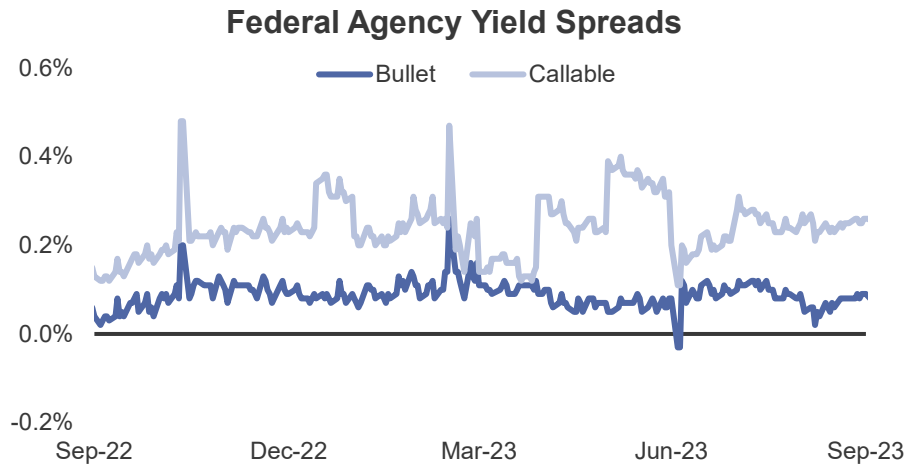
Interest Rates Are At Their Highest Levels Since 2006-07

U.S. Treasury Yield Curve



Source: Bloomberg, as of September 30, 2023.

Sector Yield Spreads

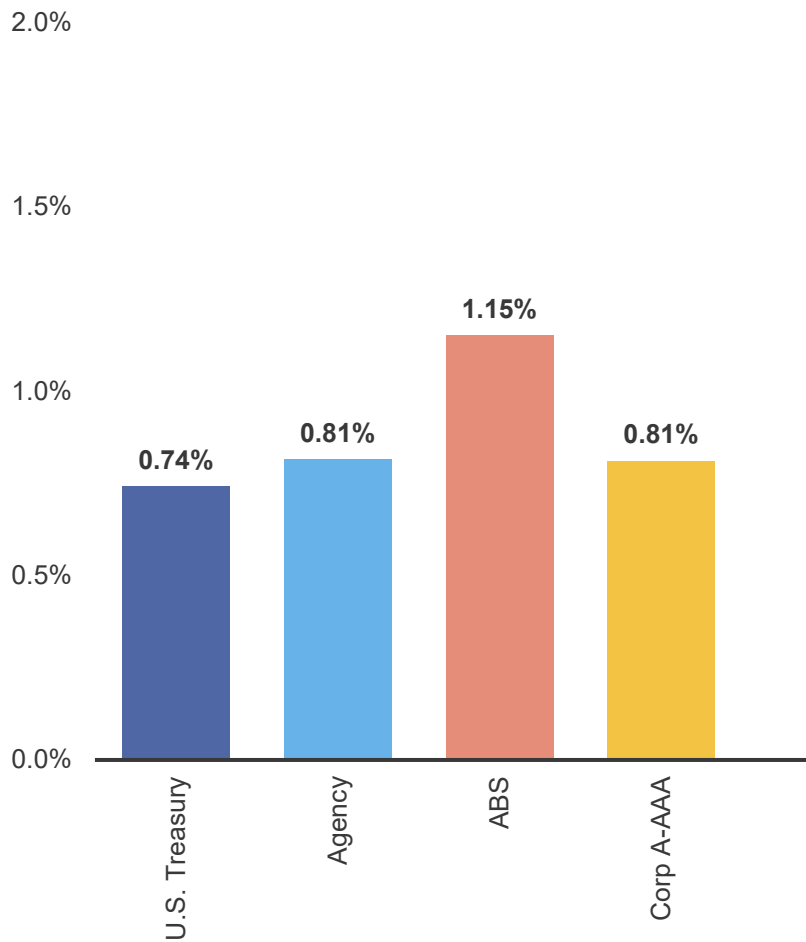


Source: ICE BofA 1-3 year Indices via Bloomberg, MarketAxess and PFMAM as of September 30, 2023. Spreads on ABS and MBS are option-adjusted spreads of 0-3 year indices based on weighted average life; spreads on agencies are relative to comparable maturity Treasuries. CMBS is Commercial Mortgage-Backed Securities and represented by the ICE BofA Agency CMBS Index.

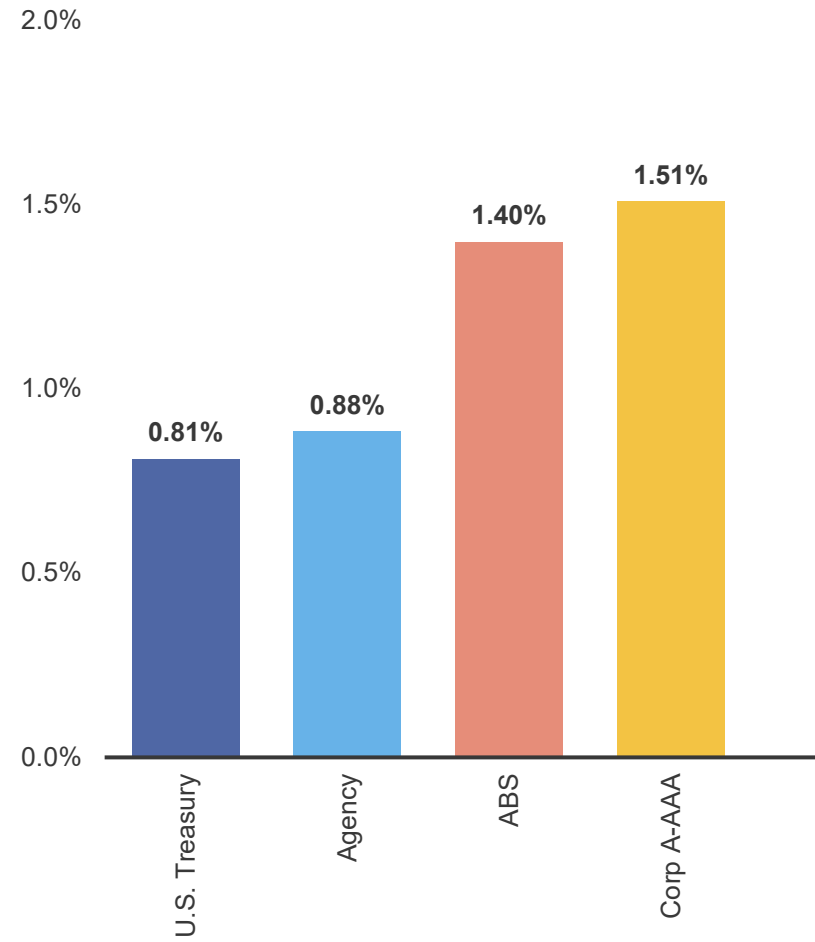
Fixed-Income Markets

1-3 Year Indices

Third Quarter Returns



10-Year Average Returns



Source: ICE BofAML Indices. ABS indices are 0-3 year, based on weighted average life. As of September 30, 2023.

Portfolio Review: CITY OF LOS ALTOS INVESTMENT PORTFOLIO

Certificate of Compliance

During the reporting period for the quarter ended September 30, 2023, the account(s) managed by PFM Asset Management ("PFMAM") were in compliance with the applicable investment policy and guidelines as furnished to PFMAM.

Acknowledged : *PFM Asset Management LLC*

Note: Pre- and post-trade compliance for the account(s) managed by PFM Asset Management is provided via Bloomberg Asset and Investment Management ("AIM").

Account Summary

CITY OF LOS ALTOS INVESTMENT PORTFOLIO			
Portfolio Values	<u>September 30, 2023</u>	Analytics ¹	<u>September 30, 2023</u>
PFMAM Managed Account	\$48,850,295	Yield at Market	5.07%
Amortized Cost	\$50,186,121	Yield on Cost	3.37%
Market Value	\$48,850,295	Portfolio Duration	1.73
Accrued Interest	\$344,147		
Cash	\$60,550		

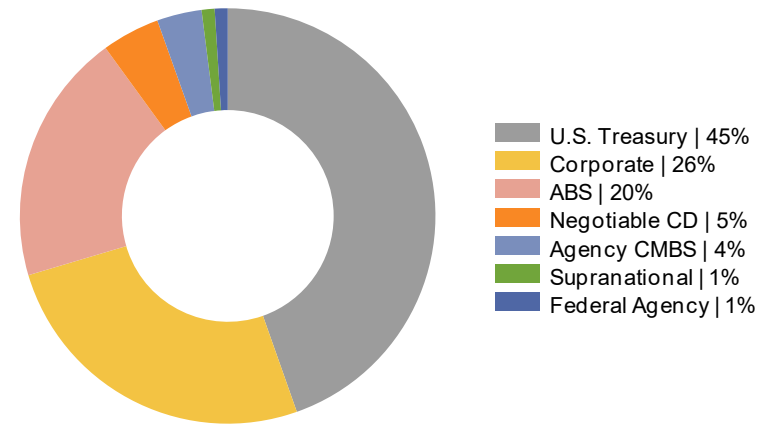
1. Yield at market, yield on cost, and portfolio duration only include investments held within the separately managed account(s), excludes balances invested in overnight funds.

Portfolio Snapshot¹

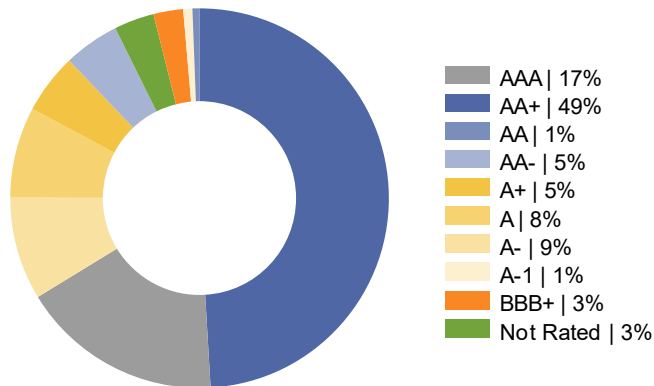
Portfolio Statistics

Total Market Value	\$49,254,992.37
<i>Securities Sub-Total</i>	\$48,850,295.32
<i>Accrued Interest</i>	\$344,147.19
<i>Cash</i>	\$60,549.86
Portfolio Effective Duration	1.73 years
Benchmark Effective Duration	1.75 years
Yield At Cost	3.37%
Yield At Market	5.07%
Portfolio Credit Quality	AA

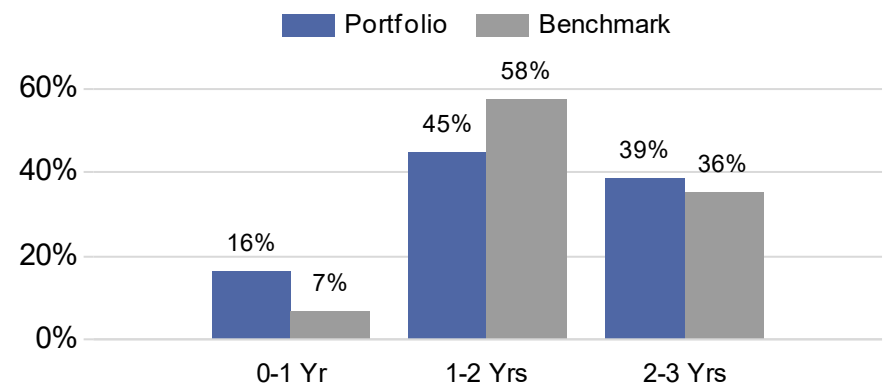
Sector Allocation



Credit Quality - S&P

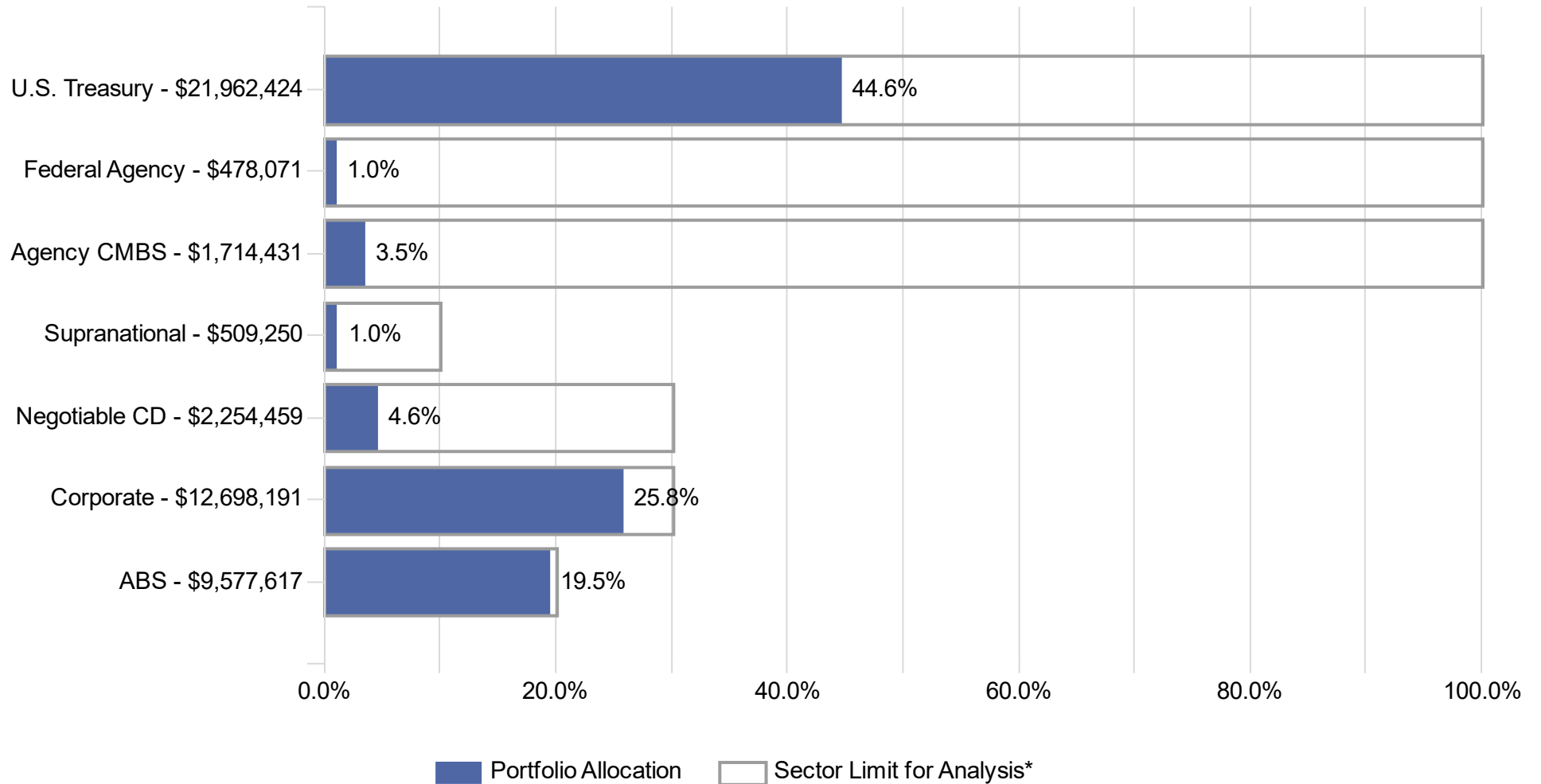


Duration Distribution



1. Yield and duration calculations exclude cash and cash equivalents. Sector allocation includes market values and accrued interest. The portfolio's benchmark is the ICE BofA 1-3 Year U.S. Treasury Index. Source: Bloomberg. An average of each security's credit rating was assigned a numeric value and adjusted for its relative weighting in the portfolio.

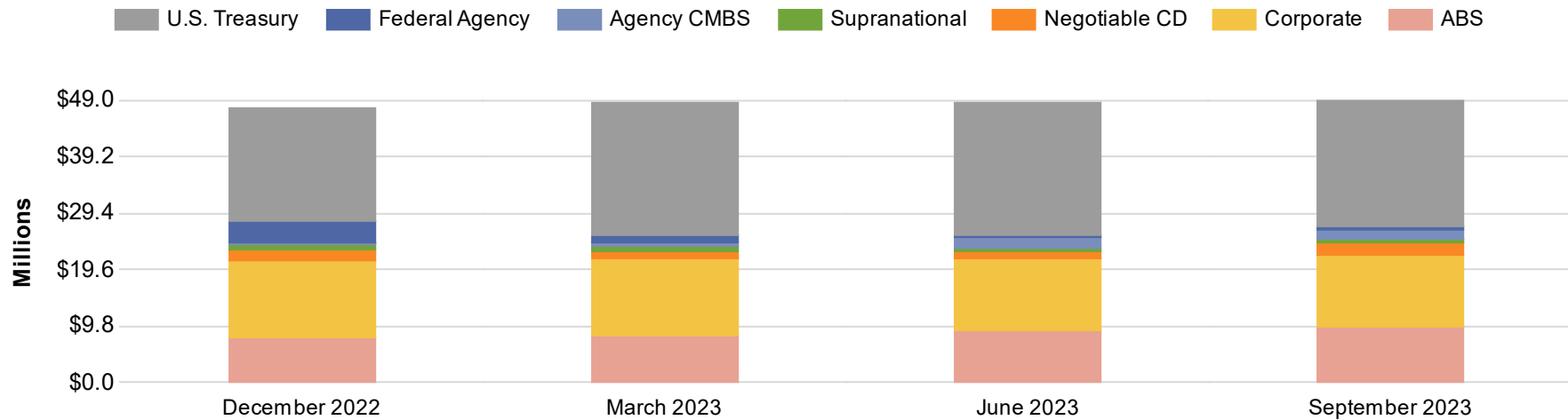
Sector Allocation Analytics



*For informational/analytical purposes only and is not provided for compliance assurance. Includes accrued interest.
Sector Limit for Analysis is as derived from our interpretation of your most recent Investment Policy as provided.

Sector Allocation Review

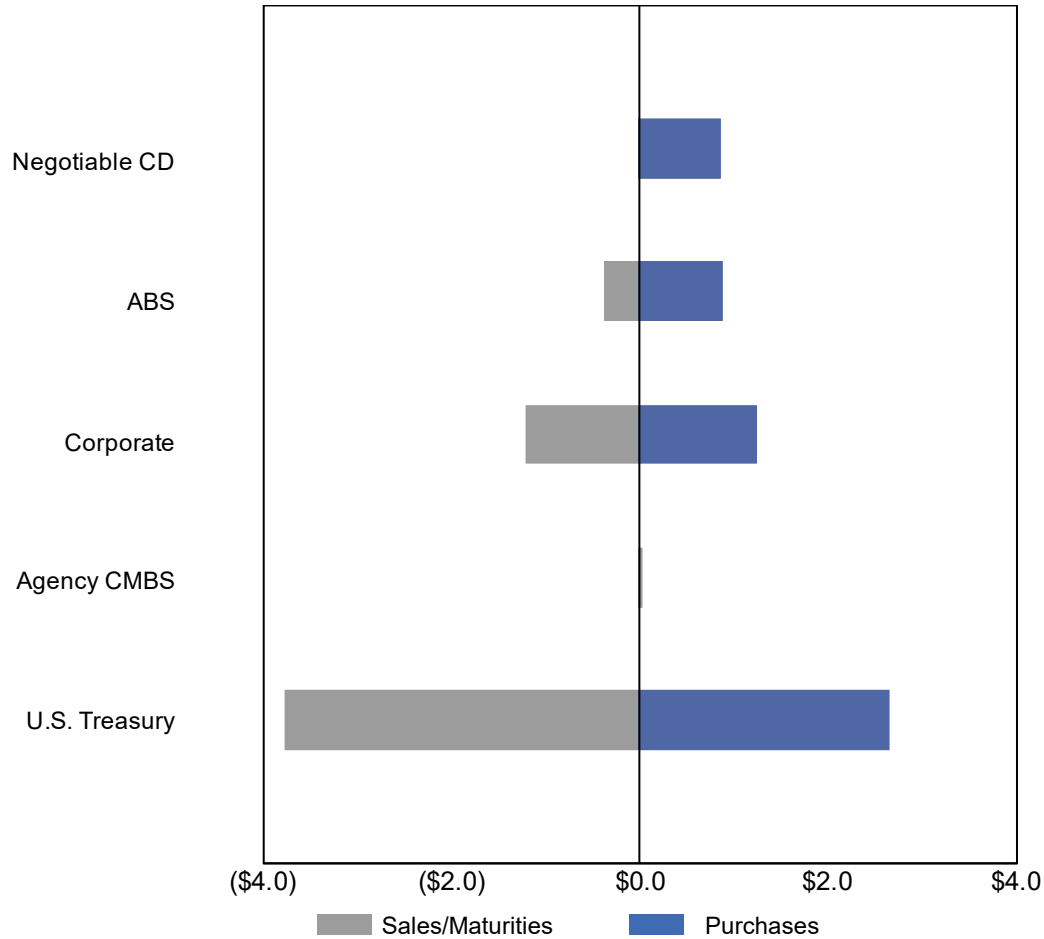
Security Type	Dec-22	% of Total	Mar-23	% of Total	Jun-23	% of Total	Sep-23	% of Total
U.S. Treasury	\$19.7	41.3%	\$22.9	47.1%	\$22.9	47.3%	\$21.8	44.6%
Federal Agency	\$3.8	7.8%	\$1.3	2.8%	\$0.5	1.0%	\$0.5	1.0%
Agency CMBS	\$0.4	0.9%	\$0.7	1.4%	\$1.7	3.5%	\$1.7	3.5%
Supranational	\$0.9	1.9%	\$0.9	1.9%	\$0.5	1.0%	\$0.5	1.0%
Negotiable CD	\$1.8	3.7%	\$1.4	2.8%	\$1.4	2.8%	\$2.2	4.5%
Corporate	\$13.3	27.8%	\$13.4	27.5%	\$12.5	25.8%	\$12.6	25.8%
ABS	\$7.9	16.6%	\$8.0	16.5%	\$9.0	18.6%	\$9.6	19.6%
Total	\$47.9	100.0%	\$48.6	100.0%	\$48.5	100.0%	\$48.9	100.0%



Market values, excluding accrued interest. Only includes fixed-income securities held within the separately managed account(s) and LGIPs managed by PFMAM. Detail may not add to total due to rounding.

Portfolio Activity

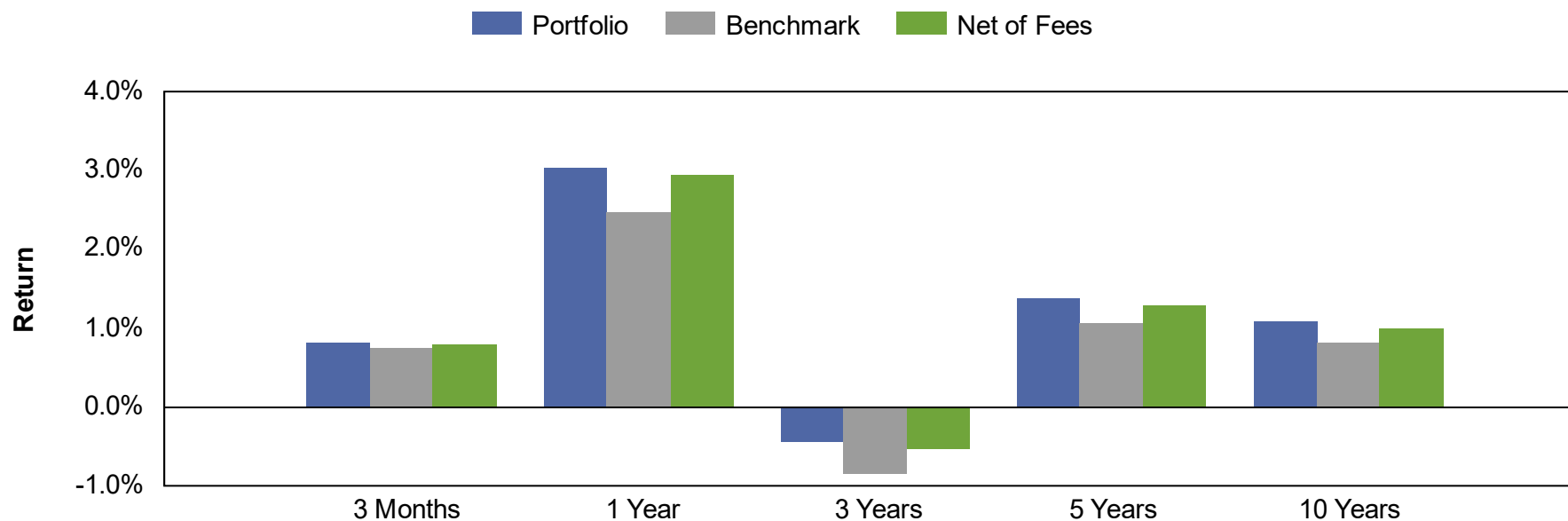
Net Activity by Sector
(\$ millions)



Sector	Net Activity
Negotiable CD	\$850,000
ABS	\$512,439
Corporate	\$48,631
Agency CMBS	(\$626)
U.S. Treasury	(\$1,124,717)
Total Net Activity	\$285,727

Based on total proceeds (principal and accrued interest) of buys, sells, maturities, and principal paydowns. Detail may not add to total due to rounding.

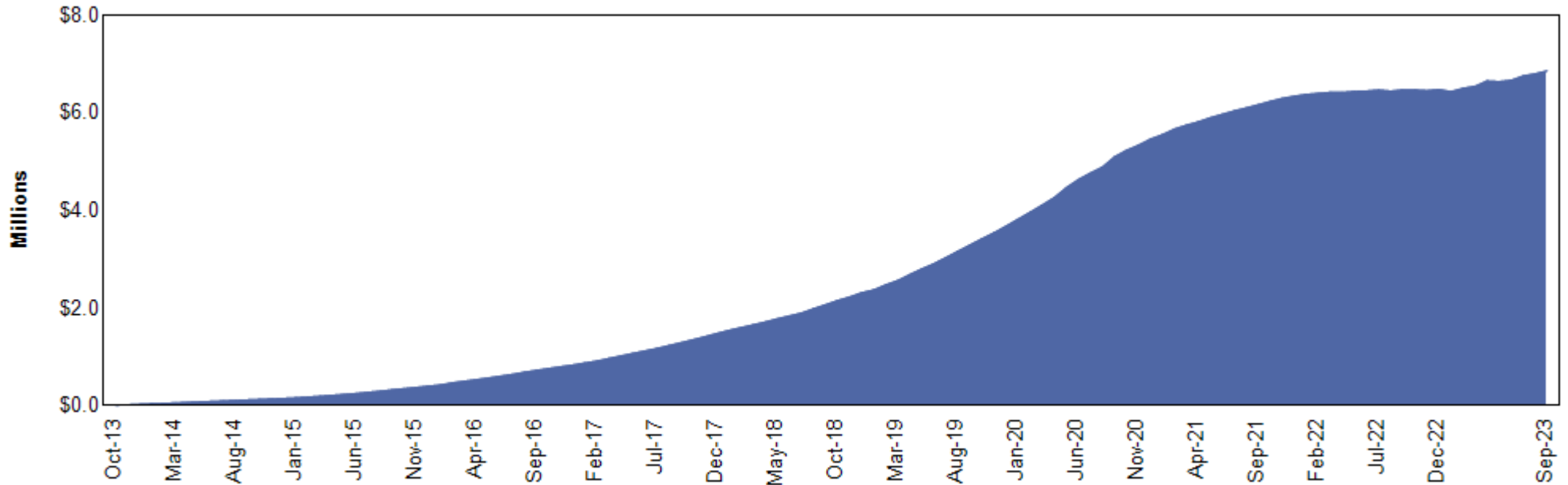
Portfolio Performance



Market Value Basis Earnings	3 Months	1 Year	3 Years	5 Years	10 Years
Interest Earned ²	\$371,383	\$1,139,651	\$2,346,607	\$4,983,523	\$7,270,292
Change in Market Value	\$20,998	\$310,590	(\$3,044,166)	(\$914,140)	(\$1,773,234)
Total Dollar Return	\$392,381	\$1,450,241	(\$697,559)	\$4,069,383	\$5,497,058
Total Return³					
Portfolio	0.80%	3.03%	-0.43%	1.38%	1.07%
Benchmark ⁴	0.74%	2.47%	-0.84%	1.06%	0.81%
Basis Point Fee	0.02%	0.09%	0.09%	0.09%	0.09%
Net of Fee Return	0.78%	2.94%	-0.52%	1.29%	0.98%

1. The lesser of 10 years or since inception is shown. Since inception returns for periods one year or less are not shown. Performance inception date is June 30, 2010.
 2. Interest earned calculated as the ending accrued interest less beginning accrued interest, plus net interest activity.
 3. Returns for periods one year or less are presented on a periodic basis. Returns for periods greater than one year are presented on an annualized basis.
 4. The portfolio's benchmark is the ICE BofA 1-3 Year U.S. Treasury Index. Source: Bloomberg.

Accrual Basis Earnings



Accrual Basis Earnings	3 Months	1 Year	3 Years	5 Year	10 Year ¹
Interest Earned ²	\$371,383	\$1,139,651	\$2,346,607	\$4,983,523	\$7,270,292
Realized Gains / (Losses) ³	(\$198,665)	(\$770,217)	(\$427,808)	(\$90,314)	(\$253,966)
Change in Amortized Cost	\$19,029	\$17,948	(\$154,316)	(\$101,657)	(\$154,547)
Total Earnings	\$191,746	\$387,382	\$1,764,483	\$4,791,552	\$6,861,779

1. The lesser of 10 years or since inception is shown. Performance inception date is June 30, 2010.
 2. Interest earned calculated as the ending accrued interest less beginning accrued interest, plus net interest activity.
 3. Realized gains / (losses) are shown on an amortized cost basis.

Portfolio Holdings and Transactions

Issuer Diversification

Security Type / Issuer	Market Value (%)	S&P / Moody's / Fitch
U.S. Treasury	44.6%	
UNITED STATES TREASURY	44.6%	AA / Aaa / AA
Federal Agency	1.0%	
FEDERAL HOME LOAN BANKS	1.0%	AA / Aaa / NR
Agency CMBS	3.5%	
FANNIE MAE	0.3%	AA / Aaa / AA
FREDDIE MAC	3.2%	AA / Aaa / AA
Supranational	1.0%	
INTER-AMERICAN DEVELOPMENT BANK	1.0%	AAA / Aaa / AAA
Negotiable CD	4.6%	
CREDIT AGRICOLE SA	0.8%	A / Aa / AA
NATIXIS NY BRANCH	0.8%	A / A / A
NORDEA BANK ABP	1.0%	AA / Aa / AA
RABOBANK NEDERLAND	1.0%	A / Aa / AA
TORONTO-DOMINION BANK	1.1%	A / A / NR
Corporate	25.8%	
ABBOTT LABORATORIES	0.3%	AA / Aa / NR
AMAZON.COM INC	0.3%	AA / A / AA
AMERICAN EXPRESS CO	0.7%	BBB / A / A
AMERICAN HONDA FINANCE	0.4%	A / A / A
ANZ BANKING GROUP LTD	0.5%	AA / Aa / A
BANK OF AMERICA CO	1.9%	A / Aa / AA
BRISTOL-MYERS SQUIBB CO	0.2%	A / A / NR
BROWN-FORMAN CORP	0.2%	A / A / NR
BURLINGTON NORTHERN SANTA FE	0.2%	AA / A / NR
CATERPILLAR INC	0.8%	A / A / A

Security Type / Issuer	Market Value (%)	S&P / Moody's / Fitch
Corporate	25.8%	
CINTAS CORPORATION NO. 2	0.3%	A / A / NR
CITIGROUP INC	0.7%	BBB / A / A
COLGATE-PALMOLIVE COMPANY	0.5%	AA / Aa / NR
COMCAST CORP	0.4%	A / A / A
COMMONWEALTH BANK OF AUSTRALIA	0.5%	AA / Aa / A
DEERE & COMPANY	0.6%	A / A / A
EXXON MOBIL CORP	0.3%	AA / Aa / NR
GENERAL DYNAMICS CORP	0.3%	A / A / NR
GOLDMAN SACHS GROUP INC	0.7%	BBB / A / A
HERSHEY COMPANY	0.2%	A / A / NR
HOME DEPOT INC	0.2%	A / A / A
HONEYWELL INTERNATIONAL	0.3%	A / A / A
HSBC HOLDINGS PLC	0.8%	A / A / A
IBM CORP	0.7%	A / A / NR
INTEL CORPORATION	0.4%	A / A / A
JP MORGAN CHASE & CO	1.5%	A / A / AA
LOCKHEED MARTIN CORP	0.4%	A / A / A
MORGAN STANLEY	0.7%	A / A / A
NATIONAL AUSTRALIA BANK LTD	1.3%	AA / Aa / NR
NATIONAL RURAL UTILITIES CO FINANCE CORP	0.8%	A / A / A
PACCAR FINANCIAL CORP	0.7%	A / A / NR
PEPSICO INC	0.2%	A / A / NR
PNC FINANCIAL SERVICES GROUP	0.7%	A / A / A
PRAXAIR INC	0.9%	A / A / NR
RABOBANK NEDERLAND	1.0%	A / Aa / AA
STATE STREET CORPORATION	1.1%	A / A / AA

Ratings shown are calculated by assigning a numeral value to each security rating, then calculating a weighted average rating for each security type / issuer category using all available security ratings, excluding Not-Rated (NR) ratings. For security type / issuer categories where a rating from the applicable NRSRO is not available, a rating of NR is assigned. Includes accrued interest and excludes balances invested in overnight funds.

Issuer Diversification

Security Type / Issuer	Market Value (%)	S&P / Moody's / Fitch
Corporate	25.8%	
THE BANK OF NEW YORK MELLON CORPORATION	1.0%	A / A / AA
TOYOTA MOTOR CORP	0.8%	A / A / A
TRUIST FIN CORP	0.7%	A / A / A
UNILEVER PLC	0.4%	A / A / A
UNITEDHEALTH GROUP INC	0.2%	A / A / A
WAL-MART STORES INC	0.3%	AA / Aa / AA
WELLS FARGO & COMPANY	0.4%	BBB / A / A
ABS	19.5%	
ALLY AUTO RECEIVABLES TRUST	1.4%	AAA / Aaa / NR
AMERICAN EXPRESS CO	1.3%	AAA / NR / AAA
BANK OF AMERICA CO	0.2%	AAA / NR / AAA
BMW VEHICLE OWNER TRUST	0.4%	AAA / Aaa / AAA
CAPITAL ONE FINANCIAL CORP	2.0%	AAA / Aaa / AAA
CARMAX AUTO OWNER TRUST	2.0%	AAA / Aaa / AAA
CHASE ISSURANCE	0.8%	AAA / NR / AAA
DISCOVER FINANCIAL SERVICES	2.0%	AAA / Aaa / AAA
FIFTH THIRD AUTO TRUST	0.5%	AAA / Aaa / NR
FORD CREDIT AUTO OWNER TRUST	0.8%	AAA / NR / AAA
GM FINANCIAL CONSUMER AUTOMOBILE TRUST	1.4%	AAA / Aaa / AAA
HARLEY-DAVIDSON MOTORCYCLE TRUST	0.8%	AAA / Aaa / AAA
HONDA AUTO RECEIVABLES	0.6%	AAA / Aaa / AAA
HYUNDAI AUTO RECEIVABLES	1.4%	AAA / NR / AAA
MERCEDES-BENZ AUTO RECEIVABLES	0.8%	AAA / Aaa / NR
NISSAN AUTO RECEIVABLES	0.9%	AAA / Aaa / AAA
TOYOTA MOTOR CORP	1.5%	AAA / Aaa / AAA

Security Type / Issuer	Market Value (%)	S&P / Moody's / Fitch
ABS	19.5%	
VERIZON OWNER TRUST	0.0%	NR / Aaa / AAA
VOLKSWAGEN AUTO LEASE TURST	0.2%	NR / Aaa / AAA
WORLD OMNI AUTO REC TRUST	0.4%	AAA / NR / AAA
Total	100.0%	

Ratings shown are calculated by assigning a numeral value to each security rating, then calculating a weighted average rating for each security type / issuer category using all available security ratings, excluding Not-Rated (NR) ratings. For security type / issuer categories where a rating from the applicable NRSRO is not available, a rating of NR is assigned. Includes accrued interest and excludes balances invested in overnight funds.

Issuer Distribution As of September 30, 2023

Issuer	Market Value (\$)	% of Portfolio
UNITED STATES TREASURY	21,791,468	44.60%
FREDDIE MAC	1,567,932	3.20%
TOYOTA MOTOR CORP	1,108,556	2.26%
BANK OF AMERICA CO	1,048,125	2.14%
DISCOVER FINANCIAL SERVICES	989,318	2.02%
CAPITAL ONE FINANCIAL CORP	987,595	2.01%
CARMAX AUTO OWNER TRUST	977,728	2.00%
AMERICAN EXPRESS CO	975,315	2.00%
RABOBANK NEDERLAND	947,183	1.94%
JP MORGAN CHASE & CO	717,474	1.47%
GM FINANCIAL CONSUMER AUTOMOBILE TRUST	698,929	1.43%
ALLY AUTO RECEIVABLES TRUST	682,891	1.40%
HYUNDAI AUTO RECEIVABLES	681,418	1.39%
NATIONAL AUSTRALIA BANK LTD	656,332	1.34%
STATE STREET CORPORATION	544,876	1.12%
INTER-AMERICAN DEVELOPMENT BANK	509,191	1.04%
TORONTO-DOMINION BANK	499,833	1.02%
NORDEA BANK ABP	496,062	1.02%
THE BANK OF NEW YORK MELLON CORPORATION	486,542	1.00%
FEDERAL HOME LOAN BANKS	476,085	0.97%
NISSAN AUTO RECEIVABLES	462,714	0.95%
HARLEY-DAVIDSON MOTORCYCLE TRUST	417,129	0.85%
PRAXAIR INC	414,994	0.85%
FORD CREDIT AUTO OWNER TRUST	390,668	0.80%

Issuer	Market Value (\$)	% of Portfolio
MERCEDES-BENZ AUTO RECEIVABLES	387,411	0.79%
NATIONAL RURAL UTILITIES CO FINANCE CORP	384,351	0.79%
CHASE ISSURANCE	377,920	0.77%
CREDIT AGRICOLE SA	374,963	0.77%
NATIXIS NY BRANCH	373,793	0.77%
HSBC HOLDINGS PLC	368,893	0.76%
CATERPILLAR INC	365,196	0.75%
IBM CORP	364,757	0.75%
PACCAR FINANCIAL CORP	364,600	0.75%
CITIGROUP INC	359,344	0.74%
MORGAN STANLEY	357,771	0.73%
PNC FINANCIAL SERVICES GROUP	347,867	0.71%
TRUIST FIN CORP	347,281	0.71%
GOLDMAN SACHS GROUP INC	335,634	0.69%
HONDA AUTO RECEIVABLES	306,977	0.63%
DEERE & COMPANY	280,294	0.57%
FIFTH THIRD AUTO TRUST	264,088	0.54%
COLGATE-PALMOLIVE COMPANY	261,822	0.54%
COMMONWEALTH BANK OF AUSTRALIA	249,348	0.51%
ANZ BANKING GROUP LTD	247,574	0.51%
UNILEVER PLC	216,898	0.44%
BMW VEHICLE OWNER TRUST	216,372	0.44%
AMERICAN HONDA FINANCE	198,746	0.41%
INTEL CORPORATION	193,567	0.40%
WELLS FARGO & COMPANY	186,485	0.38%
WORLD OMNI AUTO REC TRUST	174,642	0.36%
COMCAST CORP	174,090	0.36%

Issuer	Market Value (\$)	% of Portfolio
LOCKHEED MARTIN CORP	173,598	0.36%
CINTAS CORPORATION NO. 2	169,226	0.35%
HONEYWELL INTERNATIONAL	163,862	0.34%
GENERAL DYNAMICS CORP	159,836	0.33%
ABBOTT LABORATORIES	159,225	0.33%
AMAZON.COM INC	149,675	0.31%
WAL-MART STORES INC	146,118	0.30%
FANNIE MAE	142,393	0.29%
EXXON MOBIL CORP	125,312	0.26%
BURLINGTON NORTHERN SANTA FE	120,807	0.25%
HERSHEY COMPANY	120,454	0.25%
PEPSICO INC	113,811	0.23%
BRISTOL-MYERS SQUIBB CO	113,395	0.23%
BROWN-FORMAN CORP	111,283	0.23%
VOLKSWAGEN AUTO LEASE TURST	98,465	0.20%
HOME DEPOT INC	92,113	0.19%
UNITEDHEALTH GROUP INC	79,591	0.16%
VERIZON OWNER TRUST	2,091	0.00%
Grand Total	48,850,295	100.00%

Managed Account Detail of Securities Held

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
U.S. Treasury											
US TREASURY N/B NOTES DTD 07/15/2021 0.375% 07/15/2024	91282CCL3	150,000.00	AA+	Aaa	8/9/2021	8/10/2021	149,841.80	0.41	119.23	149,957.42	144,140.63
US TREASURY N/B NOTES DTD 08/15/2021 0.375% 08/15/2024	91282CCT6	1,575,000.00	AA+	Aaa	9/1/2021	9/3/2021	1,573,277.34	0.41	754.33	1,574,489.76	1,506,585.94
US TREASURY N/B NOTES DTD 09/15/2021 0.375% 09/15/2024	91282CCX7	1,000,000.00	AA+	Aaa	10/1/2021	10/6/2021	995,937.50	0.51	164.84	998,677.33	952,968.80
US TREASURY NOTES DTD 10/31/2019 1.500% 10/31/2024	912828YM6	1,650,000.00	AA+	Aaa	5/4/2021	5/6/2021	1,710,263.67	0.44	10,357.34	1,668,731.88	1,582,195.23
US TREASURY NOTES DTD 11/30/2019 1.500% 11/30/2024	912828YV6	575,000.00	AA+	Aaa	6/15/2021	6/17/2021	595,911.13	0.44	2,898.56	582,058.75	549,933.56
US TREASURY NOTES DTD 11/30/2019 1.500% 11/30/2024	912828YV6	975,000.00	AA+	Aaa	6/2/2021	6/7/2021	1,011,181.64	0.42	4,914.96	987,117.44	932,496.05
US TREASURY N/B NOTES DTD 12/15/2021 1.000% 12/15/2024	91282CDN8	325,000.00	AA+	Aaa	1/3/2022	1/5/2022	324,771.48	1.02	959.02	324,906.25	308,546.88
US TREASURY NOTES DTD 05/15/2015 2.125% 05/15/2025	912828XB1	1,725,000.00	AA+	Aaa	5/19/2023	5/23/2023	1,654,248.05	4.31	13,845.70	1,667,067.56	1,642,523.44
US TREASURY NOTES DTD 06/30/2020 0.250% 06/30/2025	912828ZW3	1,000,000.00	AA+	Aaa	6/1/2022	6/3/2022	923,281.25	2.88	631.79	956,414.46	918,906.20
US TREASURY N/B NOTES DTD 07/15/2022 3.000% 07/15/2025	91282CEY3	425,000.00	AA+	Aaa	9/1/2022	9/6/2022	418,708.01	3.55	2,702.45	421,060.72	409,460.94
US TREASURY N/B NOTES DTD 07/15/2022 3.000% 07/15/2025	91282CEY3	1,200,000.00	AA+	Aaa	8/5/2022	8/8/2022	1,195,453.13	3.14	7,630.43	1,197,230.31	1,156,125.00
US TREASURY N/B NOTES DTD 09/15/2022 3.500% 09/15/2025	91282CFK2	600,000.00	AA+	Aaa	10/6/2022	10/11/2022	587,976.56	4.23	923.08	591,965.65	582,375.00
US TREASURY N/B NOTES DTD 11/15/2022 4.500% 11/15/2025	91282CFW6	1,375,000.00	AA+	Aaa	12/16/2022	12/16/2022	1,393,906.25	3.99	23,371.26	1,388,775.82	1,360,390.63
US TREASURY N/B NOTES DTD 01/15/2023 3.875% 01/15/2026	91282CGE5	2,550,000.00	AA+	Aaa	1/30/2023	2/1/2023	2,544,123.05	3.96	20,943.95	2,545,441.14	2,489,437.50
US TREASURY N/B NOTES DTD 02/15/2023 4.000% 02/15/2026	91282CGL9	930,000.00	AA+	Aaa	3/2/2023	3/3/2023	913,725.00	4.64	4,751.09	916,919.72	910,237.50

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
U.S. Treasury											
US TREASURY N/B NOTES DTD 04/15/2023 3.750% 04/15/2026	91282CGV7	1,150,000.00	AA+	Aaa	5/1/2023	5/3/2023	1,147,349.61	3.83	19,912.91	1,147,720.86	1,118,375.00
US TREASURY N/B NOTES DTD 05/15/2023 3.625% 05/15/2026	91282CHB0	1,700,000.00	AA+	Aaa	6/1/2023	6/5/2023	1,683,332.03	3.98	23,276.83	1,685,161.63	1,647,937.50
US TREASURY N/B NOTES DTD 06/15/2023 4.125% 06/15/2026	91282CHH7	975,000.00	AA+	Aaa	6/29/2023	6/29/2023	965,478.52	4.48	11,867.83	966,305.71	956,871.05
US TREASURY N/B NOTES DTD 07/15/2023 4.500% 07/15/2026	91282CHM6	1,550,000.00	AA+	Aaa	8/1/2023	8/3/2023	1,547,517.58	4.56	14,783.97	1,547,653.57	1,535,710.86
US TREASURY N/B NOTES DTD 08/15/2023 4.375% 08/15/2026	91282CHU8	1,100,000.00	AA+	Aaa	9/6/2023	9/11/2023	1,089,515.63	4.73	6,146.40	1,089,711.78	1,086,250.00
Security Type Sub-Total		22,530,000.00					22,425,799.23	3.07	170,955.97	22,407,367.76	21,791,467.71
Supranational											
INTER-AMERICAN DEVEL BK NOTES DTD 09/23/2021 0.500% 09/23/2024	4581X0DZ8	535,000.00	AAA	Aaa	9/15/2021	9/23/2021	534,604.10	0.52	59.44	534,870.68	509,190.53
Security Type Sub-Total		535,000.00					534,604.10	0.52	59.44	534,870.68	509,190.53
Negotiable CD											
CREDIT AGRICOLE CIB NY CERT DEPOS DTD 08/19/2022 4.100% 08/16/2024	22536AZR8	375,000.00	A-1	P-1	8/17/2022	8/19/2022	375,000.00	4.07	1,964.58	375,000.00	374,962.50
TORONTO DOMINION BANK NY CERT DEPOS DTD 10/31/2022 5.600% 10/27/2025	89115B6K1	500,000.00	A	A1	10/27/2022	10/31/2022	500,000.00	5.58	26,055.56	500,000.00	499,833.45
NORDEA BANK ABP NEW YORK CERT DEPOS DTD 11/03/2022 5.530% 11/03/2025	65558UYF3	500,000.00	AA-	Aa3	11/2/2022	11/3/2022	500,000.00	5.53	11,367.22	500,000.00	496,061.50
COOPERAT RABOBANK UA/NY CERT DEPOS DTD 07/20/2023 5.080% 07/17/2026	21684LGS5	475,000.00	A+	Aa2	7/17/2023	7/20/2023	475,000.00	5.08	4,758.97	475,000.00	465,020.25

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Negotiable CD											
NATIXIS NY BRANCH CERT DEPOS DTD 09/20/2023 5.610% 09/18/2026	63873QP65	375,000.00	A	A1	9/18/2023	9/20/2023	375,000.00	5.58	642.81	375,000.00	373,792.50
Security Type Sub-Total		2,225,000.00					2,225,000.00	5.21	44,789.14	2,225,000.00	2,209,670.20
Federal Agency											
FEDERAL HOME LOAN BANK NOTES (CALLABLE) DTD 11/08/2021 1.000% 11/08/2024	3130APQ81	500,000.00	AA+	Aaa	8/5/2022	8/9/2022	474,207.91	3.40	1,986.11	487,323.60	476,084.50
Security Type Sub-Total		500,000.00					474,207.91	3.40	1,986.11	487,323.60	476,084.50
Corporate											
BANK OF AMERICA CORP NOTES (CALLED, OMD) DTD 10/21/2020 0.810% 10/24/2023	06051GJH3	275,000.00	A-	A1	10/16/2020	10/21/2020	275,000.00	0.81	971.44	275,000.00	273,293.63
HSBC USA INC CORPORATE NOTES DTD 05/24/2022 3.750% 05/24/2024	40428HTA0	375,000.00	A-	A1	5/17/2022	5/24/2022	374,985.00	3.75	4,960.94	374,995.16	368,892.75
AMERICAN EXPRESS CO CORP NOTES (CALLABLE) DTD 07/30/2019 2.500% 07/30/2024	025816CG2	225,000.00	BBB+	A2	11/19/2021	11/23/2021	233,055.00	1.14	953.13	227,314.75	218,870.55
UNILEVER CAPITAL CORP (CALLABLE) CORPORA DTD 08/12/2021 0.626% 08/12/2024	904764BN6	100,000.00	A+	A1	8/9/2021	8/12/2021	100,000.00	0.63	85.21	100,000.00	95,726.40
COOPERAT RABOBANK UA/NY CORPORATE NOTES DTD 08/22/2022 3.875% 08/22/2024	21688AAU6	250,000.00	A+	Aa2	8/15/2022	8/22/2022	249,885.00	3.90	1,049.48	249,948.71	245,591.25
GOLDMAN SACHS GROUP INC (CALLABLE) CORP DTD 06/10/2021 0.657% 09/10/2024	38141GYE8	150,000.00	BBB+	A2	6/7/2021	6/10/2021	150,000.00	0.66	57.49	150,000.00	149,635.20
COOPERATIEVE RABOBANK UA CORPORATE NOTES DTD 01/12/2022 1.375% 01/10/2025	21688AAS1	250,000.00	A+	Aa2	1/19/2022	1/24/2022	248,020.00	1.65	773.44	249,145.42	236,571.00
JOHN DEERE CAPITAL CORP CORPORATE NOTES DTD 01/10/2022 1.250% 01/10/2025	24422EVY2	220,000.00	A	A2	1/4/2022	1/10/2022	219,896.60	1.27	618.75	219,955.94	208,826.64

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Corporate											
LINDE INC/CT (CALLABLE) CORPORATE NOTES DTD 02/05/2015 2.650% 02/05/2025	74005PBN3	175,000.00	A	A2	3/4/2022	3/8/2022	177,549.75	2.13	721.39	176,050.82	168,277.03
NATIONAL RURAL UTIL COOP CORPORATE NOTES DTD 02/07/2022 1.875% 02/07/2025	63743HFC1	110,000.00	A-	A2	1/31/2022	2/7/2022	109,996.70	1.88	309.38	109,998.51	104,439.50
NATIONAL RURAL UTIL COOP CORPORATE NOTES DTD 02/07/2022 1.875% 02/07/2025	63743HFC1	65,000.00	A-	A2	2/22/2022	2/24/2022	64,400.70	2.20	182.81	64,725.07	61,714.25
TOYOTA MOTOR CREDIT CORP CORP NOTES DTD 02/13/2020 1.800% 02/13/2025	89236TGT6	200,000.00	A+	A1	9/23/2021	9/27/2021	205,542.00	0.96	480.00	202,248.21	189,971.80
JPMORGAN CHASE & CO CORP NOTES (CALLABLE) DTD 02/16/2021 0.563% 02/16/2025	46647PBY1	170,000.00	A-	A1	2/9/2021	2/16/2021	170,000.00	0.56	119.64	170,000.00	165,984.09
AMERICAN EXPRESS CO CORP NOTES (CALLABLE) DTD 03/04/2022 2.250% 03/04/2025	025816CQ0	50,000.00	BBB+	A2	3/1/2022	3/4/2022	49,949.50	2.29	84.38	49,976.04	47,506.10
AMERICAN EXPRESS CO CORP NOTES (CALLABLE) DTD 03/04/2022 2.250% 03/04/2025	025816CQ0	100,000.00	BBB+	A2	3/2/2022	3/4/2022	99,821.00	2.31	168.75	99,915.07	95,012.20
EXXON MOBIL CORP CORPORATE NT (CALLABLE) DTD 03/06/2015 2.709% 03/06/2025	30231GAF9	130,000.00	AA-	Aa2	3/26/2021	3/30/2021	138,049.60	1.10	244.56	132,581.61	125,311.55
JOHN DEERE CAPITAL CORP CORPORATE NOTES DTD 03/07/2022 2.125% 03/07/2025	24422EWB1	50,000.00	A	A2	3/3/2022	3/7/2022	50,100.00	2.06	70.83	50,047.72	47,645.10
JOHN DEERE CAPITAL CORP CORPORATE NOTES DTD 03/07/2022 2.125% 03/07/2025	24422EWB1	25,000.00	A	A2	3/2/2022	3/7/2022	24,989.25	2.14	35.42	24,994.87	23,822.55
ABBOTT LABORATORIES CORP NOTE (CALLABLE) DTD 03/10/2015 2.950% 03/15/2025	002824BB5	165,000.00	AA-	Aa3	3/10/2022	3/14/2022	167,547.60	2.41	216.33	166,115.68	159,225.00
UNILEVER CAPITAL CORP NOTES (CALLABLE) DTD 03/22/2018 3.375% 03/22/2025	904764BB2	125,000.00	A+	A1	2/22/2022	2/24/2022	129,088.75	2.27	105.47	125,904.98	121,172.00

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Corporate											
BURLINGTN NORTH SANTA FE CORP NOTES (CAL DTD 03/09/2015 3.000% 04/01/2025	12189LAV3	125,000.00	AA-	A3	3/5/2021	3/9/2021	134,578.75	1.07	1,875.00	128,147.11	120,806.50
PACCAR FINANCIAL CORP CORPORATE NOTES DTD 04/07/2022 2.850% 04/07/2025	69371RR73	250,000.00	A+	A1	3/31/2022	4/7/2022	249,935.00	2.86	3,443.75	249,967.14	240,240.75
AMAZON.COM INC CORPORATE NOTES DTD 04/13/2022 3.000% 04/13/2025	023135CE4	155,000.00	AA	A1	4/11/2022	4/13/2022	154,753.55	3.06	2,170.00	154,874.08	149,674.67
HOME DEPOT INC (CALLABLE) CORPORATE NOTE DTD 03/28/2022 2.700% 04/15/2025	437076CM2	40,000.00	A	A2	3/24/2022	3/28/2022	39,930.00	2.76	498.00	39,964.69	38,430.12
BROWN-FORMAN CORP NOTES (CALLABLE) DTD 03/26/2018 3.500% 04/15/2025	115637AS9	115,000.00	A-	A1	2/24/2022	2/28/2022	119,465.45	2.21	1,855.97	117,073.98	111,283.43
BANK OF NY MELLON (CALLABLE) CORP NOTES DTD 04/24/2020 1.600% 04/24/2025	06406RAN7	125,000.00	A	A1	3/10/2022	3/14/2022	121,988.75	2.41	872.22	123,487.75	117,175.50
BANK OF NY MELLON (CALLABLE) CORP NOTES DTD 04/24/2020 1.600% 04/24/2025	06406RAN7	135,000.00	A	A1	3/9/2021	3/11/2021	138,202.20	1.01	942.00	136,173.13	126,549.54
CITIGROUP INC (CALLABLE) CORPORATE NOTES DTD 05/04/2021 0.981% 05/01/2025	172967MX6	175,000.00	BBB+	A3	4/28/2021	5/4/2021	175,458.50	0.91	715.31	175,089.35	169,009.58
CINTAS CORPORATION NO. 2 CORP NOTE (CALL DTD 05/03/2022 3.450% 05/01/2025	17252MAP5	105,000.00	A-	A3	4/26/2022	5/3/2022	104,976.90	3.46	1,509.38	104,987.80	101,535.84
CINTAS CORPORATION NO. 2 CORP NOTE (CALL DTD 05/03/2022 3.450% 05/01/2025	17252MAP5	70,000.00	A-	A3	5/2/2022	5/4/2022	69,794.90	3.55	1,006.25	69,891.54	67,690.56
CATERPILLAR FINL SERVICE CORPORATE NOTES DTD 05/13/2022 3.400% 05/13/2025	14913R2V8	30,000.00	A	A2	5/10/2022	5/13/2022	29,997.00	3.40	391.00	29,998.39	29,008.26
CATERPILLAR FINL SERVICE CORPORATE NOTES DTD 05/13/2022 3.400% 05/13/2025	14913R2V8	95,000.00	A	A2	5/10/2022	5/13/2022	94,879.35	3.44	1,238.17	94,935.05	91,859.49

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Corporate											
GENERAL DYNAMICS CORP (CALLABLE) CORP NO DTD 05/11/2018 3.500% 05/15/2025	369550BG2	165,000.00	A-	A3	3/4/2022	3/8/2022	171,512.55	2.21	2,181.67	168,135.23	159,835.83
PNC BANK NA CORP NOTE (CALLABLE) DTD 06/01/2015 3.250% 06/01/2025	69353REQ7	250,000.00	A	A2	8/23/2022	8/25/2022	245,665.00	3.92	2,708.33	247,388.71	239,003.00
HONEYWELL INTL CORP NOTES (CALLABLE) DTD 05/18/2020 1.350% 06/01/2025	438516CB0	175,000.00	A	A2	3/2/2022	3/4/2022	171,234.00	2.04	787.50	173,064.56	163,861.95
JPMORGAN CHASE & CO (CALLABLE) CORP NOTE DTD 06/01/2021 0.824% 06/01/2025	46647PCH7	345,000.00	A-	A1	5/24/2021	6/1/2021	345,000.00	0.82	947.60	345,000.00	333,505.29
HERSHEY CO CORP NOTES (CALLABLE) DTD 06/01/2020 0.900% 06/01/2025	427866BF4	130,000.00	A	A1	2/23/2022	2/25/2022	124,784.40	2.18	390.00	127,335.32	120,454.23
TRUIST FINANCIAL CORP NOTES (CALLABLE) DTD 06/05/2018 3.700% 06/05/2025	05531FBE2	231,000.00	A-	A3	2/7/2022	2/9/2022	242,822.58	2.10	2,754.03	236,826.20	222,317.63
NATIONAL AUSTRALIA BK/NY CORPORATE NOTES DTD 06/09/2022 3.500% 06/09/2025	63254ABD9	255,000.00	AA-	Aa3	5/31/2022	6/9/2022	255,000.00	3.50	2,776.67	255,000.00	246,488.87
NATIONAL RURAL UTIL COOP CORPORATE NOTES DTD 05/04/2022 3.450% 06/15/2025	63743HFE7	60,000.00	A-	A2	5/2/2022	5/4/2022	59,680.20	3.63	609.50	59,824.92	57,793.20
NATIONAL RURAL UTIL COOP CORPORATE NOTES DTD 05/04/2022 3.450% 06/15/2025	63743HFE7	40,000.00	A-	A2	4/27/2022	5/4/2022	39,989.20	3.46	406.33	39,994.09	38,528.80
JP MORGAN CHASE CORP NOTES (CALLABLE) DTD 07/21/2015 3.900% 07/15/2025	46625HMN7	225,000.00	A-	A1	3/10/2022	3/14/2022	232,026.75	2.91	1,852.50	228,500.92	217,984.95
MORGAN STANLEY CORP NOTES DTD 07/23/2015 4.000% 07/23/2025	6174468C6	85,000.00	A-	A1	6/22/2022	6/24/2022	84,900.55	4.04	642.22	84,941.57	82,148.17
IBM CORP CORPORATE NOTES DTD 07/27/2022 4.000% 07/27/2025	459200KS9	375,000.00	A-	A3	7/20/2022	7/27/2022	375,000.00	4.00	2,666.67	375,000.00	364,757.25

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Corporate											
INTEL CORP NOTES (CALLABLE) DTD 07/29/2015 3.700% 07/29/2025	458140AS9	200,000.00	A	A2	1/30/2023	2/1/2023	195,476.00	4.67	1,274.44	196,680.41	193,567.20
BANK OF AMERICA CORP NOTES DTD 07/30/2015 3.875% 08/01/2025	06051GFS3	225,000.00	A-	A1	3/10/2022	3/14/2022	232,420.50	2.84	1,453.13	229,022.44	218,050.88
COLGATE-PALMOLIVE CO CORPORATE NOTES DTD 08/09/2022 3.100% 08/15/2025	194162AM5	55,000.00	AA-	Aa3	8/1/2022	8/9/2022	54,949.40	3.13	217.86	54,968.59	52,836.36
WALMART INC CORPORATE NOTES DTD 09/09/2022 3.900% 09/09/2025	931142EW9	150,000.00	AA	Aa2	9/6/2022	9/9/2022	149,895.00	3.93	357.50	149,932.08	146,118.00
COMMONWEALTH BK AUSTR NY CORPORATE NOTES DTD 09/12/2023 5.499% 09/12/2025	20271RAS9	250,000.00	AA-	Aa3	9/7/2023	9/12/2023	250,230.00	5.45	725.56	250,215.55	249,348.00
HOME DEPOT INC NOTES (CALLABLE) DTD 09/19/2022 4.000% 09/15/2025	437076CR1	55,000.00	A	A2	9/12/2022	9/19/2022	54,980.20	4.01	97.78	54,987.04	53,682.75
LOCKHEED MARTIN CORP NOTES (CALLABLE) DTD 10/24/2022 4.950% 10/15/2025	539830BU2	80,000.00	A-	A2	10/19/2022	10/24/2022	79,772.00	5.05	1,826.00	79,843.74	79,359.20
LOCKHEED MARTIN CORP NOTES (CALLABLE) DTD 10/24/2022 4.950% 10/15/2025	539830BU2	95,000.00	A-	A2	11/1/2022	11/3/2022	95,046.55	4.93	2,168.38	95,031.79	94,239.05
UNITEDHEALTH GROUP INC CORPORATE NOTES DTD 10/28/2022 5.150% 10/15/2025	91324PEN8	80,000.00	A+	A2	10/25/2022	10/28/2022	79,992.80	5.15	1,899.78	79,995.05	79,591.20
PNC FINANCIAL SERVICES CORP NOTE (CALLAB DTD 10/28/2022 5.671% 10/28/2025	693475BH7	110,000.00	A-	A3	10/25/2022	10/28/2022	110,000.00	5.67	2,651.19	110,000.00	108,864.25
COMCAST CORP CORPORATE NOTES DTD 11/07/2022 5.250% 11/07/2025	20030NDZ1	65,000.00	A-	A3	10/31/2022	11/7/2022	64,982.45	5.26	1,365.00	64,987.70	64,661.87
COMCAST CORP CORPORATE NOTES DTD 11/07/2022 5.250% 11/07/2025	20030NDZ1	110,000.00	A-	A3	11/3/2022	11/7/2022	109,734.90	5.34	2,310.00	109,814.24	109,427.78
BRISTOL-MYERS SQUIBB CO CORPORATE NOTES DTD 11/13/2020 0.750% 11/13/2025	110122DN5	125,000.00	A+	A2	2/22/2022	2/24/2022	118,435.00	2.23	359.38	121,258.24	113,394.50
LINDE INC/CT CORPORATE NOTES (CALLABLE) DTD 12/05/2022 4.700% 12/05/2025	53522KAB9	250,000.00	A	A2	11/28/2022	12/5/2022	249,730.00	4.74	3,786.11	249,803.91	246,716.75

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Corporate											
AUST & NZ BANKING GRP NY CORPORATE NOTES DTD 12/08/2022 5.088% 12/08/2025	05254JAA8	250,000.00	AA-	Aa3	11/29/2022	12/8/2022	250,000.00	5.09	3,992.67	250,000.00	247,573.50
NATIONAL AUSTRALIA BK/NY CORPORATE NOTES DTD 01/12/2023 4.966% 01/12/2026	63253QAA2	415,000.00	AA-	Aa3	1/4/2023	1/12/2023	415,000.00	4.97	4,522.51	415,000.00	409,842.80
CITIGROUP INC CORPORATE NOTES DTD 01/12/2016 3.700% 01/12/2026	172967KG5	200,000.00	BBB+	A3	4/27/2023	5/1/2023	194,698.00	4.76	1,623.89	195,519.89	190,334.60
STATE STREET CORP (CALLABLE) CORPORATE N DTD 02/07/2022 1.746% 02/06/2026	857477BR3	110,000.00	A	A1	2/2/2022	2/7/2022	110,000.00	1.75	293.43	110,000.00	103,492.95
PEPSICO INC CORP NOTES (CALLABLE) DTD 02/15/2023 4.550% 02/13/2026	713448FQ6	115,000.00	A+	A1	2/13/2023	2/15/2023	114,933.30	4.57	697.67	114,947.20	113,810.90
MORGAN STANLEY CORP NOTES (CALLABLE) DTD 02/18/2022 2.630% 02/18/2026	61747YEM3	290,000.00	A-	A1	2/16/2022	2/18/2022	290,000.00	2.63	911.00	290,000.00	275,622.38
COLGATE-PALMOLIVE CO CORPORATE NOTES DTD 03/01/2023 4.800% 03/02/2026	194162AQ6	210,000.00	AA-	Aa3	2/27/2023	3/1/2023	209,756.40	4.84	812.00	209,803.92	208,986.12
NATIONAL RURAL UTIL COOP CORP NOTES (CAL DTD 02/09/2023 4.450% 03/13/2026	63743HFH0	125,000.00	A-	A2	2/3/2023	2/9/2023	124,536.25	4.58	278.13	124,632.45	121,875.00
STATE STREET CORP NOTES (CALLABLE) DTD 10/29/2020 2.901% 03/30/2026	857477BM4	255,000.00	A	A1	2/17/2022	2/22/2022	260,133.15	2.38	20.55	257,475.88	243,754.25
BANK OF AMERICA CORP NOTES DTD 04/19/2016 3.500% 04/19/2026	06051GFX2	175,000.00	A-	A1	5/11/2023	5/16/2023	170,066.75	4.54	2,756.25	170,703.60	164,851.23
WELLS FARGO & CO CORP NOTES DTD 04/22/2016 3.000% 04/22/2026	949746RW3	200,000.00	BBB+	A1	3/28/2023	3/30/2023	188,176.00	5.11	2,650.00	190,130.82	186,485.00
CATERPILLAR FINL SERVICE CORPORATE NOTES DTD 05/15/2023 4.350% 05/15/2026	14913UAA8	250,000.00	A	A2	5/8/2023	5/15/2023	249,882.50	4.37	4,108.33	249,897.40	244,327.75
TOYOTA MOTOR CREDIT CORP CORP NOTES DTD 05/18/2023 4.450% 05/18/2026	89236TKT1	210,000.00	A+	A1	5/15/2023	5/18/2023	209,878.20	4.47	3,452.46	209,893.31	205,262.82

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Corporate											
AMERICAN HONDA FINANCE CORPORATE NOTES DTD 07/07/2023 5.250% 07/07/2026	02665WEK3	65,000.00	A-	A3	7/6/2023	7/10/2023	64,583.35	5.49	796.25	64,614.99	64,592.51
AMERICAN HONDA FINANCE CORPORATE NOTES DTD 07/07/2023 5.250% 07/07/2026	02665WEK3	50,000.00	A-	A3	7/21/2023	7/25/2023	50,252.00	5.06	612.50	50,236.10	49,686.55
AMERICAN HONDA FINANCE CORPORATE NOTES DTD 07/07/2023 5.250% 07/07/2026	02665WEK3	85,000.00	A-	A3	7/5/2023	7/7/2023	84,895.45	5.29	1,041.25	84,903.65	84,467.14
BANK OF NEW YORK MELLON CORP NOTES (CALL DTD 07/26/2022 4.414% 07/24/2026	06406RBJ5	80,000.00	A	A1	7/19/2022	7/26/2022	80,000.00	4.41	657.20	80,000.00	77,701.44
BANK OF NEW YORK MELLON CORP NOTES (CALL DTD 07/26/2022 4.414% 07/24/2026	06406RBJ5	170,000.00	A	A1	7/20/2022	7/26/2022	170,554.20	4.32	1,396.54	170,335.36	165,115.56
TRUIST FIN CORP NOTES (CALLABLE) DTD 07/28/2022 4.260% 07/28/2026	89788MAH5	65,000.00	A-	A3	7/26/2022	7/28/2022	65,065.00	4.23	484.58	65,039.50	62,481.70
TRUIST FIN CORP NOTES (CALLABLE) DTD 07/28/2022 4.260% 07/28/2026	89788MAH5	65,000.00	A-	A3	7/25/2022	7/28/2022	65,000.00	4.26	484.58	65,000.00	62,481.71
STATE STREET CORP NOTES (CALLABLE) DTD 08/03/2023 5.272% 08/03/2026	857477CD3	200,000.00	A	A1	7/31/2023	8/3/2023	200,000.00	5.27	1,698.76	200,000.00	197,628.80
PACCAR FINANCIAL CORP CORPORATE NOTES DTD 08/10/2023 5.050% 08/10/2026	69371RS56	125,000.00	A+	A1	8/3/2023	8/10/2023	124,937.50	5.07	894.27	124,940.47	124,359.38
BANK OF AMERICA NA CORPORATE NOTES DTD 08/18/2023 5.526% 08/18/2026	06428CAA2	275,000.00	A+	Aa1	8/14/2023	8/18/2023	275,000.00	5.53	1,815.14	275,000.00	273,601.63
GOLDMAN SACHS GROUP INC CORP NOTES (CALL DTD 11/16/2016 3.500% 11/16/2026	38145GAH3	200,000.00	BBB+	A2	8/7/2023	8/9/2023	188,710.00	5.40	2,625.00	189,210.73	185,999.20
Security Type Sub-Total		13,001,000.00					13,021,154.88	3.31	106,565.98	12,988,346.14	12,591,624.71

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Agency CMBS											
FHMS K053 A2 DTD 03/29/2016 2.995% 12/01/2025	3137BN6G4	250,000.00	AA+	Aaa	8/4/2022	8/9/2022	247,119.14	3.36	623.96	248,114.35	238,005.39
FHMS K054 A2 DTD 04/20/2016 2.745% 01/01/2026	3137BNGT5	275,000.00	AA+	Aaa	4/11/2023	4/14/2023	263,613.28	4.37	629.06	265,562.67	259,884.21
FHMS K054 A2 DTD 04/20/2016 2.745% 01/01/2026	3137BNGT5	225,000.00	AA+	Aaa	5/11/2023	5/16/2023	217,494.14	4.09	514.69	218,571.98	212,632.53
FNA 2016-M3 A2 DTD 03/31/2016 2.702% 02/01/2026	3136ARTE8	151,150.72	AA+	Aaa	8/31/2022	9/6/2022	146,031.67	3.76	340.34	147,636.52	142,393.02
FHMS K057 A2 DTD 09/28/2016 2.570% 07/01/2026	3137BRQJ7	260,000.00	AA+	Aaa	5/18/2023	5/23/2023	247,223.44	4.26	556.84	248,698.09	242,534.23
FHMS K057 A2 DTD 09/28/2016 2.570% 07/01/2026	3137BRQJ7	260,000.00	AA+	Aaa	3/2/2023	3/7/2023	241,779.69	4.86	556.84	244,906.61	242,534.23
FHMS K058 A2 DTD 11/09/2016 2.653% 08/01/2026	3137BSP72	400,000.00	AA+	Aaa	4/6/2023	4/12/2023	383,156.25	4.02	884.33	385,556.52	372,341.47
Security Type Sub-Total		1,821,150.72					1,746,417.61	4.12	4,106.06	1,759,046.74	1,710,325.08
ABS											
TAOT 2020-C A3 DTD 07/27/2020 0.440% 10/15/2024	89237VAB5	3,424.08	AAA	Aaa	7/21/2020	7/27/2020	3,423.82	0.44	0.67	3,424.02	3,418.87
HAROT 2020-3 A3 DTD 09/29/2020 0.370% 10/18/2024	43813KAC6	21,389.95	AAA	NR	9/22/2020	9/29/2020	21,386.80	0.37	2.86	21,389.13	21,215.44
CARMX 2020-1 A3 DTD 01/22/2020 1.890% 12/16/2024	14315XAC2	2,006.03	AAA	NR	1/14/2020	1/22/2020	2,005.63	1.89	1.69	2,005.93	2,003.45
VZOT 2020-B A DTD 08/12/2020 0.470% 02/20/2025	92290BAA9	2,097.62	NR	Aaa	8/4/2020	8/12/2020	2,097.18	0.47	0.30	2,097.48	2,091.31
GMCAR 2020-3 A3 DTD 08/19/2020 0.450% 04/16/2025	362590AC5	27,657.17	NR	Aaa	8/11/2020	8/19/2020	27,650.83	0.46	5.19	27,655.07	27,411.62
WOART 2020-B A3 DTD 06/24/2020 0.630% 05/15/2025	98163WAC0	20,152.30	AAA	NR	6/16/2020	6/24/2020	20,150.72	0.63	5.64	20,151.78	20,006.22
VWALT 2022-A A3 DTD 06/14/2022 3.440% 07/21/2025	92868AAC9	100,000.00	NR	Aaa	6/7/2022	6/14/2022	99,992.04	3.44	105.11	99,995.37	98,465.06
HART 2021-A A3 DTD 04/28/2021 0.380% 09/15/2025	44933LAC7	49,961.30	AAA	NR	4/20/2021	4/28/2021	49,956.05	0.38	8.44	49,958.96	48,975.37

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
ABS											
HAROT 2021-4 A3 DTD 11/24/2021 0.880% 01/21/2026	43815GAC3	132,856.58	NR	Aaa	11/16/2021	11/24/2021	132,828.58	0.89	32.48	132,841.04	127,762.10
CARMX 2021-2 A3 DTD 04/21/2021 0.520% 02/17/2026	14314QAC8	65,493.60	AAA	NR	4/13/2021	4/21/2021	65,479.48	0.52	15.14	65,486.63	63,540.66
HART 2021-C A3 DTD 11/17/2021 0.740% 05/15/2026	44935FAD6	102,824.08	AAA	NR	11/9/2021	11/17/2021	102,801.13	0.75	33.82	102,810.69	99,365.91
FORDO 2022-A A3 DTD 01/24/2022 1.290% 06/15/2026	345286AC2	117,975.33	AAA	NR	1/19/2022	1/24/2022	117,961.32	1.29	67.64	117,966.70	114,085.84
CARMX 2021-3 A3 DTD 07/28/2021 0.550% 06/15/2026	14317DAC4	182,961.26	AAA	Aaa	7/21/2021	7/28/2021	182,931.17	0.55	44.72	182,944.59	175,743.24
BMWOT 2022-A A3 DTD 05/18/2022 3.210% 08/25/2026	05602RAD3	135,000.00	AAA	Aaa	5/10/2022	5/18/2022	134,992.98	3.21	72.23	134,995.23	131,679.78
COPAR 2021-1 A3 DTD 10/27/2021 0.770% 09/15/2026	14044CAC6	140,454.99	AAA	Aaa	10/19/2021	10/27/2021	140,452.34	0.77	48.07	140,453.39	134,796.20
DCENT 2021-A1 A1 DTD 09/27/2021 0.580% 09/15/2026	254683CP8	155,000.00	AAA	Aaa	9/20/2021	9/27/2021	154,966.81	0.58	39.96	154,980.24	147,445.21
TAOT 2022-B A3 DTD 04/13/2022 2.930% 09/15/2026	89238FAD5	145,000.00	AAA	Aaa	4/7/2022	4/13/2022	144,996.61	2.93	188.82	144,997.73	140,700.39
GMCAR 2021-4 A3 DTD 10/21/2021 0.680% 09/16/2026	362554AC1	86,225.49	AAA	Aaa	10/13/2021	10/21/2021	86,223.29	0.68	24.43	86,224.16	82,790.21
HART 2022-A A3 DTD 03/16/2022 2.220% 10/15/2026	448977AD0	140,000.00	AAA	NR	3/9/2022	3/16/2022	139,994.61	2.22	138.13	139,996.43	135,224.84
WOART 2021-D A3 DTD 11/03/2021 0.810% 10/15/2026	98163KAC6	160,595.03	AAA	NR	10/26/2021	11/3/2021	160,573.16	0.81	57.81	160,581.60	154,635.83
COMET 2021-A3 A3 DTD 11/30/2021 1.040% 11/15/2026	14041NFY2	305,000.00	AAA	NR	11/18/2021	11/30/2021	304,957.97	1.04	140.98	304,973.52	289,398.95
ALLYA 2022-1 A3 DTD 05/18/2022 3.310% 11/15/2026	02008JAC0	245,000.00	AAA	Aaa	5/10/2022	5/18/2022	244,952.57	3.31	360.42	244,967.04	239,474.61
GMCAR 2022-1 A3 DTD 01/19/2022 1.260% 11/16/2026	380146AC4	108,994.79	AAA	NR	1/11/2022	1/19/2022	108,985.32	1.26	57.22	108,988.65	104,885.52
HDMOT 2022-A A3 DTD 04/20/2022 3.060% 02/15/2027	41284YAD8	255,000.00	AAA	Aaa	4/12/2022	4/20/2022	254,957.54	3.06	346.80	254,970.29	249,312.00
GMCAR 2022-2 A3 DTD 04/13/2022 3.100% 02/16/2027	362585AC5	125,000.00	AAA	Aaa	4/5/2022	4/13/2022	124,973.88	3.10	161.46	124,981.79	121,388.05

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
ABS											
CARMX 2022-2 A3 DTD 04/28/2022 3.490% 02/16/2027	14317HAC5	190,000.00	AAA	Aaa	4/21/2022	4/28/2022	189,971.10	3.49	294.71	189,979.68	185,405.29
COMET 2022-A1 A1 DTD 03/30/2022 2.800% 03/15/2027	14041NFZ9	250,000.00	AAA	NR	3/23/2022	3/30/2022	249,981.15	2.80	311.11	249,986.87	239,830.90
TAOT 2022-C A3 DTD 08/16/2022 3.760% 04/15/2027	89231CAD9	105,000.00	AAA	NR	8/8/2022	8/16/2022	104,982.45	3.76	175.47	104,986.69	101,886.02
CARMX 2022-3 A3 DTD 07/20/2022 3.970% 04/15/2027	14318MAD1	265,000.00	AAA	NR	7/12/2022	7/20/2022	264,993.75	3.97	467.58	264,995.33	258,706.67
GMCAR 2022-3 A3 DTD 07/13/2022 3.640% 04/16/2027	36265WAD5	155,000.00	NR	Aaa	7/6/2022	7/13/2022	154,998.93	3.64	235.08	154,999.20	150,719.12
COMET 2022-A2 A DTD 06/14/2022 3.490% 05/15/2027	14041NGA3	335,000.00	AAA	NR	6/6/2022	6/14/2022	334,946.47	3.49	519.62	334,960.60	323,568.93
DCENT 2022-A2 A DTD 05/26/2022 3.320% 05/17/2027	254683CS2	270,000.00	NR	Aaa	5/19/2022	5/26/2022	269,978.05	3.32	398.40	269,984.01	260,119.51
ALLYA 2022-2 A3 DTD 10/12/2022 4.760% 05/17/2027	02008MAC3	450,000.00	AAA	Aaa	10/4/2022	10/12/2022	449,994.42	4.76	952.00	449,995.60	443,416.59
NAROT 2022-B A3 DTD 09/28/2022 4.460% 05/17/2027	65480JAC4	235,000.00	AAA	Aaa	9/20/2022	9/28/2022	234,951.38	4.46	465.82	234,961.95	231,023.33
AMXCA 2022-2 A DTD 05/24/2022 3.390% 05/17/2027	02582JJT8	370,000.00	AAA	NR	5/17/2022	5/24/2022	369,918.16	3.39	557.47	369,940.43	357,050.04
HART 2022-C A3 DTD 11/09/2022 5.390% 06/15/2027	44933DAD3	325,000.00	AAA	NR	11/1/2022	11/9/2022	324,998.44	5.39	778.56	324,998.74	322,970.02
DCENT 2022-A3 A3 DTD 08/09/2022 3.560% 07/15/2027	254683CW3	300,000.00	AAA	Aaa	8/2/2022	8/9/2022	299,962.77	3.56	474.67	299,971.41	289,650.15
CARMX 2022-4 A3 DTD 10/31/2022 5.340% 08/16/2027	14318UAD3	295,000.00	AAA	NR	10/26/2022	10/31/2022	294,930.82	5.35	700.13	294,944.06	292,329.01
MBART 2022-1 A3 DTD 11/22/2022 5.210% 08/16/2027	58768PAC8	390,000.00	AAA	Aaa	11/15/2022	11/22/2022	389,922.86	5.21	903.07	389,936.83	387,410.75
TAOT 2023-A A3 DTD 01/30/2023 4.630% 09/15/2027	891940AC2	165,000.00	AAA	NR	1/24/2023	1/30/2023	164,999.92	4.63	339.53	164,999.93	162,003.39
TAOT 2022-D A3 DTD 11/08/2022 5.300% 09/15/2027	89239HAD0	110,000.00	NR	Aaa	11/1/2022	11/8/2022	109,989.14	5.30	259.11	109,991.14	109,305.44
AMXCA 2022-4 A DTD 11/03/2022 4.950% 10/15/2027	02582JJX9	120,000.00	AAA	NR	10/27/2022	11/3/2022	119,994.05	4.95	264.00	119,995.14	118,730.45

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
ABS											
NAROT 2023-A A3 DTD 04/26/2023 4.910% 11/15/2027	65480WAD3	235,000.00	NR	Aaa	4/18/2023	4/26/2023	234,958.48	4.91	512.82	234,962.42	231,690.52
HAROT 2023-2 A3 DTD 05/30/2023 4.930% 11/15/2027	437927AC0	160,000.00	AAA	Aaa	5/23/2023	5/30/2023	159,974.08	4.93	350.58	159,976.05	157,999.84
HDMOT 2023-A A3 DTD 02/23/2023 5.050% 12/15/2027	41285JAD0	170,000.00	NR	Aaa	2/13/2023	2/23/2023	169,982.88	5.05	381.56	169,985.02	167,816.98
FORDO 2023-A A3 DTD 03/31/2023 4.650% 02/15/2028	344928AD8	130,000.00	AAA	NR	3/28/2023	3/31/2023	129,986.44	4.65	268.67	129,987.84	127,653.15
TAOT 2023-B A3 DTD 05/23/2023 4.710% 02/15/2028	891941AD8	200,000.00	NR	Aaa	5/16/2023	5/23/2023	199,988.82	4.71	418.67	199,989.67	196,006.94
GMCAR 2023-2 A3 DTD 04/12/2023 4.470% 02/16/2028	362583AD8	140,000.00	AAA	Aaa	4/4/2023	4/12/2023	139,996.15	4.47	260.75	139,996.52	136,895.60
BMWOT 2023-A A3 DTD 07/18/2023 5.470% 02/25/2028	05592XAD2	85,000.00	AAA	NR	7/11/2023	7/18/2023	84,984.94	5.47	77.49	84,985.61	84,692.04
DCENT 2023-A1 A DTD 04/11/2023 4.310% 03/15/2028	254683CY9	300,000.00	NR	Aaa	4/4/2023	4/11/2023	299,982.60	4.31	574.67	299,984.27	292,103.52
HART 2023-B A3 DTD 07/19/2023 5.480% 04/17/2028	44933XAD9	75,000.00	AAA	NR	7/11/2023	7/19/2023	74,996.75	5.48	182.67	74,996.89	74,881.69
AMXCA 2023-1 A DTD 06/14/2023 4.870% 05/15/2028	02582JJZ4	140,000.00	AAA	NR	6/7/2023	6/14/2023	139,987.58	4.87	303.02	139,988.33	138,145.62
BACCT 2023-A1 A1 DTD 06/16/2023 4.790% 05/15/2028	05522RDG0	120,000.00	AAA	NR	6/8/2023	6/16/2023	119,972.83	4.79	255.47	119,974.45	118,327.74
FORDO 2023-B A3 DTD 06/26/2023 5.230% 05/15/2028	344930AD4	150,000.00	AAA	NR	6/21/2023	6/26/2023	149,997.98	5.23	348.67	149,998.09	148,929.00
GMCAR 2023-3 A3 DTD 07/19/2023 5.450% 06/16/2028	36267KAD9	75,000.00	AAA	Aaa	7/11/2023	7/19/2023	74,997.11	5.45	170.31	74,997.23	74,839.16
FITAT 2023-1 A3 DTD 08/23/2023 5.530% 08/15/2028	31680EAD3	265,000.00	AAA	Aaa	8/15/2023	8/23/2023	264,983.57	5.53	651.31	264,983.92	264,088.35

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
ABS											
CHAIT 2023-A1 A DTD 09/15/2023 5.160% 09/15/2028	161571HT4	380,000.00	AAA	NR	9/7/2023	9/15/2023	379,894.66	5.17	871.47	379,894.61	377,920.15
Security Type Sub-Total		9,785,069.60					9,783,890.56	3.71	15,684.49	9,784,165.99	9,561,932.59
Managed Account Sub Total		50,397,220.32					50,211,074.29	3.37	344,147.19	50,186,120.91	48,850,295.32
Securities Sub Total		\$50,397,220.32					\$50,211,074.29	3.37%	\$344,147.19	\$50,186,120.91	\$48,850,295.32
Accrued Interest											\$344,147.19
Total Investments											\$49,194,442.51

Quarterly Portfolio Transactions

Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amount (\$)	Yield at Market	Realized G/L (BV)
BUY									
7/5/2023	7/7/2023	85,000.00	02665WEK3	AMERICAN HONDA FINANCE CORPORATE NOTES	5.25%	7/7/2026	84,895.45	5.29%	
7/6/2023	7/10/2023	65,000.00	02665WEK3	AMERICAN HONDA FINANCE CORPORATE NOTES	5.25%	7/7/2026	64,611.79	5.49%	
7/11/2023	7/18/2023	85,000.00	05592XAD2	BMWOT 2023-A A3	5.47%	2/25/2028	84,984.94	5.47%	
7/11/2023	7/19/2023	75,000.00	44933XAD9	HART 2023-B A3	5.48%	4/17/2028	74,996.75	5.48%	
7/11/2023	7/19/2023	75,000.00	36267KAD9	GMCAR 2023-3 A3	5.45%	6/16/2028	74,997.11	5.45%	
7/17/2023	7/20/2023	475,000.00	21684LGS5	COOPERAT RABOBANK UA/NY CERT DEPOS	5.08%	7/17/2026	475,000.00	5.08%	
7/21/2023	7/25/2023	50,000.00	02665WEK3	AMERICAN HONDA FINANCE CORPORATE NOTES	5.25%	7/7/2026	50,383.25	5.06%	
7/31/2023	8/3/2023	200,000.00	857477CD3	STATE STREET CORP NOTES (CALLABLE)	5.27%	8/3/2026	200,000.00	5.27%	
8/1/2023	8/3/2023	1,550,000.00	91282CHM6	US TREASURY N/B NOTES	4.50%	7/15/2026	1,551,118.80	4.56%	
8/3/2023	8/10/2023	125,000.00	69371RS56	PACCAR FINANCIAL CORP CORPORATE NOTES	5.05%	8/10/2026	124,937.50	5.07%	
8/7/2023	8/9/2023	200,000.00	38145GAH3	GOLDMAN SACHS GROUP INC CORP NOTES (CALL	3.50%	11/16/2026	190,323.89	5.40%	
8/14/2023	8/18/2023	275,000.00	06428CAA2	BANK OF AMERICA NA CORPORATE NOTES	5.52%	8/18/2026	275,000.00	5.53%	
8/15/2023	8/23/2023	265,000.00	31680EAD3	FITAT 2023-1 A3	5.53%	8/15/2028	264,983.57	5.53%	
9/6/2023	9/11/2023	1,100,000.00	91282CHU8	US TREASURY N/B NOTES	4.37%	8/15/2026	1,093,046.54	4.73%	
9/7/2023	9/12/2023	250,000.00	20271RAS9	COMMONWEALTH BK AUSTR NY CORPORATE	5.49%	9/12/2025	250,230.00	5.45%	
9/7/2023	9/15/2023	380,000.00	161571HT4	CHAIT 2023-A1 A	5.16%	9/15/2028	379,894.66	5.17%	

Quarterly Portfolio Transactions

Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amount (\$)	Yield at Market	Realized G/L (BV)
BUY									
9/18/2023	9/20/2023	375,000.00	63873QP65	NATIXIS NY BRANCH CERT DEPOS	5.61%	9/18/2026	375,000.00	5.58%	
Total BUY		5,630,000.00					5,614,404.25		0.00
INTEREST									
7/1/2023	7/25/2023	151,776.26	3136ARTE8	FNA 2016-M3 A2	2.70%	2/1/2026	341.75		
7/1/2023	7/25/2023	520,000.00	3137BRQJ7	FHMS K057 A2	2.57%	7/1/2026	1,113.67		
7/1/2023	7/25/2023	400,000.00	3137BSP72	FHMS K058 A2	2.65%	8/1/2026	884.33		
7/1/2023	7/25/2023	500,000.00	3137BNGT5	FHMS K054 A2	2.74%	1/1/2026	1,143.75		
7/1/2023	7/25/2023	250,000.00	3137BN6G4	FHMS K053 A2	2.99%	12/1/2025	623.96		
7/3/2023	7/3/2023		MONEY0002	MONEY MARKET FUND			210.51		
7/10/2023	7/10/2023	250,000.00	21688AAS1	COOPERATIEVE RABOBANK UA CORPORATE	1.37%	1/10/2025	1,718.75		
7/10/2023	7/10/2023	220,000.00	24422EVY2	JOHN DEERE CAPITAL CORP CORPORATE NOTES	1.25%	1/10/2025	1,375.00		
7/12/2023	7/12/2023	415,000.00	63253QAA2	NATIONAL AUSTRALIA BK/NY CORPORATE NOTES	4.96%	1/12/2026	10,304.45		
7/12/2023	7/12/2023	200,000.00	172967KG5	CITIGROUP INC CORPORATE NOTES	3.70%	1/12/2026	3,700.00		
7/13/2023	7/13/2023	250,000.00	02665WEA5	AMERICAN HONDA FINANCE CORPORATE NOTES	1.50%	1/13/2025	1,875.00		
7/15/2023	7/15/2023	165,000.00	891940AC2	TAOT 2023-A A3	4.63%	9/15/2027	636.63		
7/15/2023	7/15/2023	155,000.00	254683CP8	DCENT 2021-A1 A1	0.58%	9/15/2026	74.92		
7/15/2023	7/15/2023	300,000.00	254683CY9	DCENT 2023-A1 A	4.31%	3/15/2028	1,077.50		

Quarterly Portfolio Transactions

Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amount (\$)	Yield at Market	Realized G/L (BV)
INTEREST									
7/15/2023	7/15/2023	110,000.00	89239HAD0	TAOT 2022-D A3	5.30%	9/15/2027	485.83		
7/15/2023	7/15/2023	17,472.42	14315XAC2	CARMX 2020-1 A3	1.89%	12/16/2024	27.52		
7/15/2023	7/15/2023	37,864.46	98163WAC0	WOART 2020-B A3	0.63%	5/15/2025	19.88		
7/15/2023	7/15/2023	335,000.00	14041NGA3	COMET 2022-A2 A	3.49%	5/15/2027	974.29		
7/15/2023	7/15/2023	160,000.00	437927AC0	HAROT 2023-2 A3	4.93%	11/15/2027	657.33		
7/15/2023	7/15/2023	190,000.00	98163KAC6	WOART 2021-D A3	0.81%	10/15/2026	128.25		
7/15/2023	7/15/2023	265,000.00	14318MAD1	CARMX 2022-3 A3	3.97%	4/15/2027	876.71		
7/15/2023	7/15/2023	325,000.00	44933DAD3	HART 2022-C A3	5.39%	6/15/2027	1,459.79		
7/15/2023	7/15/2023	190,000.00	14317HAC5	CARMX 2022-2 A3	3.49%	2/16/2027	552.58		
7/15/2023	7/15/2023	235,000.00	65480WAD3	NAROT 2023-A A3	4.91%	11/15/2027	961.54		
7/15/2023	7/15/2023	300,000.00	254683CW3	DCENT 2022-A3 A3	3.56%	7/15/2027	890.00		
7/15/2023	7/15/2023	218,373.47	14317DAC4	CARMX 2021-3 A3	0.55%	6/15/2026	100.09		
7/15/2023	7/15/2023	1,625,000.00	91282CEY3	US TREASURY N/B NOTES	3.00%	7/15/2025	24,375.00		
7/15/2023	7/15/2023	130,000.00	345286AC2	FORDO 2022-A A3	1.29%	6/15/2026	139.75		
7/15/2023	7/15/2023	1,350,000.00	91282CCL3	US TREASURY N/B NOTES	0.37%	7/15/2024	2,531.25		
7/15/2023	7/15/2023	295,000.00	14318UAD3	CARMX 2022-4 A3	5.34%	8/16/2027	1,312.75		
7/15/2023	7/15/2023	82,669.86	14314QAC8	CARMX 2021-2 A3	0.52%	2/17/2026	35.82		

Quarterly Portfolio Transactions

Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amount (\$)	Yield at Market	Realized G/L (BV)
INTEREST									
7/15/2023	7/15/2023	305,000.00	14041NFY2	COMET 2021-A3 A3	1.04%	11/15/2026	264.33		
7/15/2023	7/15/2023	120,000.00	44935FAD6	HART 2021-C A3	0.74%	5/15/2026	74.00		
7/15/2023	7/15/2023	68,067.48	44933LAC7	HART 2021-A A3	0.38%	9/15/2025	21.55		
7/15/2023	7/15/2023	120,000.00	02582JJX9	AMXCA 2022-4 A	4.95%	10/15/2027	495.00		
7/15/2023	7/15/2023	24,125.46	89237VAB5	TAOT 2020-C A3	0.44%	10/15/2024	8.85		
7/15/2023	7/15/2023	160,000.00	14044CAC6	COPAR 2021-1 A3	0.77%	9/15/2026	102.67		
7/15/2023	7/15/2023	140,000.00	448977AD0	HART 2022-A A3	2.22%	10/15/2026	259.00		
7/15/2023	7/15/2023	130,000.00	344928AD8	FORDO 2023-A A3	4.65%	2/15/2028	503.75		
7/15/2023	7/15/2023	225,000.00	46625HMN7	JP MORGAN CHASE CORP NOTES (CALLABLE)	3.90%	7/15/2025	4,387.50		
7/15/2023	7/15/2023	140,000.00	02582JJZ4	AMXCA 2023-1 A	4.87%	5/15/2028	587.11		
7/15/2023	7/15/2023	200,000.00	891941AD8	TAOT 2023-B A3	4.71%	2/15/2028	785.00		
7/15/2023	7/15/2023	235,000.00	65480JAC4	NAROT 2022-B A3	4.46%	5/17/2027	873.42		
7/15/2023	7/15/2023	14,923.33	44933FAC0	HART 2020-B A3	0.48%	12/16/2024	5.97		
7/15/2023	7/15/2023	105,000.00	89231CAD9	TAOT 2022-C A3	3.76%	4/15/2027	329.00		
7/15/2023	7/15/2023	255,000.00	41284YAD8	HDMOT 2022-A A3	3.06%	2/15/2027	650.25		
7/15/2023	7/15/2023	450,000.00	02008MAC3	ALLYA 2022-2 A3	4.76%	5/17/2027	1,785.00		
7/15/2023	7/15/2023	250,000.00	14041NFZ9	COMET 2022-A1 A1	2.80%	3/15/2027	583.33		

Quarterly Portfolio Transactions

Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amount (\$)	Yield at Market	Realized G/L (BV)
INTEREST									
7/15/2023	7/15/2023	2,550,000.00	91282CGE5	US TREASURY N/B NOTES	3.87%	1/15/2026	49,406.25		
7/15/2023	7/15/2023	370,000.00	02582JJT8	AMXCA 2022-2 A	3.39%	5/17/2027	1,045.25		
7/15/2023	7/15/2023	170,000.00	41285JAD0	HDMOT 2023-A A3	5.05%	12/15/2027	715.42		
7/15/2023	7/15/2023	145,000.00	89238FAD5	TAOT 2022-B A3	2.93%	9/15/2026	354.04		
7/15/2023	7/15/2023	245,000.00	02008JAC0	ALLYA 2022-1 A3	3.31%	11/15/2026	675.79		
7/15/2023	7/15/2023	270,000.00	254683CS2	DCENT 2022-A2 A	3.32%	5/17/2027	747.00		
7/15/2023	7/15/2023	390,000.00	58768PAC8	MBART 2022-1 A3	5.21%	8/16/2027	1,693.25		
7/15/2023	7/15/2023	150,000.00	344930AD4	FORDO 2023-B A3	5.23%	5/15/2028	414.04		
7/16/2023	7/16/2023	110,000.00	380146AC4	GMCAR 2022-1 A3	1.26%	11/16/2026	115.50		
7/16/2023	7/16/2023	140,000.00	362583AD8	GMCAR 2023-2 A3	4.47%	2/16/2028	521.50		
7/16/2023	7/16/2023	100,000.00	362554AC1	GMCAR 2021-4 A3	0.68%	9/16/2026	56.67		
7/16/2023	7/16/2023	48,524.92	362590AC5	GMCAR 2020-3 A3	0.45%	4/16/2025	18.20		
7/16/2023	7/16/2023	125,000.00	362585AC5	GMCAR 2022-2 A3	3.10%	2/16/2027	322.92		
7/16/2023	7/16/2023	155,000.00	36265WAD5	GMCAR 2022-3 A3	3.64%	4/16/2027	470.17		
7/18/2023	7/18/2023	41,605.08	43813KAC6	HAROT 2020-3 A3	0.37%	10/18/2024	12.83		
7/20/2023	7/20/2023	100,000.00	92868AAC9	VWALT 2022-A A3	3.44%	7/21/2025	286.67		
7/20/2023	7/20/2023	24,492.83	380144AC9	GMALT 2021-2 A3	0.34%	5/20/2024	6.94		

Quarterly Portfolio Transactions

Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amount (\$)	Yield at Market	Realized G/L (BV)
INTEREST									
7/20/2023	7/20/2023	42,707.92	92290BAA9	VZOT 2020-B A	0.47%	2/20/2025	16.73		
7/21/2023	7/21/2023	155,000.00	43815GAC3	HAROT 2021-4 A3	0.88%	1/21/2026	113.67		
7/23/2023	7/23/2023	85,000.00	6174468C6	MORGAN STANLEY CORP NOTES	4.00%	7/23/2025	1,700.00		
7/24/2023	7/24/2023	250,000.00	06406RBJ5	BANK OF NEW YORK MELLON CORP NOTES (CALL	4.41%	7/24/2026	5,517.50		
7/25/2023	7/25/2023	135,000.00	05602RAD3	BMWOT 2022-A A3	3.21%	8/25/2026	361.13		
7/25/2023	7/25/2023	6,660.55	09661RAD3	BMWOT 2020-A A3	0.48%	10/25/2024	2.66		
7/27/2023	7/27/2023	375,000.00	459200KS9	IBM CORP CORPORATE NOTES	4.00%	7/27/2025	7,500.00		
7/28/2023	7/28/2023	130,000.00	89788MAH5	TRUIST FIN CORP NOTES (CALLABLE)	4.26%	7/28/2026	2,769.00		
7/29/2023	7/29/2023	200,000.00	458140AS9	INTEL CORP NOTES (CALLABLE)	3.70%	7/29/2025	3,700.00		
7/30/2023	7/30/2023	225,000.00	025816CG2	AMERICAN EXPRESS CO CORP NOTES (CALLABLE	2.50%	7/30/2024	2,812.50		
8/1/2023	8/1/2023		MONEY0002	MONEY MARKET FUND			495.71		
8/1/2023	8/1/2023	225,000.00	06051GFS3	BANK OF AMERICA CORP NOTES	3.87%	8/1/2025	4,359.38		
8/1/2023	8/25/2023	400,000.00	3137BSP72	FHMS K058 A2	2.65%	8/1/2026	884.33		
8/1/2023	8/25/2023	520,000.00	3137BRQJ7	FHMS K057 A2	2.57%	7/1/2026	1,113.67		
8/1/2023	8/25/2023	151,558.05	3136ARTE8	FNA 2016-M3 A2	2.70%	2/1/2026	341.26		
8/1/2023	8/25/2023	250,000.00	3137BN6G4	FHMS K053 A2	2.99%	12/1/2025	623.96		
8/1/2023	8/25/2023	500,000.00	3137BNGT5	FHMS K054 A2	2.74%	1/1/2026	1,143.75		

Quarterly Portfolio Transactions

Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amount (\$)	Yield at Market	Realized G/L (BV)
INTEREST									
8/5/2023	8/5/2023	175,000.00	74005PBN3	LINDE INC/CT (CALLABLE) CORPORATE NOTES	2.65%	2/5/2025	2,318.75		
8/6/2023	8/6/2023	110,000.00	857477BR3	STATE STREET CORP (CALLABLE) CORPORATE N	1.74%	2/6/2026	960.30		
8/7/2023	8/7/2023	175,000.00	63743HFC1	NATIONAL RURAL UTIL COOP CORPORATE NOTES	1.87%	2/7/2025	1,640.63		
8/12/2023	8/12/2023	100,000.00	904764BN6	UNILEVER CAPITAL CORP (CALLABLE) CORPORA	0.62%	8/12/2024	313.00		
8/13/2023	8/13/2023	115,000.00	713448FQ6	PEPSICO INC CORP NOTES (CALLABLE)	4.55%	2/13/2026	2,587.18		
8/13/2023	8/13/2023	200,000.00	89236TGT6	TOYOTA MOTOR CREDIT CORP CORP NOTES	1.80%	2/13/2025	1,800.00		
8/15/2023	8/15/2023	120,000.00	02582JJX9	AMXCA 2022-4 A	4.95%	10/15/2027	495.00		
8/15/2023	8/15/2023	130,000.00	345286AC2	FORDO 2022-A A3	1.29%	6/15/2026	139.75		
8/15/2023	8/15/2023	8,151.25	44933FAC0	HART 2020-B A3	0.48%	12/16/2024	3.26		
8/15/2023	8/15/2023	206,286.61	14317DAC4	CARMX 2021-3 A3	0.55%	6/15/2026	94.55		
8/15/2023	8/15/2023	305,000.00	14041NFY2	COMET 2021-A3 A3	1.04%	11/15/2026	264.33		
8/15/2023	8/15/2023	140,000.00	448977AD0	HART 2022-A A3	2.22%	10/15/2026	259.00		
8/15/2023	8/15/2023	179,755.07	98163KAC6	WOART 2021-D A3	0.81%	10/15/2026	121.33		
8/15/2023	8/15/2023	140,000.00	02582JJZ4	AMXCA 2023-1 A	4.87%	5/15/2028	568.17		
8/15/2023	8/15/2023	370,000.00	02582JJT8	AMXCA 2022-2 A	3.39%	5/17/2027	1,045.25		
8/15/2023	8/15/2023	270,000.00	254683CS2	DCENT 2022-A2 A	3.32%	5/17/2027	747.00		
8/15/2023	8/15/2023	12,167.60	14315XAC2	CARMX 2020-1 A3	1.89%	12/16/2024	19.16		

Quarterly Portfolio Transactions

Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amount (\$)	Yield at Market	Realized G/L (BV)
INTEREST									
8/15/2023	8/15/2023	130,000.00	344928AD8	FORDO 2023-A A3	4.65%	2/15/2028	503.75		
8/15/2023	8/15/2023	200,000.00	891941AD8	TAOT 2023-B A3	4.71%	2/15/2028	785.00		
8/15/2023	8/15/2023	31,696.56	98163WAC0	WOART 2020-B A3	0.63%	5/15/2025	16.64		
8/15/2023	8/15/2023	295,000.00	14318UAD3	CARMX 2022-4 A3	5.34%	8/16/2027	1,312.75		
8/15/2023	8/15/2023	190,000.00	14317HAC5	CARMX 2022-2 A3	3.49%	2/16/2027	552.58		
8/15/2023	8/15/2023	235,000.00	65480WAD3	NAROT 2023-A A3	4.91%	11/15/2027	961.54		
8/15/2023	8/15/2023	235,000.00	65480JAC4	NAROT 2022-B A3	4.46%	5/17/2027	873.42		
8/15/2023	8/15/2023	55,000.00	194162AM5	COLGATE-PALMOLIVE CO CORPORATE NOTES	3.10%	8/15/2025	852.50		
8/15/2023	8/15/2023	117,341.23	44935FAD6	HART 2021-C A3	0.74%	5/15/2026	72.36		
8/15/2023	8/15/2023	170,000.00	41285JAD0	HDMOT 2023-A A3	5.05%	12/15/2027	715.42		
8/15/2023	8/15/2023	110,000.00	89239HAD0	TAOT 2022-D A3	5.30%	9/15/2027	485.83		
8/15/2023	8/15/2023	165,000.00	891940AC2	TAOT 2023-A A3	4.63%	9/15/2027	636.63		
8/15/2023	8/15/2023	390,000.00	58768PAC8	MBART 2022-1 A3	5.21%	8/16/2027	1,693.25		
8/15/2023	8/15/2023	160,000.00	437927AC0	HAROT 2023-2 A3	4.93%	11/15/2027	657.33		
8/15/2023	8/15/2023	325,000.00	44933DAD3	HART 2022-C A3	5.39%	6/15/2027	1,459.79		
8/15/2023	8/15/2023	61,788.50	44933LAC7	HART 2021-A A3	0.38%	9/15/2025	19.57		
8/15/2023	8/15/2023	265,000.00	14318MAD1	CARMX 2022-3 A3	3.97%	4/15/2027	876.71		

Quarterly Portfolio Transactions

Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amount (\$)	Yield at Market	Realized G/L (BV)
INTEREST									
8/15/2023	8/15/2023	76,850.12	14314QAC8	CARMX 2021-2 A3	0.52%	2/17/2026	33.30		
8/15/2023	8/15/2023	155,000.00	254683CP8	DCENT 2021-A1 A1	0.58%	9/15/2026	74.92		
8/15/2023	8/15/2023	335,000.00	14041NGA3	COMET 2022-A2 A	3.49%	5/15/2027	974.29		
8/15/2023	8/15/2023	245,000.00	02008JAC0	ALLYA 2022-1 A3	3.31%	11/15/2026	675.79		
8/15/2023	8/15/2023	150,000.00	344930AD4	FORDO 2023-B A3	5.23%	5/15/2028	653.75		
8/15/2023	8/15/2023	75,000.00	44933XAD9	HART 2023-B A3	5.48%	4/17/2028	296.83		
8/15/2023	8/15/2023	250,000.00	14041NFZ9	COMET 2022-A1 A1	2.80%	3/15/2027	583.33		
8/15/2023	8/15/2023	255,000.00	41284YAD8	HDMOT 2022-A A3	3.06%	2/15/2027	650.25		
8/15/2023	8/15/2023	930,000.00	91282CGL9	US TREASURY N/B NOTES	4.00%	2/15/2026	18,600.00		
8/15/2023	8/15/2023	300,000.00	254683CW3	DCENT 2022-A3 A3	3.56%	7/15/2027	890.00		
8/15/2023	8/15/2023	450,000.00	02008MAC3	ALLYA 2022-2 A3	4.76%	5/17/2027	1,785.00		
8/15/2023	8/15/2023	120,000.00	05522RDG0	BACCT 2023-A1 A1	4.79%	5/15/2028	942.03		
8/15/2023	8/15/2023	157,366.17	14044CAC6	COPAR 2021-1 A3	0.77%	9/15/2026	100.98		
8/15/2023	8/15/2023	105,000.00	89231CAD9	TAOT 2022-C A3	3.76%	4/15/2027	329.00		
8/15/2023	8/15/2023	1,575,000.00	91282CCT6	US TREASURY N/B NOTES	0.37%	8/15/2024	2,953.13		
8/15/2023	8/15/2023	16,832.37	89237VAB5	TAOT 2020-C A3	0.44%	10/15/2024	6.17		
8/15/2023	8/15/2023	300,000.00	254683CY9	DCENT 2023-A1 A	4.31%	3/15/2028	1,077.50		

Quarterly Portfolio Transactions

Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amount (\$)	Yield at Market	Realized G/L (BV)
INTEREST									
8/15/2023	8/15/2023	145,000.00	89238FAD5	TAOT 2022-B A3	2.93%	9/15/2026	354.04		
8/16/2023	8/16/2023	375,000.00	22536AZR8	CREDIT AGRICOLE CIB NY CERT DEPOS	4.10%	8/16/2024	15,460.42		
8/16/2023	8/16/2023	75,000.00	36267KAD9	GMCAR 2023-3 A3	5.45%	6/16/2028	306.56		
8/16/2023	8/16/2023	170,000.00	46647PBY1	JPMORGAN CHASE & CO CORP NOTES (CALLABLE	0.56%	2/16/2025	478.55		
8/16/2023	8/16/2023	110,000.00	380146AC4	GMCAR 2022-1 A3	1.26%	11/16/2026	115.50		
8/16/2023	8/16/2023	140,000.00	362583AD8	GMCAR 2023-2 A3	4.47%	2/16/2028	521.50		
8/16/2023	8/16/2023	41,442.86	362590AC5	GMCAR 2020-3 A3	0.45%	4/16/2025	15.54		
8/16/2023	8/16/2023	155,000.00	36265WAD5	GMCAR 2022-3 A3	3.64%	4/16/2027	470.17		
8/16/2023	8/16/2023	96,620.29	362554AC1	GMCAR 2021-4 A3	0.68%	9/16/2026	54.75		
8/16/2023	8/16/2023	125,000.00	362585AC5	GMCAR 2022-2 A3	3.10%	2/16/2027	322.92		
8/18/2023	8/18/2023	290,000.00	61747YEM3	MORGAN STANLEY CORP NOTES (CALLABLE)	2.63%	2/18/2026	3,813.50		
8/18/2023	8/18/2023	34,494.02	43813KAC6	HAROT 2020-3 A3	0.37%	10/18/2024	10.64		
8/20/2023	8/20/2023	27,075.52	92290BAA9	VZOT 2020-B A	0.47%	2/20/2025	10.60		
8/20/2023	8/20/2023	100,000.00	92868AAC9	VWALT 2022-A A3	3.44%	7/21/2025	286.67		
8/20/2023	8/20/2023	957.81	380144AC9	GMALT 2021-2 A3	0.34%	5/20/2024	0.27		
8/21/2023	8/21/2023	151,109.86	43815GAC3	HAROT 2021-4 A3	0.88%	1/21/2026	110.81		
8/22/2023	8/22/2023	250,000.00	21688AAU6	COOPERAT RABOBANK UA/NY CORPORATE NOTES	3.87%	8/22/2024	4,843.75		

Quarterly Portfolio Transactions

Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amount (\$)	Yield at Market	Realized G/L (BV)
INTEREST									
8/25/2023	8/25/2023	135,000.00	05602RAD3	BMWOT 2022-A A3	3.21%	8/25/2026	361.13		
8/25/2023	8/25/2023	85,000.00	05592XAD2	BMWOT 2023-A A3	5.47%	2/25/2028	477.87		
8/25/2023	8/25/2023	2,597.48	09661RAD3	BMWOT 2020-A A3	0.48%	10/25/2024	1.04		
9/1/2023	9/1/2023		MONEY0002	MONEY MARKET FUND			488.94		
9/1/2023	9/25/2023	250,000.00	3137BN6G4	FHMS K053 A2	2.99%	12/1/2025	623.96		
9/1/2023	9/25/2023	500,000.00	3137BNGT5	FHMS K054 A2	2.74%	1/1/2026	1,143.75		
9/1/2023	9/25/2023	400,000.00	3137BSP72	FHMS K058 A2	2.65%	8/1/2026	884.33		
9/1/2023	9/25/2023	151,354.79	3136ARTE8	FNA 2016-M3 A2	2.70%	2/1/2026	340.80		
9/1/2023	9/25/2023	520,000.00	3137BRQJ7	FHMS K057 A2	2.57%	7/1/2026	1,113.67		
9/2/2023	9/2/2023	210,000.00	194162AQ6	COLGATE-PALMOLIVE CO CORPORATE NOTES	4.80%	3/2/2026	5,068.00		
9/4/2023	9/4/2023	150,000.00	025816CQ0	AMERICAN EXPRESS CO CORP NOTES (CALLABLE	2.25%	3/4/2025	1,687.50		
9/6/2023	9/6/2023	130,000.00	30231GAF9	EXXON MOBIL CORP CORPORATE NT (CALLABLE)	2.70%	3/6/2025	1,760.85		
9/7/2023	9/7/2023	75,000.00	24422EWB1	JOHN DEERE CAPITAL CORP CORPORATE NOTES	2.12%	3/7/2025	796.88		
9/9/2023	9/9/2023	150,000.00	931142EW9	WALMART INC CORPORATE NOTES	3.90%	9/9/2025	2,925.00		
9/10/2023	9/10/2023	150,000.00	38141GYE8	GOLDMAN SACHS GROUP INC (CALLABLE) CORP	0.65%	9/10/2024	492.75		
9/13/2023	9/13/2023	125,000.00	63743HFH0	NATIONAL RURAL UTIL COOP CORP NOTES (CAL	4.45%	3/13/2026	3,306.60		
9/15/2023	9/15/2023	195,190.25	14317DAC4	CARMX 2021-3 A3	0.55%	6/15/2026	89.46		

Quarterly Portfolio Transactions

Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amount (\$)	Yield at Market	Realized G/L (BV)
INTEREST									
9/15/2023	9/15/2023	200,000.00	891941AD8	TAOT 2023-B A3	4.71%	2/15/2028	785.00		
9/15/2023	9/15/2023	55,000.00	437076CR1	HOME DEPOT INC NOTES (CALLABLE)	4.00%	9/15/2025	1,100.00		
9/15/2023	9/15/2023	370,000.00	02582JJT8	AMXCA 2022-2 A	3.39%	5/17/2027	1,045.25		
9/15/2023	9/15/2023	140,000.00	02582JJZ4	AMXCA 2023-1 A	4.87%	5/15/2028	568.17		
9/15/2023	9/15/2023	110,062.25	44935FAD6	HART 2021-C A3	0.74%	5/15/2026	67.87		
9/15/2023	9/15/2023	120,000.00	05522RDG0	BACCT 2023-A1 A1	4.79%	5/15/2028	479.00		
9/15/2023	9/15/2023	55,839.23	44933LAC7	HART 2021-A A3	0.38%	9/15/2025	17.68		
9/15/2023	9/15/2023	1,000,000.00	91282CCX7	US TREASURY N/B NOTES	0.37%	9/15/2024	1,875.00		
9/15/2023	9/15/2023	75,000.00	44933XAD9	HART 2023-B A3	5.48%	4/17/2028	342.50		
9/15/2023	9/15/2023	165,000.00	891940AC2	TAOT 2023-A A3	4.63%	9/15/2027	636.63		
9/15/2023	9/15/2023	160,000.00	437927AC0	HAROT 2023-2 A3	4.93%	11/15/2027	657.33		
9/15/2023	9/15/2023	335,000.00	14041NGA3	COMET 2022-A2 A	3.49%	5/15/2027	974.29		
9/15/2023	9/15/2023	149,007.42	14044CAC6	COPAR 2021-1 A3	0.77%	9/15/2026	95.61		
9/15/2023	9/15/2023	155,000.00	254683CP8	DCENT 2021-A1 A1	0.58%	9/15/2026	74.92		
9/15/2023	9/15/2023	170,000.00	41285JAD0	HDMOT 2023-A A3	5.05%	12/15/2027	715.42		
9/15/2023	9/15/2023	245,000.00	02008JAC0	ALLYA 2022-1 A3	3.31%	11/15/2026	675.79		
9/15/2023	9/15/2023	10,112.41	89237VAB5	TAOT 2020-C A3	0.44%	10/15/2024	3.71		

Quarterly Portfolio Transactions

Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amount (\$)	Yield at Market	Realized G/L (BV)
INTEREST									
9/15/2023	9/15/2023	110,000.00	89239HAD0	TAOT 2022-D A3	5.30%	9/15/2027	485.83		
9/15/2023	9/15/2023	300,000.00	254683CY9	DCENT 2023-A1 A	4.31%	3/15/2028	1,077.50		
9/15/2023	9/15/2023	145,000.00	89238FAD5	TAOT 2022-B A3	2.93%	9/15/2026	354.04		
9/15/2023	9/15/2023	270,000.00	254683CS2	DCENT 2022-A2 A	3.32%	5/17/2027	747.00		
9/15/2023	9/15/2023	150,000.00	344930AD4	FORDO 2023-B A3	5.23%	5/15/2028	653.75		
9/15/2023	9/15/2023	600,000.00	91282CFK2	US TREASURY N/B NOTES	3.50%	9/15/2025	10,500.00		
9/15/2023	9/15/2023	305,000.00	14041NFY2	COMET 2021-A3 A3	1.04%	11/15/2026	264.33		
9/15/2023	9/15/2023	190,000.00	14317HAC5	CARMX 2022-2 A3	3.49%	2/16/2027	552.58		
9/15/2023	9/15/2023	105,000.00	89231CAD9	TAOT 2022-C A3	3.76%	4/15/2027	329.00		
9/15/2023	9/15/2023	300,000.00	254683CW3	DCENT 2022-A3 A3	3.56%	7/15/2027	890.00		
9/15/2023	9/15/2023	235,000.00	65480WAD3	NAROT 2023-A A3	4.91%	11/15/2027	961.54		
9/15/2023	9/15/2023	165,000.00	002824BB5	ABBOTT LABORATORIES CORP NOTE (CALLABLE)	2.95%	3/15/2025	2,433.75		
9/15/2023	9/15/2023	250,000.00	14041NFZ9	COMET 2022-A1 A1	2.80%	3/15/2027	583.33		
9/15/2023	9/15/2023	450,000.00	02008MAC3	ALLYA 2022-2 A3	4.76%	5/17/2027	1,785.00		
9/15/2023	9/15/2023	235,000.00	65480JAC4	NAROT 2022-B A3	4.46%	5/17/2027	873.42		
9/15/2023	9/15/2023	295,000.00	14318UAD3	CARMX 2022-4 A3	5.34%	8/16/2027	1,312.75		
9/15/2023	9/15/2023	390,000.00	58768PAC8	MBART 2022-1 A3	5.21%	8/16/2027	1,693.25		

Quarterly Portfolio Transactions

Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amount (\$)	Yield at Market	Realized G/L (BV)
INTEREST									
9/15/2023	9/15/2023	7,259.26	14315XAC2	CARMX 2020-1 A3	1.89%	12/16/2024	11.43		
9/15/2023	9/15/2023	25,971.96	98163WAC0	WOART 2020-B A3	0.63%	5/15/2025	13.64		
9/15/2023	9/15/2023	170,508.28	98163KAC6	WOART 2021-D A3	0.81%	10/15/2026	115.09		
9/15/2023	9/15/2023	130,000.00	344928AD8	FORDO 2023-A A3	4.65%	2/15/2028	503.75		
9/15/2023	9/15/2023	1,628.10	44933FAC0	HART 2020-B A3	0.48%	12/16/2024	0.65		
9/15/2023	9/15/2023	126,041.60	345286AC2	FORDO 2022-A A3	1.29%	6/15/2026	135.49		
9/15/2023	9/15/2023	140,000.00	448977AD0	HART 2022-A A3	2.22%	10/15/2026	259.00		
9/15/2023	9/15/2023	265,000.00	14318MAD1	CARMX 2022-3 A3	3.97%	4/15/2027	876.71		
9/15/2023	9/15/2023	325,000.00	44933DAD3	HART 2022-C A3	5.39%	6/15/2027	1,459.79		
9/15/2023	9/15/2023	255,000.00	41284YAD8	HDMOT 2022-A A3	3.06%	2/15/2027	650.25		
9/15/2023	9/15/2023	71,350.56	14314QAC8	CARMX 2021-2 A3	0.52%	2/17/2026	30.92		
9/15/2023	9/15/2023	120,000.00	02582JJX9	AMXCA 2022-4 A	4.95%	10/15/2027	495.00		
9/15/2023	9/15/2023	265,000.00	31680EAD3	FITAT 2023-1 A3	5.53%	8/15/2028	895.55		
9/16/2023	9/16/2023	110,000.00	380146AC4	GMCAR 2022-1 A3	1.26%	11/16/2026	115.50		
9/16/2023	9/16/2023	125,000.00	362585AC5	GMCAR 2022-2 A3	3.10%	2/16/2027	322.92		
9/16/2023	9/16/2023	75,000.00	36267KAD9	GMCAR 2023-3 A3	5.45%	6/16/2028	340.63		
9/16/2023	9/16/2023	91,469.96	362554AC1	GMCAR 2021-4 A3	0.68%	9/16/2026	51.83		

Quarterly Portfolio Transactions

Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amount (\$)	Yield at Market	Realized G/L (BV)
INTEREST									
9/16/2023	9/16/2023	140,000.00	362583AD8	GMCAR 2023-2 A3	4.47%	2/16/2028	521.50		
9/16/2023	9/16/2023	34,396.72	362590AC5	GMCAR 2020-3 A3	0.45%	4/16/2025	12.90		
9/16/2023	9/16/2023	155,000.00	36265WAD5	GMCAR 2022-3 A3	3.64%	4/16/2027	470.17		
9/18/2023	9/18/2023	27,932.35	43813KAC6	HAROT 2020-3 A3	0.37%	10/18/2024	8.61		
9/20/2023	9/20/2023	100,000.00	92868AAC9	VWALT 2022-A A3	3.44%	7/21/2025	286.67		
9/20/2023	9/20/2023	13,546.92	92290BAA9	VZOT 2020-B A	0.47%	2/20/2025	5.31		
9/21/2023	9/21/2023	141,961.89	43815GAC3	HAROT 2021-4 A3	0.88%	1/21/2026	104.11		
9/22/2023	9/22/2023	125,000.00	904764BB2	UNILEVER CAPITAL CORP NOTES (CALLABLE)	3.37%	3/22/2025	2,109.38		
9/23/2023	9/23/2023	535,000.00	4581X0DZ8	INTER-AMERICAN DEVEL BK NOTES	0.50%	9/23/2024	1,337.50		
9/25/2023	9/25/2023	135,000.00	05602RAD3	BMWOT 2022-A A3	3.21%	8/25/2026	361.13		
9/25/2023	9/25/2023	85,000.00	05592XAD2	BMWOT 2023-A A3	5.47%	2/25/2028	387.46		
9/30/2023	9/30/2023	255,000.00	857477BM4	STATE STREET CORP NOTES (CALLABLE)	2.90%	3/30/2026	3,698.78		
Total INTEREST		50,336,989.36					319,051.65		0.00
MATURITY									
7/23/2023	7/23/2023	200,000.00	06051GHL6	BANK OF AMERICA CORP NOTES (CALLED,OMD 7	3.86%	7/23/2023	203,864.00		
Total MATURITY		200,000.00					203,864.00		0.00

Quarterly Portfolio Transactions

Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amount (\$)	Yield at Market	Realized G/L (BV)
PAYDOWNS									
7/1/2023	7/25/2023	218.21	3136ARTE8	FNA 2016-M3 A2	2.70%	2/1/2026	218.21		
7/15/2023	7/15/2023	5,819.74	14314QAC8	CARMX 2021-2 A3	0.52%	2/17/2026	5,819.74		
7/15/2023	7/15/2023	6,167.90	98163WAC0	WOART 2020-B A3	0.63%	5/15/2025	6,167.90		
7/15/2023	7/15/2023	2,658.77	44935FAD6	HART 2021-C A3	0.74%	5/15/2026	2,658.77		
7/15/2023	7/15/2023	6,278.98	44933LAC7	HART 2021-A A3	0.38%	9/15/2025	6,278.98		
7/15/2023	7/15/2023	7,293.09	89237VAB5	TAOT 2020-C A3	0.44%	10/15/2024	7,293.09		
7/15/2023	7/15/2023	10,244.93	98163KAC6	WOART 2021-D A3	0.81%	10/15/2026	10,244.93		
7/15/2023	7/15/2023	6,772.08	44933FAC0	HART 2020-B A3	0.48%	12/16/2024	6,772.08		
7/15/2023	7/15/2023	12,086.86	14317DAC4	CARMX 2021-3 A3	0.55%	6/15/2026	12,086.86		
7/15/2023	7/15/2023	2,633.83	14044CAC6	COPAR 2021-1 A3	0.77%	9/15/2026	2,633.83		
7/15/2023	7/15/2023	5,304.82	14315XAC2	CARMX 2020-1 A3	1.89%	12/16/2024	5,304.82		
7/16/2023	7/16/2023	3,379.71	362554AC1	GMCAR 2021-4 A3	0.68%	9/16/2026	3,379.71		
7/16/2023	7/16/2023	7,082.06	362590AC5	GMCAR 2020-3 A3	0.45%	4/16/2025	7,082.06		
7/18/2023	7/18/2023	7,111.06	43813KAC6	HAROT 2020-3 A3	0.37%	10/18/2024	7,111.06		
7/20/2023	7/20/2023	23,535.02	380144AC9	GMALT 2021-2 A3	0.34%	5/20/2024	23,535.02		
7/20/2023	7/20/2023	15,632.40	92290BAA9	VZOT 2020-B A	0.47%	2/20/2025	15,632.40		
7/21/2023	7/21/2023	3,890.14	43815GAC3	HAROT 2021-4 A3	0.88%	1/21/2026	3,890.14		

Quarterly Portfolio Transactions

Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amount (\$)	Yield at Market	Realized G/L (BV)
PAYDOWNS									
7/25/2023	7/25/2023	4,063.07	09661RAD3	BMWOT 2020-A A3	0.48%	10/25/2024	4,063.07		
8/1/2023	8/25/2023	203.26	3136ARTE8	FNA 2016-M3 A2	2.70%	2/1/2026	203.26		
8/15/2023	8/15/2023	5,499.56	14314QAC8	CARMX 2021-2 A3	0.52%	2/17/2026	5,499.56		
8/15/2023	8/15/2023	8,358.75	14044CAC6	COPAR 2021-1 A3	0.77%	9/15/2026	8,358.75		
8/15/2023	8/15/2023	5,724.60	98163WAC0	WOART 2020-B A3	0.63%	5/15/2025	5,724.60		
8/15/2023	8/15/2023	9,246.79	98163KAC6	WOART 2021-D A3	0.81%	10/15/2026	9,246.79		
8/15/2023	8/15/2023	5,949.27	44933LAC7	HART 2021-A A3	0.38%	9/15/2025	5,949.27		
8/15/2023	8/15/2023	6,523.15	44933FAC0	HART 2020-B A3	0.48%	12/16/2024	6,523.15		
8/15/2023	8/15/2023	7,278.98	44935FAD6	HART 2021-C A3	0.74%	5/15/2026	7,278.98		
8/15/2023	8/15/2023	3,958.40	345286AC2	FORDO 2022-A A3	1.29%	6/15/2026	3,958.40		
8/15/2023	8/15/2023	6,719.96	89237VAB5	TAOT 2020-C A3	0.44%	10/15/2024	6,719.96		
8/15/2023	8/15/2023	4,908.34	14315XAC2	CARMX 2020-1 A3	1.89%	12/16/2024	4,908.34		
8/15/2023	8/15/2023	11,096.36	14317DAC4	CARMX 2021-3 A3	0.55%	6/15/2026	11,096.36		
8/16/2023	8/16/2023	7,046.14	362590AC5	GMCAR 2020-3 A3	0.45%	4/16/2025	7,046.14		
8/16/2023	8/16/2023	5,150.33	362554AC1	GMCAR 2021-4 A3	0.68%	9/16/2026	5,150.33		
8/18/2023	8/18/2023	6,561.67	43813KAC6	HAROT 2020-3 A3	0.37%	10/18/2024	6,561.67		
8/20/2023	8/20/2023	13,528.60	92290BAA9	VZOT 2020-B A	0.47%	2/20/2025	13,528.60		

Quarterly Portfolio Transactions

Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amount (\$)	Yield at Market	Realized G/L (BV)
PAYDOWNS									
8/20/2023	8/20/2023	957.81	380144AC9	GMALT 2021-2 A3	0.34%	5/20/2024	957.81		
8/21/2023	8/21/2023	9,147.97	43815GAC3	HAROT 2021-4 A3	0.88%	1/21/2026	9,147.97		
8/25/2023	8/25/2023	2,597.48	09661RAD3	BMWOT 2020-A A3	0.48%	10/25/2024	2,597.48		
9/1/2023	9/25/2023	204.07	3136ARTE8	FNA 2016-M3 A2	2.70%	2/1/2026	204.07		
9/15/2023	9/15/2023	5,877.93	44933LAC7	HART 2021-A A3	0.38%	9/15/2025	5,877.93		
9/15/2023	9/15/2023	6,688.33	89237VAB5	TAOT 2020-C A3	0.44%	10/15/2024	6,688.33		
9/15/2023	9/15/2023	1,628.10	44933FAC0	HART 2020-B A3	0.48%	12/16/2024	1,628.10		
9/15/2023	9/15/2023	7,238.17	44935FAD6	HART 2021-C A3	0.74%	5/15/2026	7,238.17		
9/15/2023	9/15/2023	8,066.27	345286AC2	FORDO 2022-A A3	1.29%	6/15/2026	8,066.27		
9/15/2023	9/15/2023	12,228.99	14317DAC4	CARMX 2021-3 A3	0.55%	6/15/2026	12,228.99		
9/15/2023	9/15/2023	9,913.25	98163KAC6	WOART 2021-D A3	0.81%	10/15/2026	9,913.25		
9/15/2023	9/15/2023	5,856.96	14314QAC8	CARMX 2021-2 A3	0.52%	2/17/2026	5,856.96		
9/15/2023	9/15/2023	8,552.43	14044CAC6	COPAR 2021-1 A3	0.77%	9/15/2026	8,552.43		
9/15/2023	9/15/2023	5,819.66	98163WAC0	WOART 2020-B A3	0.63%	5/15/2025	5,819.66		
9/15/2023	9/15/2023	5,253.23	14315XAC2	CARMX 2020-1 A3	1.89%	12/16/2024	5,253.23		
9/16/2023	9/16/2023	6,739.55	362590AC5	GMCAR 2020-3 A3	0.45%	4/16/2025	6,739.55		
9/16/2023	9/16/2023	1,005.21	380146AC4	GMCAR 2022-1 A3	1.26%	11/16/2026	1,005.21		

Quarterly Portfolio Transactions

Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amount (\$)	Yield at Market	Realized G/L (BV)
PAYDOWNS									
9/16/2023	9/16/2023	5,244.47	362554AC1	GMCAR 2021-4 A3	0.68%	9/16/2026	5,244.47		
9/18/2023	9/18/2023	6,542.40	43813KAC6	HAROT 2020-3 A3	0.37%	10/18/2024	6,542.40		
9/20/2023	9/20/2023	11,449.30	92290BAA9	VZOT 2020-B A	0.47%	2/20/2025	11,449.30		
9/21/2023	9/21/2023	9,105.31	43815GAC3	HAROT 2021-4 A3	0.88%	1/21/2026	9,105.31		
Total PAYDOWNS		368,043.72					368,043.72		0.00
SELL									
7/5/2023	7/7/2023	90,000.00	02665WDY4	AMERICAN HONDA FINANCE CORPORATE NOTES	0.75%	8/9/2024	85,724.40		-4,530.85
7/6/2023	7/10/2023	95,000.00	02665WDY4	AMERICAN HONDA FINANCE CORPORATE NOTES	0.75%	8/9/2024	90,443.40		-4,832.14
7/17/2023	7/20/2023	125,000.00	912828X70	US TREASURY NOTES	2.00%	4/30/2024	122,376.44		-4,751.64
7/17/2023	7/20/2023	250,000.00	02665WEA5	AMERICAN HONDA FINANCE CORPORATE NOTES	1.50%	1/13/2025	237,320.42		-12,654.65
7/17/2023	7/20/2023	145,000.00	69371RR40	PACCAR FINANCIAL CORP CORPORATE NOTES	0.50%	8/9/2024	138,027.84		-7,268.82
8/1/2023	8/3/2023	1,000,000.00	91282CCG4	US TREASURY N/B NOTES	0.25%	6/15/2024	957,248.76		-41,172.02
8/1/2023	8/3/2023	450,000.00	912828X70	US TREASURY NOTES	2.00%	4/30/2024	441,249.15		-16,475.32
8/1/2023	8/3/2023	142,000.00	91282CCG4	US TREASURY N/B NOTES	0.25%	6/15/2024	135,929.33		-5,877.18
8/3/2023	8/10/2023	125,000.00	91282CCG4	US TREASURY N/B NOTES	0.25%	6/15/2024	119,784.14		-5,029.71
8/7/2023	8/9/2023	195,000.00	023135CE4	AMAZON.COM INC CORPORATE NOTES	3.00%	4/13/2025	190,726.90		-5,984.69
8/15/2023	8/18/2023	275,000.00	91282CCG4	US TREASURY N/B NOTES	0.25%	6/15/2024	263,797.95		-10,820.85

Quarterly Portfolio Transactions

Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amount (\$)	Yield at Market	Realized G/L (BV)
SELL									
8/16/2023	8/23/2023	50,000.00	91282CCG4	US TREASURY N/B NOTES	0.25%	6/15/2024	48,002.09		-1,931.82
9/6/2023	9/11/2023	550,000.00	91282CCL3	US TREASURY N/B NOTES	0.37%	7/15/2024	527,444.21		-23,065.70
9/6/2023	9/11/2023	550,000.00	91282CCG4	US TREASURY N/B NOTES	0.25%	6/15/2024	529,168.49		-20,238.96
9/7/2023	9/12/2023	50,000.00	91282CCL3	US TREASURY N/B NOTES	0.37%	7/15/2024	47,967.56		-2,047.37
9/7/2023	9/12/2023	200,000.00	91282CCL3	US TREASURY N/B NOTES	0.37%	7/15/2024	191,870.25		-8,317.00
9/8/2023	9/15/2023	75,000.00	91282CCL3	US TREASURY N/B NOTES	0.37%	7/15/2024	71,994.65		-3,030.26
9/11/2023	9/11/2023	250,000.00	06406RBC0	BANK OF NY MELLON CORP (CALLABLE) CORP N	3.35%	4/25/2025	245,643.68		-7,571.08
9/15/2023	9/15/2023	200,000.00	91282CCL3	US TREASURY N/B NOTES	0.37%	7/15/2024	191,993.55		-8,072.88
9/18/2023	9/20/2023	125,000.00	91282CCL3	US TREASURY N/B NOTES	0.37%	7/15/2024	120,056.04		-4,992.46
Total SELL		4,942,000.00					4,756,769.25		-198,665.40

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- In accordance with generally accepted accounting principles, information is presented on a trade date basis; forward settling purchases are included in the monthly balances, and forward settling sales are excluded.
- Performance is presented in accordance with the CFA Institute's Global Investment Performance Standards (GIPS). Unless otherwise noted, performance is shown gross of fees. Quarterly returns are presented on an unannualized basis. Returns for periods greater than one year are presented on an annualized basis. Past performance is not indicative of future returns.
- Bank of America/Merrill Lynch Indices provided by Bloomberg Financial Markets.
- Money market fund/cash balances are included in performance and duration computations.
- Standard & Poor's is the source of the credit ratings. Distribution of credit rating is exclusive of money market fund/LGIP holdings.
- Callable securities in the portfolio are included in the maturity distribution analysis to their stated maturity date, although, they may be called prior to maturity.
- MBS maturities are represented by expected average life.

Glossary

- **Accrued Interest:** Interest that is due on a bond or other fixed income security since the last interest payment was made.
- **Agencies:** Federal agency securities and/or Government-sponsored enterprises.
- **Amortized Cost:** The original cost of the principal of the security is adjusted for the amount of the periodic reduction of any discount or premium from the purchase date until the date of the report. Discount or premium with respect to short-term securities (those with less than one year to maturity at time of issuance) is amortized on a straight line basis. Such discount or premium with respect to longer-term securities is amortized using the constant yield basis.
- **Asset-Backed Security:** A financial instrument collateralized by an underlying pool of assets – usually ones that generate a cash flow from debt, such as loans, leases, credit card balances, and receivables.
- **Bankers' Acceptance:** A draft or bill of exchange accepted by a bank or trust company. The accepting institution guarantees payment of the bill as well as the insurer.
- **Commercial Paper:** An unsecured obligation issued by a corporation or bank to finance its short-term credit needs, such as accounts receivable and inventory.
- **Contribution to Total Return:** The weight of each individual security multiplied by its return, then summed for each sector to determine how much each sector added or subtracted from the overall portfolio performance.
- **Effective Duration:** A measure of the sensitivity of a security's price to a change in interest rates, stated in years.
- **Effective Yield:** The total yield an investor receives in relation to the nominal yield or coupon of a bond. Effective yield takes into account the power of compounding on investment returns, while nominal yield does not.
- **FDIC:** Federal Deposit Insurance Corporation. A federal agency that insures bank deposits to a specified amount.
- **Interest Rate:** Interest per year divided by principal amount and expressed as a percentage.
- **Market Value:** The value that would be received or paid for an investment in an orderly transaction between market participants at the measurement date.
- **Maturity:** The date upon which the principal or stated value of an investment becomes due and payable.
- **Negotiable Certificates of Deposit:** A CD with a very large denomination, usually \$1 million or more, that can be traded in secondary markets.
- **Par Value:** The nominal dollar face amount of a security.
- **Pass-through Security:** A security representing pooled debt obligations that passes income from debtors to its shareholders. The most common type is the mortgage-backed security.

Glossary

- Repurchase Agreements: A holder of securities sells these securities to an investor with an agreement to repurchase them at a fixed price on a fixed date.
- Settle Date: The date on which the transaction is settled and monies/securities are exchanged. If the settle date of the transaction (i.e., coupon payments and maturity proceeds) occurs on a non-business day, the funds are exchanged on the next business day.
- Supranational: A multinational union or association in which member countries cede authority and sovereignty on at least some internal matters to the group, whose decisions are binding on its members.
- Trade Date: The date on which the transaction occurred; however, the final consummation of the security transaction and payment has not yet taken place.
- Unsettled Trade: A trade which has been executed; however, the final consummation of the security transaction and payment has not yet taken place.
- U.S. Treasury: The department of the U.S. government that issues Treasury securities.
- Yield: The rate of return based on the current market value, the annual interest receipts, maturity value, and the time period remaining until maturity, stated as a percentage on an annualized basis.
- YTM at Cost: The yield to maturity at cost is the expected rate of return based on the original cost, the annual interest receipts, maturity value, and the time period from purchase date to maturity, stated as a percentage on an annualized basis.
- YTM at Market: The yield to maturity at market is the rate of return based on the current market value, the annual interest receipts, maturity value, and the time period remaining until maturity, stated as a percentage on an annualized basis.



AGENDA REPORT SUMMARY

Meeting Date: November 28, 2023

Subject HPA23-0001 – 41 Hawthorne Avenue

Prepared by: Sean Gallegos, Senior Planner

Reviewed by: Nick Zornes, Development Services Director

Approved by: Gabriel Engeland, City Manager

Attachment(s):

- 1. Draft Resolution
- 2. Historic Evaluation and Secretary of the Interior Standards for the Treatment of Historic Properties Review
- 3. Mills Act Application Recommendation Letter
- 4. Historian Support Letter for Ten-Year Work Plan
- 5. Historic Preservation Agreement
- 6. [Historical Commission Agenda and Attachments, September 25, 2023](#)

Initiated by:

Sreenivas and Isabel Tallam, property owners of 41 Hawthorne Avenue

Previous Council Consideration:

None

Fiscal Impact:

The fiscal impact cannot be established since the assessed value will undergo reevaluation by the Santa Clara County Assessor's Office following Council's approval of the Historic Preservation agreement contract. It is anticipated that upon entering into the Historic Preservation agreement contract with the City, there could be an annual reduction in property tax revenue for the subject property ranging from 40 percent to 60 percent. Using the property's most recent tax assessment in 2022 of \$22,020, the reduction after reassessment is estimated to range between \$8,808 - \$13,212 per year. The City receives .029% to .045% of property taxes from the subject site and would therefore see an estimated \$8,808 - \$13,212 reduction in property tax revenue from this property.

Environmental Review:

The approval of a Historic Preservation agreement is Categorically Exempt from environmental review pursuant to Section 15331 (Class 31) of California Environmental Quality Act (CEQA) because Class 31 projects consist of projects limited to the maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of historical resources in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings.



Subject: HPA23-0001 41 Hawthorne Avenue

Summary:

- The owners of 41 Hawthorne Avenue, a Historic Resource, are seeking to execute a historic preservation agreement with the City for the historical rehabilitation project to allow for a property tax reduction under the Mills Act.
- The Mills Act allows cities to enter into contracts with property owners of historic structures for a reduction of property taxes in exchange for the continued preservation of the historic resource.

Background

A property owner may enter into a Historic Preservation agreement with the City, which allows them to benefit from a reduced property tax rate assessed by the County Assessor. In exchange for this tax incentive, property owners commit to maintaining, preserving, restoring, and rehabilitating their historic property or structure. The County Assessor determines the value of historic properties using the capitalization of income method, which is based on either actual rents or market-based projected rents. This method adheres to Section 439 of the California Revenue and Taxation Code, where assessed property values are derived from fair rent values. The fair rent income, after deducting certain expenses, is then divided by a capitalization rate to determine the property's assessed value. The City of Los Altos currently has Historic Preservation Agreements in place with 15 designated Historic Landmark and Historic Resource properties.

On July 26, 2023, the Planning Division received an application (HPA23-0001) from the property owners for a historical preservation agreement permit (HPA) for the Historic Resource located at 41 Hawthorne Avenue. If approved by the Council, this Mills Act application will enable a property tax reduction aimed at providing essential support to the owners for the rehabilitation and preservation efforts directed towards this historical resource.

The 1926 house is associated with the Tudor Revival architecture style, popular throughout the U.S. from 1890 to 1940. The 1926 house demonstrates the essential elements of the Tudor Revival style with many character-defining features associated with the style, including the steeply pitched and sloping multi-gable roofs, the exposed half-timber elements, the two “three-centered” arches along the front porch, the in-kind replacement picture windows with central square, fixed single-light windows between three-over-one with mullions, original double-hung wood windows within lugs, stucco walls, and the asymmetrical floorplan. The 1926 house is a good example of Tudor Revival architecture from 1926.

As outlined in the Historic Resource Evaluation and Secretary of the Interior Standards for the Treatment of Historic Properties Review prepared by Stacey De Shazo with Evans & De Shazo, Inc. (Attachment B, respectively), the Historic Evaluation Report assessed the existing historic resource and a proposed future rehabilitation project. The report by the project historian made the following determinations:



Subject: HPA23-0001 41 Hawthorne Avenue

1. The California Register of Historic Places and the Los Altos Historic Preservation Ordinance established that a resource 50 years of age or older may qualify for listing in CRHP or the Los Altos Historic Resource Inventory. The 1926 house meets this threshold.
2. The 1926 house is historically significant and appears individually eligible for listing in the CRHPs under Criterion 3 for its association with Tudor Revival architecture and under Criterion C3 under Section 12.44.040 of the Historic Preservation Ordinance.
3. The existing historic resource with its Tudor Revival architectural style retains all seven aspects of integrity; and therefore, the existing house is a qualified historic property under CRHP and the Los Altos Historic Preservation Ordinance and eligible for the Mills Act.
4. Furthermore, it found that the future proposed rehabilitation project meets the Secretary of Interior Standards for Rehabilitation. Therefore, the proposed rehabilitation will not impact the integrity of the historic resource and still make the house eligible for the Mills Act.

To provide additional clarity, the future project involves the construction of two new ancillary structures: a detached garage and an accessory dwelling unit (ADU), both to be located at the rear of the 1926 house. It's important to note that the Council is not currently evaluating the future rehabilitation project, as it will be a separate proposal submitted by the applicant at a later date. Nevertheless, the applicant has proactively included a review based on the Secretary of the Interior Standards for the Treatment of Historic Properties within the Historic Resource Report, in preparation for this future development.

On September 24, 2023, the Historical Commission held public discussions to consider the Mills Act application. The Commission discussed the merits of the request from the property owners, and acknowledged the Historic Resource Evaluation Report prepared by the consulting historian. Following the discussion, the Commission voted unanimously to approve the rehabilitation project and recommend that the City Council authorize the City Manager to execute a Historic Preservation agreement with the property owners at 41 Hawthorne Avenue. The Historical Commission agenda report and attachments are provided as attachment 5.

Discussion/Analysis

The execution of a Historic Preservation Agreement with the City will make the historic resource eligible for a property tax reduction in accordance with the Mills Act. If the Mills Act request for the subject site is approved by the Council, it is estimated that the City would experience an annual property tax revenue reduction ranging from 40 percent to 60 percent. However, it's important to acknowledge that the exact fiscal impact remains uncertain, as the assessed value will be reevaluated by the Santa Clara County Assessor's Office following the City Council's approval of the Mills Act. Consequently, our staff is unable to determine the precise fiscal impact on the City at this time. For reference, in Fiscal Year 2022-2023, the City generated approximately \$29,568,955 in property tax revenue.



Subject: HPA23-0001 41 Hawthorne Avenue

A standard term for a Historic Preservation Agreement spans a ten-year duration, with an automatic annual renewal clause thereafter. However, it's important to note that both the City and the property owner retain the right to revoke the agreement if they so choose at a later date. Furthermore, the agreement mandates that any property tax savings realized must be reinvested into activities related to the maintenance, preservation, restoration, and enhancement of the historic structure, as stipulated by the Historical Commission's requirement for a Schedule of Improvements, which demonstrates the intended use of funds for ongoing efforts to uphold the historical integrity of the structure and the surrounding property. You can find this Schedule of Improvements as Exhibit B in the Draft Historic Preservation Agreement provided in Attachment 5.

Recommendation

Adopt a Resolution authorizing the City Manager to execute a Historic Preservation agreement with property owners of 41 Hawthorne Avenue.

RESOLUTION NO. 2023-__

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS
AUTHORIZING THE CITY MANAGER TO ENTER INTO A MILLS ACT
AGREEMENT WITH THE PROPERTY OWNERS OF 41 HAWTHORNE
AVENUE**

WHEREAS, Government Code Sections 50280 et seq. authorizes a city to enter into a historical property contract with the owner of any qualified historical property to restrict the use of such property so that it retains its historically significant characteristics in return for which the property owner obtains property tax relief; and

WHEREAS, the City of Los Altos is a community that celebrates its history, the rich past that is incorporated into the fabric of the City and provides a link to the community’s heritage and the remaining sites and structures of architectural and/or historic significance that enhance the community’s unique character and contribute to a sense of place; and

WHEREAS, in accordance with that Historic Preservation Ordinance (LAMC Chapter 12.44), the Historical Commission held a public hearing on September 25, 2023 and made positive findings pursuant to Section 12.44.060(c), that the proposed historic resource structure at 41 Hawthorne Ave is more than 50 years in age, retains sufficient historic integrity, and is historically significant and has special historical, cultural, architectural and aesthetic value as part of the heritage and history of the City; and

WHEREAS, by virtue of its adoption of the Historic Preservation Ordinance (LAMC Chapter 12.44), the City Council of the City of Los Altos provides that designated historic resources and landmark structures of merit, and structures located in historic districts that are privately owned shall be considered qualified historical properties eligible to enter into historic preservation (Mills Act) agreements with the City; and

WHEREAS, the Historical Commission held a public meeting on September 25, 2023 to consider the request to execute a historic preservation agreement on the subject property and directed City staff to forward a recommendation to the City Council in support of the application; and

WHEREAS, in accordance with the historic preservation agreement, the property owner shall every five years commencing on the fifth anniversary of the effective date of the historic preservation agreement submit to the City an updated ten (10) year schedule of potential home repair, maintenance and improvement, and submit documentation for all repairs, maintenance, and improvements which have been completed since the Effective Date.

WHEREAS, this designation is classified as an historic resource restoration/rehabilitation/preservation project and is categorically exempt from environmental review under Section 15331 of the California Environmental Quality Act; and

WHEREAS, the City Council of the City of Los Altos concurs with the recommendation of the Historical Commission to execute a historic preservation agreement on the subject property.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Los Altos hereby authorizes the City Manager to enter into a Mills Act Agreement with the owners of 41 Hawthorne Avenue subject to the terms and conditions outlined the Historic Preservation Agreement.

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 _____2023 by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

Sally Meadows, MAYOR

Attest:

Melissa Thurman, CITY CLERK



EVANS & DE SHAZO

ARCHAEOLOGY HISTORIC PRESERVATION

**HISTORIC RESOURCE EVALUATION AND
SECRETARY OF INTERIOR'S STANDARDS FOR THE
TREATMENT OF HISTORIC PROPERTIES REVIEW
OF THE PROPERTY LOCATED
AT 41 HAWTHORNE AVENUE, LOS ALTOS, SANTA
CLARA COUNTY, CALIFORNIA**

SUBMITTED TO:

Sreenivas and Isabel Tallam
sreen.tallam@gmail.com
isabeltallam@gmail.com

SUBMITTED BY:

Stacey De Shazo, M.A.
Principal Architectural Historian
stacey@evans-deshazo.com
with
Nicole LaRochelle, M.S., Architectural Historian
and Bee Thao, M.A.

updated July 6, 2023

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ATTACHMENTS: Department of Parks and Recreation (DPR) 523 forms (Appendix A)



INTRODUCTION

Evans & De Shazo, Inc. (EDS) completed a Historic Resource Evaluation (HRE) and a Secretary of Interior’s Standards for the Treatment of Historic Properties (Standards) review for the proposed project at 41 Hawthorne Avenue, Los Altos, Santa Clara County, California, within the 0.344-acre Assessor Parcel Number (APN) 170-41-036 (Property). The Property includes a 1926 house, ca. 1950 detached garage, ca. 1980 storage shed, and associated landscape. The current “preliminary” project is in the design phase but includes the demolition of the ca. 1950 detached garage and removal of the ca. 1980 storage shed, the restoration of the original front entry and solar panels installed on the roof of the 1926 house, and the construction of a new detached garage and a single-story Accessory Dwelling Unit (ADU) (Project).¹ The 1926 house within the Property is currently listed on the Office of Historic Preservation’s (OHP) Built Environment Resources Directory (BERD) (P-43-002069), and the City of Los Altos Historic Inventory (2013); therefore, the 1926 house is considered a Historical Resource as defined in Section 15064.5 of the California Code of Regulations (CCR) . However, it does not appear that the built environment resources have been evaluated for listing on the California Register of Historical Resources (CRHR). Therefore, in compliance with the California Environment Quality Act (CEQA), the City of Los Altos recommended the completion of an HRE to determine if the Property is eligible for listing on the CRHR. Due to its local listing status as a historical resource, EDS also completed a Standards review to provide additional guidance and recommendations related to the current preliminary Project and assess potential impacts to the 1926 house.

The HRE follows specific guidelines and evaluation criteria of the CRHR (Code of California Regulations [CCR], Title 14, Section (§) 15064.5 and Public Resources Code [PRC] § 21084.1) and the Standards review follows the Department of Interior Standards for the Treatment of Historic Properties (36 CFR Part 67). The HRE was completed by EDS Principal Architectural Historian Stacey De Shazo, M.A., architectural historian Nicole La Rochelle, M.S., who both exceed the Secretary of Interior’s qualification standards in Architectural History and History, and research Bee Thao, M.A. and the Standards review was completed by Ms. De Shazo. The results of the HRE and Standards review are presented herein.

PROPERTY LOCATION

The Property is located within the 0.344-acre APN 170-41-036 at 41 Hawthorne Avenue, Los Altos, Santa Clara County, California (Figure 1). The Property is on the north side of Hawthorne Avenue, approximately 0.2 miles west of Eleanor Avenue, and approximately 200 feet east of South San Antonio Road in the City of Los Altos.

¹ Upon completion of an architectural drawing set, including changes to the 1926 house, new detached garage, and ADU, EDS will update the Standards Review in the report to reflect the “proposed” project.

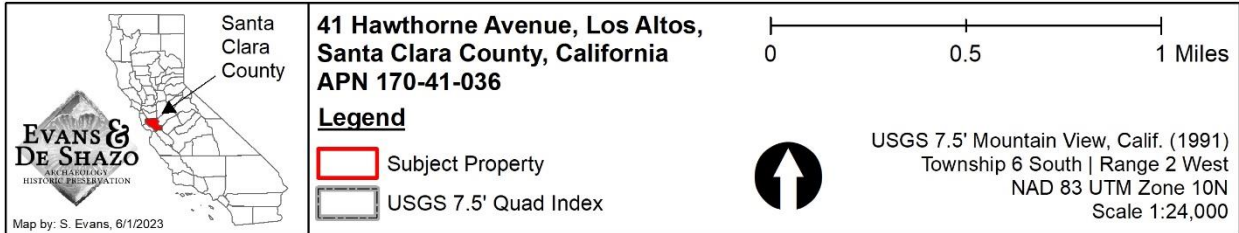
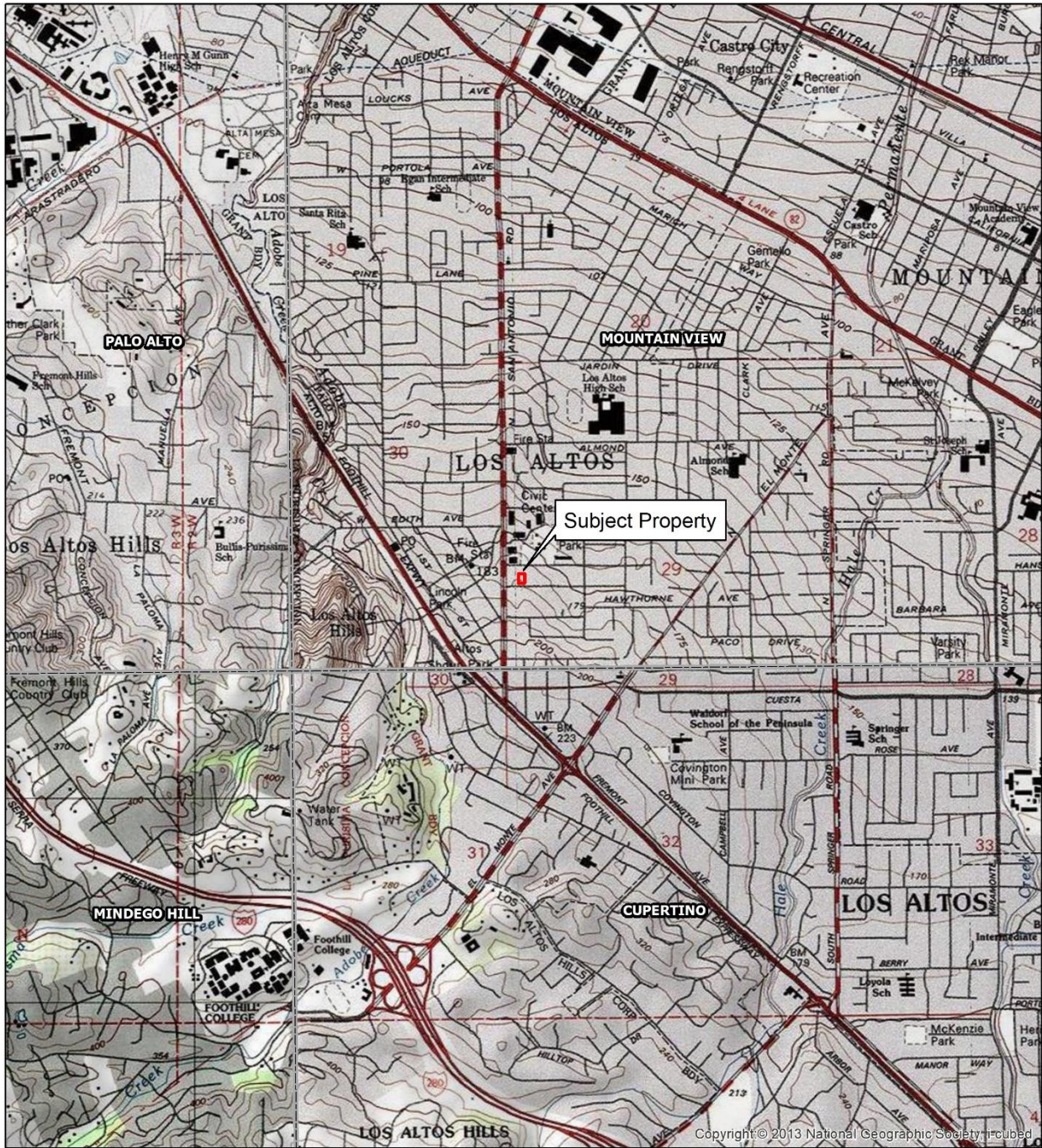


Figure 1. Location Map



REGULATORY SETTING

The CEQA regulations, as they pertain to cultural resources, and the Standards guidelines are outlined below.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

CEQA and the Guidelines for Implementing CEQA (State CEQA Guidelines § 15064.5) give direction and guidance for evaluating properties and the preparation of Initial Studies, Categorical Exemptions, Negative Declarations, and Environmental Impact Reports. Under California State law, the City of Los Altos is legally responsible and accountable for determining the environmental impact of any land use proposal it approves. Cultural resources are aspects of the environment that require identification and assessment for potential significance under CEQA (14 CCR § 15064.5 and PRC § 21084.1).

There are five classes of cultural resources defined by the State OHP. These are:

- **Building:** A structure created principally to shelter or assist in carrying out any form of human activity. A “building” may also be used to refer to a historically and functionally related unit, such as a courthouse and jail or a house and barn.
- **Structure:** A construction made for a functional purpose rather than creating human shelter. Examples include mines, bridges, and tunnels.
- **Object:** Construction is primarily artistic in nature or relatively small in scale and simply constructed. It may be movable by nature or design or made for a specific setting or environment. Objects should be in a setting appropriate to their significant historic use or character. Examples include fountains, monuments, maritime resources, sculptures, and boundary markers.
- **Site:** The location of a significant event. A prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself possesses historic, cultural, or archaeological value regardless of the value of any existing building, structure, or object. A site need not be marked by physical remains if it is the location of a prehistoric or historic event and if no buildings, structures, or objects marked it at that time. Examples include trails, designed landscapes, battlefields, habitation sites, Native American ceremonial areas, petroglyphs, and pictographs.
- **Historic District:** Unified geographic entities which contain a concentration of historic buildings, structures, or sites united historically, culturally, or architecturally.

According to CCR § 15064.5, cultural resources are historically significant if they are:

- (1) A resource listed in or determined to be eligible by the State Historical Resources Commission for listing in the California Register of Historical Resources (PRC §5024.1, 14 CCR § 4850 et seq.).
- (2) A resource included in a local register of historical resources, as defined in PRC § 5020.1(k) or identified as significant in a historical resource survey meeting the requirements PRC § 5024.1(g), shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of the evidence demonstrates that it is not



historically or culturally significant.

- (3) Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be a historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing on the California Register of Historical Resources (PRC § 5024.1, 14 CCR § 4852), including the following:
 - (A) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
 - (B) Is associated with the lives of persons important in our past;
 - (C) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
 - (D) Has yielded, or may be likely to yield, information important in prehistory or history.
- (4) The fact that a resource is not listed in or determined to be eligible for listing in the CRHR, not included in a local register of historical resources pursuant to PRC § 5020.1(k), or identified in a historical resources survey meeting the criteria in PRC § 5024.1(g) does not preclude a lead agency from determining that the resource may be a historical resource as defined in PRC § 5020.1(j) or § 5024.1.

STANDARDS REVIEW

The Secretary of Interior Standards for Rehabilitation

The Standards (codified as 36 CFR 67) defines "Rehabilitation" as "the process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural, and cultural values." The intent of the Standards is to assist the long-term preservation of a property's significance through the preservation of historic materials and features.

The Standards pertain to historic buildings of all materials, construction types, sizes, and occupancy, and encompass the exterior and the interior, related landscape features and the building's site and environment, as well as attached, adjacent, or related new construction. The Standards are to be applied to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility.

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.



4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

METHODS

The methods used to complete the HRE included a database search conducted by the Northwest Information Center (NWIC) of the California Historical Information Systems (CHRIS) (NWIC File #22-1558) to determine if the Property has been previously evaluated or documented. Based on the record search, the 1926 house within the Property is currently listed on the OHP BERD and the City of Los Altos Historic Inventory (2013) and has been previously documented on Department of Parks and Recreation (DPR) forms and assigned the number P-43-002069. EDS also conducted extensive online and in-person research including the Santa Clara County Assessor/Recorder Office records, the Los Altos History Museum, Martin Luther King Library - California Room, and the City of Los Altos, and reviewed digital documents on file with EDS, such as historical maps, Sanborn Fire Insurance maps, historical aerial photographs, and other primary source documents. In addition, the current owners provided EDS with a permit history obtained from the City of Los Altos (detailed in the section below). The purpose of the research was to understand the Property history and the history of the surrounding area to assist in developing a historical context in which to evaluate the historical significance of the built environment within the Property. EDS Principal Architectural Historian Stacey De Shazo, M.A. also completed a historic architectural survey to identify the age, any known architectural style or form, character-defining features, materials, and alterations to the built environment resources, at least 45 years in age, within the Property. Updated DPR 523 forms were also completed for the Property (Appendix A).



The methods used to complete the Standards review included a review of the preliminary plans and details provided by the Property owners. The Standards review was completed by EDS Principal Architectural Historian, who worked directly with the owners to identify and address potential adverse impacts on the 1926 house and ensure the current scope of work complies with the Standards for Rehabilitation. However, since the plans are in the preliminary phase, EDS will need to update the Standards Review once any submittal Project plans are available.

CULTURAL RESOURCE INVENTORIES

As part of the record search, the following inventories were reviewed:

- National Register of Historic Places (NRHP)
- California Register of Historical Resources (CRHR)
- California Historical Landmarks (CHL)
- California Points of Historical Interest (CPHI)
- California Inventory of Historic Resources
- California Office of Historic Preservation (OHP) Built Environment Resources Directory (BERD) for Santa Clara County, California (2020)
- City of Los Altos Historic Inventory and Historic Landmarks

ONLINE RESEARCH

Online research was conducted utilizing the following sources:

- www.newspapers.com
- www.ancestry.com
- www.calisphere.org (University of California)
- <http://www.library.ca.gov/> (California State Library)
- <https://cdnc.ucr.edu/> (California Digital Newspaper Collection)
- <http://pcad.lib.washington.edu> (Pacific Coast Architecture Database [PCAD])
- <https://aiahistoricaldirectory.atlassian.net> (American Architects Directory)

REPOSITORIES

- NWIC Record Search
 - On April 06, 2023, the NWIC completed a database search (NWIC File #22-1558) of the Property. The record search found that the 1926 House has been previously documented on DPR 523 forms (P-43-0002069); however, the Property was not evaluated for listing on the CRHR.



- Santa Clara County Assessor/Recorder Office:
 - EDS conducted research at the Santa Clara County Assessor and Recorder Office on April 11, 2023, to gather information regarding the ownership history of the Property.
- Los Altos History Museum
 - EDS emailed the Los Alto History Museum on April 14, 2023, regarding additional information about Hawthorne Avenue and P.N. Doyles. EDS has not received a reply from the Los Alto History Museum.
- Martin Luther King Library, California Room
 - On April 18, 2023, EDS conducted in-person research at the California Room to find additional information about Los Altos and the Hawthorne Avenue area.
- City of Los Altos
 - On April 14, 2023, the current owner requested the permit history from the City of Los Altos, which was provided to EDS.

The results of the research and literature review are within the Historical Setting section below.

HISTORICAL SETTING

The following section provides a brief history of the City of Los Altos and a specific history of the Property. The purpose of this section is to provide an understanding of the development of the area and the specific context within which the built environment resources within the Property were evaluated for historical significance.

MEXICAN PERIOD (1822 – 1846)

In 1821, Mexico declared its independence from Spain and took possession of “Alta California,”² marking the end of the Spanish period (1769 – 1821) and the beginning of the Mexican period, also referred to as the “rancho” period, in Alta California. Beginning in 1833, the Spanish missions in California were secularized by the Mexican government, and mission-owned land was dissolved. During this time, extraordinary changes occurred throughout Alta California, as the Mexican government lacked the strong oversight and military rule previously imposed by the Spanish, and as such, there were new opportunities for trade when foreign ships that had previously been held off by Spanish guarded military ports could dock and provide a variety of provisions to local settlers throughout California. These new provisions, including tea, coffee, sugars, spices, and spirits, as well as a variety of manufactured goods, soon made their way into the region, and the taxes on these imported goods became the main source of revenue for the Mexican government in Alta California. Likewise, products produced in Alta California were exported, which bolstered the hide and tallow trade that became the primary business activity in Alta California during this time. During this time, the Mexican colonial

² Alta California was a polity of New Spain founded in 1769 and became a territory of Mexico after the Mexican War of Independence in 1821.



authorities encouraged the settlement of Alta California by providing large land grants called ranchos to politically prominent persons that were loyal to the Mexican government and permitting foreigners to settle the land. As a result, the 20 or so ranchos in Alta California, during the Spanish period increased to roughly 800 ranchos that varied from 10,000 to 20,000 acres during the Mexican era.

In 1846, the Property was within unclaimed lands of the Mexican government.

EARLY AMERICAN PERIOD (1848 - 1851)

The beginning of the American Period in California is marked by the end of the Mexican American War (1846-1848), when the United States (U.S.) took possession of Mexican territories, including California, New Mexico, Texas, and Arizona, in the signing of the Treaty of Guadalupe Hidalgo on February 2, 1848. The Treaty of Guadalupe Hidalgo provided resident Mexicans their American citizenship and guaranteed title to ranchos obtained during the Mexican period. However, less than two weeks before the treaty's signing, on January 24, 1848, James Marshall discovered gold at Sutter's Mill, which marked the start of California's Gold Rush (1848 to 1855). Soon, the excitement of the Gold Rush and the promise of fertile and abundant land brought between 150,000 and 200,000 new settlers to California from all over the U.S. and Scotland, Ireland, England, Germany, and France.³ During this time, many new settlers squatted on land, including Mexican rancho and unclaimed land. To quickly resolve Mexican rancho land disputes, the U.S. Congress passed the California Land Act of 1851, establishing a three-member Public Land Commission (Commission) to determine the validity of prior Spanish and Mexican land grants.⁴ The act required landowners who claimed title under the former Mexican government to file a claim with the Commission within two years. Although the Commission eventually confirmed most of the original Mexican land grants, the burden was on landowners to prove their title. The cost of litigation forced many rancho owners to sell off their land to newly arriving settlers, including some who had illegally squatted on their land, as well as land speculators and the lawyers hired to defend their land claims in court.⁵

In 1850, the Property was within the Fremont township of Santa Clara County within 640 acres of public land surveyed under the Public Land Survey System (PLSS) in the 1850s and made available to new settlers.

HISTORY OF LOS ALTOS (1850 – 1960S)

The following history of the City of Los Altos was taken in part from the 2012 City of Los Altos Historic Resource Inventory (HRI),⁶ prepared by CIRCA Preservation Consulting, with additional research conducted by EDS. The context below provides an overview of the development of the City of Los Altos.

In 1850, the present-day City of Los Altos comprised approximately 100 residents, mostly living on large

³ Karen Clay, *Property Rights and Institutions: Congress and the California Land Act 1851*, The Journal of Economic History, Cambridge University Press, 59(01):122-142, March 1999.

⁴ The Spanish government-controlled California land from approximately 1770 to 1821 and the Mexican government-controlled California land from 1821 to 1846.

⁵ Nancy Olmsted. *Vanished Waters: A History of San Francisco's Mission Bay*, Mission Creek Conservancy, San Francisco, 1986.

⁶ CIRCA Preservation Consulting, "City of Los Altos Historic Resources Inventory", Prepared for the City of Los Altos, 2012.



parcels of land for wheat farming and cattle ranching. During this time, the Property was located within 640 acres of public land covered in dense chamisal,⁷ and it was surrounded by several Mexican era ranchos, including La Purísima Concepción to the west, San Antonio to the south, Rincon de San Francisquito to the north, and Pastoria de las Boregas to the north/northeast. At this time, the largest landowner within present-day Los Altos was Juana Briones de Miranda's (Figure 2), who purchased the 4,439-acre Rancho La Purísima Concepción in 1844 from José Gorgonio and his son José Ramon, Ohlone Indians, who were granted the Rancho by then Mexican Governor Juan Alvarado in 1840. Juana, a single mother with eight children, was a medical practitioner and a well-known San Francisco merchant. Juana moved to the rancho in 1847 and built an adobe house within the northern portion of the land. Following the California Land Act of 1851, Juana filed a claim to the Commission for the rancho land, and with the help of her attorney Henry Wager Halleck, she fought to retain her land.⁸ However, by the early 1860s, Juana had to sell portions of her land to support her family. In 1857, she sold approximately 2,000 acres to Martin Murphy, who had arrived in California in 1844 in the Stephens-Townsend-Murphy Party, the first wagon train to cross the Sierra Nevada into California.⁹ Martin paid Juana \$7,000 for the land, adding to his approximately 4,800-acre land holdings in the present-day City of Sunnyvale, known then as Bay View Ranch.¹⁰ In the early 1860s, Juana sold 2,000 acres to Joseph P. Hale, establishing the largest cattle ranch and wheat farm in Los Altos. Along with four other families (names unknown), Hale lived within the ranch, known as Hale Ranch, located west of the Property. In 1862, John Snyder arrived in the Los Altos area, where he purchased land and planted grain within what became known as the Snyder Ranch, which comprised 700 acres, of which some acreage was purchased from Juana. When Juana's land claim was finally patented on August 15, 1871,¹¹ most of the Rancho La Purísima Concepción had been sold to Euro-American settlers or granted to Juana's children.

In the 1850s and 1860s, Santa Clara Valley's primary crops were wheat and grain. During this time, farmers living in Los Altos loaded their crops onto wagons, hauling them to the Mountain View Station stage stop, located along the San Francisco-San Jose Stage Road, known today as El Camino Real. In 1864, the Southern Pacific Railroad established a rail line within present-day Mountain View, approximately one mile north of the Mountain View Station stage stop. In 1865, the City of Mountain View was officially laid out. Due to its proximity to the developing City of Mountain View and the new railroad stop, the small community of Los Altos began to grow. In the 1870s, Los Altos consisted of small and large farms planted with grain and fruit crops. By the 1880s, fruit crops began to replace wheat and grain as the dominant agricultural crop in Santa Clara Valley, and by 1890, many of the larger farms and cattle ranches were subdivided and sold as small farms. During this time, the small farms produced "much as 200 dollars per acre from prunes, apricots,

⁷ Chamisal is a Mexican word that means overgrowth of chamiso, an evergreen shrub.

⁸ CIRCA Preservation Consulting, "City of Los Altos Historic Resources Inventory", Prepared for the City of Los Altos, 2012.

⁹ Gordon Richards, "Stephens-Townsend-Murphy Party", Truckee Donner Historical Society, <https://www.truckeehistory.org/the-first-pioneer-wagons-crossed-the-sierra-over-160-years-ago.html>, (accessed 5/22/2023).

¹⁰ Los Altos Hills, "Lost Altos Hills History Anthology (1956-2016)", 2016.

¹¹ Sacramento State Office, "Report of the Surveyor-General of the State of California from August 1, 1898 – August 1, 1898." 1886.



peaches, cherries, pears, and other fruits.”¹² By 1900, the land where the Property is located was planted with fruit trees.

In the early 1900s, land development and transportation companies began buying land in Los Altos for future development. During this time, the area of present-day Los Altos saw large tracts of undeveloped land, including where the Property is located, subdivided as part of planned transit development. In Los Altos, Southern Pacific Railroad President, Paul Shoup, and his brother, Guy Shoup, an attorney for the Southern Pacific, purchased a right-of-way from Palo Alto to Los Altos to run a connecting line through Los Gatos and points south. This coincided with Paul Shoup’s founding of the Altos Land Company in 1906. Paul, who is known as the father of Los Altos, proposed to link the cities of Palo Alto and Los Gatos with a new rail line through present-day Los Altos; however, the route where the rail line was proposed to be located within two adjoining parcels owned by rifle heiress Sarah Winchester, who did not want the railway line to split the two adjacent parcels (Figure 3). On October 19, 1907, the Altos Land Company was incorporated, with Paul Shoup as its director. Soon after its incorporation, the Southern Pacific Railroad acquired the company as the newly formed subsidiary, Peninsular Railway. Although the Altos Land Company failed to purchase the right-of-way through Sarah Winchester’s property, they offered to buy both lots from her instead. She accepted the offer, which allowed the Altos Land Company to move ahead with its plan to develop the small community. The Altos Land Company kicked off its development plans by sponsoring outdoor land sales events, which coincided with the construction of the new Southern Pacific route from Palo Alto to Los Altos to provide train service through Los Altos. On April 19, 1908, the Southern Pacific train service opened in Los Altos with five trains per day along the route of the present-day Foothill Expressway.

During the early 1900s, the Altos Land Company continued its marketing campaign to sell lots for development to support its new rail line by promoting Los Altos as “the loveliest place on the peninsula” (Figure 4 and Figure 5). As part of their marketing efforts, residents of San Francisco were offered free railroad excursions in the country for a day, with complimentary picnics alongside the tracks where lot sales were being sold. By 1911, there were 50 new houses constructed within Los Altos, as well as several office buildings and stores along Main Street (Figure 6). The 10-acre lots were priced from \$400 to \$650, and homes could be built from \$2,000 to \$4,000. The 10-acre lots were also laid out to support small family-owned fruit farmers, including the lots along Hawthorne Avenue. Shoup then laid out the town of Los Altos, and the first business to open in downtown Los Altos was Eschenbruecher’s Hardware Store at 316 Main Street, which also housed the post office. The Los Altos Water Company, Los Altos Building and Loan, University Land Company, and the railroad company also occupied offices in downtown Los Altos. In 1909, the two-story Shoup Building was constructed at Main and Second streets, which housed a grocery store downstairs, managed by Paul Shoup’s brother-in-law, Al Robinson, while the second floor was used as a school, where one teacher taught first through eighth grade. In 1914, the Southern Pacific constructed a new train depot in Los Altos (Figure 7). During this time, the railroad and, in particular, the electric streetcar, were vital in opening the suburbs to lower and middle-income residents. Between 1910 and 1930, Los Altos prospered as a small town supported by small family-owned orchards and working-class residents who commuted to areas such as San Jose and San Francisco. During this time, small subdivisions developed, and new roads were constructed; however,

¹² Jose Salameda, *Memories of Los Altos*, publisher Joe Salameda (January 1, 1982).



housing construction within the new subdivisions was slow.

During the early 1900s, Los Altos residents were mainly of European or American descent. According to the 1910 U.S. Federal Census, no African Americans were living in Los Altos and there was only one Japanese family and three single Japanese men working as servants, gardeners, or cooks.¹³ By the 1920s, the number of Japanese residing in Los Altos had increased, making up approximately 22% of Los Altos' population; however, there were very few Chinese and only three African Americans residing in Los Altos. During the 1920s, many Japanese American and Japanese immigrants found work on the numerous fruit orchard farms throughout Santa Clara Valley, including Los Altos. Most Japanese leased land due to the restrictive and discriminatory land legislation under the California Alien Land Law of 1913, making it difficult for the Japanese to own property. However, some Japanese Americans found a way to purchase property, such as George Furuichi and his family. They moved to Los Altos in 1918 and purchased five acres of land on Hawthorne Avenue, 0.2 miles southeast of the Property, where they planted fruit trees. During this time, the Furuichi family appeared to have been the only Japanese family that owned property within Los Altos. By the late 1920s, Los Altos had remained a small town with 10-acre lots slowly being developed with housing.

By the mid-1930s, the nation was emerging from the Great Depression (1929 – 1933), which had created a surge of bank closures, resulting in decreased available capital that impacted agriculture and reduced market prices. In 1933, five days after taking the oath of office, Roosevelt called a conference with the secretaries of Agriculture, Interior, and War and several others to discuss his ideas for recruiting 500,000 men to work in the nation's forests and eroded farmlands. Roosevelt's vision was to provide work opportunities, primarily for young men, to repair the land from decades of poor management and over-use, which became known as the "New Deal." As part of the New Deal, on March 31, 1933, the Emergency Conservation Work (ECW) Act was established under Executive Order No. 6101 and created the Civilian Conservation Corps (CCC) and the Works Progress Administration (WPA). The CCC and the WPA were established to create work opportunities that would not interfere with regular employment. As such, they were explicitly directed toward the conservation of natural resources. The Public Works Administration (PWA) was established six years later, in 1939, and was created by the National Industrial Recovery Act of 1933 (NIRA). The PWA projects included extensive improvements and growth to the Santa Clara Valley and Los Altos road system.

The 1940s brought significant change to the U.S. when on December 7, 1941, Japan bombed Pearl Harbor, Hawaii, and the U.S. declared war on Japan, marking the entrance of the U.S. into World War II (WWII). Suspecting potential spies within the Japanese American population, the U.S. government quickly enacted a series of measures to restrict the travel of Japanese Americans and Japanese immigrants to the U.S. and Hawaii. On February 19, 1942, President Roosevelt signed Executive Order 1066, which authorized the internment of 120,000 people of Japanese descent, including Nisei, who were Japanese Americans born to Japanese parents, and Issei, who were the first generation of Japanese to immigrate to the U.S., in 11 camps located across seven states. In March 1942, the Japanese American communities throughout San Jose were told to "relocate" to military areas. Many of them were sent to the assembly center at Tanforan for

¹³ CIRCA Preservation Consulting, "City of Los Altos Historic Resources Inventory", Prepared for the City of Los Altos, 2012.



assignment to internment camps. In 1942, George Furuichi and his family were sent to the Heart Mountain Relocation Center in northwest Wyoming. In 1943, George was recruited by the U.S. Army during his internment, and he served as part of the famed U.S.-Japanese “Go for Broke” 442 Regimental Combat Team.

The end of WWII also saw the return of U.S. soldiers and returning Japanese residents who were released from internment camps. The War Relocation Authority (WRA) gave each Japanese residents \$25 in cash and a train or bus ticket back to their hometowns. Some Japanese residents returning home found their belongings stored by churches or trusted neighbors. In contrast, others discovered their homes and businesses in disarray, and their things were often stolen or broken.¹⁴ Unlike many Japanese Americans who lost everything during their internment, George Furuichi and his family retained their land, which was maintained and protected by close friends. In 1947, George, his sister Helen, and his cousin Tom, who also interned during WWII, opened the Los Altos Nursery, which the Furuichi family owned until it was sold in 2018.

During the late 1940s, Los Altos and Santa Clara County experienced tremendous job growth related to new industries, including the electronic and defense industries, resulting in a manufacturing boom (Figure 9). The town of Los Altos, like many other cities throughout the U.S., saw a housing boom with the return of soldiers after WWII. As the City grew, the now 7,922 residents, feared that either Palo Alto or Mountain View would annex the growing town. In 1952, the citizens voted to incorporate the City of Los Altos, becoming the eleventh City in Santa Clara County. By 1960, with the economy booming and new residential housing constructed, the population of Los Altos reached 19,696. By this time, the automobile had replaced the train, and in 1964 the Southern Pacific Railroad ceased operations in Los Altos. During the 1970s, the technology industry was beginning to grow, and downtown Los Altos consisted of commercial buildings, restaurants, and a movie theater (Figure 10). In 1976, Apple co-founders Steve Jobs and Steve Wozniak built the first 50 “Apple I” computer in Jobs’ parents’ garage in Los Altos.

¹⁴ James C Williams, and Kent Seavey. “Gilroy Yamato Hot Springs National Register of Historic Places Nomination”, (NR#95000996), Washington, DC: National Park Service, 1995.



Figure 2. undated photograph of Juana Briones de Miranda (courtesy of the NPS).

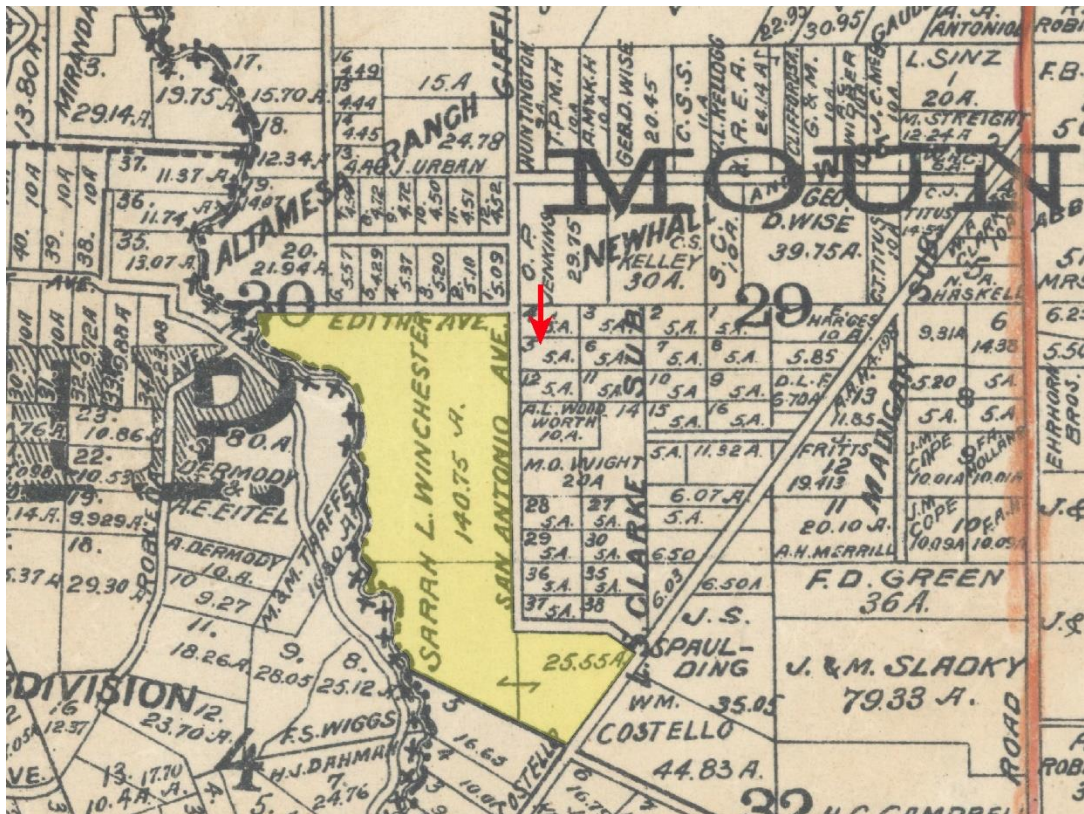


Figure 3. A 1906 tract map is showing the Property (red arrow) concerning the Sarah Winchester parcel (highlight center parcel) that was sold to the Altos Land Company and later became the townsite for Los Altos (courtesy of the Los Altos History House Museum Archives).



Figure 4. ca. 1907 bird's eye view drawing of the developing community of Los Altos (courtesy of the Los Altos History House Museum Archives).



Figure 5. A marketing brochure from the Altos Land Company advertising the Los Altos as the loveliest place on the peninsula (courtesy of the Los Altos History House Museum Archives).

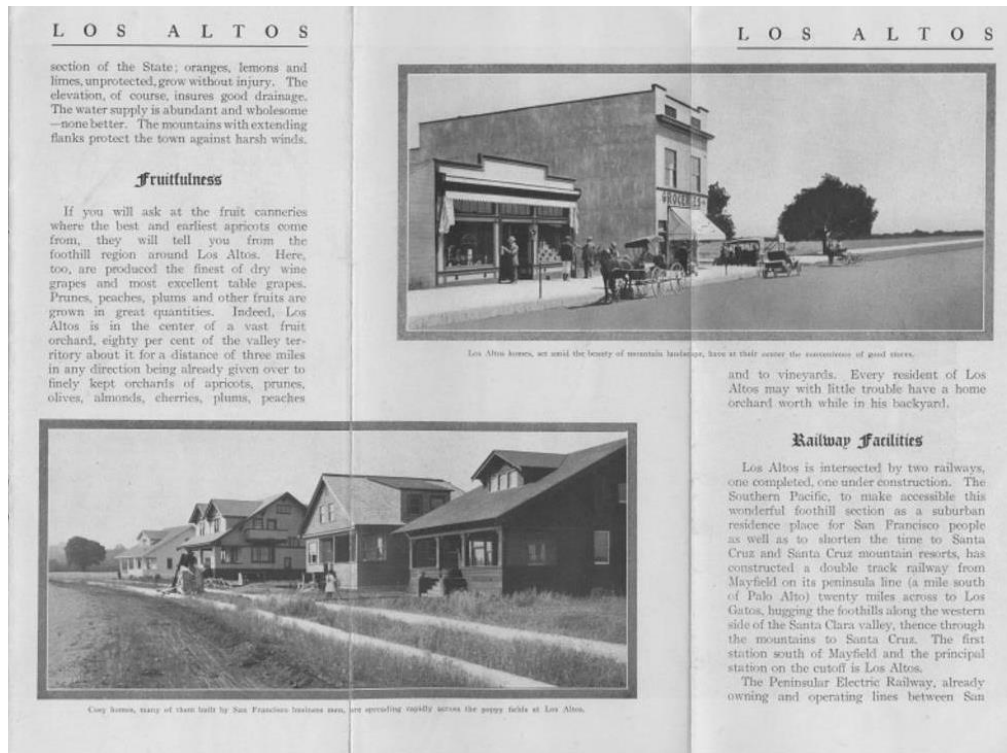


Figure 6. Advertisement from the Altos Land Company, advertising Los Altos as the loveliest place on the peninsula (courtesy of the Los Altos History House Museum Archives).



Figure 7. ca. 1920 photograph of the 1913 Southern Pacific Railroad depot in Los Altos (courtesy of the Los Altos History House Museum Archives).



Figure 8. ca. 1930 photograph of George Furuichi (third from the right) and other Japanese workers. The location may have been within his property on Hawthorne Avenue (courtesy of the Los Altos History House Museum Archives).



Figure 9. 1944 aerial photograph of downtown Los Altos (courtesy of Don McDonald).



Figure 10. 1970s photograph of downtown Los Altos (courtesy of the Los Altos History Museum).

PROPERTY HISTORY

In the late 1840s, the Property was part of unclaimed public land acquired by the U.S. government in 1848. By 1865, the Property was surveyed under the PLSS and became part of a 640-acre property covered with chamisal, a term for the overgrowth of chamiso, an evergreen shrub (Figure 11). By 1873, the 640-acre property was divided into two parcels, one belonging to “Graham” and the other belonging to “Bailey” (Figure 12). During this time, the Property was within the Fremont Township in Santa Clara County, and the land where the Property is located was still covered in chamisal. By 1876, the property was divided into smaller parcels, and the subject Property became part of a 40-acre property belonging to T & J.P. Dillon (Figure 13). During this time, there were two private roads within the 40-acre property, one of which became South San Antonio Road, located west of the Property, and the other was South El Monte Avenue.

By 1890, the 40-acre property was part of the L.S. Clarke Subdivision that consisted of 48 10-acre lots, with the Property located within Lot 12 (Figure 14). Although the Property was part of an early subdivision, housing within this area was slow to develop. According to the 1897 USGS 15' Palo Alto quadrangle map, no houses were within Lot 12 during this time (Figure 15). By 1910, new roads were constructed within the subdivision, including Hawthorne Avenue, within what was now known as the Altos Acres Tract residential subdivision. The Property was part of a 0.70-acre property known as Lot 15 (Figure 16); however, it was not until 1926 that the Property was developed.

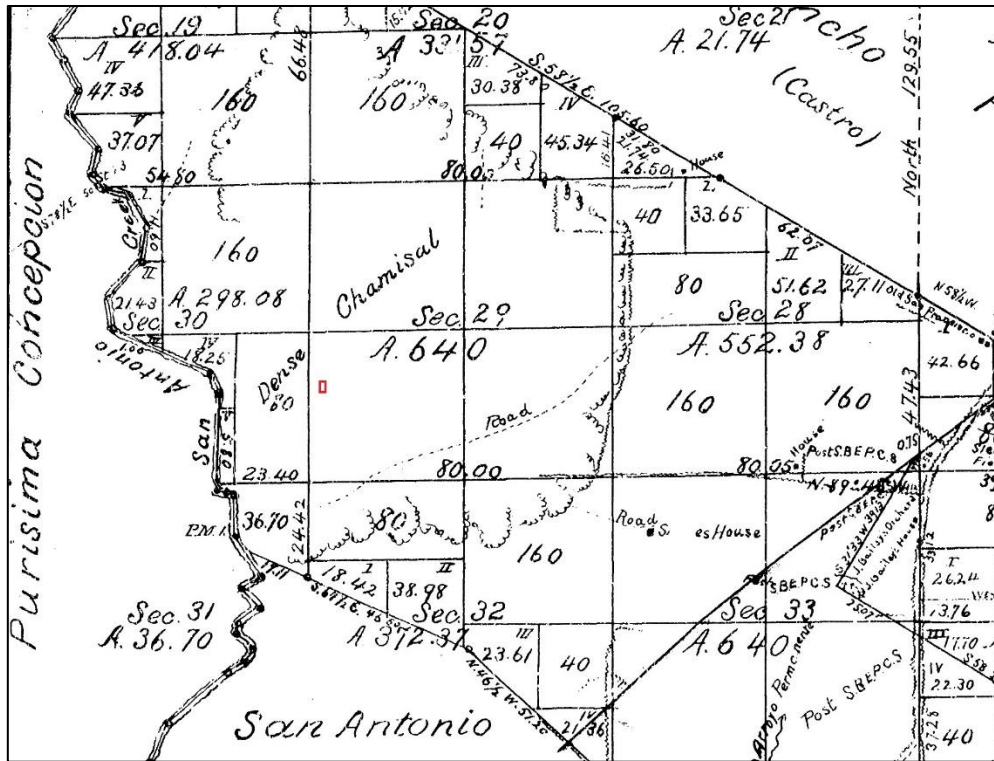


Figure 11. 1865 Government Land Office (GLO) map showing the Property (in red) within “Dense Chamisal.”

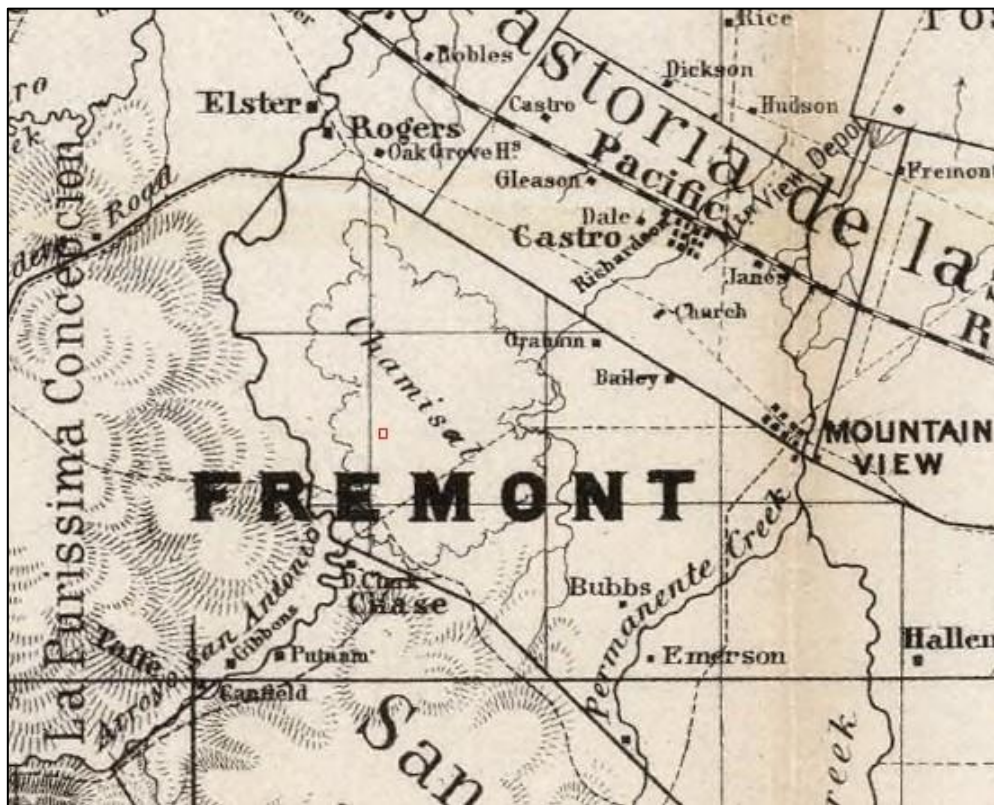


Figure 12. 1873 Hoffman and Whitney map showing the Property (in red) within an area covered in chamisal.

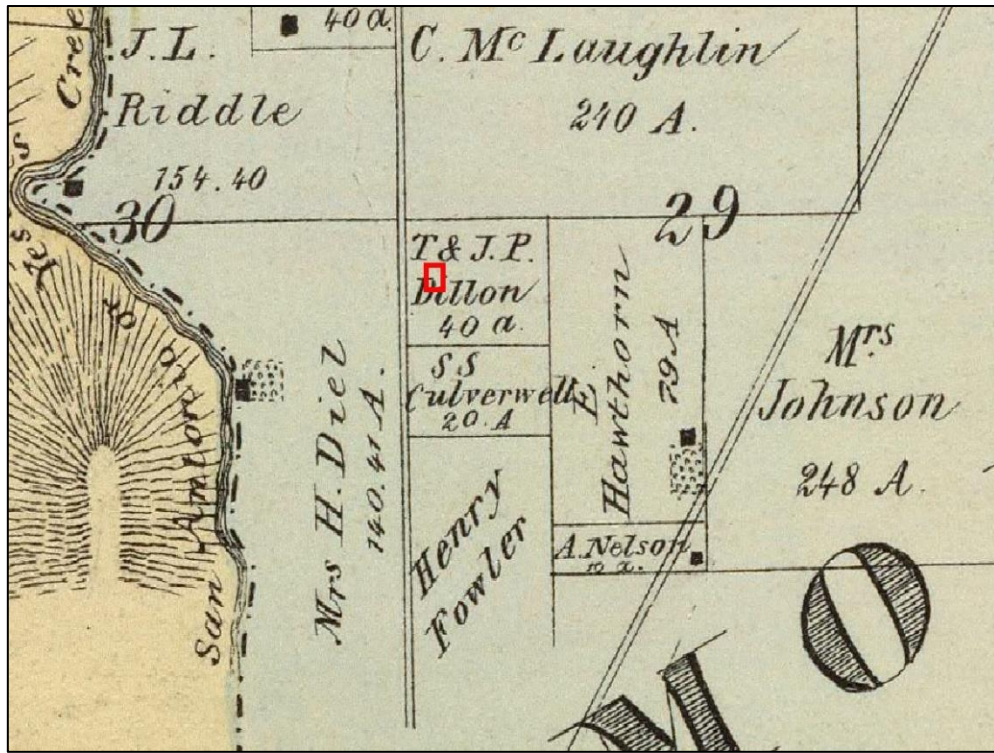


Figure 13. 1876 Thompson and West map showing the Property (in red) within T & J.P. Dillon’s 40-acre property.

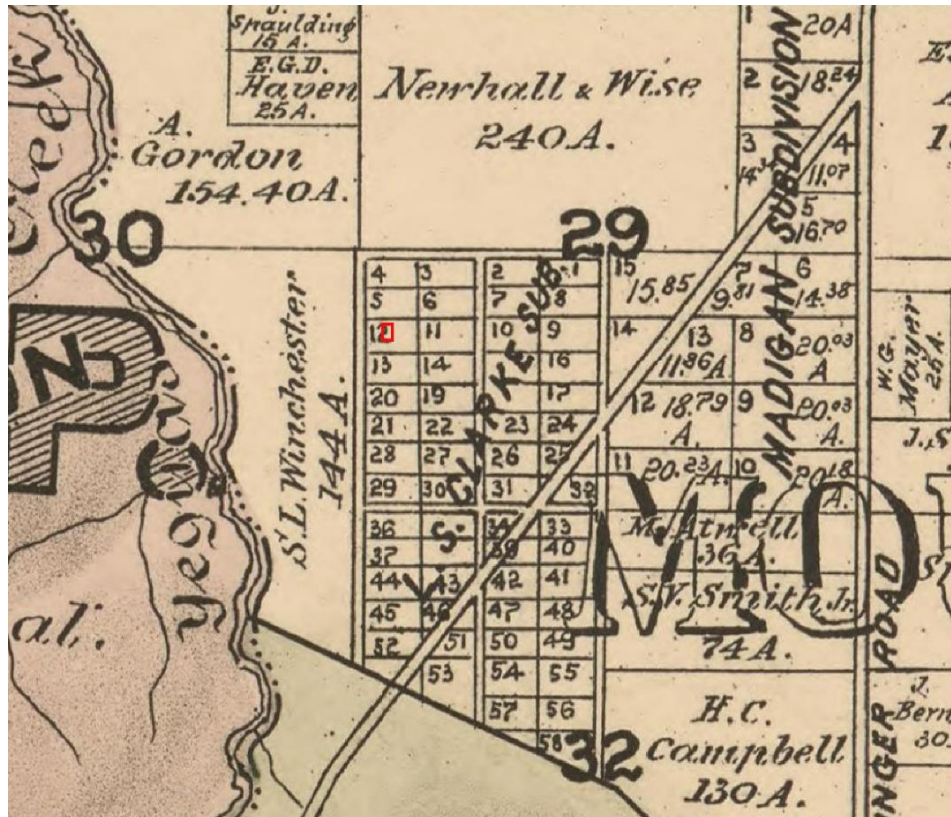


Figure 14. 1890 Hermann Bros. map shows the Property within lot 12 of the L.S. Clarke Subdivision.

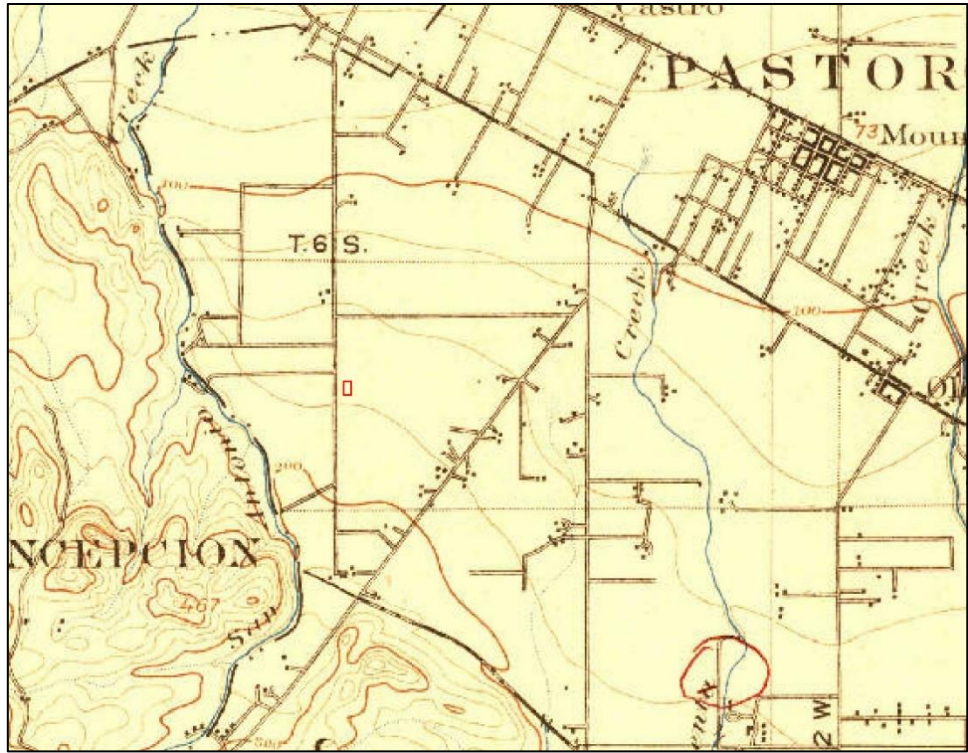


Figure 15. 1897 USGS 15' Palo Alto Quadrangle showing the Property.

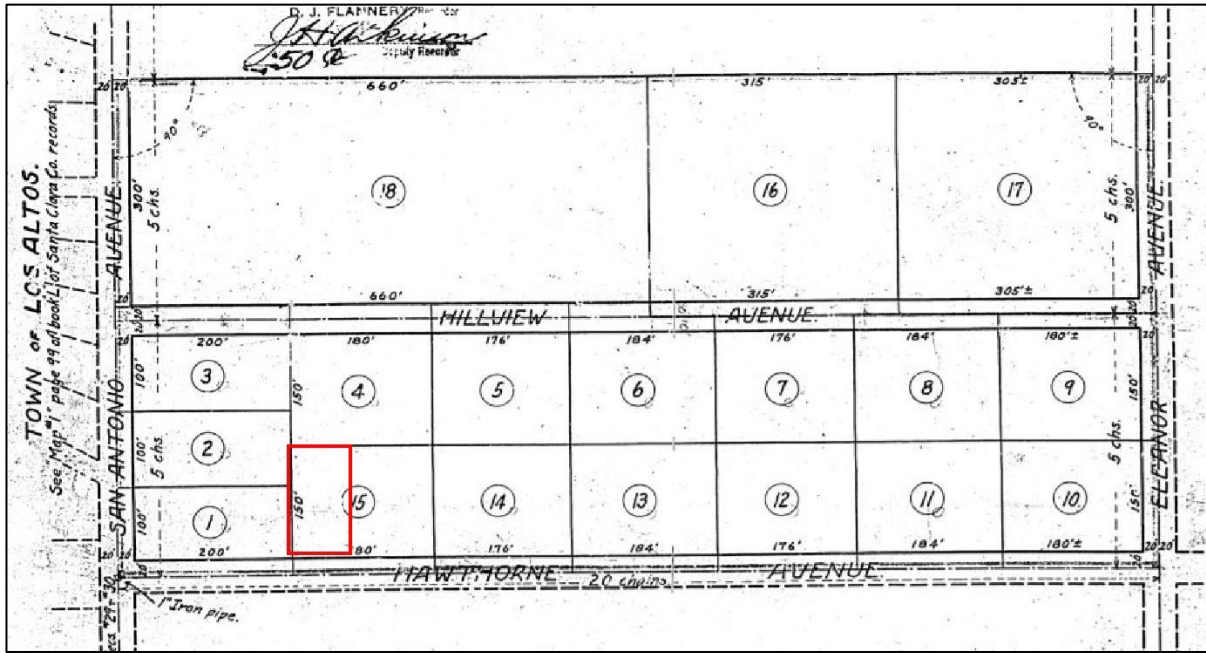


Figure 16. A 1910 Subdivision Map of the Alto Acres Tract, showing the location of the Property (outlined in red; courtesy of Santa Clara County).



Table 1. Owner and Occupant History

1926 house, ca. 1950 detached garage, ca. 1980 storage shed, and associated landscape		
Year	Owners/Occupants	Details
1926-1946	Owners: Carrie H. Willey Payson and Holland Searles Payson	<ul style="list-style-type: none"> • The first owners of the property were Carrie and Holland Payson. During this time, the Property was part of a larger 0.7-acre parcel known as Lot 15 that extended east. • Carrie and Holland purchased the property from Purl Nathaniel (P.N.) Doyle. Doyle designed and constructed the 1926 house as a development project (Figure 17).¹⁵ According to an advertisement in <i>The Daily Palo Alto Times</i>, the 1926 house was constructed with “materials and millworks furnished by the D. and S. Lumber Company in Mountain View,”¹⁶ and the 1926 house “contained seven rooms on the first floor and two rooms on the second floor with a Modern-Way Furnace.”¹⁷ A rectangular-shaped detached garage (no longer extant) was constructed at the rear of the property. • During the 1930s, orchard trees surrounded the property, and the neighborhood consisted of only a few houses (Figure 18, Figure 19, and Figure 20). In 1940, the address was P.O. Box 253 (Figure 21), and in 1945, the property’s address was changed to P.O. Box 301.¹⁸ • Carrie was born in San Francisco in 1881, and Holland was born in San Francisco in 1879. Carrie and Holland married in 1905. They had two children, Roberta and Stephen. The family lived in Berkeley, where Holland worked as an engineer.¹⁹ Before purchasing the then 0.7-acre Property from Doyle in 1926, Carrie and Holland lived in Mountain View.²⁰ During Carrie and Holland’s property ownership, Holland worked for the California State Highway as an engineer. However, he also served in the military during WWII (Figure 22),²¹ and Carrie kept house. In 1940, Carrie and Holland’s son Stephen and his wife Mauren also lived in the 1926 house. • Holland died in 1942,²² and Carrie died in 1970.²³
1946-1950	Owner: Andrew C. Blake and Katherine Elizabeth “Betty” Perot Blake	<ul style="list-style-type: none"> • The subsequent owners of the property were Andrew C. and Katherine Blake. Andrew and Katherine purchased the 0.7-acre property for

¹⁵ Purl Nathaniel Doyle is not listed on the PCAD as an architect or builder.
¹⁶ Newspapers.com, “Beautiful Los Altos Homes Built by P.N. Doyle”, *The Daily Palo Alto Times*, December 2, 1927.
¹⁷ Ibid.
¹⁸ Dr. Martin Luther King Junior Library, California Room, 1940 City Directory.
¹⁹ Newspapers.com, “Midpeninsula Death”, *The Peninsula Times Tribune*, June 12, 1970.
²⁰ Newspapers.com, “Midpeninsula Death”, *The Peninsula Times Tribune*, June 12, 1970.
²¹ Ancestry.com. U.S., World War II Draft Registration Cards, 1942
²² Newspapers.com, “Holland S. Payson is Claimed by Death”, *The Peninsula Times Tribune*, December 26, 1942.
²³ Newspapers.com, “Midpeninsula Death”, *The Peninsula Times Tribune*, June 12, 1970.



1926 house, ca. 1950 detached garage, ca. 1980 storage shed, and associated landscape		
Year	Owners/Occupants	Details
	Doolittle	<p>\$18,500.²⁴ By 1950, the property’s address was 121 Hawthorne Avenue.²⁵ During the Blake’s ownership of the property it was subdivided, and the lot where the 1926 house is located was reduced to its current 0.344-acre size. It appears that when the lot was split the address may have been changed to 41 Hawthorne Avenue.</p> <ul style="list-style-type: none"> • Andrew was born in 1907 in Colorado, and Katherine was born in 1914 in New York. Andrew and Katherine married in 1934 in New York City, and they had four children, Edward, Peter, Fred, and Andrew Jr. Andrew worked for the Shell Oil Company and Katherine kept house. • During the 1940s, the original detached garage was demolished, and in the 1950s, the current ca. 1950 detached garage was constructed (Figure 23 and Figure 24). • Andrew died in 1950.²⁶ This same year, Katherine married Duane Dolittle,²⁷ and sometime in the early 1950s, they sold the 0.344-acre Property and moved to New York, where Duane taught at Syracuse University.²⁸
1950s-1956	Owners: Nelson D. Gustin and Pauline Waters Gustin	<ul style="list-style-type: none"> • The next owners of the Property were Nelson and Pauline Gustin. However, Nelson and Pauline did not live in the 1926 house; instead, they resided at 2054 Euclid Avenue in Palo Alto. • Nelson was born in 1904 in Pennsylvania, and Pauline was born in 1902 in Pennsylvania. Pauline and Nelson married in 1929 and had one child, Nelson Jr. During Pauline and Nelson’s ownership of the Property; they owned and operated Gustin’s drive-in restaurant at 1520 Bayshore Highway in Palo Alto.²⁹ • In 1956, Pauline and Nelson sold the Property to Kenneth and Miriam Patton.
1956-1965	Owners: Kenneth F. Patton and Miriam F. Derr Patton Occupants: unknown	<ul style="list-style-type: none"> • The subsequent owners of the Property were Kenneth and Miriam Patton. Kenneth and Miriam do not appear to have lived within the 1926 house. Instead, they lived at 942 Van Auken Circle in Palo Alto.³⁰ In the 1950s, an awning roof (no longer extant) was attached to the southeast corner of the 1926 house, and a fabric porch awning was located along the primary facade (Figure 25 and Figure 26). • Kenneth was born in 1918 in California and Miriam was born in 1918 in

²⁴ Newspapers.com, “Noted Engineer and Family Moving Into Los Altos Home”, The Peninsula Times and Tribune, May 14, 1946.

²⁵ Ancestry.com. 1950 United States Federal Census.

²⁶ Ancestry.com. California, U.S., Death Index, 1940-1997.

²⁷ Ancestry.com. California, U.S., Marriage Index, 1949-1959.

²⁸ Newspapers.com, “Katherine E. “Betty” Doolittle”, The Bangor Daily News, September 17, 2000.

²⁹ Ancestry.com. U.S., City Directories, 1822-1995.

³⁰ Ancestry.com. U.S., City Directories, 1822-1995.



1926 house, ca. 1950 detached garage, ca. 1980 storage shed, and associated landscape		
Year	Owners/Occupants	Details
		<p>California. In 1941, Miriam graduated from University of California San Francisco School of Nursing and in December of that year, Miriam and Kenneth married in San Jose at the ages of 24 and 22, respectively.³¹ Kenneth and Miriam had four children, Sally, Judith, Danice, and David. During Miriam and Kenneth’s ownership of the Property, Kenneth worked as a photographer for Ampex Corporation in Redwood City,³² and Miriam kept house.</p> <ul style="list-style-type: none"> • The Finley Realty company managed the rental of the Property for Kenneth and Miriam. In 1956, a permit (no. A2440) was issued to Finley Realty to repair termite damage to the 1926 house for \$280. • No information about the occupants of the 1926 house was found.
1965-1968	Owners: George Russell Otto and Cora Ann Hart Otto	<ul style="list-style-type: none"> • The next owners of the Property were George and Cora Otto. During Cora and George’s ownership of the Property, they did not live in the 1926 house. Instead, they lived at 1007 Judson in Mountain View while George worked as a psychologist for the Palo Alto Unified School District.³³ • George was born in 1930, and Cora was born in 1937. Cora and George married in 1955 in San Luis Obispo when he was 25 and Cora was 18. At the time, Cora had recently graduated from Arroyo Grande Union High School, and George was enlisted in the Army, where he was stationed at Fort Sill in Oklahoma.³⁴ After George finished his service, he went into the ministry and worked as a student pastor for the Presbyterian Church in Summerland. • Cora and George had three children together, John, Greg, and Robles. • Cora died in 1999.³⁵ • No additional information about George or Cora was found.
1968-1974	Owners: Wayne Miller, Roland P. Boutin, and Dorothea Tibbs	<ul style="list-style-type: none"> • The subsequent owners of the Property were Wayne Miller, Roland Boutin, and Dorothea Tibbs. The three owners did not live in the 1926 house. Instead, Roland lived in Palo Alto at 580 Arastradero Road.³⁶ Dorothea and Wayne’s addresses during their ownership were not found. During this time, orchards near the Property were removed and the surrounding neighborhood developed with more residential and commercial buildings, though the Property remained surrounded by

³¹ Newspapers.com, “Marriage Licenses”, The Peninsula Times Tribune, December 17, 1941.

³² NCS Import, “Kenneth Patton”, The Union, May 21, 2002, https://www.theunion.com/news/kenneth-patton/article_b9c0c0fa-ac40-5efb-abaf-af38152ba8b1.html, (accessed 04/12/2023).

³³ Ancestry.com. U.S., City Directories, 1822-1995.

³⁴ Newspapers.com, “Miss Cora Hart Becomes Bride of G. Otta at Arroyo Grande”, The Tribune, July 22, 1955.

³⁵ Newspapers.com, “Cora Ann Otto”, The Tribune, October 07, 1999.

³⁶ Ancestry.com. U.S., City Directories, 1822-1995.



1926 house, ca. 1950 detached garage, ca. 1980 storage shed, and associated landscape		
Year	Owners/Occupants	Details
		<p>trees (Figure 27).</p> <ul style="list-style-type: none"> Wayne owned and operated Miller Properties Inc. and was a shareholder of Small Holder Associated Real Estates Inc. (SHARE), a small company created in 1963. During their ownership, Dorothea worked for Wayne at SHARE. At this time, Roland owned and operated Paramount Tax Service. In 1970, Wayne and Roland established Miller Boutin Investment Management Company.³⁷ No additional information about Roland was found. Wayne was born in 1929 in Manito, Illinois. He attended Bradley University and graduated in 1952 before enlisting in the Navy. After graduating, Wayne attended Stanford University School of Business, earning his M.B.A., and created Miller Properties in 1957. Wayne married Lois Trussell Kreb and they had two children together, David, and Jared, and also raised Lois' child, Whitney, from a previous marriage. Wayne retired in 1995 and died in 2002.³⁸ Dorothea was born in 1919 in California. Dorothea and Thomas Tibbs married (date unknown) and together they had two children, Thomas Jr. and Richard.³⁹ Dorothea died in 2008.⁴⁰
1974	Owners: Hyman Mitchner and Myrna E. Toban Mitchner	<ul style="list-style-type: none"> The next owner of the Property was Hyman and Myrna Mitchner, who briefly owned the Property in 1974. During Hyman and Myrna's ownership of the Property, Hyman worked as one of three vice presidents of Syntex Laboratory.⁴¹ Hyman was born in 1930 in Vancouver, Canada, and Myrna was born in 1933 in Vancouver. Myrna and Hyman married in 1955 in Canada and immigrated to the U.S. this same year.⁴² They had four children, Leslie, Seth, Laura, and Zale. Hyman was a member of the Gideon Hausner School in Palo Alto and raised money for Technion University in Israel.⁴³ Myrna died in 2019,⁴⁴ and Hyman died in 2021.⁴⁵

³⁷ Newspapers.com, "Real Estate Investment Trust Form", The Peninsula Times Tribune, July 08, 1970.

³⁸ Newspapers.com, "Wayne Henry Miller", Ventura County Star, July 10, 2002.

³⁹ Ancestry.com. 1950 United States Federal Census.

⁴⁰ Ancestry.com. U.S., Social Security Death Index, 1935-2014.

⁴¹ Newspapers.com, "San Jose men charge in confidence swindle", Peninsula Times Tribune, March 21, 1984.

⁴² Newspapers.com, "Wisconsin Home for Couple Married at Sunday Service", The Vancouver Sun, June 28, 1955.

⁴³ Los Altos Town Crier Report, "Hyman Mitchner", Mary 26, 2021, https://www.losaltosonline.com/people/obituaries/hyman-mitchner/article_c38eb3e4-be41-11eb-9e8e-cf312185caa7.html, accessed 04/12/2023.

⁴⁴ Los Altos Town Crier, Myrna Toban Mitchner, April 13, 2019, https://www.losaltosonline.com/people/obituaries/myrna-toban-mitchner/article_2c9480fc-a9d2-5e3c-a014-1500e6a9f512.html, accessed 04/12/2023.

⁴⁵ California Digital Newspaper Collection, Hyman Mitchner, The Jewish News of Northern California, June 11, 2021.



1926 house, ca. 1950 detached garage, ca. 1980 storage shed, and associated landscape		
Year	Owners/Occupants	Details
1974-2000	Owners: Derek Bray and Rosamond Bray	<ul style="list-style-type: none">• The subsequent owners of the Property were Derek and Rosamond Bray.• In 1976, Derek and Rosamond added a 24-foot-wide by 20-foot-tall second-story addition to the 1926 house at a total cost of \$16,800 (permit no. A14468). In 1979, Derek and Rosemond re-roofed the 1926 house (permit no. A16717), added a ca. 1980 storage shed, and repaired the fireplace chimney in 1996 (permit no. 1996-629231).• Derek was born in 1934 in Yorkshire, England. In 1961, Derek and Rosemond had two children, Alexander and Victoria, and in 1963, Derek and Rosemond and their two children immigrated to the U.S. from England.⁴⁶• No additional information about Derek or Rosemond was found.
2000-2022	Owner: Anne C. M. Wilson	<ul style="list-style-type: none">• The subsequent owner of the Property was Anne C. M. Wilson. In 2000, Anne removed one layer of shake roof and added Celotex,⁴⁷ and one-half-foot of plywood to the 1926 house and ca. 1950 garage (permit no. 2000-637161). In 2002, Anne made additional changes to the 1926 house, including a second-floor bathroom, adding a furnace to the attic, replacing the pipes with copper pipes, replacing the water heater, and installing an electronic pump and panels (permit no. 67218).• No additional information about Anne was found.

⁴⁶ Ancestry.com. California, U.S., Federal Naturalization Records, 1843-1999.

⁴⁷ A roofing material made of fiberboard from sugar cane waste.



Figure 17. A 1927 newspaper photograph of the 1926 house with the rectangular detached garage (no longer extant) at the rear of the property (courtesy of Newspapers.com, The Daily Palo Alto times, December 3, 1927).



Figure 18. 1930 aerial photograph showing the Property (courtesy of the University of Santa Barbara Library).



Figure 19. 1939 aerial photograph showing the Property (courtesy of the University of Santa Barbara Library).



Figure 20. 1941 aerial photograph showing the Property's location surrounded by some houses, but mainly orchards (courtesy of University of Santa Barbara Library).

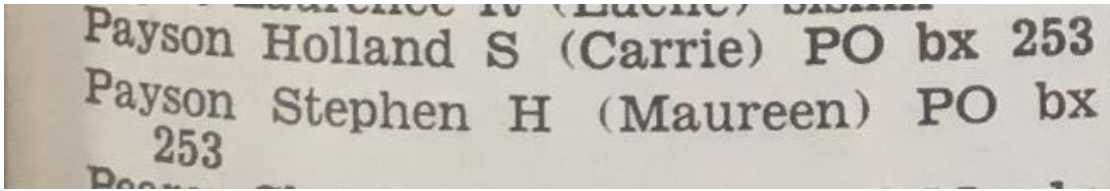


Figure 21. 1940 Polk Directory for San Jose, showing the Property with the address of PO Box 253 (courtesy of the San Jose State University, California Room).

REGISTRATION CARD—(Men born on or after April 28, 1877 and on or before February 16, 1897)

SERIAL NUMBER U 174	1. NAME (Print) Holland Searles Payson <small>(First) (Middle) (Last)</small>		ORDER NUMBER
2. PLACE OF RESIDENCE (Print) Hawthorn Ave Los Altos Santa Clara, Calif. <small>(Number and street) (Town, township, village, or city) (County) (State)</small>			
3. MAILING ADDRESS P.O. Box 301 - Los Altos, Calif. <small>(Mailing address if other than place indicated on line 2. If same insert word same)</small>			
4. TELEPHONE 2241 <small>(Exchange) (Number)</small>	5. AGE IN YEARS 62	6. PLACE OF BIRTH San Francisco Calif - <small>(Town or county) (State or country)</small>	
7. NAME AND ADDRESS OF PERSON WHO WILL ALWAYS KNOW YOUR ADDRESS Carrie H. Payson - P.O. Box 301, Los Altos, Calif -			
8. EMPLOYER'S NAME AND ADDRESS State of California Division of Highways - 2001 Van Ness Ave, Calif			
9. PLACE OF EMPLOYMENT OR BUSINESS 2001 Van Ness Ave San Francisco Calif <small>(Number and street or R. F. D. number) (Town) (County) (State)</small>			
I AFFIRM THAT I HAVE VERIFIED ABOVE ANSWERS AND THAT THEY ARE TRUE.			
D. S. S. Form 1 (Revised 4-1-42)		16-21630-2 <i>S. Payson</i> <small>(Registrant's signature)</small>	

Figure 22. Holland's WWII Registration Card showing the address of the Property (courtesy of Ancestry.com).



Figure 23. 1948 aerial photograph showing the 1926 house and the now extant ca. 1926 detached garage at the rear of the Property (courtesy of the University of Santa Barbara Library).



Figure 24. 1956 aerial photograph showing the Property and ca. 1950 detached garage (extant) (courtesy of the University of Santa Barbara Library).



Figure 25. 1959 photograph of the 1926 house showing the porch awning (no longer extant) (courtesy of the Sreenivas and Isabel Tallam).



Figure 26. A photograph of the 1926 house taken in February 1962 showing the corner awning roof (no longer extant) and parking adjacent to the front yard (courtesy of the Sreenivas and Isabel Tallam).



Figure 27. 1968 aerial photograph of the Property with increased residential development around it (courtesy of the University of Santa Barbara Library).

ARCHITECTURAL CONTEXT

The following section briefly describes the Tudor Revival architectural style that is associated with the 1926 house within the Property.

TUDOR REVIVAL (1890 – 1940)

The following is taken from the Pennsylvania Historical & Museum Collection,⁴⁸ which describes the Tudor Revival Architectural style.

“The Tudor style is an eclectic mixture of early and Medieval English building traditions to create a picturesque, traditional appearance. Tudor is somewhat of a misnomer since the style does not closely follow the building patterns of the English Tudor era of the early 16th century. Instead, it is an amalgam of late medieval English-inspired building elements. The earliest examples of this style were architect-designed and more closely followed original English models of the Elizabethan and Jacobean eras. These early, ornate buildings are sometimes called Jacobethan style rather than Tudor. In the early part of the 20th century, less ornate versions of this medieval English style became very popular for the design of homes, spreading across the country through pattern books, builders' guides, and mail-order catalogs.

Tudor buildings are easily identified by their steeply pitched roofs, often with front-facing gables or multiple gables and half-timbered wall surfaces. Not all Tudor buildings have half-timbering, but all share similar massing and Medieval English decorative details. These details

⁴⁸ Pennsylvania Architectural Field Guide, <http://www.phmc.state.pa.us/portal/communities/architecture/styles/tudor-revival.html>, (accessed 5/16/2023).



might include an overhanging gable or second story, decorative front or side chimney, diamond-shaped casement windows, or a round-arched board and baton front entry door. Tudor houses are almost always made of stucco, masonry, or masonry-veneered construction, often with ornamental stonework or brickwork. In some Tudor buildings, the roofs curve over the eaves to imitate medieval thatching, or the roof line curves from peak to cornice to suggest a medieval cottage. Often picturesque and charming, Tudor style buildings, mansions, and more common houses can be found throughout the state.”⁴⁹

Character-defining features of Tudor Revival architecture often include:

- Steeply pitched roofs with wooden or slate shingles
- Intersecting gables
- Stacked chimneys or chimney pots
- Half-timbering
- Casement windows with leaded glass and six-over-one double-hung windows
- Oriels and one- or two-story bay windows
- Multiple materials, including stucco, rubblework masonry, patterned stonework or brickwork, clapboards
- Vertical plank doors
- Asymmetrical floor plan

BUILDER: PURL NATHANIEL DOYLE

The designer and builder of the 1926 house was Purl Nathaniel (P.N.) Doyle (Figure 28). Purl was born in 1874 in Illinois. In 1896, Purl and Hattie E. Harrison married in Colorado and they had one child, Clarence.⁵⁰ In 1896, Hattie died in Colorado, and sometime between 1896 and 1900, Purl moved to California, leaving Clarence to be raised by Purl’s parents, William and Emily Doyle, in Illinois.⁵¹ By 1905, Purl lived in San Francisco and worked as a carpenter.⁵² In 1906, Purl and Ethel Baxter married in Berkeley, California, when he was 31 years old and she was 22.⁵³ Purl and Ethel had one child, Clifford. In 1910, during a time of growth in Los Altos, Purl and Ethel purchased a 50 foot by 142 foot lot on Second Street and constructed a five-bedroom house.⁵⁴ In 1914, Purl and Ethel sold their Los Altos house, and by 1920, Purl and Ethel settled permanently in Mountain

⁴⁹ Pennsylvania Architectural Field Guide, <http://www.phmc.state.pa.us/portal/communities/architecture/styles/tudor-revival.html>, (accessed 5/16/2023).

⁵⁰ Ancestry.com. Colorado, County Marriage Records and State Index, 1862-2006.

⁵¹ Ancestry.com. 1900 United States Federal Census.

⁵² Ancestry.com. U.S., City Directories, 1822-1995.

⁵³ Newspapers.com, “Marriage Licenses”, The San Francisco Call, July 18, 1906.

⁵⁴ Newspapers.com, “Los Altos Enjoys Wonderful Boom”, The San Francisco Examiner, April 17, 1910.



View, where Purl continued working as a carpenter.^{55 56}

By the 1920s, Purl was a well-known local builder in Santa Clara County, focusing mainly on remodeling buildings, including a warehouse behind the Eschenbruecher’s Hardware Store at 316 Main Street.^{57 58} In 1942, Purl’s wife, Ethel, died. In 1948, Purl was elected secretary and treasurer for the Palo Alto Carpenter Local 688. He was also a member of Mountain View Carpenters Union Local 1280 and Woodmen of the World. Purl died in 1950.⁵⁹

Although locally known, Purl is not listed as a builder or designer in PCAD and is not considered a master builder or known for any design type or development style.

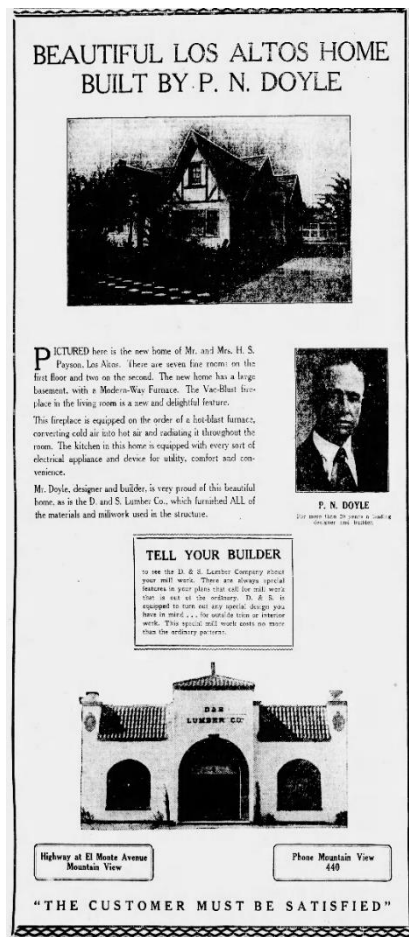


Figure 28. Advertisement in The Daily Palo Alto Times, December 3, 1927 (Newspapers.com).

⁵⁵ Ancestry.com. 1920 United States Federal Census.
⁵⁶ Newspapers.com, “Los Alto Real Estate”, The San Francisco Examiner, July 04, 1914.
⁵⁷ Newspapers.com, “Building Permits” The Daily Palo Alto Times, May 8, 1921.
⁵⁸ Newspapers.com, “Los Altos Business Block Sold; Will be Entirely Renovated”, The Daily Palo Alto Times, March 16, 1921.
⁵⁹ Newspapers.com, “Carpenters Union Agent Succumbs”, Daily Palo Alto Times and Palo Alto News and Palo Alto Shopping Review, July 2, 1950.



HISTORIC ARCHITECTURAL SURVEY

On April 5, 2023, EDS Principal Architectural Historian Stacey De Shazo, M.A., completed a historic architectural survey of the property, including the 1926 house, ca. 1950 detached garage, ca. 1980 storage shed, and associated landscape. The results of the historic architectural survey are documented in the following section.

1926 HOUSE

The 1926 house is associated with the Tudor Revival architectural style and was designed and constructed by builder Purl Nathaniel Doyle. Alterations to the 1926 house occurred in 1976, 1979, 1996, and 2002, detailed in this section and the “Previous Alterations” section below. The two-story house has a raised foundation with decorative cast-iron vents along the perimeter, with metal mesh vents along the foundation perimeter at the 1976 addition. The house has a side-facing gable form, with two cross-gables on the south elevation and a single, central cross-gable off the north elevation. The peaks of the roof gables at the south elevation are set below the ridge of the side gable, while the north elevation is above the ridgeline of the side gable. The roof is clad with composite shingles, while the house is finished with stucco and exposed half-timbering. At the roof's peak is a small, stucco-finished chimney. As the house is on a raised foundation, the north elevation has a raised deck connecting the original house eave to the 1976 gable addition.

South Elevation (Primary Facade)

The south elevation consists of two front-facing gables with steep multi-gable roofs (Figure 29). The western gable is flush with the eaves of the side roof gable, while the eastern gable projects forward from the eave, and the east roof curves down and across an open, central portico (Figure 30). The central porch has two three-centered arches, one to the south and one to the west. These arches are supported by a stucco column to the southwest and the house walls to the north and east. A single wood door is within the portico, on the west wall. There are two in-kind replacement picture windows, consisting of a central, square, fixed single-light window in between two three-over-one, double-hung wood windows; between each of these three windows is a thick wood mullion (Figure 31). Although not original, these windows were replaced in-kind in material and style. Each window is located at the first-story level and centered below the roof gable. Within each gable, there is a three-over-one, double-hung wood window. At the south peak of the 1976 addition, there is a small, square vent.



Figure 29. South elevation, facing north.



Figure 30. South elevation, facing northeast.



Figure 31. Picture window on south elevation, facing north.

East Elevation

The east elevation consists of a double gable and eave section of the 1976 addition (Figure 32). The east elevation includes ten windows, of which four are new, and six are original. Three new windows appear to be in-kind replacements, and two are new to the elevation. The five windows on the first story of the eastern projecting gable consist of a pair of three-over-one, double-hung wood windows with a thick wood mullion, to the south of a three-over-one, double-hung wood window with horned stiles and a four-over-one, double hung wood window, with horned stiles (Figure 33). Below the peak and set between the exposed timber is a three-over-one, double-hung wood window. The gable between this projecting gable consists of a four-over-one, double-hung wood window at the southern section of the first story and a four-over-one, double-hung wood window with horn stiles at the north section. On the second story and off-center is a four-over-one, double-hung wood window. Directly below this peak, there is a small, square vent. The eave section of the 1976 addition has a sliding glass door at the first story and a pair of three-over-one, double-hung wood windows with a thick wood mullion between them (Figure 34).



Figure 32. East elevation, facing west.



Figure 33. Three-over-one windows with horned stiles (aka lugs) on the east elevation, facing west.



Figure 34. East elevation, facing southwest.

North Elevation

The north elevation consists of three eave sections of the original 1926 house and the gable section of the 1976 addition (Figure 35). The north elevation includes six windows, one fixed window and one casement window that appear to have been repurposed from the original north façade. The easternmost eave consists of a three-over-one, double-hung wood window with horn stiles beside a wood door with six square slights along the top of the paneled door. Along the first story of the gabled section, there is a single wood panel door with six square lights along the top of the door beside a square, four-light-hinged window; these two are between two three-over-one, double-hung wood windows (Figure 36). There are two three-over-one, double-hung wood windows at the second-story level. A square, fixed four-light window below the peak is set between the exposed timbers. Two vents are built into the stucco on either side of the window. A contemporary deck is accessed via two brick steps. The deck wraps around from the east elevation north and extends past the rear entry door within the 1976 gable addition. The west eave section of the addition includes a single wood panel door with six square lights along the top, opening onto a paver stoop.



Figure 35. North elevation, facing south.



Figure 36. North elevation, facing south.

West Elevation

The west elevation consists of the original side gable of the 1926 house and an eave end of the 1976 north-facing gable addition (Figure 37). The gable section includes exposed half-timber framing and stucco. Along the first story are two pairs of three-over-one, double-hung wood windows with thick wood mullions between them. The windows of the second story consist of two, three-over-three, double-hung wood windows set between the exposed timbers. There are three vents on either side of the windows and above, directly below



the gable peak. An original cast-iron crawl-space vent is along the house's foundation (Figure 38). The eave section of the 1976 addition consists of a four-over-one, double-hung wood window at the second-story level.



Figure 37. West elevation, facing southeast.



Figure 38. Cast-iron vent cover at the foundation.



CA. 1950 DETACHED GARAGE

The ca. 1950 detached garage is not associated with any architectural style or form. The one-story detached garage has a front-facing gable form and a concrete slab foundation (Figure 39). The walls are clad with clapboard siding, while the moderately pitched roof is clad with asphalt shingles. Surrounding the windows and doors and around the perimeter of the roof is a simple, thick trim. The south elevation is the primary façade and consists of an off-center, two-car aluminum garage door. The gable vent consists of vertical boards along the peak. The east elevation consists of the eave of the garage and has a centered, projecting metal and glass greenhouse window. The north elevation was not visible during the survey. The west elevation consists of a central, single metal door between a fixed, square window and a small vertical, rectangular window (Figure 40). This elevation opens to a walkway that is covered by a wood trellis.



Figure 39. South elevation of detached garage, facing north.



Figure 40. West elevation and trellis-covered walkway, facing east.

CA. 1980 STORAGE SHED

The ca. 1980 storage shed is not associated with any architectural style or form. The one-story shed has no foundation, as it was placed directly on the soil. The shed has a front-facing, gambrel roof form with half-timbered elements. The shed is constructed of vertical wood, which also operates as the exterior finish, and the roof is clad with composite shingles. The southwest elevation is the primary façade, consisting of double-entry wood doors (Figure 41). The remaining elevations do not have any fenestration.



Figure 41. Photograph showing the double-entry doors along the southwest elevation (primary façade) of the ca. 1980 storage shed, facing north.

ASSOCIATED LANDSCAPE

The associated landscape includes paths for pedestrians and cars, a lawn, a covered trellis with wisteria, and a designed brick patio with flower boxes. The front yard, south of the house, consists of three paths from the street to and around the house. The fence along the front yard's perimeter consists of brick posts supporting two horizontal rails (Figure 42). Between the paths is a sundial built upon a brick pedestal surrounded by bushes and trees. Along the east perimeter of the Property, there is a concrete driveway that extends westward toward the ca. 1950 garage. The wisteria-covered wood trellis runs from the garage to the deck north of the house (Figure 43). Between the house and the driveway is a patio with brick pavers in a design with concrete. Amongst the brick pavers, there are bushes and flowers. The northwest corner of the property consists of a lawn.



Figure 42. Fence with brick posts and wood rails along southern perimeter of the Property.



Figure 43. Wood trellis with wisteria, facing south.

PREVIOUS ALTERATIONS: 1926 HOUSE

Although the alterations are thoroughly documented in this report's Property History section and the Historical Architectural Survey section, the following section breaks out the most significant alterations to the 1926 house as a bulleted list.

- **Rear addition** – 1976, Permit no. A14468: A 24 feet wide by 20 feet tall second-story rear addition



was added to the 1926 house at a total cost of \$16,800.

- **Windows** - There are twenty-seven windows, of which nine are original to the design of the 1926 house, and the remaining are wood replacement windows, some of which are in-kind replacement and others, along the 1979 addition, are single-hung wood windows that mimic the style and material of the original windows.
- **New roof** –1979, Permit no. A16717,2000, Permit No. 2000-637161.
- **Removal/Repair of the Chimney** – 1996, Permit No. 1996-629231.
- **Kitchen and Bathroom Remodel and New Addition** – In 2002, Permit No. 67218 was issued for remodeling the “upper bathrooms” and updates to the electrical and plumbing.

EVALUATION OF HISTORICAL SIGNIFICANCE

The Property, including the 1926 house, ca. 1950 detached garage, ca. 1980 storage shed, and associated landscape, was evaluated to determine individual eligibility for listing on the CRHR. The 1926 house was evaluated for its association with Tudor Revival architecture with a period of significance of 1926, when the house was constructed. The ca. 1950 detached garage, ca. 1980 storage shed, and associated landscape are not associated with any known architectural style, form, or architectural landscape design or landscape planning.

CALIFORNIA REGISTER OF HISTORICAL RESOURCES

The CRHR is an inventory of significant architectural, archaeological, and historical resources in California. Resources can be listed in the CRHR through several methods. State Historical Landmarks and NRHP listed properties are automatically listed in the CRHR. Properties can also be nominated to the CRHR by local governments, private organizations, or citizens. The CRHR follows *similar* guidelines to those used for the NRHP.⁶⁰ One difference is that the CRHR identifies the Criteria for Evaluation numerically instead of alphabetically. Another difference, according to the OHP is that “It is possible that historical resources may not retain sufficient integrity to meet the criteria for listing in the NRHP, but they may still be eligible for listing in the California Register. A resource that has lost its historical character or appearance may still have sufficient integrity for the California Register if it maintains the potential to yield significant scientific or historical information or specific data”.⁶¹

A property must possess significance under one of the four criteria and have historic integrity to qualify for listing in the CRHR. Determining integrity consists of evaluating seven variables or aspects that include location, design, setting, materials, workmanship, feeling, and association. According to the *National Register Bulletin: How to Apply the National Register Criteria for Evaluation*, these seven characteristics are defined as follows:

- **Location** is the place where the historic property was constructed.

⁶⁰ California Code of Regulations, Title 14, Chapter 11.5, Section 4850 et seq

⁶¹ California Office of Historic Preservation Technical Assistance Series #6 California Register and National Register: A Comparison (for purposes of determining eligibility for the California Register).



- **Design** is the combination of elements that create the form, plans, space, structure, and style of the property.
- **Setting** addresses the physical environment of the historic property inclusive of the landscape and spatial relationships of the building(s).
- **Materials** refer to the physical elements that were combined or deposited during a particular period of time and in a particular pattern of configuration to form the historic property.
- **Workmanship** is the physical evidence of the crafts of a particular culture or people during any given period in history.
- **Feeling** is the property's expression of the aesthetic or historic sense of a particular period of time.
- **Association** is the direct link between an important historical event or person and a historic property.

The following section examines the eligibility of the Property containing the 1926 house, ca. 1950 detached garage, ca. 1980 storage shed, and associated landscape.

CRHR EVALUATION

1. **(Event): Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.**

The Property containing the 1926 house, ca. 1950 detached garage, ca. 1980 storage shed, and associated landscape was developed within a planned subdivision in a prosperous time in Los Altos; however, the development of the Property is not associated with any housing boom or any event that made a significant contribution to the broad patterns of California's history or cultural heritage. As such, the Property containing the 1926 house, ca. 1950 detached garage, ca. 1980 storage shed, and associated landscape does not appear eligible for listing on the CRHR.

Therefore, the Property does not appear individually eligible for listing in the CRHR under Criterion 1.

2. **(Person): Is associated with the lives of persons important in our past.**

A thorough literature search and review of the Property owners and occupants was completed; however, the research did not reveal any person associated with the Property that is important to our past.

Therefore, the Property does not appear individually eligible for listing in the CRHR under Criterion 2.

3. **(Construction/Architecture): Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.**

Builder: The 1926 house was designed and constructed by Purl Nathaniel (P.N.) Doyle, who was a builder in the Los Altos area; however, Doyle is not an architect, is not considered a master builder, and does not have a known design style or vernacular that is associated with his work. Therefore, the 1926 house is not eligible for listing on the CRHR in association with P.N. Doyle.



Architecture: The 1926 house is associated with the Tudor Revival architecture style, popular throughout the U.S. from 1890 to 1940. The 1926 house demonstrates the essential elements of the Tudor Revival style with many character-defining features associated with the style, including the steeply pitched and sloping multi-gable roofs, the exposed half-timber elements, the two “three-centered” arches along the front porch, the in-kind replacement picture windows with a central square, fixed single-light windows between three-over-one with mullions, original double-hung wood windows within lugs, stucco walls, and the asymmetrical floorplan. The 1926 house is a good example of Tudor Revival architecture from 1926. As such, the 1926 house appears eligible for listing on the CRHR under Criterion 3.

The ca. 1950 garage and ca. 1980 shed and associated landscape are not associated with any known architectural style or form, landscape architectural style, or landscape planning design.

Therefore, the 1926 house within the Property appears individually eligible for listing in the CRHR under Criterion 3 for its association with Tudor Revival architecture.

4. (Information potential): Has yielded, or may be likely to yield, information important in prehistory or history.

Criterion 4 most commonly applies to resources that contain or are likely to contain information bearing on an important archaeological research question. While most often applied to archaeological sites, Criterion 4 can also apply to built environment resources that contain important information. For a building to be eligible under Criterion 4, it must be a principal source of important information, such as exhibiting a local variation on a standard design or construction technique can be eligible if a study can yield important information, such as how local availability of materials or construction expertise affected the evolution of local building development.

The 1926 house does not appear to be able to convey important information about Tudor Revival architecture. As such, none of the built environment resources within the Property are eligible for listing in the CRHR under Criterion 4.

INTEGRITY

A Property must possess significance under one or more of the above-listed criteria and have historic integrity to qualify for listing in the CRHR. There are seven variables, or aspects, used to judge historic integrity, including location, design, setting, materials, workmanship, feeling, and association.⁶² A resource must possess the aspects of integrity that relate to the historical theme(s) and period of significance identified for the built-environment resources. National Register Bulletin 15 explains, “only after significance is fully established can you proceed to the issue of integrity.”

The 1926 house within the Property was found to be eligible for listing on the CRHR under Criterion 3 for its association with Tudor Revival architecture; as such, an integrity analysis was completed.

⁶² National Park Service, *National Register Bulletin: How to Apply the National Register Criteria for Evaluation* (Washington, D.C.: United States Department of the Interior, 1997).



- **Location.** The 1926 house remains at its original location where it was constructed.

Therefore, the 1926 house retains integrity of location.

- **Design.** The Tudor Revival design elements of the house, for the most part, remain the same as 1926 design, including the asymmetrical form, the steeply pitched and sloping multi-gable roofs, the stucco cladding and timber material, and the original wood windows with lugs and surrounds. Although there are changes to the north gable that extends from the side gable is an addition that changes the footprint of the house, these changes to the 1926 house are not visible from the public right-of-way and do not detract from the original design, allowing the house to retain its integrity of design from 1926. Overall, the 1926 house retains its Tudor Revival design, particularly from the front-facing gables along Hawthorne Avenue. In addition, the original half-timber elements are visible along each elevation.

Therefore, the 1926 house retains integrity of design from 1926.

- **Setting.** The area surrounding the 1926 house has changed since its initial construction, including the Property itself, which was subdivided in the late 1940s/early 1950s, when the Property was surrounded by trees and the houses nearby were few. Initially, the house was situated within an 0.7-acre parcel, eventually becoming a 0.344-acre parcel. However, the neighborhood was intended for residential development and though development was slow, the area still retains a neighborhood setting with large lots and unique houses built during different decades as the lots were developed.

Therefore, the 1926 house retains integrity of setting.

- **Materials.** The 1926 house retains integrity of materials from its original date of construction. The 1926 house materials include original double-hung wood windows with lugs, exposed half-timbering and stucco, and stucco chimney. Although the house had an extensive rear addition in 1976, the addition is not visible from the public right-of-way and incorporates the use of historical and like materials in its construction.

Therefore, the 1926 house retains integrity of materials.

- **Workmanship.** Workmanship is evidenced by skill or craft from a particular period or region. The 1926 house retains workmanship regarding the knowledge and application of materials associated with woodworking.

Therefore, the 1926 house retains integrity of workmanship.

- **Feeling.** Integrity of feeling is the quality that a property has in evoking the aesthetic or historical sense of a past period. The 1926 house evokes the feeling of the Tudor Revival architecture, including the steeply pitched and sloping multi-gable roofs, wood windows with lugs, half-timbering, and stucco walls.

Therefore, the 1926 house retains integrity of feeling.

- **Association.** The 1926 house retains association with Tudor Revival architecture from its date of construction and as a residential house within an older neighborhood.



Therefore, the 1926 house retains integrity of association.

An assessment of integrity found that the 1926 house retains all seven aspects of integrity.

STANDARDS REVIEW

Based on the current preliminary Project, a Standards review was conducted to ensure compliance with CEQA and the City of Los Altos historic preservation ordinances, addressing the current preliminary Project's potential impacts on the 1926 house, which was determined to be eligible for listing on the CRHR. The Standards review utilized preliminary details provided by the owner regarding the restoration of the 1926 house, including the restoration of the original front door opening, the addition of solar panels, and the construction of a new detached garage and a new ADU within the Property. As such, the following Standards review is to be used as guidance to meet the Standards. Once the architectural drawings are completed, EDS will update the Standards review within this report as needed.

Secretary of Interior Standards for Rehabilitation Review

The following section addresses the current "preliminary" Project within the context of the Secretary of the Interior's Standards for Rehabilitation. **Rehabilitation is defined as the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values.** When repair and replacement of deteriorated features are necessary, when alterations or additions to the property are planned for a new or continued use, and when its depiction at a particular period of time is not appropriate, Rehabilitation may be considered as a treatment.

According to the Standards, "some exterior and interior alterations to a historic building are generally needed as part of a Rehabilitation project to ensure its continued use, but it is most important that such alterations do not radically change, obscure, or destroy character-defining spaces, materials, features, or finishes. Alterations may include changes to the site or setting, such as the selective removal of buildings or other features of the building site or setting that are intrusive, not character-defining or outside the building's period of significance."

The Standards and EDS' analysis of the current preliminary Project as it relates to the Standards is presented below. The Project was reviewed using the Project description provided by the architect, which was applied to each of the Standards. The results of the Standards analysis are presented below with an "EDS Response" and an "EDS Analysis" that identifies if the Project conforms with Standards. "EDS Recommendations" are also provided, if warranted.

The following Standards review assesses potential impacts on the CRHR-eligible 1926 house.

- 1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.**

The 1926 house will continue to be for residential use.

EDS Analysis: The current preliminary Project complies with Standard 1.

- 2. The historic character of a property shall be retained and preserved. The removal of historic**



materials or alteration of features and spaces that characterize a property shall be avoided.

The current preliminary Project will retain and preserve the building's original historic character associated with the Tudor Revival design, including the steeply pitched and sloping multi-gable roofs, the exposed half-timber, the original double-hung wood with lugs and divided light upper window sashes, and the asymmetrical design.

Door Location Restoration: The current preliminary Project consists of restoring the location of the front door to its original centered location – along the primary façade – facing Hawthorne Avenue, based on photographic and physical evidence. This will restore the original front door opening facing south towards Hawthorne Avenue, which was where the door was located when it was constructed in 1926.

Solar Panels: The addition of solar panels along the east, west, or south-facing slopes of the side gable form of the 1926 house will not alter the historic character of the house. In addition, the installation will not call for the removal of any historic materials or alteration of features and spaces that characterize the 1926 house.

Rehabilitation: Potential Stucco Removal and Replacement with Appropriate Material

Currently, the 1926 house retains the original exterior stucco; however, if during the rehabilitation, exploratory, or construction work, the stucco is determined to be beyond repair, based on photographic evidence and reviewed by a qualified individual, the following section provides an acceptable alternative to the stucco, meeting the Standards for Rehabilitation.

The 1926 house is clad in stucco applied in a pebble-dash finish, used on Tudor Revival houses in the 1920s. During this time, other exterior finishes applied to Tudor Revival design included plaster, brick, river rock, and stone, as well as decorative half-timbering with stucco or plaster infill, which is present within the roof eaves of the 1926 house. If the stucco is determined to be beyond repair, an appropriate replacement material meeting the Standards for Rehabilitation would be stucco, plaster, brick, river rock, or stone.

EDS Analysis: The current preliminary Project restores and retains the original form and design elements that characterize the 1926 house; therefore, the current preliminary Project complies with Standard 2. However, if the exterior stucco is removed, the replacement material must be either stucco, plaster, brick, river rock or stone to meet the Standards.

- 3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.**

There are no proposed changes to the 1926 house that would create a false sense of history.

EDS Analysis: The current preliminary Project complies with Standard 3.

- 4. Most properties change over time; those changes that have acquired historic significance in their**



own right shall be retained and preserved.

There are no proposed changes to the 1926 house that have become “significant in their own right.”

EDS Analysis: The current preliminary Project complies with Standard 4.

- 5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.**

The current preliminary Project proposes to preserve the original 1926 Tudor Revival features and finishes that are examples of craftsmanship that characterize the house, including steeply pitched and sloping multi-gable roofs, the exposed half-timber, the two “three-centered” arches along the front porch, the original double-hung wood windows with lugs and divided light upper sashes.

EDS Analysis: The current preliminary Project complies with Standard 5.

- 6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.**

There are no proposed changes to deteriorated features.

EDS Analysis: As such, Standard 6 does not appear to apply.

- 7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.**

EDS Analysis: Not applicable to the Project.

- 8. Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.**

EDS Analysis: Not applicable to the HRE, as a professional archaeologist would need to make this determination.

- 9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.**

New Exterior Alternations

The new exterior of the 1926 house includes the addition of solar panels and the potential change to exterior siding.

Solar Panels

The installation and placement of the solar panels on the 1926 house considers the overall goal to preserve the character-defining features and historic fabric of the building, while also accommodating



the need for solar. To conform with the Standards, the solar panels should be low-profile panels and installed flat. The panels should also be easily removable and should not destroy any original roof trussing or timber framing.

Exterior Cladding

If it is determined that the existing stucco needs to be replaced (addressed in Standards 2), EDS recommends the replacement material meeting the Standards for Rehabilitation would be stucco, plaster, brick, river rock or stone. In this case, the stucco material is a character-defining feature and must be replaced with an appropriate material found in Tudor Revival architecture.

EDS Analysis: The current preliminary Project to add solar panels to the 1926 house complies with Standard 9 if the panels are placed on the side gable form, are low-profile, and installed flat. In addition, if the exterior stucco is replaced, to meet Standard 9, the new material must be either stucco, plaster, brick, river rock, or stone.

10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

The current preliminary Project proposes two new ancillary buildings (new detached garage and ADU) that will be located at the rear of the 1926 house. The new detached garage will be located east of the house within the current driveway, but set back from the house, and the ADU will be located where the current ca. 1950 detached garage is situated. Both the ca. 1980 shed and ca. 1950 detached garage are not eligible for listing on the CRHR, are not listed on any local, state, or national register, and are proposed to be removed. Based on historic photographs, the location of the new detached garage will be in keeping with the location of the original, larger side gable garage or greenhouse previously located within the Property (see Figure 17). To determine if the two new buildings would affect the integrity of the 1926 house, EDS considered the overall size, scale, form, design, and material for the new buildings, currently in the design phase.

New Detached Garage

The new detached garage will be a single-story side gable form of wood construction located east of the house, on the driveway set back from the house. The details regarding the design are in progress, including the garage door style, which is important, as the style should remain simple so as not to detract visually from the character of the 1926 house and not create a false sense of history. In addition, masonry cladding, including stucco, plaster, brick, river rock, or stone, is recommended; in addition, wood boards with no lap or shadow may also meet the Standards – though this will have to be reviewed. Furthermore, mimicking half-timbering should be avoided. In addition, if the new detached garage is removed in the future, it will not adversely affect the integrity of the 1926 house.

New ADU

The new ADU that meets the Standards will be simple in size, scale, and form, and the roof height of the ADU should be set below the roof height of the 1926 house. A preliminary ADU design is provided



in Figure 44 as an appropriate ADU design in size, scale, and form, though it is not the only possibility. The exterior cladding for the ADU can be wood or wood-like material, stucco, plaster, brick, river rock, or stone. The wood cladding is appropriate for this building as it will not be visible from Hawthorne Avenue.

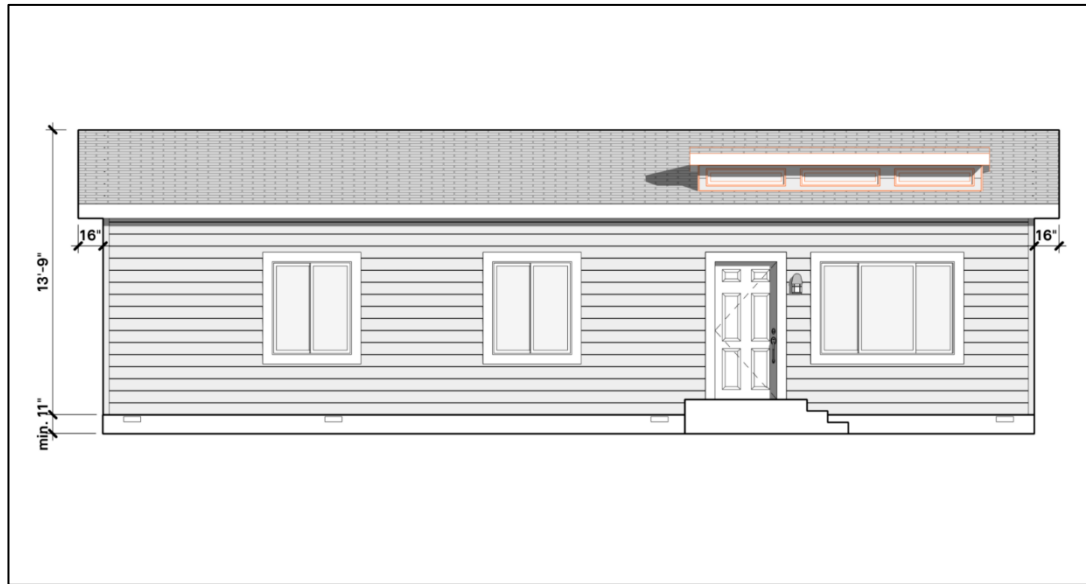


Figure 44. An example of a single-story, side gable ADU that could meet the Standards (courtesy of Villa).

EDS Analysis: The proposed Project appears to comply with Standard 10; however, Standard 10 will need to be updated once the new detached garage and ADU building designs are available for review, which will ensure compliance with Standard 10.

CONCLUSION

In accordance with CEQA regulations and guidelines, EDS completed an HRE for the Property at 41 Hawthorne Avenue, Los Altos, Santa Clara County, California, within the 0.344-acre (APN 170-41-036) that includes a 1926 house, ca. 1950 detached garage, ca. 1980 storage shed, and associated landscape to determine if the Property or any of the built environment resources within the Property are eligible for listing on the CRHR. The methods used to complete the HRE included extensive research and an intensive level historic architectural survey conducted by EDS Principal Architectural Historian Stacey De Shazo, M.A., who exceeds the Secretary of the Interior’s qualification standards in Architectural History and History. The HRE was completed following CEQA regulations (PRC § 21000) and the Guidelines for Implementing CEQA (14 CCR § 15000 et seq.).

The 1926 house is currently listed on the OHP’s BERD (P-43-002069) and within the City of Los Altos Historic Inventory (2013); therefore, the 1926 house is considered a Historical Resource as defined in CCR Section 15064.5. Furthermore, the HRE determined that the 1926 house appears individually eligible for listing on the CRHR under Criterion 3 for its association with Tudor Revival architecture with a period of significance of 1926 and retains all seven aspects of integrity. Therefore, due to potential impacts to the historical resource, a Standards review was completed to determine if the current preliminary Project would impact the integrity



of the 1926 house. Based on the Standards review of the current preliminary Project, it does not appear the Project will affect the integrity of the 1926 house. However, EDS recommends updating the Standards review once the architectural plans are completed to ensure that the final submitted Project still meets the Standards. The 1926 house within the Property is also a CRHR-eligible historical resource and appears eligible for the Mills Act tax program.



BIBLIOGRAPHY

American Architects Directory, Published by R.R. Bowker for the American Institute of Architects, 1956, 1962, 1970.

Ancestry.com

U.S., World War II Draft Registration Cards, 1942

1950 United States Federal Census.

U.S., City Directories, 1822-1995.

California, U.S., Death Index, 1940-1997.

California, U.S., Marriage Index, 1949-1959.

California, U.S., Federal Naturalization Records, 1843-1999.

U.S., City Directories, 1822-1995.

U.S., City Directories, 1822-1995.

U.S., City Directories, 1822-1995.

U.S., Social Security Death Index, 1935-2014.

Bancroft, Hubert Howe. *History of California: 1801 – 1924*. A.L. Bancroft, 1885.

CIRCA Preservation Consulting, "City of Los Altos Historic Resources Inventory", Prepared for the City of Los Altos, 2012.

Clay, Karen, *Property Rights and Institutions: Congress and the California Land Act 1851*, The Journal of Economic History, Cambridge University Press, 59(01):122-142, March 1999.

Kenneth T. Jackson, *Crabgrass Frontier: The Suburbanization of the United States*, Oxford University Press, 1985.

Los Altos Hills, "Lost Altos Hills History Anthology (1956-2016)", 2016.

McAlester, Virginia, and Lee McAlester, *A Field Guild to American Houses*. New York, Alfred A. Knopf. Munro-Fraser, J.P. 2018.

National Park Service, *National Register Bulletin: How to Apply the National Register Criteria for Evaluation*. Washington, D.C.: United States Department of the Interior. 1990, revised 1997.

Newspapers.com

"Beautiful Los Altos Homes Built by P.N. Doyle", The Daily Palo Alto Times, December 2, 1927

"Midpeninsula Death", The Peninsula Times Tribune, June 12, 1970.

"Midpeninsula Death", The Peninsula Times Tribune, June 12, 1970.

Holland S. Payson is Claimed by Death", The Peninsula Times Tribune, December 26, 1942.

"Midpeninsula Death", The Peninsula Times Tribune, June 12, 1970.

"Noted Engineer and Family Moving Into Los Altos Home", The Peninsula Times and Tribune, May 14, 1946.



- Katherine E. "Betty" Doolittle", The Bangor Daily News, September 17, 2000.
- "Marriage Licenses", The Peninsula Times Tribune, December 17, 1941.
- "Miss Cora Hart Becomes Bride of G. Otta at Arroyo Grande", The Tribune, July 22, 1955.
- "Cora Ann Otto", The Tribune, October 07, 1999.
- "Real Estate Investment Trust Form", The Peninsula Times Tribune, July 08, 1970.
- "Wayne Henry Miller", Ventura County Star, July 10, 2002.
- "San Jose men charge in confidence swindle", Peninsula Times Tribune, March 21, 1984.
- "Wisconsin Home for Couple Married at Sunday Service", The Vancouver Sun, June 28, 1955.
- Olmsted, Nancy, *Vanished Waters: A History of San Francisco's Mission Bay*, Mission Creek Conservancy, San Francisco, 1986.
- Pennsylvania Architectural Field Guide,
<http://www.phmc.state.pa.us/portal/communities/architecture/styles/tudor-revival.html>, (accessed 5/16/2023).
- Richards Gordon, "Stephens-Townsend-Murphy Party", Truckee Donner Historical Society,
<https://www.truckeehistory.org/the-first-pioneer-wagons-crossed-the-sierra-over-160-years-ago.html>, (accessed 5/22/2023),.
- Sacramento State Office, "Report of the Surveyor-General of the State of California from August 1, 1898 – August 1, 1898." 1886.
- Salameda, Jose, *Memories of Los Altos*, publisher Joe Salameda (January 1, 1982).
- Tyler, Norman, Ted Ligibel, and Ilene R. Tyler, *Historic Preservation: An Introduction to Its History, Principles, and Practice*, New York: W.W. Norton & Co., 2009.
- Williams, James C, and Kent Seavey. "Gilroy Yamato Hot Springs National Register of Historic Places Nomination", (NR#95000996), Washington, DC: National Park Service, 1995.



Appendix A:

DPR Forms

State of California The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
PRIMARY RECORD

Primary # 43-002069
HRI #
Trinomial
NRHP Status Code

Other Listings: _____
Review Code _____ Reviewer _____ Date _____

Page 1 of 15 *Resource Name or #: 41 Hawthorne Avenue

P1. Other Identifier: _____

*P2. Location: Not for Publication Unrestricted

*a. County Santa Clara and

*b. USGS 7.5' Quad Mountain View Date 1991 T 6S ; R 2W ; of of Sec un ; MD B.M.

c. Address 41 Hawthorne Avenue City Los Altos Zip 94022

d. UTM: Zone 10, 578492 mE/ 4137275 mN

e. Other Locational Data: The resource is located within the 0.3-acre Accessor's Parcel Number (APN) 170-41-036 in the City of Los Altos. The Property is bounded by Hawthorne Avenue on the south, single-family houses on the east and west, and a commercial building on the north.

*P3a. Description: The resource includes a 1926 house, ca. 1950 detached garage, ca. 1980 storage shed, and associated landscape. The 1926 house is associated with Tudor Revival Architecture. The ca. 1950 detached garage, ca. 1980 storage shed, and associated landscape are not associated with any architectural style or planned architectural landscape. (Continued on Continuation Sheet, Page 2)



*P3b. Resource Attributes: HP2. Single family property (1926 house); HP4. Ancillary buildings (ca. 1950 detached garage, ca. 1980 storage shed).

*P4. Resources Present:
Building Structure Object Site
District Element of District Other (Isolates, etc.)

P5b. Description of Photo 1926 house, facing north

*P6. Date Constructed/Age and Source:
 Historic Prehistoric Both 1926 house, ca. 1950 detached garage, ca. 1980 storage shed, and associated landscape

*P7. Owner and Address:
Name withheld by Owner

*P8. Recorded by: Stacey De Shazo, M.A.; Evans & De Shazo, Inc., 1141 Gravenstein Highway S, Sebastopol, CA 95472

*P9. Date Recorded: 04/05/2023

*P10. Survey Type: Intensive

*P11. Report Citation: Stacey De Shazo, M.A., Nicolle LaRochelle, and M.S, Bee Thao, M.A. (2023): Historic Resource Evaluation and Secretary of Interior's Standards for the Treatment of Historic Properties Review of the Property at 41 Hawthorne Avenue, Los Altos, Santa Clara County, California

*Attachments: NONE Location Map Continuation Sheet Building, Structure, and Object Record
 Archaeological Record District Record Linear Feature Record Milling Station Record Rock Art Record
 Artifact Record Photograph Record Other (List): _____

CONTINUATION SHEET

Property Name: 41 Hawthorne Avenue

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(Continue from Primary Record, Page 1)

Alterations to the 1926 house occurred in 1976, 1979, 1996, and 2002, detailed in this section and the "Previous Alterations" section below. The two-story house has a raised foundation with decorative cast-iron vents along the perimeter, with metal mesh vents along the foundation perimeter at the 1976 addition. The house has a side-facing gable form, with two cross-gables on the south elevation and a single, central cross-gable off the north elevation. The peaks of the roof gables at the south elevation are set below the ridge of the side gable, while the north elevation is above the ridgeline of the side gable. The roof is clad with composite shingles, while the house is finished with stucco and exposed half-timbering. At the roof's peak is a small, stucco-finished chimney. As the house is on a raised foundation, the north elevation has a raised deck connecting the original house eave to the 1976 gable addition.

South Elevation (Primary Facade)

The south elevation consists of two front-facing gables with steep multi-gable roofs (Figure 1). The western gable is flush with the eaves of the side roof gable, while the eastern gable projects forward from the eave, and the east roof curves down and across an open, central portico (Figure 2). The central porch has two three-centered arches, one to the south and one to the west. These arches are supported by a stucco column to the southwest and the house walls to the north and east. A single wood door is within the portico, on the west wall. There are two picture windows, consisting of a central, square, fixed single-light window in between two three-over-one, double-hung wood windows; between each of these three windows is a thick wood mullion (Figure 3). Although not original, these windows were replaced in-kind in material and style. Each window is located at the first-story level and centered below the roof gable. Within each gable, there is a three-over-one, double-hung wood window. At the south peak of the 1976 addition, there is a small, square

CONTINUATION SHEET

Property Name: 41 Hawthorne Avenue

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vent.



Figure 1. South elevation, facing north.



Figure 2. South elevation, facing northeast.

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Property Name: 41 Hawthorne Avenue

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Figure 3. Picture window on south elevation, facing north.

East Elevation

The east elevation consists of a double gable and eave section of the 1976 addition (Figure 4). The east elevation includes ten windows, of which four are new, and six are original. Three new windows appear to be in-kind replacements, and two are new to the elevation. The five windows on the first story of the eastern projecting gable consist of a pair of three-over-one, double-hung wood windows with a thick wood mullion, to the south of a three-over-one, double-hung wood window with horned stiles and a four-over-one, double hung wood window, with horned stiles (Figure 5). Below the peak and set between the exposed timber is a three-over-one, double-hung wood window. The gable between this projecting gable consists of a four-over-one, double-hung wood window at the southern section of the first story and a four-over-one, double-hung wood window with horn stiles at the north section. On the second story and off-center is a four-over-one, double-hung wood window. Directly below this peak, there is a small, square vent. The eave section of the 1976 addition has a sliding glass door at the first story and a pair of three-over-one, double-hung wood windows with a thick wood mullion between them (Figure 6).

CONTINUATION SHEET

Property Name: 41 Hawthorne Avenue

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Figure 4. East elevation, facing west.



Figure 5. Three-over-one windows with horned stiles (aka lugs) on the east elevation, facing west.

CONTINUATION SHEET

Property Name: 41 Hawthorne Avenue

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Figure 6. East elevation, facing southwest.

North Elevation

The north elevation consists of three eave sections of the original 1926 house and the gable section of the 1976 addition (Figure 7). The north elevation includes six windows, of which two appear to be original to the house and were repurposed along this elevation. The easternmost eave consists of a three-over-one, double-hung wood window with horn stiles beside a wood door with six square slights along the top of the paneled door. Along the first story of the gabled section, there is a single wood panel door with six square lights along the top of the door beside a square, four-light-hinged window; these two are between two three-over-one, double-hung wood windows (Figure 8). There are two three-over-one, double-hung wood windows at the second-story level. A square, fixed four-light window below the peak is set between the exposed timbers. Two vents are built into the stucco on either side of the window. A contemporary deck is accessed via two brick steps. The deck wraps around from the east elevation north and extends past the rear entry door within the 1976 gable addition. The west eave section of the addition includes a single wood panel door with six square lights along the top, opening onto a paver stoop.

CONTINUATION SHEET

Property Name: 41 Hawthorne Avenue

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Figure 7. North elevation, facing south.



Figure 8. North elevation, facing south.

West Elevation

The west elevation consists of the original side gable of the 1926 house and an eave end of the 1976 north-facing gable addition (Figure 9). The gable section includes exposed half-timber framing and stucco.

CONTINUATION SHEET

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Along the first story are two pairs of three-over-one, double-hung wood windows with thick wood mullions between them. The windows of the second story consist of two, three-over-three, double-hung wood windows set between the exposed timbers. Three vents are on either side of the windows and above, directly below the gable peak. An original cast-iron crawl-space vent is along the house foundation (Figure 10). The eave section of the 1976 addition consists of a four-over-one, double-hung wood window at the second-story level.



Figure 9. West elevation, facing southeast.

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Property Name: 41 Hawthorne Avenue

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Figure 10. A cast-iron vent cover, along the foundation wall.

ca. 1950 Detached Garage

The ca. 1950 detached garage is not associated with any architectural style or form. The one-story detached garage has a front-facing gable form and a concrete slab foundation (Figure 11). The walls are clad with clapboard siding, while the moderately pitched roof is clad with asphalt shingles. Surrounding the windows and doors and around the perimeter of the roof is a simple, thick trim. The south elevation is the primary façade and consists of an off-center, two-car aluminum garage door. The gable vent consists of vertical boards along the peak. The east elevation consists of the eave of the garage and has a centered, projecting metal and glass greenhouse window. The north elevation was not visible during the survey. The west elevation consists of a central, single metal door between a fixed, square window and a small vertical, rectangular window (Figure 12). This elevation opens to a walkway that is covered by a wood trellis.

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Figure 11. South elevation of detached garage, facing north.



Figure 12. West elevation and trellis-covered walkway, facing east.

ca. 1980 Storage Shed

The ca. 1980 storage shed is not associated with an architectural style or form. The one-story shed has no

CONTINUATION SHEET

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foundation, as it was placed directly on the soil. The shed has a front-facing, gambrel roof form with half-timbered elements. The shed is constructed of vertical wood, which also operates as the exterior finish, and the roof is clad with composite shingles. The southwest elevation is the primary façade, consisting of double-entry wood doors (Figure 13). The remaining elevations do not have any fenestration.



Figure 13. Photograph showing the double-entry doors along the southwest elevation (primary façade) of the ca. 1980 storage shed, facing north.

Associated Landscape

The associated landscape includes paths for pedestrians and cars, a lawn, a covered trellis with wisteria, and a designed brick patio with flower boxes. The front yard, south of the house, consists of three paths from the street to and around the house. The fence along the front yard's perimeter consists of brick posts supporting two horizontal rails (Figure 14). Between the paths is a sundial built upon a brick pedestal surrounded by bushes and trees. Along the east perimeter of the property, there is a concrete driveway that extends westward toward the ca. 1950 garage. The wisteria-covered wood trellis runs from the garage to the deck north of the house (Figure 15). Between the house and the driveway is a patio with brick pavers in a design with concrete. Amongst the brick pavers, there are bushes and flowers. The northwest corner of the property consists of a lawn.

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Property Name: 41 Hawthorne Avenue

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Figure 14. Fence with brick posts and wood rails along southern perimeter of the property.



Figure 15. Wood trellis with wisteria, facing south.

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California Register of Historic Resources (CRHR) Evaluation

- 1. (Event): Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage.**

The property containing the 1926 house, ca. 1950 detached garage, ca. 1980 storage shed, and associated landscape was developed within a planned subdivision in a prosperous time in Los Altos; however, the development of the property is not associated with any housing boom or any event that made a significant contribution to the broad patterns of California’s history or cultural heritage. As such, the property containing the 1926 house, ca. 1950 detached garage, ca. 1980 storage shed, and associated landscape does not appear eligible for listing on the CRHR.

Therefore, the property does not appear individually eligible for listing in the CRHR under Criterion 1.

- 2. (Person): Is associated with the lives of persons important in our past.**

A thorough literature search and review of the property owners and occupants was completed; however, the research did not reveal any person associated with the property that is important to our past.

Therefore, the property does not appear individually eligible for listing in the CRHR under Criterion 2.

- 3. (Construction/Architecture): Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.**

Builder: The 1926 house was designed and constructed by Purl Nathaniel (P.N.) Doyle, who was a builder in the Los Altos area; however, Doyle is not an architect, is not considered a master builder, and does not have a known design style or vernacular that is associated with his work. Therefore, the 1926 house is not eligible for listing on the CRHR in association with Doyle.

Architecture: The 1926 house is associated with the Tudor Revival architecture style, popular throughout the U.S. from 1890 to 1940. The 1926 house demonstrates the essential elements of the Tudor Revival style with many character-defining features associated with the style, including the steeply pitched and sloping multi-gable roofs, the exposed half-timber elements, the two “three-centered” arches along the front porch, the picture windows with central square, fixed single-light windows between three-over-one with mullions, double-hung wood windows, stucco walls, and the asymmetrical floorplan. The 1926 house is a good example of Tudor Revival architecture from 1926. As such, the 1926 house appears eligible for listing on the CRHR, under Criterion 3.

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The ca. 1950 garage and ca. 1980 shed and associated landscape are not associated with any known architectural style or form, landscape architectural style, or landscape planning design.

Therefore, the 1926 house within the property appears individually eligible for listing in the CRHR under Criterion 3 for its association with Tudor Revival architecture.

4. (Information potential): Has yielded, or may be likely to yield, information important in prehistory or history.

Criterion 4 most commonly applies to resources that contain or are likely to contain information bearing on an important archaeological research question. While most often applied to archaeological sites, Criterion 4 can also apply to built environment resources that contain important information. For a building to be eligible under Criterion 4, it must be a principal source of important information, such as exhibiting a local variation on a standard design or construction technique can be eligible if a study can yield important information, such as how local availability of materials or construction expertise affected the evolution of local building development.

The 1926 house does not appear to be able to convey important information about Tudor Revival architecture. As such, none of the built environment resources within the property are eligible for listing in the CRHR under Criterion 4.

Integrity

An assessment of integrity found that the 1926 house retains all seven aspects of integrity.




Map by S. Evans, 6/17/2023

Resource Location Map

1926 House, ca. 1950 Detached Garage, ca. 1980 Storage Shed, and Associated Landscape.

Legend

 Resource Area



June 5, 2023

RE: Mills Act Application Recommendation Letter for the Property at 41 Hawthorne Avenue, Los Altos, Santa Clara County, California.

To Whom it May Concern,

In June 2023, Evans & De Shazo, Inc (EDS) Principal Architectural Historian Stacey De Shazo, M.A., who exceeds the Secretary of Interior's qualification standards in Architectural History and History, completed a Historic Resource Evaluation (HRE) of the property at 41 Hawthorne Avenue, Los Altos, Santa Clara County, California within Assessor Parcel Number (APN) 170-41-036 consisting of a 1926 house, ca. 1950 detached garage, ca. 1980 storage shed, and associated landscape to determine if the property or any of the built environment resources within the property are eligible for listing on the California Register of Historical Resources (CRHR). Prior to the completion of the HRE, EDS determined that the 1926 house within the property is currently listed on the Office of Historic Preservation's (OHP) Built Environment Resources Directory (BERD) (P-43-002069) and within the City of Los Altos Historic Inventory (2013). As such, the 1926 house is considered a Historical Resource as defined in Section 15064.5 of the California Environmental Quality Act (CEQA). The HRE, completed by EDS under CEQA regulations (PRC § 21000) and the Guidelines for Implementing CEQA (14 CCR § 15000 et seq.), determined that the 1926 house is individually eligible for listing on the CRHR under Criterion 3 for its association with Tudor Revival architecture with a period of significance of 1926 and retains all seven aspects of integrity.¹ Therefore the 1926 house is a qualified historic property and eligible for the Mills Act.

Current Rehabilitation Project

To ensure that the current rehabilitation project (submitted to the city) would not impact the integrity of the 1926 house, EDS completed a Secretary of Interior's Standards for the Treatment of Historic Properties (Standards), which is within the HRE report (6/5/2023).² The Standards review was based on the current preliminary project, which has yet to be submitted to the city. The preliminary Standards review determined that the current project appears to meet the Standards for Rehabilitation, though additional information is need to update the Standards once architectural drawings are completed. As such, based on this premilinary information and if the guidance of the Standards review is followed, the project will not impact historical resources.

Mills Act

In 1972, the State adopted legislation (Government Code §§ 50280 – 50290) that created an alternative method for determining the assessed value of specific qualified historical properties, commonly referred

¹ The ca. 1950 detached garage, ca. 1980 storage shed, and associated landscape are not eligible for listing on the CRHR, and are not currently locally listed, as such are not historical resources under CEQA.

² Stacey De Shazo, "Historic Resource Evaluation and Standards Review of the Property at 151 Hawthorne Avenue, Los Altos, Santa Clara County, California", Evans & De Shazo, 2022.

to as the Mills Act. The Mills Act is a state law allowing cities to enter into contracts with the owners of historic structures. Such contracts require a reduction of property taxes in exchange for the continued preservation of the property. Property taxes are recalculated annually using a formula in the Mills Act and Revenue and Taxation Code. The Mills Act Program aims to provide economic incentives to foster the preservation of residential neighborhoods and the revitalization of downtown commercial districts. The Mills Act is the single most important economic incentive program in California to restore and preserve qualified historic buildings by private property owners. Enacted in 1972, the Mills Act legislation grants participating local governments (cities and counties) authority to enter into contracts with owners of qualified historic properties who actively participate in the restoration and maintenance of their historic properties while receiving property tax relief.

The law provides an income-based tax formula for legible properties subject to historical property contracts. The Mills Act allows cities and counties to enter into a contract with a property owner of qualified historic property. The state code defines a qualified historic property as a privately owned property that is not exempt from property taxation and which meets either of the following:

- (a) Listed in the National Register of Historic Places or located in a registered historic district, as defined in Section 1.191-2(b) of Title 26 of the Code of Federal Regulations.
- (b) Listed in any state, city, county, or city and county official register of historical or architecturally significant sites, places, or landmarks.

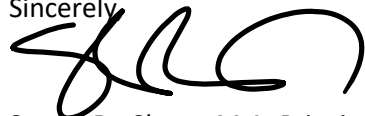
Qualified Historic Property

A qualified historic property is one that is listed on any federal, state, county, or city register, including the National Register of Historic Places, CRHR, California Historical Landmarks, State Points of Historical Interest, and locally designated landmarks. Owner-occupied family residences and income-producing commercial properties may qualify for the Mills Act program.

Recommendations

Based on the HRE, Standards review, and the requirements of the Mills Act program, EDS recommends that the 1926 house at 41 Hawthorne Avenue, a qualified historic property, is eligible for consideration by the City of Los Altos for the Mills Act. In addition, as required by the city, the property owners are "actively" rehabilitating their property following the Secretary of the Interior's Treatment of Historic Properties, particularly the Standards for Rehabilitation.

Sincerely,



Stacey De Shazo, M.A. Principal Architectural Historian
Evans & De Shazo, Inc.

stacey@evans-deshazo.com

September 1, 2023

RE: Additional Support of the Mills Act Application for the Property at 41 Hawthorne Avenue, Los Altos, Santa Clara County, California.

To Whom it May Concern,

Evans & De Shazo, Inc (EDS) Principal Architectural Historian Stacey De Shazo, M.A., who exceeds the Secretary of Interior's qualification standards in Architectural History and History, completed the Historic Resource Evaluation (HRE) of the property at 41 Hawthorne Avenue, Los Altos, Santa Clara County, California within Assessor Parcel Number (APN) 170-41-036 consisting of a 1926 house, ca. 1950 detached garage, ca. 1980 storage shed, and associated landscape to determine if the property or any of the built environment resources within the property are eligible for listing on the California Register of Historical Resources (CRHR). The HRE determined that the 1926 house is individually eligible for listing on the CRHR under Criterion 3 for its association with Tudor Revival architecture with a period of significance of 1926 and retains all seven aspects of integrity.¹ Therefore the 1926 house is a qualified historic property and eligible for the Mills Act. EDS then completed a Secretary of Interior's Standards for the Treatment of Historic Properties (Standards), which is within the HRE report (6/5/2023). The Standards review was based on the current preliminary project, which has yet to be submitted to the city. The preliminary Standards review determined that the current project appears to meet the Standards for Rehabilitation, though additional information is needed to update the Standards once architectural drawings are completed. As such, based on this preliminary information and if the guidance of the Standards review is followed, the project will not impact historical resources.

Although the proposed rehabilitation project for the 1926 house is not finalized, the following table (Table 1) provides additional information regarding the Mills Act application showing the Ten Year Rehabilitation, Restoration, and Maintenance and Timeline Work Plan, of which the current proposed rehabilitation appears to meet the Standards – as detailed in the Standards Review section of the HRE by EDS. Noting EDS recommends that once the final rehabilitation design is completed (the maintenance does not need to be included) and prior to architectural drawings being submitted to the City of Los Altos, a professional Architectural Historian reviews the project plans for consistency with the Standards. In addition, the 10-year cost estimates are currently in line with accepted cost estimates for the Mills Act.

¹ The ca. 1950 detached garage, ca. 1980 storage shed, and associated landscape are not eligible for listing on the CRHR, and are not currently locally listed, as such are not historical resources under CEQA.



Table 1: Proposed Ten Year Rehabilitation/Restoration/Maintenance and Timeline Work Plan.

Item	Work Task	Type of Work	Year Commence	Year Complete	Estimated Cost (10 year period)
1	Stucco repair, exterior paint, insulation, gutter repair	Rehabilitation	2024	2025	85,000
2	Foundation repairs	Rehabilitation	2028	2028	65,000
3	Basement external wall repairs	Rehabilitation	2028	2028	18,000
4	Window repairs	Rehabilitation	2024	2034	50,000
5	Roof repairs	Rehabilitation	2032	2033	45,000
Sub-total Rehabilitation					263,000
6	Move front door to original position	Remodel	2028	2028	9,000
7	Garage Remodel/Replace	New Construction	2024	2026	180,000
Sub-total Remodel					189,000
8	ADU New Construction	New Construction	2024	2026	750,000
9	Adding solar panels on the roof	New Construction	2024	2028	25,000
Sub-total New Construction					775,000
10	Repairs, paint touch-up, caulking (1,000 per year)	Maintenance	2024	2033	10,000
11	Annual external cleaning (windows, gutters)	Maintenance	2024	2033	15,000
12	Landscape repairs and maintenance, tree trimming	Maintenance	2024	2033	70,000
Sub-total Maintenance					95,000
Total All					1,322,000

Based on the HRE, Standards review, and the requirements of the Mills Act program, EDS recommends that the 1926 house at 41 Hawthorne Avenue's Ten Year Rehabilitation, Restoration, and Maintenance and Timeline Work Plan meet the requirements of the Mills Act.

Sincerely,

Stacey De Shazo, M.A. Principal Architectural Historian

Evans & De Shazo, Inc.

stacey@evans-deshazo.com

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

City of Los Altos
1 North San Antonio Road
Los Altos, CA 94022
Attn: Development Services Director

SPACE ABOVE THIS LINE FOR RECORDER'S USE

RECORDING REQUESTED PURSUANT TO
GOVERNMENT CODE SECTIONS 6103 and 27383

HISTORIC PROPERTY PRESERVATION AGREEMENT

THIS AGREEMENT is made and entered into this _____ day of _____, 2023, by and between the CITY OF LOS ALTOS, a municipal corporation (“City”) and Sreenivas Naganedra Tallam and Isabel Tallam, Trustees of the Tallam Family Revocable Trust dated August 9, 2021 (collectively, “Owner”).

RECITALS

A. California Government Code section 50280, et seq. authorizes cities to enter into contracts with the owners of qualified historical property to provide for the use, maintenance and restoration of such historical property so to retain its characteristics as property of historical significance;

B. Owner holds fee title in and to that certain real property, together with associated structures and improvements thereon, generally located at the street address 41 Hawthorne Avenue, Los Altos, California (the “Historic Property”). A legal description of the Historic Property is attached hereto, marked as Exhibit “A” and is incorporated herein by this reference;

C. On September 28, 1997 the Historical Commission of the City of Los Altos designated the Historic Property as a Historical Resource, pursuant to Chapter 12.44 of the City’s Municipal Code. The Historic Property is a qualified historical property pursuant to California Government Code section 50280.1.

D. City and Owner, for their mutual benefit, now desire to enter into this agreement both to protect and preserve the characteristics of historical significance of the Historic Property and to qualify the Historic Property for an assessment of valuation pursuant to the Provisions of Chapter 3, of Part 2, of Division 1 of the California Revenue and Taxation Code.

AGREEMENT

NOW THEREFORE, City and Owner, in consideration of the mutual covenants and conditions set forth herein, do hereby agree as follows:

1. **Effective Date and Term of Agreement.** This Agreement shall be effective and commence on _____, 20__ (“Effective Date”) and shall remain in effect for a term of ten (10) years thereafter. Each year upon the anniversary of the Effective Date, such initial term will automatically be extended as provided in paragraph 2, below.

2. **Renewal.** On each anniversary of the Effective Date (hereinafter referred to as the “Renewal Date”), an additional one year term shall automatically be added to the term of this Agreement unless a notice of nonrenewal (“Notice of Nonrenewal”) is served as provided herein. If either Owner or City desires in any year not to renew this Agreement for an additional one year term, Owner or City shall serve a written Notice of Nonrenewal upon the other party in advance of the Renewal Date. Such Notice of Nonrenewal shall be effective if served by Owner upon City at least ninety (90) days prior to the Renewal Date, or if served by City upon Owner, such Notice of Nonrenewal shall be effective if served upon Owner at least sixty (60) days prior to the Renewal Date. If either City or Owner timely serves a Notice of Nonrenewal in any year, this Agreement shall remain in effect for the balance of the term then remaining, either from its original execution or from the last renewal date of this Agreement, whichever may apply.

2.1 **Owner Protest of City Nonrenewal.** Within fifteen (15) days after receipt by Owner of a Notice of Nonrenewal from City, Owner may make and file a written protest of the Notice of Nonrenewal. Upon receipt of such protest the City Council shall set a hearing prior to the expiration of the Renewal Date of this Agreement. Owner may furnish the City Council with any information which the Owner deems relevant, and within ten (10) days after demand shall furnish the City Council with any information the City Council may require. The City Council may, at any time prior to the Renewal Date of this Agreement, but without obligation to do so, withdraw its Notice of Nonrenewal.

3. **Assessment of Valuation.** The parties acknowledge that Owner, in consideration for abiding by the terms of this Agreement, shall be entitled to apply for a reassessment evaluation of the Historic Property pursuant to the provisions of Sections 439 et. seq. of the California Revenue and Taxation Code. Owner acknowledges that tax relief afforded to the Owner pursuant to Chapter 3, Part 2, of Division 1 of the California Revenue and Taxation Code may require negotiation with the Santa Clara County Assessor’s Office. All tax savings realized by Owner in connection with this Agreement shall be used to preserve, maintain, repair, restore and rehabilitate the Historic Property.

4. **Standards for Historical Property.** Owner shall preserve, repair and maintain the Historic Property and it’s Character Defining Features (defined below) as a qualified historic property, in no less than equal to the condition of the Historic Property on the Effective Date. Owner shall, where necessary, restore and rehabilitate the property according to the rules and regulations of the Office of Historic Preservation of the State Department of Parks and Recreation, the United States Secretary of the Interior’s

Standards for Rehabilitation and Restoration, the State Historical Building Code, and the City's Historical Preservation Ordinance, as the same may be amended from time to time, and in accordance with the attached ten year schedule of home repair, maintenance and improvement measures prepared by Owner and approved by the City Council, attached hereto as Exhibit "B." Commencing on the fifth anniversary of the Effective Date, and continuing every five (5) years thereafter during the term of this Agreement, Owner shall submit to City an updated ten (10) year schedule of potential home repair, maintenance and improvement measures for the upcoming ten (10) year period, which schedule shall also document all repairs, maintenance, and improvements which have been completed since the Effective Date. Character Defining Features means all historic or other architecturally significant aspects of the Historic Property, including without limitation, the general architectural form, style, materials, design, scale, details, mass, roof line, porch, exterior vegetation and other aspects of the appearance of the exterior and interior of the Historic Property. The Secretary of Interior's Standards for Rehabilitation and Restoration currently in effect (attached hereto and marked as Exhibit "C") shall be incorporated herein by reference and constitute the minimum standards and conditions for the rehabilitation and restoration of the Historic Property. All standards referred to in this Section 4 shall apply to the Historic Property throughout the term of this Agreement. Owner shall not obstruct or obscure the public's ability to view the exterior of the Historic Property from the public right-of-way. Such prohibition shall include, without limitation, a prohibition against the placing of trees, bushes or fences in a location which substantially obscures or obstructs the view from the public right-of-way of the exterior of the Historic Property.

5. **Periodic Examinations.** Owner shall allow reasonable periodic examination, by prior appointment, of the exterior of the Historic Property by representatives of the Santa Clara County Assessor, State Department of Parks and Recreation, State Board of Equalization, and/or the City, as may be necessary to determine Owner's compliance with the terms and provisions of this Agreement.

6. **Provision of Information of Compliance.** Within ten (10) days after request by City, Owner shall furnish City with any and all information requested by the City from time to time which City deems necessary or advisable to determine compliance with the terms and provisions of this Agreement.

7. **Cancellation.** City, following a duly noticed public hearing, as set forth in California Government Code Sections 50285, et seq., may cancel this Agreement if it determines that Owner breached any of the provisions of this Agreement or has allowed the Historic Property to deteriorate to the point that it no longer meets the standards for a qualified historic property and such breach is not cured by Owner within thirty (30) days after City gives Owner notice that a breach has occurred. City may also cancel this Agreement if it determines that the Owner has failed to maintain, preserve, restore or rehabilitate the Historic Property in accordance with the terms of this Agreement and such breach is not cured by Owner within thirty (30) days after City gives Owner notice that a breach has occurred. If this Agreement is canceled because of failure of the Owner to maintain, preserve, restore and rehabilitate the Historic Property as specified above,

the Owner shall pay a cancellation fee to the State Controller as set forth in Government Code Section 50286 as the same may be amended or replaced from time to time.

8. **Destruction.** Notwithstanding any provision of this Agreement to the contrary, the Owner may cancel this Agreement without payment of the cancellation fee set forth in Section 7, if the existing single-family residence (the "Structure") on the Historic Property is damaged by fire, earthquake, or other Act of God or accidental cause to the extent (1) the then fair market value of said Structure is reduced by fifty-one percent (51%) or more; or (2) fifty-one percent (51%) or more of said Structure's floor area is destroyed or irreparably damaged; or (3) fifty-one percent (51%) or more of the Structure's Character Defining Features are destroyed or irreparably damaged; or (4) that the cost to the Owner (less any insurance proceeds payable in connection with such damage) to restore the Structure to its prior condition would exceed Ten Thousand Dollars (\$10,000). If the Owner desires to cancel this Agreement under this Section 8, written notice shall be given to the City within ninety (90) days after such damage or destruction occurs.

If the Owner desires to cancel this Agreement due to the circumstances outlined in this Section 8, either party may request a hearing before the City Council to determine (a) the extent of diminution of value, (b) the extent of the damage or destruction to the floor area of the Structure, and/or (c) extent of damage or destruction to the Character Defining Features of the Structure. The City Council may refer any matter relating to (c) to the City's Historical Commission for its findings and recommendations.

If Owner does not cancel this Agreement pursuant to this Section within ninety (90) days after damage or destruction occurs, or the damage or destruction does not exceed the thresholds set forth in the first paragraph of this Section, Owner shall have a reasonable time, not to exceed four (4) months, in which to restore the structure to not less than the condition existing prior to such damage or destruction.

9. **Enforcement of Agreement.** City may specifically enforce, or enjoin the breach of, the terms of this Agreement, if Owner fails to cure any default under this Agreement within thirty (30) days after City gives Owner notice that Owner has breached any of Owner's obligations under this Agreement. If Owner's breach is not corrected to the reasonable satisfaction of the City within thirty (30) days after the notice of breach is given to Owner, then City may, without further notice, declare a default under the terms of this Agreement and bring any action necessary to specifically enforce the obligations of Owner or enjoin any breach under this Agreement, including, but not limited to, bringing an action for injunctive relief against the Owner or such other relief as City may deem appropriate.

City does not waive any claim of default by Owner if City does not enforce or cancel this Agreement upon a default by Owner. All other remedies at law or in equity which are not otherwise provided for in this Agreement shall be available to the City to pursue if there is a default of this Agreement by Owner. No waiver by City or any breach or default under this Agreement by Owner shall be deemed to be a waiver of any other subsequent breach thereof or default hereunder.

10. **Binding Effect of Agreement; Covenants Running With the Land.**

The Owner hereby subjects the Historic Property to the covenants, reservations and restrictions as set forth in this Agreement. City and Owner hereby declare their specific intent that the covenants, reservations and restrictions as set forth herein shall be deemed covenants running with the land and shall pass to and be binding upon the Owner’s successors and assigns in title or interest to the Historic Property. Each and every contract, deed or other instrument hereinafter executed, covering or conveying the Historic Property, or any portion thereof, shall conclusively be held to have been executed, delivered and accepted subject to the covenants, reservations and restrictions expressed in this Agreement regardless of whether such covenants, reservations and restrictions are set forth in such contract, deed or other instrument. City and Owner hereby declare their understanding and intent that the burden of the covenants, reservations and restrictions set forth herein touch and concern the land in that the value of the Owner’s legal interest in the Historic Property may be affected thereby. City and Owner hereby further declare their understanding and intent that the benefit of such covenants, reservations and restrictions touch and concern the land by enhancing and maintaining the historic characteristics and significance of the Historic Property for the benefit of the public and Owner.

11. **Sale or Transfer of Ownership.** Prior to the sale or transfer of ownership of the Historic Property, the Owner is bound by this Agreement to provide a report to the City which outlines how all tax savings realized by Owner in connection with this Agreement were used to preserve, maintain, repair, restore and rehabilitate the Historic Property. The City shall review and approve the report administratively within twenty-one (21) days. If the City takes no action within that time, the report is deemed adequate.

12. **Cost Reimbursement.** Owner shall, within ten (10) days after demand, reimburse City for all reasonable legal fees and costs and all staff time and costs incurred by City in connection with the preparation and review of this Agreement and the administration of the Agreement during the term of this Agreement.

13. **Notice.** Any notice required to be given by the terms of this Agreement shall be in writing and sent by personal delivery or by United States registered or certified mail, postage prepaid, return receipt requested, addressed as set forth in this Section 13 below at any other address as may be later specified by the parties hereto by notice given in the manner required by this Section 13.

To City:
City of Los Altos
Attn: Historical Commission Liaison
One North San Antonio Road
Los Altos, CA 94022

To Owners:
Sreenivas Naganedra Tallam, Trustee
Isabel Tallam, Trustee

Mailed notices shall be deemed delivered three (3) days after the date of posting by the United States Post Office.

14. **Notice to Office of Historic Preservation.** Owner shall provide written notice of this Agreement and shall provide a copy of this Agreement to the Office of Historic Preservation of the Department of Parks and Recreation of the State of California within six (6) months following the Effective Date.

15. **Effect of Agreement.** None of the terms, provisions or conditions of this Agreement shall be deemed to create a partnership between the parties hereto or any of their heirs, successors or assigns, nor shall such terms, provisions or conditions cause the parties to be considered joint ventures or members of any joint enterprise.

16. **Indemnity of City.** Owner shall protect, defend, indemnify, and hold City and its elected officials, officers, agents and employees harmless from liability for claims, losses, proceedings, damages, causes of action, liabilities, costs or expense, including reasonable attorneys' fees, which may arise directly or indirectly from the negligence, willful misconduct or breach of this Agreement by Owner or Owner's contractors, subcontractors, agents, employees or other persons acting on Owner's behalf in connection with the Historic Property, or which arise directly or indirectly in connection with Owner's activities in connection with the Historic Property. This Section 16 applies, without limitation, to all damages and claims for damages suffered, or alleged to have been suffered regardless of whether or not the City prepared, supplied or approved any plans, specifications or other documents for the Historic Property.

17. **Binding Upon Successors.** All of the agreements, rights, covenants, reservations and restrictions contained in this Agreement shall be binding upon and shall inure to the benefit of the parties named herein, their heirs, successors, legal representatives, and assigns and all persons acquiring any part or portion of the Historic Property, whether voluntarily or involuntarily, by operation of law or in any manner whatsoever.

18. **Legal Costs.** If legal proceedings are brought by Owner or City to enforce or restrain a violation of any of the covenants, reservations or restrictions contained herein, or to determine the rights and duties of any party hereunder, the prevailing party in such proceeding may recover all reasonable attorneys' fees to be fixed by the court, in addition to court costs and other relief ordered by the court.

19. **Severability.** If any of the provisions of this Agreement are held to be unenforceable or invalid by any court of competent jurisdiction, or by subsequent preemptive legislation, the validity and enforceability of the remaining provisions, or portions thereof, shall not be affected thereby.

20. **Governing Law.** This Agreement shall be construed and governed in accordance with the laws of the State of California.

21. **Recordation.** No later than twenty (20) days after the parties execute and enter into this Agreement, City shall cause this Agreement to be recorded in the Office of the County Recorder of the County of Santa Clara, California.

22. **Amendments.** This Agreement may be amended, in whole or in part, only by a written recorded instrument executed by all of the parties hereto.

23. **Captions.** Section headings and captions of this Agreement are for convenience of reference only and shall not be considered in the interpretation of any of the provisions of this Agreement.

WITNESS WHEREOF, the parties have executed this Agreement effective as of the date first above written.

OWNERS:

By: _____
Sreenivas Naganedra Tallam, Trustee

Dated: _____

By: _____
Isabel Tallam, Trustee

Dated: _____

CITY OF LOS ALTOS:

By: _____
City Manager

Dated: _____

Attest:

By: _____
City Clerk

Dated: _____

Approved as to Form:

By: _____
City Attorney

Dated: _____

EXHIBIT "A"

LEGAL DESCRIPTION

For APN/Parcel ID: 170-41-036

THE WESTERLY 100 FEET, FRONT AND REAR MEASUREMENTS OF LOT 151 AS SHOWN ON THE MAP OF ALTOS ACRES, LOS ALTOS, SANTA CLARA COUNTY, CALIFORNIA, RECORDED MAY 8, 1911, BOOK N OF MAPS, PAGE 49, SANTA CLARA COUNTY RECORDS.

EXHIBIT “B”

**SCHEDULE OF IMPROVEMENTS
2023 – 2033**

Item	Work Task	Type of Work	Year Commenced	Year Completed	Estimated Cost (10 year period)
1	Stucco repair, exterior paint, insulation, gutter repair	Rehabilitation	2024	2025	85,000
2	Foundation repairs	Rehabilitation	2028	2028	65,000
3	Basement external wall repairs	Rehabilitation	2028	2028	18,000
4	Window repairs	Rehabilitation	2024	2034	50,000
5	Roof repairs	Rehabilitation	2032	2033	45,000
Sub-total Rehabilitation					263,000
6	Move front door to original position	Remodel	2028	2028	9,000
7	Garage Remodel/Replace	New Construction	2024	2026	180,000
Sub-total Remodel					189,000
8	ADU New Construction	New Construction	2024	2026	750,000
9	Adding solar panels on the roof	New Construction	2024	2028	25,000
Sub-total New Construction					775,000

Item	Work Task	Type of Work	Year Commenced	Year Completed	Estimated Cost (10 year period)
10	Repairs, paint touch-up, caulking (1,000 per year)	Maintenance	2024	2033	10,000
11	Annual external cleaning (windows, gutters)	Maintenance	2024	2033	15,000
12	Landscape repairs and maintenance, tree trimming	Maintenance	2024	2033	70,000
Sub-total Maintenance					95,000
Total All					1,322,000

EXHIBIT “C”

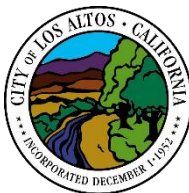
SECRETARY OF THE INTERIOR’S STANDARDS FOR REHABILITATION AND RESTORATION

Rehabilitation:

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations or related new construction will not destroy historic materials, features and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Restoration:

1. A property will be used as it was historically or be given a new use that interprets the property's restoration period.
2. Materials and features from the restoration period will be retained and preserved. The removal of materials or alterations of features, spaces and spatial relationships that characterize the period will not be undertaken.
3. Each property will be recognized as a physical record of its time, place and use. Work needed to stabilize, consolidate and conserve materials and features from the restoration period will be physically and visually compatible, identifiable upon close inspection and properly documented for future research.
4. Materials, features, spaces and finishes that characterize other historical periods will be documented prior to their alteration or removal.
5. Distinctive materials, features, finishes and construction techniques or examples of craftsmanship that characterize the restoration period will be preserved.
6. Deteriorated features from the restoration period will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture and, where possible, materials.
7. Replacement of missing features from the restoration period will be substantiated by documentary and physical evidence. A false sense of history will not be created by adding conjectural features, features from other properties, or by combining features that never existed together historically.
8. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
9. Archeological resources affected by a project will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
10. Designs that were never executed historically will not be constructed.



AGENDA REPORT SUMMARY

Meeting Date: November 28, 2023

Subject Consider authorizing Addendum No. 12 to the Regional Water Quality Control Plant Basic Agreement; and consider finding that the Council’s action is exempt from review under CEQA pursuant to CEQA Guidelines Section 15301 and that none of the circumstances in CEQA Guidelines Section 15300.2 applies.

Prepared by: Thanh Nguyen, Senior Civil Engineer

Reviewed by: Aida Fairman, Public Works Director

Approved by: Gabriel Engeland, City Manager

Attachments:

Attachment 1 – Resolution

Attachment 2 – Addendum 12 to the Basic Agreement Between the City of Palo Alto, the City of Mountain View, and the City Of Los Altos for the Acquisition, Construction, and Maintenance of a Joint Sewer System

Attachment 3 – Map Image

Attachment 4 – Bid Summary

Initiated by:

Palo Alto Regional Water Quality Control Plant (RWQCP) Long-Range Facilities Plan

Previous Council Consideration:

- June 26, 2012 – Oral presentation from the City of Palo Alto regarding the Final Draft report of the Long-Range Facilities Plan for the RWQCP for informational purposes only.
- February 23, 2016 – Approval of Addendum 8 for the design of the Primary Sedimentation Tank Rehabilitation and Secondary Treatment Upgrades Projects.
- May 26, 2020 – Approval of Addendum No. 10 for constructing the Primary Sedimentation Tank Rehabilitation Project.
- November 29, 2022 – Approval of Addendum 11 for constructing the Primary Sedimentation Tank Rehabilitation and the Secondary Treatment Upgrades Projects.

Reviewed By:

City Manager

GE

City Attorney

JH

Finance Director

JD



Subject: Updated Addendum No. 12 to the Regional Water Quality Control Plant Basic Agreement

Fiscal Impact:

The estimated total project construction expenses contributed by the contributing partner agency for the Joint Intercepting Sewer Rehabilitation (Phase 1) project are summarized in Table 1 below. The cost share amount for the City of Los Altos is \$1,262,089. This will be paid out of the sewer administration operating budget account # 8110-5270 over the next two to three years.

Contributing Partner Agency	Cost Sharing
Mountain View	\$5,159,619
Palo Alto	\$1,947,106
Los Altos	\$1,262,089
Los Altos Hills	\$338,516
East Palo Alto Sanitary District	\$104,904
Stanford University	\$122,736
Total:	\$8,934,970

Environmental Review:

The construction of this project is exempt from CEQA under CEQA Guidelines Section 15301, subsection (b), as it involves the repair and maintenance of an existing publicly-owned utility used to provide sewerage treatment services with no expansion on the existing facility. A Notice of Exemption was submitted to the Santa Clara County Clerk-Recorder’s office by ___ and was recorded on August 7, 2023 (File No. ENV24700).

Summary:

- The Palo Alto Regional Water Quality Control Plant (RWQCP) provides wastewater treatment services for the cities of Palo Alto, Mountain View, Los Altos, the Town of Los Altos Hills, East Palo Alto Sanitary District, and Stanford University. Over the years, the costs for projects to upgrade the RWQCP have been shared proportionally by the various agencies.
- In 2012, the RWQCP Long-Range Facilities Plan (LRFP) was prepared to provide a plan for future capital improvement program projects--addressing aging equipment and increasing regulatory requirements.
- Joint Interceptor Sewer Rehabilitation Phase 1 project addresses aging infrastructure.



Subject: Updated Addendum No. 12 to the Regional Water Quality Control Plant Basic Agreement

Staff Recommendation:

Authorize the City Manager to execute Addendum No. 12 to the Regional Water Quality Control Plant Basic Agreement between the cities of Palo Alto, Mountain View, and Los Altos to fund the rehabilitation of the Joint Interceptor Sewer Rehabilitation Phase 1 project



Subject: Updated Addendum No. 12 to the Regional Water Quality Control Plant Basic Agreement

Purpose

Authorize the City Manager to execute Addendum No. 12 to the Regional Water Quality Control Plant Basic Agreement between the cities of Palo Alto, Mountain View, and Los Altos to fund the rehabilitation of the Joint Interceptor Sewer Rehabilitation Phase 1 project.

Background

In 1968, the cities of Mountain View and Los Altos agreed to retire their wastewater treatment plants and approved a contract with the City of Palo Alto (Basic Agreement, also referred to as the Partners Agreement) for the acquisition, construction, and maintenance of a joint wastewater treatment plant. The Plant began operating in 1972. The Basic Agreement was originally set to expire on July 1, 2035, but was extended to December 31, 2060, as part of Addendum No. 8.

The Palo Alto Regional Water Quality Control Plant (Treatment Plant) provides wastewater treatment services for the cities of Palo Alto, Mountain View, Los Altos, the Town of Los Altos Hills, East Palo Alto Sanitary District, and Stanford University. Over the years, various agencies have shared project costs to upgrade the Treatment Plant.

The Regional Water Quality Control Plant (RWQCP, Plant) owns and maintains a 72-inch diameter trunk sewer known as the Joint Intercepting Sewer (JIS), which conveys raw sewage from Mountain View, Los Altos, Los Altos Hills, and a portion of Palo Alto. There are other sewers leading to the RWQCP, but these are maintained by the Utilities Department, Stanford University, and the East Palo Alto Sanitary District.

The JIS was constructed in 1972 and consists of multiple sections of 60-inch and 72-inch diameter reinforced concrete pipes with gasketed bell and spigot joints. The original pipe is unlined with no external coating. The pipes are approximately 9,000 feet long. The pipeline’s alignment starts at a metering station located at 1151 San Antonio Road on the border of Palo Alto and Mountain View. The alignment runs northwest and below grade through the Baylands Nature Preserve and along the western edge of the City’s closed landfill. The pipeline ends at an influent junction box inside the RWQCP.

The need for rehabilitation or replacement of the Joint Intercepting Sewer was first identified in the Long Range Facilities Plan (LFRP), which was adopted by the Palo Alto Council in July 2012. The need for rehabilitation was confirmed in 2020 via a condition assessment, which included closed circuit television (CCTV) inspection, sonar inspection, and visual inspections of the entire pipe length. Based on the findings, the downstream sections (approximately 2,364 feet) closest to the Plant exhibited the greatest deterioration. The lower section of the pipeline has exposed and corroded structural rebar, spalling, and cracked concrete, and a noticeable offset and separation at some pipe joints and manholes. This Joint Intercepting Sewer Rehabilitation Phase 1 Project will rehabilitate the deteriorated 2,364-foot section of pipeline and manholes. A design contract



Subject: Updated Addendum No. 12 to the Regional Water Quality Control Plant Basic Agreement

(Contract No. 22183804) was awarded to Jacobs Engineering Group, Inc. by Palo Alto Council on May 16, 2022 (SR #14164). The design was completed in August 2023.

Based on a 2020 sewer inspection, the upstream sections (approximately 6,600 feet to the metering station) show less severe deterioration and will be reassessed in the next five to ten years to establish the timing and need for the Phase 2 rehabilitation work. See the attached figure showing the project phases (Attachment B).

The City of Los Altos’ Council approved Addendum No. 8 in 2016, Addendum No. 9 in 2018, Addendum No. 10 in 2020, and Addendum No. 11 in 2022 to authorize the construction and cost-sharing of a sludge dewatering and truck loadout facility, funding for the design of the secondary treatment upgrades project; and funding for the design and construction of the primary sedimentation tank rehabilitation project. Construction of the sludge dewatering facility was completed in 2019, a key component of the LRFP. The primary sedimentation tank rehabilitation project is in construction and will be completed in 2023. Other facilities requiring capital improvement in the next ten years for facilities at the end of their useful life include a new outfall pipe, new support facilities, the relining of an aging joint intercepting sewer, and a new headworks facility.

Design work for the Joint Interceptor Sewer Rehabilitation Phase 1 project is complete. On August 29, 2023, the City of Palo Alto solicited formal bids from qualified contractors for this Project. The bidding period was 49 calendar days. Three bids were received on October 16, 2023, with bid prices ranging from \$7,347,700 to \$11,051,740 as listed in the attached Bid Summary (Attachment C). The lowest responsible bid was \$7.3 million submitted by SAK Construction, LLC. The maximum total cost for construction and construction management services, including 10% contingency, is \$8,934,970. This total cost is scheduled to be approved by Palo Alto Council on December 11, 2023. The City of Los Altos will be contributing a maximum not-to-exceed amount of \$1,262,089 to be funded from the Sewer Administration Operating Budget.

Discussion/Analysis

Addendum No. 12 will authorize construction funding to rehabilitate the Joint Interceptor Sewer Rehabilitation Phase 1 project.

Previously, Council approved Addendum No. 11 to authorize the maximum amount of financing for the construction funding of the Primary Sedimentation Tank Rehabilitation and the Secondary Treatment Upgrades projects. Addendum No. 12 will authorize the maximum amount of financing for the construction of the Joint Intercepting Sewer Rehabilitation Phase 1 project, including design engineering, construction management, program management, and construction costs.

This Project will rehabilitate approximately 2,364 feet of the 9,000 feet of the joint intercepting



Subject: Updated Addendum No. 12 to the Regional Water Quality Control Plant Basic Agreement

sewer from Manhole No. 4 to the Plant’s influent junction box (i.e., JB-0). Attachment B shows the alignment of the joint intercepting sewer needing rehabilitation and the upstream section. Rehabilitation includes repairing and recoating the interior of existing manholes and the influent junction box. An above-grade temporary bypass pumping system consisting of pumps and piping will be installed in the vicinity of the existing sewer pipeline to allow the contractor to access, clean, inspect and rehabilitate the interior of the sewer line and manholes. Pipe rehabilitation will be cured-in-place pipe (CIPP) method, in which a resin-impregnated liner is inserted, expanded, cured, and adhered onto the existing pipe’s interior surfaces. The cured liner will become a new pipe inside the existing host pipe, providing structural strengthening as well as smoother and corrosion-resistant surfaces that would not reduce the trunk sewer’s service capacity. Its service life is expected to be extended by 25 to 50 years. This method will result in minimal site disturbance and require the least amount of construction staging area compared to other repair methods, such as open trench pipe replacement. Through January 2023, the Palo Alto Utilities Department has utilized CIPP lining on City of Palo Alto sewers, having rehabilitated approximately 23,025 feet (4.36 miles) of the City’s pipes ranging from 6 inches to 42 inches in diameter.

Construction activities are expected to take place inside the RWQCP (30 percent of the work) and outside the RWQCP (70 percent of the work) along the alignment of the sewer interceptor on small undeveloped areas outside the plant’s fence line and gravel access road west of Byxbee Park. Temporary fencing will be set up along the boundary of the project site. Construction fences will have six to eight inches of openings at the bottom to allow wildlife to pass through the area. Screening will be attached to project fencing to reduce noise and light outside the construction area. An informational site map showing the URL to the project’s website on cleanbay.org and detour signs will be set up on trails at appropriate locations. Construction activities lasting up to five months will occur during daytime only and traffic will be limited to material and fuel deliveries. When construction vehicles travel outside of fenced work area, traffic control flaggers will walk ahead and behind each truck to ensure public safety. The contractor’s personnel will be onsite 24/7 to monitor the temporary bypass pumping system, which is expected to last two to four months. The temporary bypass pumps will be enclosed to comply with noise ordinances; pumps and piping are sealed to contain odors. Illumination, as needed to meet OSHA safety’s requirements, at the bypass pumps, will be soft lights with directional shields and with on/off switches. City staff will coordinate with other projects in the Baylands (e.g., the Horizontal Levee Project) to minimize schedule and parking impacts.

A biological survey was conducted by two qualified biologists from the project’s design consultant, Jacobs, on March 1, 2023, at the proposed project site and a 250-foot buffer zone away from the site. The field survey showed no sensitive habitat within the project site and that construction activities are not anticipated to directly or indirectly impact adjacent aquatic resources and special-status plants and animals that were determined to be absent or unlikely to occur within



Subject: Updated Addendum No. 12 to the Regional Water Quality Control Plant Basic Agreement

the project footprint. Special-status birds, including salt marsh common yellowthroat, Alameda song sparrow, and burrowing owl, could nest outside and near the project footprint. As a standard construction practice, preconstruction surveys for nesting birds and burrowing owls will be conducted 24 days and 24 hours prior to the start of field construction activities. If active nests are detected, buffers around nests will be established to ensure breeding is not disrupted or adversely impacted by construction.

Recommendation

Authorize the City Manager to execute Addendum No. 12 to the Regional Water Quality Control Plant Basic Agreement between the cities of Palo Alto, Mountain View, and Los Altos to fund the rehabilitation of the Joint Interceptor Sewer Rehabilitation Phase 1 project

RESOLUTION NO. 2023-___

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS
AUTHORIZING THE CITY MANAGER TO EXECUTE ADDENDUM NO. 12 TO
THE REGIONAL WATER QUALITY CONTROL PLANT BASIC AGREEMENT
BETWEEN THE CITY OF PALO ALTO, THE CITY OF MOUNTAIN VIEW
AND THE CITY OF LOS ALTOS FOR THE ACQUISITION, CONSTRUCTION
AND MAINTENANCE OF THE JOINT SEWER SYSTEM**

WHEREAS, City of Palo Alto and City of Los Altos have entered a Joint Sewer System Agreement and subsequent addendums No. 1 through No. 11; and

WHEREAS, Addendum No. 12 will fund the rehabilitation of the Joint Interceptor Sewer Rehabilitation Phase 1 Project; and

WHEREAS, Addendum No. 12 includes the cost-sharing amounts for the contributing partner agencies; and

WHEREAS, the construction of this project is exempt from review under the California Environmental Quality Act for reasons stated in the staff report;

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Los Altos hereby:

- 1. Finds that the foregoing recitals are true and correct.
- 2. Authorizes the City Manager to execute Addendum No. 12 to the Regional Water Quality Control Plant Basic Agreement between the cities of Palo Alto, Mountain View, and Los Altos to fund the rehabilitation of the Joint Interceptor Sewer Rehabilitation Phase 1 Project.
- 3. Authorizes the City Manager to take such further actions as may be necessary to implement the foregoing agreement.

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 28th day of November 2023, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Sally Meadows, MAYOR

Attest:

Melissa Thurman, MMC CITY CLERK

**ADDENDUM NO. TWELVE TO THE BASIC AGREEMENT BETWEEN THE CITY OF
PALO ALTO, THE CITY OF MOUNTAIN VIEW, AND THE CITY OF LOS ALTOS
FOR THE ACQUISITION, CONSTRUCTION AND MAINTENANCE OF A JOINT
SEWER SYSTEM**

This Addendum No. Twelve (12) to the Basic Agreement for the Acquisition, Construction and Maintenance of a Joint Sewer System is made and entered into on TBD, 2023, by and among the CITY OF PALO ALTO (“Palo Alto”), the CITY OF MOUNTAIN VIEW (“Mountain View”), and the CITY OF LOS ALTOS (“Los Altos”) (individually, a “Party”, collectively, the “Parties”), all municipal corporations under the laws of the State of California.

RECITALS

- A. The Parties have entered into that certain Basic Agreement Between the City of Palo Alto, the City of Mountain View and the City of Los Altos for the Acquisition, Construction, and Maintenance of a Joint Sewer System, executed on October 10, 1968, as amended by the Addenda described below (collectively, the “Basic Agreement”). The Basic Agreement has been amended eleven times by addenda, as follows:
1. Addendum No. One (1) to Basic Agreement Between the Cities of Palo Alto, Mountain View, and Los Altos for Acquisition, Construction and Maintenance of a Joint Sewer System, dated as of December 5, 1977;
 2. Addendum No. Two (2) to Basic Agreement Between the Cities of Palo Alto, Mountain View, and Los Altos for Acquisition, Construction and Maintenance of a Joint Sewer System dated as of January 14, 1980;
 3. Addendum No. Three (3) to an Agreement By and Between the Cities of Palo Alto, Mountain View, and Los Altos for Acquisition, Construction and Maintenance of a Joint Sewer System, dated as of April 9, 1985;
 4. Addendum No. Four (4) to the Agreement By and Between the Cities of Mountain View, Los Altos, and Palo Alto as further amended and dated May 30, 1991;
 5. Addendum No. Five (5) to Basic Agreement Between the Cities of Palo Alto, Mountain View, and Los Altos for Acquisition, Construction and Maintenance of a Joint Sewer System, dated as of July 31, 1992;
 6. Addendum No. Six (6) to Basic Agreement Between the City of Palo Alto, the City of Mountain View, and the City of Los Altos for Acquisition, Construction and Maintenance of a Joint Sewer System dated as of March 16, 1998;
 7. Addendum No. Seven (7) to Basic Agreement Between the City of Palo Alto, the City of Mountain View, and the City of Los Altos for Acquisition, Construction and Maintenance of a Joint Sewer System dated as of April 15, 2009;
 8. Addendum No. Eight (8) to the Basic Agreement between the City of Palo Alto, the City of Mountain View and the City of Los Altos for the Acquisition, Construction, and Maintenance of a Joint Sewer System dated as of October 17, 2016;
 9. Addendum No. Nine (9) to the Basic Agreement between the City of Palo Alto, the City of Mountain View and the City of Los Altos for the Acquisition, Construction and Maintenance of a Joint Sewer System dated March 4, 2019;

10. Addendum No. Ten (10) to the Basic Agreement between the City of Palo Alto, the City of Mountain View, and the City of Los Altos for the Acquisition, Construction and Maintenance of a Joint Sewer System dated May 17, 2021;
 11. Addendum No. Eleven (11) to the Basic Agreement between the City of Palo Alto, the City of Mountain View, and the City of Los Altos for the Acquisition, Construction and Maintenance of a Joint Sewer System dated December 5, 2022 (collectively, the “Addenda”).
- B. Palo Alto owns and operates the sanitary sewage treatment and disposal works and system (the “Joint System”) pursuant to the Basic Agreement and is responsible for making capital additions to the Joint System. Under the Basic Agreement, any major capital additions for the replacement of obsolete or worn-out units require an agreement by the Parties amending the Basic Agreement.
- C. The Parties now desire to construct the Joint Interceptor Sewer Rehabilitation Phase 1 Project and agree upon their respective shares of the project costs, as defined herein.
- D. The project will install new liner on the joint sewer, improving its useful life and restoring its integrity, to ensure the Plant continues to safely convey raw sewage to the treatment plant.

AGREEMENT

NOW, THEREFORE, in consideration of the terms, conditions and covenants set forth in this Addendum No. Twelve (12), the Basic Agreement is hereby amended, as follows:

Section 1. Paragraph 43 is hereby added to the Basic Agreement to read, as follows:

“43. CONSTRUCTION AND IMPLEMENTATION OF THE 2023 JOINT INTERCEPTOR SEWER REHABILITATION PHASE 1 PROJECT. Palo Alto and Mountain View and Los Altos hereby approve the construction of joint interceptor sewer rehabilitation – Phase 1 Project, or “Project”, which rehabilitates the lower section of the existing joint interceptor sewer, approximately 2,364 linear feet, from Manhole No. 4 to Influent Junction Box No. 0. The Project includes the cleaning of the pipeline, installation of new liner in the pipeline, and recoating manholes and junction boxes.

The installation of liner in the pipeline will decrease the pipeline diameter, however, the new liner provides a smoother surface profile for a slightly higher capacity. Flow capacity of the lined pipeline from Manhole No. 4 to the Influent Junction Box No. 0 is unchanged and will remain as listed at the peak wet weather capacity of 80 million gallons per day.

The term “Project Costs”, as used in this Paragraph means all costs incurred in the design and construction of the 2023 Joint Interceptor Sewer Rehabilitation – Phase 1 Project. Without limiting the generality of the foregoing, Project Costs shall include, but not be limited to: design, engineering, and other consultants’ fees and costs, including fees incurred pursuant to agreements with engineers, contractors and other consulting, design

and construction professionals; environmental analysis and approval costs, including cost of compliance with the California Environmental Quality Act; deposits, applicable permit fees; all costs to apply for and secure necessary permits from all required regional, state, and federal agencies; plan check fees, and inspection fees; construction costs; attorneys' fees and costs; and costs of insurance.

The maximum amount of the Project Costs is \$8.9 million. The Parties shall remain responsible for Project Costs incurred, whether before or after completion of the Project, in connection with the performance of the Project planning/design/construction contract(s), in the same proportion to each organization's share.

Each Party shall pay its share, as listed below, of the Project Costs for the Project in the proportion to the capacity rights in the Joint System presented herein.

- Mountain View 62.50%
- Palo Alto 18.24%
- Los Altos 15.00%
- Los Altos Hills 4.26%

Mountain View and Los Altos shall pay their respective shares of any Project Costs within thirty (30) business days of receipt of the quarterly billing statement sent by Palo Alto. Palo Alto shall not send more than one invoice in any thirty-day period. If a Party disputes the correctness of an invoice, it shall pay the invoice in full and the dispute shall be resolved after payment in accordance with Section 19 of the Basic Agreement, and shall not offset against any payment due.

Section 2. Except as modified herein, the Basic Agreement shall remain unchanged, and is hereby ratified and confirmed.

[SIGNATURE PAGE FOLLOWS]

ATTACHMENT 1

IN WITNESS WHEREOF, the parties have by their duly authorized representatives executed this Addendum as of the date first written above.

SIGNATURE PAGE:

CITY OF PALO ALTO

CITY OF MOUNTAIN VIEW

APPROVED:

Mayor

Kimbra McCarthy, City Manager

Date

Date

City Manager

ATTEST:

ATTEST:

Heather Glaser, City Clerk

City Clerk

APPROVED AS TO CONTENT:

APPROVED AS TO FORM:

Dawn Cameron, Public Works Director

City Attorney or Designee

Date

Date

FINANCIAL APPROVAL:

Derek Rampone
Finance and Administrative Services Director

APPROVED AS TO FORM:

Mitesh Bhakta
Senior Assistant City Attorney

Date

//

ATTACHMENT 1

//

//

CITY OF LOS ALTOS

BY:

City Manager
Gabriel Engeland

Date

ATTEST:

City Clerk
Melissa Thurman, MMC

Date

APPROVED AS TO FORM:

City Attorney
Jolie Houston

Date

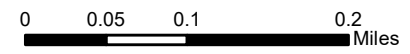


Figure Exported: 7/29/2020 By: kbradley Using: \\woodardcurran\shared\Projects\RMC\GIS\038-014 Palo Alto RWQCP Program Management\B - Program Management\7 - Other Projects\72 Inch Cond Assem\CA\Maps\PaloAlto_72Inch.mxd

Palo Alto Trunk Sewer
Condition Assessment

Legend

- Manholes and Structures
- Trunk Sewer Interceptor



Third Party GIS Disclaimer: This map is for reference and graphical purposes only and should not be relied upon by third parties for any legal decisions. Any reliance upon the map or data contained herein shall be at the users' sole risk. Data Sources:

ATTACHMENT C

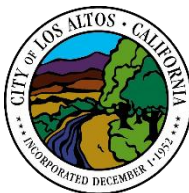
CITY OF PALO ALTO

**2023 JOINT INTERCEPTOR SEWER REHABILITATION
PHASE 1 PROJECT**

BID SUMMARY

Bid opening: October 16, 2023

CONTRACTOR	TOTAL BID
SAK Construction, LLC	\$7,347,700
Michels Trenchless, Inc.	\$10,365,324
Insituform Technologies, LLC	\$11,051,740



AGENDA REPORT SUMMARY

Meeting Date: November 28, 2023
Subject Housing Element Implementation Ordinance 2.0
Prepared by: Nick Zornes, Development Services Director
Reviewed by: Jolie Houston, City Attorney
Jon Maginot, Assistant City Manager
Approved by: Gabe Engeland, City Manager

Attachment(s):

- 1. Draft Ordinance #1
- 2. Draft Ordinance #1 – Appendix A
- 3. Draft Ordinance #1 – Appendix B
- 4. Draft Ordinance #1 – Appendix C
- 5. Draft Ordinance #1 – Appendix D
- 6. Draft Ordinance #2
- 7. Draft Ordinance #2 – Appendix A
- 8. Draft Ordinance #3
- 9. Draft Ordinance #3 – Appendix A
- 10. Draft Ordinance #3 – Exhibit, Zone Map Change

Initiated by:

The City of Los Altos adopted 6th Cycle Housing Element, Programs 1.A, 1.B, 1.C, 1.E, 1.F, 1.G, 3.I, and 3.J.

Fiscal Impact:

No fiscal impacts are associated with the adoption of these implementing regulations.

Environmental Review:

This Ordinance is exempt from environmental review pursuant to Section 15061(b)(3) of the State Guidelines implementing the California Environmental Quality Act of 1970.

City Manager
GE

Reviewed By:
City Attorney
JH



Subject: Housing Element Implementation Ordinance

Summary:

The draft ordinance incorporates regulations to rezone for the RHNA shortfall, facilitation of higher density housing in the commercial thoroughfare district, allow housing in the office administrative district, repeal of the Loyola Corners Specific Plan in its entirety, rezone Village Court parcel and repeal its entirety the PUD specific to the parcel, rezone housing sites from previous housing elements, allow residential care facilities consistent with State law, and explicitly allow manufactured homes consistent with State law. The draft ordinance integrates regulations into the Los Altos Municipal Code, which addresses all required provisions from the Housing Element programs previously noted.

Staff Recommendation:

Adoption of Zoning Ordinance Text Amendments which implement programs identified in the adopted housing element, Program 1.A: Rezone for RHNA Shortfall; Program 1.B: Facilitate Higher Density Housing in the Commercial Thoroughfare (CT) District; Program 1.C: Allow Housing in the Office Administrative (OA) District; Program 1.E: Update the Loyola Corners Specific Plan; Program 1.F: Rezone Village Court Parcel; Program 1.G: Rezone Housing Sites from Previous Housing Elements; Program 3.I: Allow Residential Care Facilities Consistent with State law; Program 3.J: Explicitly Allow Manufactured Homes Consistent with State law; and consideration of the City of Los Altos Planning Commission’s October 19, 2023 decisions and find that the proposed amendments are exempt from environmental review pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines since there would be no possibility of a significant effect on the environment.

Prior Consideration:

On November 14, 2023, the Los Altos City Council Introduced and Waived Further Reading of the proposed ordinances. The following actions were taken:

Action #1 – Ordinance #1 – An Ordinance of the City Council of the City of Los Altos amending Chapter 13.34, Chapter 13.36, Chapter 14.50, and Chapter 14.63 of the Los Altos Municipal Code to Implement Program 1.A, Program 1.B, Program 1.C, Program 1.G, Program 3.I, and Program 3.J of the Sixth Cycle Housing Element Update.

The Los Altos City Council introduced the ordinance the following vote:

AYES: Meadows, Weinberg, Fligor, Daily, Lee Eng

NOES:

Action #2 – Ordinance #2 – An Ordinance of the City Council of the City of Los Altos repealing in its entirety the Loyola Corners Specific Plan, Chapter 14.42 of the Los Altos Municipal Code,



Subject: Housing Element Implementation Ordinance

and Resolution No. 2017-41 and reinstating the underlying zoning districts to all effected parcels to Implement Program 1.E of the Sixth Cycle Housing Element Update.

The Los Altos City Council introduced the ordinance the following vote:

AYES: Meadows, Weinberg, Fligor, Daily
NOES: Lee Eng

Action #3 – Ordinance #3 – An Ordinance of the City Council of the City of Los Altos amending Chapter 14.88 of the Los Altos Municipal Code Pertaining to Rezoning of a Parcel Located at 4546 El Camino Real (APN: 16712042) from R1-10 to Commercial Thoroughfare (CT) and Repealing in its entirety Planning Unit Development (62-PUD/C7) to Implement Program 1.F Rezone Village Court Parcel of the Sixth Cycle Housing Element Update.

The Los Altos City Council introduced the ordinance the following vote:

AYES: Meadows, Weinberg, Fligor, Daily
NOES: Lee Eng

Background:

On January 24, 2023, the Los Altos City Council adopted the City’s 6th Cycle Housing Element 2023-2031. As required by law, the adopted housing element has several housing programs contained within. The City of Los Altos identified specific programs in its housing element that will allow it to implement the stated policies and achieve the stated goals and objectives.

Programs must include specific action steps the City will take to implement its policies and achieve its goals and objectives. Programs must also include a specific timeframe for implementation, identify the agencies or officials responsible for implementation, describe the city’s specific role in implementation, and (whenever possible) identify specific, measurable outcomes.

The draft ordinance under consideration implementing Programs 1.A, 1.B, 1.C, 1.E, 1.F, 1.G, 3.I, and 3.J is required to be adopted no later than January 31, 2024.

On October 19, 2023, the Los Altos Planning Commission were presented with a staff report, and presentation at a duly noticed public hearing. At the regularly scheduled meeting the Planning Commission asked clarifying questions of the Development Services Director, opened the Public Hearing and received public testimony, and discussed the amendments presented to the commission. Three separate actions were taken that evening, and are summarized below:

Action #1 – Ordinance #1 – An Ordinance of the City Council of the City of Los Altos amending Chapter 13.34, Chapter 13.36, Chapter 14.50, and Chapter 14.63 of the Los Altos Municipal Code



Subject: Housing Element Implementation Ordinance

to Implement Program 1.A, Program 1.B, Program 1.C, Program 1.G, Program 3.I, and Program 3.J of the Sixth Cycle Housing Element Update.

The Los Altos Planning Commission passed the recommendation by the following vote:

- AYES:** Steinle, Roche, Doran, Ahi, Beninato
- NOES:** Disney
- ABSENT:** Mensinger

Action #2 – Ordinance #2 – An Ordinance of the City Council of the City of Los Altos repealing in its entirety the Loyola Corners Specific Plan, Chapter 14.42 of the Los Altos Municipal Code, and Resolution No. 2017-41 and reinstating the underlying zoning districts to all effected parcels to Implement Program 1.E of the Sixth Cycle Housing Element Update.

The Los Altos Planning Commission passed the recommendation by the following vote:

- AYES:** Steinle, Roche, Doran, Ahi, Beninato, Disney
- NOES:**
- ABSENT:** Mensinger

Action #3 – Ordinance #3 – An Ordinance of the City Council of the City of Los Altos amending Chapter 14.88 of the Los Altos Municipal Code Pertaining to Rezoning of a Parcel Located at 4546 El Camino Real (APN: 16712042) from R1-10 to Commercial Thoroughfare (CT) and Repealing in its entirety Planning Unit Development (62-PUD/C7) to Implement Program 1.F Rezone Village Court Parcel of the Sixth Cycle Housing Element Update.

The Los Altos Planning Commission passed the recommendation by the following vote:

- AYES:** Steinle, Roche, Doran, Ahi, Beninato, Disney
- NOES:**
- ABSENT:** Mensinger

Analysis:

The City’s adopted 6th Cycle Housing Element 2023-2031 included various programs which requires the proposed ordinance amendments to implement the various commitments contained within the Housing Element as Certified by the State of California Housing and Community Development Department (HCD). The following programs are being implemented in various components of the draft ordinance.



Subject: Housing Element Implementation Ordinance

The following program has already been partially implemented in that the City of Los Altos has already increased development capacity and overall density in zones such as CN, CRS, CD/R3 to accommodate moderate-income level units, and now in the CT and OA Districts.

Program 1.A: Rezone for RHNA shortfall.

To accommodate the remaining above moderate-income RHNA of 19 units, the City will identify and rezone sufficient vacant land or land with redevelopment potential to provide capacity for this shortfall. Appendix B (Sites Inventory and Methodology) identifies potential parcels for rezoning to address this shortfall and provide excess capacity throughout the planning period. Separate programs detail specifics of various rezoning actions that would provide additional capacity for all income levels.

Responsible Body: Development Services Department, Planning Commission, City Council

Funding Source: General Fund

Time Frame: Sites rezoned to address shortfall by January 2024 ***Objective:*** The City will amend the Zoning Map and/or Zoning Code to create the opportunity for at least 19 above moderate-income housing units; proposed rezoning would accommodate an assumed capacity of 64 above-moderate income housing units

Geographic Targeting: Create additional opportunities for housing capacity throughout the city, which is identified as high and highest resource by TCAC opportunity maps.

The following program implements the requirements identified within the adopted housing element in that the proposed ordinance removes the zoning code limit on maximum density allowed within the zone (68 units/acre or 179% of maximum allowed density has been the average development trend for recently approved/constructed projects), eliminates excess setback requirements for adjacencies, increases the building heights, and makes residential and mixed-use developments allowed by-right.

Program 1.B: Facilitate higher density housing in the Commercial Thoroughfare (CT) District.

The Commercial Thoroughfare (CT) Zone is located along El Camino Real with a maximum density of 38 units per acre and a maximum height of 45 feet. Development trends in this area are showing much higher densities and heights being built. To continue to facilitate housing in the CT District, the City will remove or increase the density maximum and increase the height allowed in the CT District by at least 10 feet and one story which will result in a maximum height of 55 feet and 5-stories to ensure the increased maximum density can be accommodated. Objective design standards for the CT District will be modified as necessary to accommodate higher density, and the



Subject: Housing Element Implementation Ordinance

increased setback standards when across the street from or abutting a residential zoning district will be removed.

Responsible Body: *Development Services Department, Planning Commission, City Council*

Funding Source: *General Fund*

Time Frame: *December 2024*

Objective: *Approve housing development projects along El Camino Real at densities above 38 units per acre anticipating at least 80 total housing units with at least 20 low-income units.*

Geographic Targeting: *Increase housing opportunity in a mixed-use, transit-accessible area. See Program 4.J for place-based improvements, specifically relative to the Los Altos Loop, that will be prioritized in this area east of San Antonio Road.*

The following program implements the requirements identified within the adopted housing element in that the proposed ordinance specifies the allowed density of a minimum of 20 units per acre and a maximum of 30 units per acre, modifies the required setbacks to provide ample buffer and spatial distance from single family zoning districts by reducing side and front yard setbacks while increasing the rear yard setback to an acceptable maximum of 30 feet, and makes residential and mixed-use developments allowed by-right.

Program 1.C: Allow housing in the Office Administrative (OA) District.

The Office Administrative (OA) District, primarily located along South San Antonio Road (east of Downtown), does not currently allow residential uses. However, given the high demand for housing in Los Altos and the opportunity to provide for housing in a mixed-use environment with access to transit, the sites identified in the OA District (Appendix B, Table B-11) will be amended to allow multi-family development. Residential uses will be allowed at a minimum density of 20 dwelling units per acre and a maximum density of 30 dwelling units per acre.

Responsible Body: *Development Services Department, Planning Commission, City Council*

Funding Source: *General Fund*

Time Frame: *December 2024 Objective: Permit housing on OA District parcels during the planning period comprising at least 40 total housing units with at least eight low-income units in the highest resource areas of the city.*

Geographic Targeting: *Create additional opportunities for housing capacity in a highest resource area located adjacent to Downtown, transit (bus line along San Antonio Road), and single-family neighborhoods.*



Subject: Housing Element Implementation Ordinance

The following program implements the requirements identified within the adopted housing element in that the proposed ordinance repeals in its entirety the Loyola Corners Specific Plan which has been an impediment to the creation of housing as well as any large-scale revitalization of the area since its inception. Additionally, the action will repeal in its entirety City Council Resolution 2017-41 which was an action that further restricted development potential within the specific plan area.

Program 1.E: Update the Loyola Corners Specific Plan.

The Loyola Corners Specific Plan will be rescinded and revert to underlying zoning (CN District) to facilitate housing production. Regardless of whether the Specific Plan is updated or rescinded, this program includes removal of all standards that are more restrictive than those applicable within the CN District. Standards to be eliminated include the 20-unit density cap (enforcement of this limitation is currently precluded by the Housing Crisis Act), the dwelling unit size requirement of between 1,500 and 8,000 square feet, the two-story height limitation in addition to a 30-foot maximum height (Resolution 2017-41), and any subjective design standards applicable to residential. The eliminated standards will provide regulations that allow development at greater densities than what is presently allowed today, increased building heights and greater flexibility in unit sizes. The Loyola Corners Specific Plan is considered a highest resource area with the most positive educational outcomes (see Appendix F, Section F.2.5 (Access to Opportunity)).

Responsible Body: Development Services Department, Planning Commission, City Council

Funding Source: General Fund

Time Frame: December 2024 ***Objective:*** Eliminate restrictive development standards within Loyola Corners Specific Plan for density, height, and unit size no later than December 2024. Also eliminate any subjective design standards applicable to residential no later than December 2024. Permit housing units in the Loyola Corners Specific Plan above the current 20-unit cap and with a mixture of unit sizes during the planning period. Target approval of at least 40 total housing units with at least eight low-income units.

Geographic Targeting: Remove barriers to increase housing opportunity in Loyola Corners neighborhood, a highest resource area with commercial, transit (bus line along Foothill Expressway), and single-family homes.

The following program implements the requirements identified within the adopted housing element in that the proposed ordinance executes the required Zone Change to one (1) affected parcel at the “Village Court” development. The existing parcel(s) has “split” or “shared” zoning districts which further creates confusion and irregular development potential of the site. Additionally, as a part of the Zone Change Planned Residential Development 62-PUD/C7



Subject: Housing Element Implementation Ordinance

is repealed in its entirety which has limited development potential of the site since its inception. Due to the split or shared zoning of the parcel at Village Court there is not feasible or practical way for the PUD to be maintained and carry the new zoning of the Commercial Thoroughfare District on all portions of the parcels.

Program 1.F: Rezone Village Court parcel.

To facilitate housing, the Village Court parcel at 4546 El Camino Real (APN 16712042) will be rezoned from R1-10 to Commercial Thoroughfare (CT), and modifications made to the Planned Unit Development (62-PUD/C7), as necessary for consistency with the CT District. The City will consult with adjacent property owners and interested parties throughout the Village Court rezone program.

Responsible Body: Development Services Department, Planning Commission, City Council

Funding Source: General Fund

Time Frame: December 2025

The following program implements the requirements identified within the adopted housing element in that the proposed ordinance the rezoning of the sites identified in the program has been accomplished by allowing for the use of residential and mixed-use development by-right within the CT District and by the Zone Change of the Village Court parcel.

Program 1.G: Rezone housing sites from previous Housing Elements.

Under AB 1397, certain rezoning requirements apply if a lower income housing site identified in the sites inventory (Appendix B) was identified as a housing site (for any income level) in a previous housing element’s site inventory. The following vacant and nonvacant lower income sites are subject to the rezoning requirements:

- *Vacant lower income sites that have been included in at least two consecutive housing element sites inventories.*
- *Nonvacant lower income sites that have been included in a prior housing element sites inventory.*

The City will make necessary zoning amendments to allow development by right pursuant to Government Code §65583.2(i) when 20 percent or more of the units are affordable to lower income households on sites identified in Table IV-1. These identified sites meet the density requirements for lower-income households and allow at least 30 units per acre.

Responsible Body: Development Services Department, Planning Commission, City Council

Funding Source: General Fund



Subject: Housing Element Implementation Ordinance

Time Frame: January 2024

The following program implements the requirements identified within the adopted housing element in that the proposed ordinance by the creation of Article 6 of the Specialized Housing Regulations Chapter in the Zoning Code by integration of definitions and allowances which are articulated in State law.

Program 3.I: Allow residential care facilities consistent with State law.

To comply with State law, the City will amend the Zoning Code to permit residential care facilities for six or fewer persons in all residential zoning districts, as well as districts where single-family homes are allowed by-right and treat them as a residential use. The Zoning Code will also be amended to allow large residential care facilities (seven or more persons) in all residential zones without discretionary review (i.e., subject only to objective standards). Residential care facilities will not be limited to individuals of 60 years of age or over, and a barrier-free definition of “family” that encompasses unrelated individuals living together as a single residential unit will be added consistent with State law.

Responsible Body: Development Services Department, Planning Commission, City Council

Funding Source: General Fund

Time Frame: March 2024

The following program implements the requirements identified within the adopted housing element in that the proposed ordinance by the creation of Article 5 of the Specialized Housing Regulations Chapter in the Zoning Code by asserting that all manufactured housing shall be considered the same as conventional stick-built construction.

Program 3.J: Explicitly allow manufactured homes consistent with State law.

Government Code §65852.3 requires manufactured and mobile homes on a permanent foundation to be allowed in the same manner and in the same zone as a conventional stick-built structure. While it is the City’s practice to treat manufactured homes on a foundation as a conventional single-family home, the Zoning Code does not reflect this practice. The City will amend the Zoning Code to explicitly allow manufactured homes on a permanent foundation, subject to the same regulations as single-family homes and in the same zones as single-family homes.



Subject: Housing Element Implementation Ordinance

Responsible Body: *Development Services Department, Planning Commission, City Council*

Funding Source: *General Fund*

Time Frame: *March 2024*

Discussion:

The actions included within the attached draft ordinance are requirements pursuant to the City’s adopted 6th Cycle Housing Element. Once a jurisdiction takes final action by adopting its housing element this requires immediate action in order to remain compliant with State housing law. The City of Los Altos Housing Element contains several major action items or milestones that must be completed by specific dates as determined within the adopted Housing Element. The draft ordinance before the City Council tonight will effectively accomplish the majority of **8 items or milestones.**

Since the City of Los Altos was not found to be in substantial compliance with Housing Element Law within 120-days post the statutory due dates of January 31, 2023, the City of Los Altos must complete **all** rezoning within 1-year (by 1-31-2024). Since adoption of the Housing Element in January 2023:

- (19) programs have been **completed**
- (8) programs are **in-progress** as a part of the amendments before the City Council tonight
- (6) programs are **in-progress** and anticipated to be completed by early to mid-2024 (on-time with HEU due dates)
- (38) programs remaining to begin within next 12-24 months (some programs are ongoing and do not have a target completion date)

Failure to Implement Adopted Housing Element Programs

Should the Los Altos City Council not introduce and adopt the draft ordinances the City will be vulnerable to penalties and consequences of housing element noncompliance. HCD is authorized to review any action or failure to act by a local government that determines is inconsistent with an adopted housing element or housing element law. This includes failure to implement program actions included in the housing element. HCD may revoke housing element compliance if the local government’s actions do not comply with state law. Examples of penalties and consequence of housing element noncompliance:

- General Plan Inadequacy: the housing element is a mandatory element of the General Plan. When a jurisdiction’s housing element is found to be out of compliance, its General Plan



Subject: Housing Element Implementation Ordinance

could be found inadequate, and therefore invalid. Local governments with an invalid General Plan can no longer make permitting decisions.

- **Legal Suits and Attorney Fees:** local governments with noncompliant housing elements are vulnerable to litigation from housing rights’ organization, developers, and HCD. If a jurisdiction faces a court action stemming from its lack of compliance and either loses or settles the case, it often must pay substantial attorney fees to the plaintiff’s attorneys in addition to the fees paid by its own attorneys. Potential consequences of lawsuits include mandatory compliance within 120 days, suspension of local control on building matters, and court approval of housing developments.
- **Loss of Permitting Authority:** courts have authority to take local government residential and nonresidential permit authority to bring the jurisdiction’s General Plan and housing element into substantial compliance with State law. The court may suspend the locality’s authority to issue building permits or grant zoning changes, variances, or subdivision map approvals – giving local governments a strong incentive to bring its housing element into compliance.
- **Financial Penalties:** court-issued judgement directing the jurisdiction to bring its housing element into substantial compliance with state housing element law. If a jurisdiction’s housing element continues to be found out of compliance, courts can multiply financial penalties by a factor of six.
- **Court Receivership:** courts may appoint an agent with all powers necessary to remedy identified housing element deficiencies and bring the jurisdiction’s housing element into substantial compliance with housing element law.

ORDINANCE NO. 2023-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS AMENDING CHAPTER 14.34, CHAPTER 14.36, CHAPTER 14.50, AND CHAPTER 14.63 OF THE LOS ALTOS MUNICIPAL CODE TO IMPLEMENT PROGRAM 1.A, PROGRAM 1.B, PROGRAM 1.C, PROGRAM 1.G, PROGRAM 3.I, PROGRAM 3.J OF THE SIXTH CYCLE HOUSING ELEMENT UPDATE

WHEREAS, the City Council is empowered pursuant to Article XI, Section 7 of the California Constitution to make and enforce within the City all local, police, sanitary, and other ordinances and regulations not in conflict with general laws; and

WHEREAS, on January 24, 2023, the City Council approved the City’s Sixth Cycle Housing Element Update; and

WHEREAS, the City Council held a duly noticed public hearing on November 14, 2023, and November 28, 2023; and

WHEREAS, Program 1.A of the Housing Element Update calls for Rezone for RHNA Shortfall; and

WHEREAS, Program 1.A of the Housing Element Update requires the City of Los Altos to increase housing capacity to accommodate the remaining above moderate-income RHNA within the City of Los Altos; and

WHEREAS, Program 1.B of the Housing Element Update calls for Facilitating Higher Density Housing in the Commercial Thoroughfare (CT) District; and

WHEREAS, Program 1.B of the Housing Element Update expressly allows 5-stories, and 55-foot tall buildings with no cap on density limits within the CT District in the City of Los Altos; and

WHEREAS, Program 1.C of the Housing Element Update calls for Allowing Housing in the Office Administrative (OA) District; and

WHEREAS, Program 1.C of the Housing Element Update expressly allows residential uses in the Office Administrative (OA) zoning districts with a minimum density of 20 units per acre and maximum of 30 units per acre within the City of Los Altos; and

WHEREAS, Program 1.G of the Housing Element Update calls for Rezoning Housing Sites from Previous Housing Elements; and

WHEREAS, Program 1.G of the Housing Element Update expressly allows housing sites from the prior housing element cycle to be allowed by-right within the City of Los Altos; and

WHEREAS, Program 3.I of the Housing Element Update calls for Allowing Residential Care Facilities Consistent with State law; and

WHEREAS, Program 3.I of the Housing Element Update expressly allows residential care facilities anywhere that residential zoning is allowed within the City of Los Altos; and

WHEREAS, Program 3.J of the Housing Element Update calls for Explicitly Allowing Manufactured Homes Consistent with State law; and

WHEREAS, Program 3.J of the Housing Element Update expressly allows manufactured homes by-right anywhere residential zoning is allowed within the City of Los Altos; and

WHEREAS, this Ordinance is exempt from environmental review pursuant to Section 15061(b)(3) of the State Guidelines implementing the California Environmental Quality Act of 1970, as amended; and

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

SECTION 1. AMENDMENT OF CHAPTER 14.34 OF THE MUNICIPAL CODE. Chapter 14.34 of the Los Altos Municipal Code is hereby amended as set forth in Appendix A to this Ordinance, underline indicating addition, and strikethrough indicating deletion.

SECTION 2. AMENDMENT OF CHAPTER 14.36 OF THE MUNICIPAL CODE. Chapter 14.36 of the Los Altos Municipal Code is hereby amended as set forth in Appendix B to this Ordinance, underline indicating addition, and strikethrough indicating deletion.

SECTION 3. AMENDMENT OF CHAPTER 14.50 OF THE MUNICIPAL CODE. Chapter 14.50 of the Los Altos Municipal Code is hereby amended as set forth in Appendix C to this Ordinance, underline indicating addition, and strikethrough indicating deletion.

SECTION 4. AMENDMENT OF CHAPTER 14.63 OF THE MUNICIPAL CODE. Chapter 14.63 of the Los Altos Municipal Code is hereby amended as set forth in Appendix D to this Ordinance, underline indicating addition, and strikethrough indicating deletion.

SECTION 5. CONSTITUTIONALITY; AMBIGUITIES. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions hereof. Any ambiguities in the Los Altos Municipal Code created by this Ordinance shall be resolved by the Director of Development Services, in their reasonable discretion, after consulting the City Attorney.

SECTION 6. PUBLICATION. This Ordinance shall be published as provided in Government Code Section 36933.

SECTION 7. EFFECTIVE DATE. This Ordinance shall be effective upon the commencement of the thirty-first day following the adoption hereof.

The foregoing Ordinance was duly and properly introduced at a regular meeting of the City Council of the City of Los Altos held on __, 2023, and was thereafter, at a regular meeting held on __, 2023, passed and adopted by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Sally Meadows, MAYOR

Attest:

Melissa Thurman, MMC, CITY CLERK

**APPENDIX A
AMENDMENTS TO CHAPTER 14.34**

APPENDIX B
AMENDMENTS TO CHAPTER 14.36

**APPENDIX C
AMENDMENTS TO CHAPTER 14.50**

**APPENDIX D
AMENDMENTS TO CHAPTER 14.63**

Chapter 14.34 OA OFFICE-ADMINISTRATIVE DISTRICT

Sections:

14.34.010 OA Districts.

The regulations, general provisions, and exceptions set forth in this chapter and Chapter 14.66 shall apply in all OA Districts.

(Prior code § 10-2.1301)

14.34.020 Specific purposes (OA).

Specific purposes for OA Districts are as follows:

- A. Attract new office development to sites suitable for such use;
- B. Allow the integration of residential uses and a variety of housing types;
- ~~B.C.~~ Allow latitude for creative design and architectural variety within limits established.

(Prior code § 10-2.1302)

14.34.030 Required conditions (OA).

- A. No use shall be permitted and no process, equipment, or materials shall be employed which are found by the commission to be objectionable by reason of odor, dust, noise, vibration, illumination, glare, unsightliness, or electrical disturbances which are manifested beyond the premises in which the permitted use is located.
- B. No property owner, business owner, and/or tenant shall suffer, permit, or allow operation of a business on his or her property or on property upon which his or her business operates to violate the required conditions of this chapter. Enforcement shall be as provided for in Chapter 1.10 of Title 1.
 - 1. General screening standard. Every development shall provide sufficient screening to reasonably protect the privacy, safety, and environment of neighboring residential properties and shield them from adverse external effects of that development.

Walls up to twelve (12) feet in height shall be required for the purpose of attenuating noise, (as determined by an acoustical analysis), odor, air pollution, artificial light, mitigation for grade differential between properties, and providing privacy and safety.
 - 2. Sites for screening of refuse collection. Every development will be required to provide suitable space for solid waste separation, collection, and storage, and shall provide sites for such that are located so as to facilitate collection and minimize any negative impact on persons occupying the development site, neighboring properties, or public rights-of-way.
 - 3. Lighting. Lighting within any lot that unnecessarily illuminates any other lot and/or substantially interferes with the use or enjoyment of such other lot is prohibited. Lighting unnecessarily illuminates another lot if (i) it clearly exceeds the minimum illumination necessary to provide for security of property and the safety of persons using such roads, driveways, sidewalks, parking lots, and other

common areas and facilities, or (ii) if the illumination could reasonably be achieved in a manner that would not substantially interfere with the use or enjoyment of neighboring properties.

- 4. Air pollution. Any use that emits any "air contaminant" as defined by the Bay Area air quality management district shall comply with applicable state standards concerning air pollution.
 - 5. Maintenance of common areas, improvements, and facilities. Maintenance of all common areas, improvements, or facilities required by this chapter or any permit issued in accordance with its provisions shall be required except those areas, improvements, or facilities with respect to which an offer of dedication to the public has been accepted by the appropriate public authority.
 - 6. Odors. No use may generate any odor that may be found reasonably objectionable as determined by an appropriate agency such as the Santa Clara County Health Department and the Bay Area air quality management district beyond the boundary occupied by the enterprise generating the odor.
 - 7. Noise. No person shall operate, or cause to be operated, any source of sound at any location within the city or allow the creation of any noise on property owned, leased, occupied or otherwise controlled by such person, which causes the noise level when measured on any other property either incorporated or unincorporated, to exceed standards as set forth in Chapter 6.16 of the Los Altos Municipal Code.
- C. In order to attenuate noise associated with commercial development, walls up to twelve (12) feet in height shall be required at a commercial/residential interface. Other conditions may be applied such as, but not limited to, muffling of exterior air conditioning facilities.

(Prior code § 10-2.1302.5)

14.34.040 Permitted uses (OA).

The following uses shall be permitted in the OA Districts:

- A. ~~Accessory structures and uses customarily incidental to permitted uses;~~
- ~~B. Copy reproduction shops;~~
- C. Office-administrative uses;
- ~~D. Parking spaces and loading areas; and~~
- B. Residential Only Development(s);
- C. Mixed Use Development(s); and
- E. Other uses which are determined by the Zoning Administrator ~~commission and the council~~ to be of the same general character.

(Prior code § 10-2.1303)

(Ord. No. 2015-406 , § 2, 2-10-2015; Ord. No. 2015-414 , § 6, 9-8-2015)

14.34.050 Conditional uses (OA).

Upon the granting of a use permit in accordance with the provisions of Chapter 14.80 of this title, the following uses shall be permitted in OA Districts:

- A. ~~Blueprinting shops;~~ Reprographic Uses;
- B. Data processing centers;

(Supp. No. 40, Update 2)

- ~~C.~~ Drive-in facilities, except car washes;
- ~~D.C.~~ Medical and dental clinics;
- ~~E.~~ Medical and dental offices that are five thousand (5,000) gross square feet or more;
- ~~F.D.~~ Mortuaries; and
- ~~G.E.~~ Other uses which are determined by the commission ~~and the council~~ to be of the same general character.

(Prior code § 10-2.1304)

(Ord. No. 2015-406 , §§ 3, 4, 2-10-2015)

14.34.065 Allowed Density (OA).

Residential uses will be allowed at a minimum density of twenty (20) dwelling units per acre and a maximum density of thirty (30) dwelling units per acre.

14.34.060 Coverage (OA).

The maximum coverage for all structures shall be ~~fifty (50) percent of the total site area; provided, however, the maximum coverage may be increased to~~ seventy-five (75) percent of total gross lot area if required off-street parking is provided underground. Lot coverage measures the portion of a lot that is covered by habitable structures only and excludes all non-habitable exterior improvements or structures.

(Prior code § 10-2.1305)

14.34.070 Front yard (OA).

The minimum depth of front yards shall be ~~eighteen five (185) feet, all with a minimum of fifty (50) percent~~ of which shall be landscaped. ~~For purposes of this section, "landscaped" shall mean any combination of plant material ("soft surfaces") and decorative paving, steps, seating, seat walls, fountains, etc., ("hard surfaces") where the soft surface comprises at least sixty (60) percent of the total landscaped area.~~

(Prior code § 10-2.1306)

14.34.080 Side yards (OA).

The minimum depth of side yards shall be ~~ten five (105) feet percent of the width of the site except where immediately abutting an R1-10 District, in which case the side yard shall be twenty-five (25) feet. Two or more parcels may develop as a combined project with abutting buildings subject to the approval of the commission. Where the yard abuts a residential property fencing, landscaping, and other measures shall be used to reduce the impact.~~

(Prior code § 10-2.1307)

14.34.090 Rear yard (OA).

The minimum depth of rear yards shall be ~~ten-fifteen (1015)~~ feet except where immediately abutting an R1-10 District, in which case the rear yard shall be ~~twenty-five thirty (2530)~~ feet. ~~Where the yard abuts a residential property fencing, ten (10) feet of landscaping, and other measures shall be used to reduce the impact.~~

(Prior code § 10-2.1308)

14.34.100 Site area (OA).

The minimum site area shall be five thousand one hundred (5,100) square feet ~~if the lot was in single ownership on January 13, 1967; otherwise, the minimum lot area shall be nine thousand (9,000) square feet.~~

(Prior code § 10-2.1309)

14.34.110 Off-street parking (OA).

Parking facilities shall be provided in accordance with Chapter 14.74 of this title. In addition, parking facilities built as part of building projects shall:

- A. ~~Reduce the visual impact of p~~Parking structures and surface parking lots ~~shall be by locating them located~~ at the rear of the parcel or below ground; interior portions of building sites;
- B. ~~Keep the n~~Number of direct entrances to parking facilities from streets to ~~a minimum with a maximum of two (2) excluding any required emergency access;~~
- C. Provide a landscaped buffer not less than five feet in width between a parking lot or structure and street frontage or buildings. Where the landscaped strip adjoins a public street or pedestrian walkway, the landscaped strip may be required to include a fence, wall, berm, or equivalent feature;
- D. Provide a minimum of interior landscaping for unenclosed parking facilities as follows: Where the total parking provided is located on one site and is fourteen thousand nine hundred ninety-nine (14,999) square feet or less, five percent of total parking area; where the parking is fifteen thousand (15,000) through twenty-nine thousand nine hundred ninety-nine (29,999) square feet, seven and one-half percent of total parking area; and where the facility is thirty thousand (30,000) square feet or greater, ten (10) percent of total parking area.

Parking Area	Minimum Landscaping
(in square feet)	(% of Parking Area)
< 15,000	5
15,000 — 29,999	7.5
≥ 30,000	10

- E. Trees in reasonable number shall be provided; ground cover alone is not acceptable. Interior landscaping shall be distributed throughout the paved area as evenly as possible. ~~Provision shall be made for automatically irrigating all planted area.~~ All landscaping shall be protected with concrete curbs or other acceptable barriers. ~~All landscaping shall be continuously maintained.~~
- F. Provisions of Section 14.34.110 which differ from Chapter 14.74 can be reduced or waived in its entirety by the authority of the Zoning Administrator.

(Prior code § 10-2.1310)

14.34.120 Off-street loading and refuse collection (OA).

- A. Where buildings are sewed by alleys, all service-delivery entrances, loading docks, and refuse collection facilities shall be located to be accessed from the alley. No loading area shall be located at the street frontage or building façade.
- B. A minimum of thirty-two (32) square feet of on-site refuse collection area shall be provided on each lot or premises and shall not be located in any front or street side yard. Where an alley exists, the refuse collection area shall be accessed from the alley.
- C. On sites not served by an alley, service areas shall be located to the rear, side, or at an internal location where visibility from public streets and windows of neighboring buildings will be minimized.
- D. Refuse collection areas and dumpsters shall be enclosed by a screen wall of durable material and planting as necessary to screen views from streets and neighboring properties.

(Prior code § 10-2.1311)

14.34.130 Height of structures (OA).

~~The maximum height of structures shall be two stories of a maximum of thirty (30) feet, whichever is the lesser as measured from the sidewalk. Mechanical equipment and elevator shafts shall be included in the maximum height. The height may be exceeded, up to a maximum of thirty five (35) feet for appurtenances such as towers, spires, cupolas, chimney, and antenna. The height shall not preclude a fully submerged basement.~~

- a. Residential Only Development(s) building height shall be a maximum of forty (40) feet and four (4) stories.
- b. Mixed Use Development(s) building height shall be a maximum of forty-five (45) feet and four (4) stories.
- c. Non-Residential Use Only Development(s) building height shall be a maximum of thirty (30) feet and two (2) stories.

(Prior code § 10-2.1312)

14.34.140 Design control (OA).

- ~~A. No structure shall be built or altered including exterior changes in color, materials, and signage in the OA District except upon approval of the city planner for minor changes and architecture and site approval to be obtained as prescribed in Chapter 14.66 of this title for major changes.~~
- ~~B. No building or portion thereof shall project over the public right-of-way above ground level; provided, however, that awnings and canopies may encroach into the public right-of-way.~~
- ~~C. Building surface materials and colors:

 - ~~1. Surface materials shall only be those which are in keeping with the traditional materials of the community. These include:

 - ~~i. Natural materials such as wood, brick, or natural unpolished stone;~~
 - ~~ii. Roofing materials such as wood shakes or tile;~~
 - ~~iii. Stucco (painted); and~~~~~~

(Supp. No. 40, Update 2)

- iv. — Glass.
- 2. — Not more than forty (40) percent of any exterior building elevation above the first story shall consist of glass or any other material that resembles glass.
- 3. — Surface materials that are not in keeping with the existing character of the community are prohibited, including but not limited to:
 - i. — Extensive use of metal panels of any kind;
 - ii. — Mirrored or highly reflective glass in any quantity;
 - iii. — Glazed tiles covering more than ten (10) percent of any building elevation;
 - iv. — Polished marble, granite, terrazzo, or similar materials covering more than ten (10) percent of any building elevation;
 - v. — Plain or painted concrete, concrete block, or cinder block;
 - vi. — Plastic materials of any kind except for awnings attached to the building.
- 4. — Surface colors should be those which are in keeping with the established character of the community and the street, with earth tones dominant. These include:
 - i. — White and shades of white, including cream and ivory;
 - ii. — Brown, and shades of brown, including tan and beige; and
 - iii. — Natural red-brick tones, including wood-painted barn reds.
- 5. — When other colors are permitted, the use of one or more colors described in subsections (C)(4)(i), (C)(4)(ii), and (C)(4)(iii) of this section shall be incorporated. Bright, highly reflective, or garish colors are not in keeping with the established character of the community and are expressly prohibited.
- 6. — No change in building surface material or color shall be made following architectural and site control committee approval except upon approval of the city planner for minor changes and architecture and site approval to be obtained as prescribed in Chapter 14.78 for major changes.
- D. — Rooftop mechanical equipment must be within the height limit and screened architecturally from public view. By November 30, 1991, existing unconcealed rooftop equipment shall be concealed.
- E. — Scale. Because of the location of this district to a larger region, a mixture of scales may be appropriate, with most elements scaled for appreciation from the street and moving automobile; however, within the context of the residential neighborhood, design for appreciation by pedestrians may be appropriate.
- F. — Design control. The portions of building elements at a commercial/residential interface shall be designed to protect residential privacy (including but not limited to window placement), daylight, and environmental quality.
- G. — Firewalls. Consideration should be given to the aesthetic treatment of firewalls including increased side yard setbacks, contouring the firewall to the building, use of noncombustible roofing materials, and creative use of architectural features in the firewall.
- H. — Presentation materials. Graphics presented to the architectural and site control committee and the planning commission to explain the character of a proposed development shall be adequate to show neighboring buildings and important features of adjacent sites in sufficient detail to enable evaluation of the relationship of the proposed development to its context. Elevations facing the public street shall be drawn at a scale of 1/4" = 1' 0".

(Amended during 2/06 supplement; prior code § 10-2.1313)

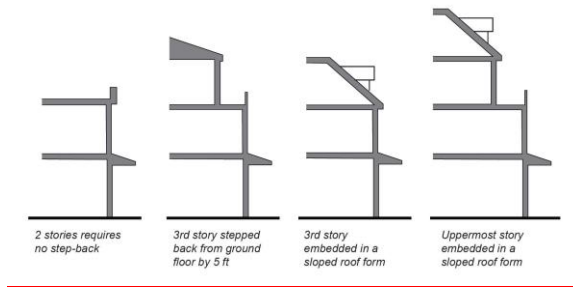
A. Building Placement. A minimum seventy-five (75) percent of ground-floor building frontages must be built at the minimum setback line. This standard applies to the building frontage only (exclusive of side setbacks).

B. Building Massing and Articulation.

1. Upper-story Step-backs, Front and Street Side.

a. Along all frontages, the third story must be either stepped back a minimum five feet from the ground floor façade or embedded in a sloped roof form such as a mansard roof or a hipped and/or gabled roof with dormers.

b. For buildings over three stories along all frontages, the uppermost story must be embedded in a sloped roof form.



2. Upper Story Step-backs, Side Interior and Rear where Abutting an R-1 District.

a. The third story must be either stepped back a minimum five (5) feet from ground floor façade or embedded in a sloped roof form.

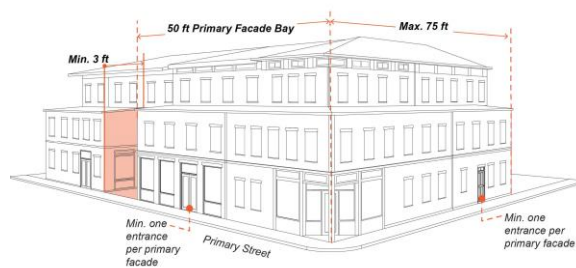
b. For buildings over three stories, the uppermost story must be embedded in a sloped roof form.

3. Vertical Articulation.

a. When a building façade exceeds seventy-five (75) feet in length along a right-of-way, it must be separated into primary façade bays no greater than fifty (50) feet and secondary façade bays defined by a recess a minimum three feet deep and ten (10) feet wide.

b. A minimum one entrance shall be provided per primary façade bay.

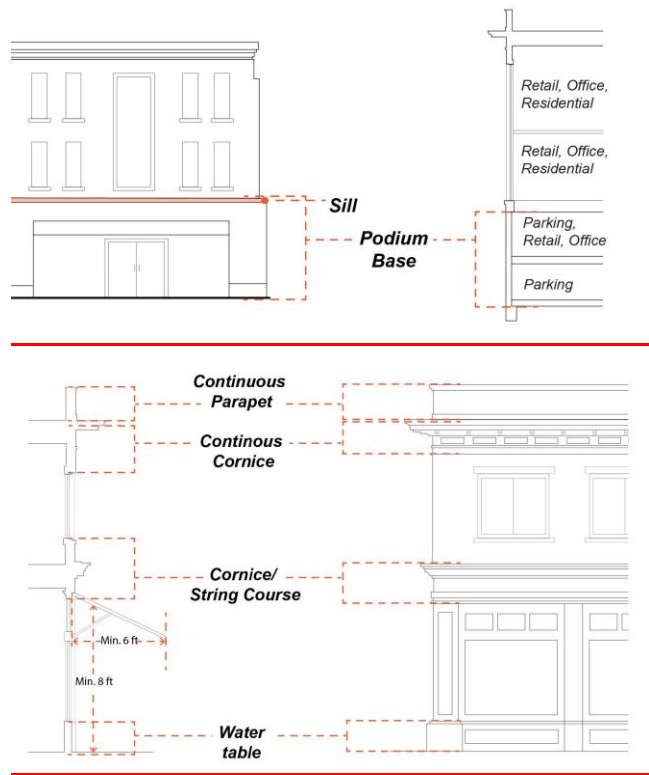
c. The eave/roof of a secondary façade bay shall be no higher than the corresponding elements of the primary façade bay.



4. Horizontal Articulation. New façades and façade modifications along a street or civic space shall be designed to visually express a base, middle, and top.

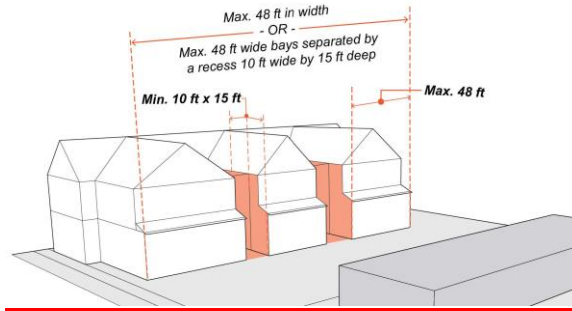
a. One or more of the following patterns shall be used to define the base:

- i. Watertable: Base material extends from grade to between eight and fifty-four (54) inches above grade.
 - ii. Podium: The base material encompasses the lowest story (or stories) of the building, with or without mezzanine(s), and terminates in a sill, string course, or cornice at its upper bound (multi-story buildings only).
 - iii. Watertable and Cornice/String Course: A watertable using the base material is combined with a cornice or string course at the lowest story's upper bound, including any mezzanine (multi-story buildings only).
- b. The top of each building mass/bay shall be defined by elements spanning the full length of the façade of the mass/bay. Such elements may include a cornice, eave and/or gable(s), or other similar elements. These elements shall be consistent with the overall architectural style of the building mass/bay.



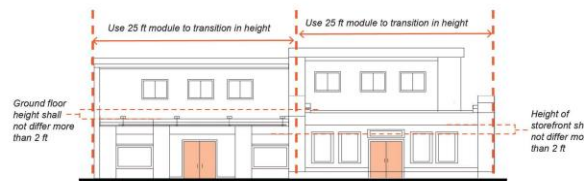
5. Adjacencies.

- a. Façades adjacent to an R-1 District.
 - i. Building façade planes abutting an R-1 district may not exceed forty-eight (48) feet in width.
 - ii. When a building façade abutting an R-1 district exceeds forty-eight (48) feet in width, it must be separated into façade bays no greater than forty-eight (48) feet by a recess ten (10) feet wide and fifteen (15) feet deep.



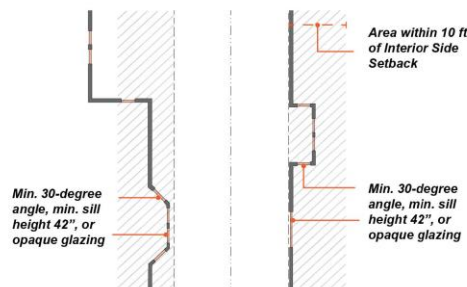
b. Storefront Façades Adjacent to Storefront Façades.

- i. The height of a storefront shall not differ from the height of any adjacent storefront by more than two feet.**
- ii. The height of ground story shall not differ from height of any adjacent ground story by more than two feet.**
- iii. Storefronts may transition in height using a module of twenty-five (25) feet in length along a right-of-way.**



6. Privacy and Line of Sight.

- a. Primary living spaces and balconies located along a side setback shall orient principal windows and balconies toward the front and rear of the building.**
- b. Where windows are within ten (10) feet of and oriented toward an interior side setback, glazing shall either be a minimum thirty (30) degree angle measured perpendicular to the adjacent side setback line, have minimum sill height of forty-two (42) inches, or be opaque.**



7. Roofline and Roof Design.

- a. Roof designs shall be limited to:**
 - i. Hipped.**

ii. Gable.

iii. Shed.

iv. Dormer.

v. Parapet.

(a) Not allowed on frontages facing R-1 District.

(b) When used on the first or second floor, a parapet longer than twenty-five (25) feet in length must include at least one but not more than two of the following design elements to break up the length of the parapet:

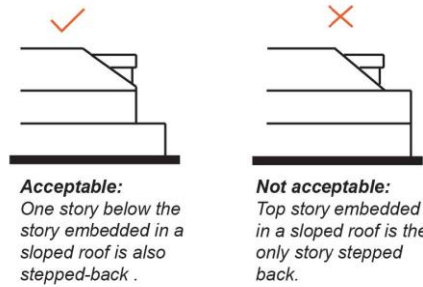
(1) Steps.

(2) Curves.

(3) Angled surfaces.

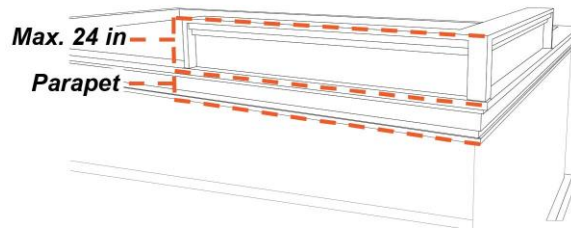
(c) The length of a parapet segment on the third floor and above may not exceed twenty-five (25) feet.

b. When the top story is stepped back and embedded in a sloped roof form such as a mansard roof or a hipped and/or gabled roof with dormers, the floor below must (and other floors may) be stepped back to meet the slope of the top story.



c. Building façades facing an R-1 district must have a hipped or gable roof and may incorporate dormers.

d. Roofline/parapet at corners shall not exceed roofline/parapet of adjacent wallplanes by more than twenty-four (24) inches.



C. Building Design.

1. Façade Design.

a. Building façades shall be arranged in an orderly composition of bays, defined by vertically aligned openings alternating horizontally with solid walls or columns. The pattern shall be visually

expressed through the spacing of openings, recesses, eaves, inset panels, cornices, overhangs, trellises, exposed rafters, columns, or bay windows.

- b. The pattern may be shared between the ground floor and upper stories provided the ground floor exhibits enhanced detail or modulation.
- c. Residential façades shall incorporate at least one element that signals habitation, such as bay windows, or balconies.
- d. Non-glazed wall areas (blank walls) must be enhanced with architectural details, landscaping, and/or landscaped trellises or lattices.

2. Pedestrian-Scaled Entrances.

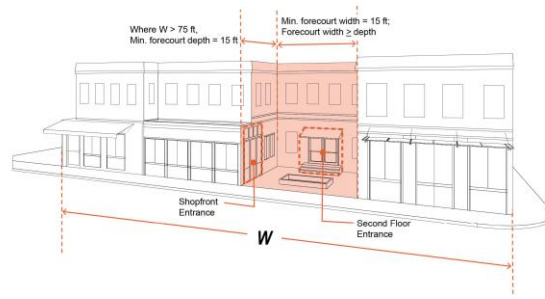
a. Building entrances must incorporate at least one of the following entry features. See Section 14.66.275 (Entrance Type Standards) for design standards applicable to each entrance type listed.

- i. Stoop.
- ii. Dooryard.
- iii. Shopfront.

(a) Shopfronts more than twenty-five (25) feet in width must incorporate variations in bulkhead, awnings, materials and/or color to visually articulate the shopfront into modules not to exceed twenty-five (25) continuous feet.

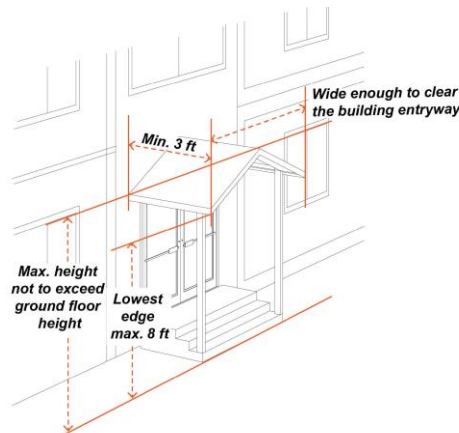
- iv. Gallery.
- v. Arcade.
- vi. Forecourt.

- (a) Forecourts must feature at least one entry to a shop and/or second floor use.
- (b) Forecourts for buildings more than seventy (70) feet in length along a right-of-way must have a minimum width and depth of fifteen (15) feet from front façade. Width of forecourt shall be equal to or greater than depth.
- (c) The size of the forecourt must be appropriate relative to the size of the building. The maximum ratio of building height to forecourt is 2:1 (height < 2 x width).
- (d) Forecourt must be enclosed on at least three sides by buildings.
- (e) Forecourt must remain open to the sky (arbors and trellises are allowed).

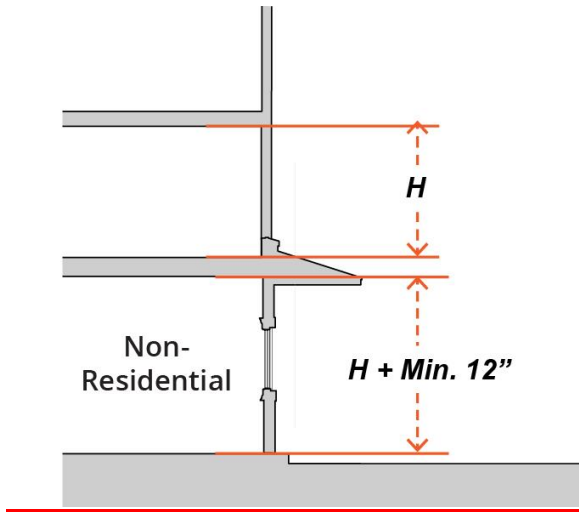


b. Primary Entrance Location(s). The building entrance shall be located along the primary right-of-way.

- c. Corner Entrances. Chamfered corners must incorporate a building entrance. Any required entrances may be provided on the corner of the building assuming one of the intersecting sides is a primary frontage.
- d. Street-facing Entries to Upper Floors. Street-facing entries to upper floors shall be equal in quality and detail to storefronts. This standard may be satisfied through two or more of the following:
 - i. Dedicated awning, canopy, or other roof element.
 - ii. Stairs with a single color applied to treads and a contrasting color or pattern applied to risers.
 - iii. Dedicated light fixture(s).
 - iv. Decorative street address numbers or tiles.
 - v. Plaque signs for upper-floor business tenants.
- e. Entry Protection. Primary street-facing entrances shall be protected by a recess in the building frontage at least three feet deep or by a projection extending outward at least three feet measured horizontally from the entrance, and wide enough to clear the building entryway on both sides.
 - i. Protection may be coterminous with an accent element.
 - ii. Protection may take the form of an extended eave, overhang, awning, door canopy, gallery, arcade frontage, or other element that provides shade and shelter from the elements.
 - iii. The lowest edge of a projecting awning or door canopy shall have a vertical clearance of no more than eight feet.
 - iv. Recessed entries shall differentiate pavement within the recess through the use of a dedicated paving material or pattern.



- f. Accent elements demarcating building frontage, entrance, and common open space areas shall not exceed the height of the ground floor story. Roof elements are excepted.
3. Ground Floor Floor-to-Ceiling Height. Minimum twelve (12) inches taller than typical upper floor floor-to-ceiling.



- 4. Interior Courtyard. Interior courtyards must be:
 - a. Enclosed on at least two sides by buildings.
 - b. Open to the sky (arbors and trellises are allowed).
 - c. A minimum width of twenty (20) feet and a minimum area of four hundred (400) square feet.

- 5. Paseos. Paseos must be:
 - a. A minimum width of ten (10) feet for through-block paseos.
 - b. A minimum width of four feet for entries to courtyards or individual single businesses.

D. Window Design.

- 1. Window frames, backbands, and sills.
 - a. All windows shall have a sill.
 - i. The sill shall extend horizontally beyond the window opening or frame/casing (if present) at each end.
 - ii. The sill shall be sloped toward the outside.
 - iii. The sill shall have a drip at its outer edge.
- 2. Vinyl windows are prohibited on façades visible from a right-of-way.
- 3. Tinted glass is not allowed.

E. Building Materials.

- 1. Primary shall mean fifty (50) percent or more of a façade surface area excluding transparent surfaces. Permitted primary cladding materials are limited to:
 - a. Stucco (minimum two-coat stucco);
 - b. Siding (lap, vertical, panelized, or shingle).
 - i. All siding shall be wood, composite wood, or cement fiberboard.
 - ii. Wood siding shall be painted or stained.

- c. Landscaping within and/or on walls adjacent to courtyards, open spaces, and setbacks.
 - 2. See Sections 14.66.180 (Maintenance of Landscaped Areas) and 14.70.070 (Landscaped Strips) for additional landscaping standards.
- H. Site Circulation and Access.
 - 1. New development on abutting lots shall be designed to allow cross-access for internal pedestrian, bicycle, and vehicular circulation systems.
 - 2. Bicycle racks shall be provided:
 - a. In or within fifty (50) feet of every parking area; and
 - b. Within twenty (20) feet of at least one building entrance.
- I. Service Areas and Screening.
 - 1. Service areas must be located at the rear of lot.
 - 2. Service areas must be enclosed in enclosures that are architecturally consistent with primary building in terms of materials, colors, and style.

14.34.150 Nonconforming use regulations (OA).

(As provided in Chapter 14.66 of this title.)

(Prior code § 10-2.1314)

Chapter 14.36 OA-1/OA-4.5 OFFICE-ADMINISTRATIVE DISTRICT¹

Sections:

14.36.010 OA-A1 and OA-4.5 Districts.

The regulations, general provisions, and exceptions set forth in this article and in this chapter and Chapter 14.66 shall apply in the OA-1 and OA-4.5 Districts as specified.

(Prior code § 10-2.1401)

14.36.020 Specific purposes (OA-1, Altos Oaks Avenue).

- A. Ensure the retention of design and scale compatible with the surrounding residential properties;
- B. Promote and retain a residential design reflected in architectural and landscaping style, building orientation, and site amenities;
- C. Enhance landscaping and pedestrian amenities, with particular attention to the front yard.

(Prior code § 10-2.1401.1)

14.36.025 Review Authority of Design Review (OA-1 and OA-4.5).

The development of any housing development within the OA-1 and OA-4.5 zoning districts shall be subject to design review by the zoning administrator only following a noticed public hearing. Notwithstanding any other provision of this code, and unless otherwise required by state law, any additional planning applications for such a project including, without limitation, tentative or parcel maps, variance requests, or conditional use permits, shall be heard and decided by the zoning administrator concurrently with the design permit application. As used in this subsection, a "housing development project" includes a project to construct one or more dwelling units, including a mixed-use development project for which not more than one-third of total floor area is dedicated for commercial use. Review procedures not otherwise covered by this chapter shall be reviewed in accordance with Chapter 14.78 of the Los Altos Municipal Code.

14.36.030 Required conditions (OA-1 and OA-4.5).

- A. No use shall be permitted and no process, equipment, or materials shall be employed which are found by the commission to be objectionable by reason of odor, dust, noise, vibration, illumination, glare, unsightliness, or electrical disturbances which are manifested beyond the premises in which the permitted use is located.
- B. No property owner, business owner, and/or tenant shall suffer, permit, or allow operation of a business on his or her property or on property upon which his or her business operates to violate the "required conditions" of this article. Enforcement shall be as provided for in Chapter 1.10 of this code.

¹Editor's note(s)—Ord. No. 10-346, § 3, adopted March 9, 2010, changed the title of ch. 14.36 from "OA and OA-4.5 Office-Administrative Districts" to "OA-1/OA-4.5 Office-Administrative District."

1. General screening standard. Every development shall provide sufficient screening to reasonably protect the privacy, safety, and environment of neighboring residential properties and shield them from adverse external effects of that development.

Walls up to twelve (12) feet in height shall be required for the purpose of attenuating noise, (as determined by an acoustical analysis), odor, air pollution, artificial light, mitigation for grade differential between properties, and providing privacy and safety.

2. Sites for screening of refuse collection. Every development will be required to provide suitable space for solid waste separation, collection, and storage and shall provide sites for such that are located so as to facilitate collection and minimize any negative impact on persons occupying the development site, neighboring properties, or public rights-of-way.
3. Lighting. Lighting within any lot that unnecessarily illuminates any other lot and/or substantially interferes with the use or enjoyment of such other lot is prohibited. Lighting unnecessarily illuminates another lot if (i) it clearly exceeds the minimum illumination necessary to provide for security of property and the safety of persons using such roads, driveways, sidewalks, parking lots, and other common areas and facilities or (ii) if the illumination could reasonably be achieved in a manner that would not substantially interfere with the use or enjoyment of neighboring properties.
4. Air pollution. Any use that emits any "air contaminant" as defined by the Bay Area air quality management district shall comply with applicable state standards concerning air pollution.
5. Maintenance of common areas, improvements, and facilities. Maintenance of all common areas, improvements, or facilities required by this chapter or any permit issued in accordance with its provisions shall be required except those areas, improvements, or facilities with respect to which an offer of dedication to the public has been accepted by the appropriate public authority.
6. Odors. No use may generate any odor that may be found reasonably objectionable as determined by an appropriate agency such as the Santa Clara County health department and the Bay Area air quality management district beyond the boundary occupied by the enterprise generating the odor.
7. Noise. No person shall operate, or cause to be operated, any source of sound at any location within the city or allow the creation of any noise on property owned, leased, occupied or otherwise controlled by such person, which causes the noise level when measured on any other property either incorporated or unincorporated, to exceed standards as set forth in Chapter 6.16 of the Los Altos Municipal Code.

- C. In order to attenuate noise associated with commercial development, walls up to twelve (12) feet in height shall be required at a commercial/residential interface. Other conditions may be applied such as, but not limited to, muffling of exterior air conditioning facilities.

(Prior code 10-2.1401.2)

14.36.040 Permitted uses (OA-1 and OA-4.5).

The following uses shall be permitted in the OA-1 and OA-4.5 Districts:

- A. Office-administrative uses;
- B. ~~Travel agencies; Residential Only Development(s); and~~
- C. ~~Parking spaces and loading areas; and~~
- D. Other uses which are determined by the ~~Zoning Administrator commission and the council~~ to be of the same general character.

(Prior code § 10-2.1402)

(Ord. No. 2015-406 , § 2, 2-10-2015; Ord. No. 2015-414 , § 7, 9-8-2015)

14.36.050 Conditional uses (OA-1 and OA-4.5).

Upon the granting of a use permit in accordance with the provisions of Chapter 14.80 of this title, the following uses shall be permitted in OA-1 and OA-4.5 Districts:

- A. Medical and dental offices that are five thousand (5,000) gross square feet or more, ~~except when located in a ground floor building space that fronts directly onto First Street, Main Street or State Street;~~ and
- B. ~~Medical and dental clinics, except when located in a ground floor building space that fronts directly onto First Street, Main Street or State Street;~~
- C. Other uses which are determined by the commission ~~and the council~~ to be of the same general character.

(Ord. No. 2015-406 , § 5, 2-10-2015)

Editor's note(s)—Ord. No. 2015-406 , § 5, adopted Feb. 10, 2015, renumbered §§ 14.36.050—14.36.170 as §§ 14.36.060—14.36.180 and enacted a new § 14.36.050 as set out herein. The historical notation has been retained with the amended provisions for reference purposes.

14.36.055 Allowed Density (OA).

Residential uses will be allowed at a minimum density of twenty (20) dwelling units per acre and a maximum density of thirty (30) dwelling units per acre.

14.36.060 Site area (OA-1 and OA-4.5).

The minimum site area shall be as follows:

District	Minimum Site Area
OA-1	14,000 square feet
OA-4.5	4,500 square feet where the lot is in single ownership on December 8, 1959; otherwise the minimum sit area shall be 9,000 square feet.
<u>OA-1 and OA 4.5</u>	<u>4,500 square feet</u>

(Prior code § 10-2.1403)

(Ord. No. 2015-406 , § 5, 2-10-2015)

Note(s)—See the editor's note to § 14.36.050.

14.36.070 Coverage (OA-1 and OA-4.5).

The maximum coverage shall be as follows:

District	Maximum Coverage
OA-1	30 percent of total area of area
OA-4.5	40 percent of total area of site
<u>OA-1 and OA 4.5</u>	<u>75 percent of total area of site</u>

*Lot coverage measures the portion of a lot that is covered by habitable structures only and excludes all non-habitable exterior improvements or structures.

(Prior code § 100-2.1404)

(Ord. No. 2015-406 , § 5, 2-10-2015)

Note(s)—See the editor's note to § 14.36.050.

14.36.080 Floor area ratio (OA-1 and OA-4.5).

The maximum floor area ratio shall be as follows:

District	Maximum Floor Area Ratio
OA-1	None
OA-1 (Altos Oaks Avenue)	35 percent of total area of site None
OA-4.5	None

(Prior code § 10-2.1404.1)

(Ord. No. 2015-406 , § 5, 2-10-2015)

Note(s)—See the editor's note to § 14.36.050.

14.36.090 Front yard (OA-1 and OA-4.5).

The minimum depth of front yards shall be as follows:

District	Minimum Depth of Front Yard
OA-1	20 10 feet
OA-4.5	10 feet

(Prior code § 10-2.1405)

(Ord. No. 2015-406 , § 5, 2-10-2015)

Note(s)—See the editor's note to § 14.36.050.

14.36.100 Side yards (OA-1 and OA-4.5).

A. —The minimum ~~width~~ depth of side yards shall be ~~ten five (105) feet~~ percent of the width of the site, subject to the following exceptions: except where immediately abutting an R1-10 District, in which case the side yard shall be ten (10) feet.

1. —~~On a corner lot in an OA-1 District, the minimum width of the side yard adjoining the street shall be twenty (20) feet.~~

2. —~~On a corner lot in an OA-4.5 District, the minimum width of the side yard adjoining the street shall be ten (10) feet.~~

~~B. Five feet shall be added to each minimum side yard for each story above the first story or for each ten (10) feet of height, or fraction thereof, above the lowest twelve (12) feet of the height of the structure, whichever requires the lesser addition.~~

(Prior code § 10-2.1406)

(Ord. No. 2015-406 , § 5, 2-10-2015)

Note(s)—See the editor's note to § 14.36.050.

14.36.110 Rear yard (OA-1 and OA-4.5).

The minimum depth of rear yards shall be twenty-five (25) feet except where the rear yard abuts on an alley, the minimum depth of the rear yard shall be ten (10) feet. One-story garages, carports, and other accessory structures may be located in the required rear yard provided not more than twenty (20) percent of the area of the required rear yard shall be covered by structures. ~~Where the property abuts an alley, no structure shall be permitted in the rear yard.~~

(Prior code § 10-2.1407)

(Ord. No. 2015-406 , § 5, 2-10-2015)

Note(s)—See the editor's note to § 14.36.050.

14.36.120 Off-street parking (OA-1 and OA-4.5).

(As provided in Chapter 14.74 of this title.)

(Prior code § 10-2.1408)

(Ord. No. 2015-406 , § 5, 2-10-2015)

Note(s)—See the editor's note to § 14.36.050.

14.36.130 Height of structures (OA-1 and OA-4.5).

~~The maximum height of structures shall be two stories or thirty (30) feet, whichever is the lesser. This shall not preclude a basement.~~

- a. Residential Only Development(s) building height shall be a maximum of forty (40) feet and four (4) stories.
- b. Mixed Use Development(s) building height shall be a maximum of forty-five (45) feet and four (4) stories.
- c. Non-Residential Use Only Development(s) building height shall be a maximum of thirty (30) feet and two (2) stories.

(Prior code § 10-2.1409)

(Ord. No. 2015-406 , § 5, 2-10-2015)

Note(s)—See the editor's note to § 14.36.050.

14.36.140 Screening and landscaping (OA-1 and OA-4.5).

- A. ~~To ensure privacy, screen unsightliness, and insulate against noise, adequate screening shall be provided where the site of a professional or administrative office adjoins a dwelling in an R1-10 District, a vacant site in an R1-10 District, or R1-10 structures in a planned unit development. In OA-1 Districts such screening shall be at least ten (10) feet wide where abutting the R1-10 District.~~
- B. ~~The screening required by this section shall consist of masonry walls, board fences, compact evergreen hedges, or any combination of such elements which may be found appropriate by the building and planning department.~~
- C. ~~On sites of professional or administrative offices, the required front yard, the required rear yard on a double frontage lot, and the required side yard on the street side of a corner lot shall be landscaped and permanently maintained. All areas in which landscaping is required shall be used exclusively for landscaping purposes.~~

(Prior code § 10-2.1410)

(Ord. No. 2015-406 , § 5, 2-10-2015)

Note(s)—See the editor's note to § 14.36.050.

14.36.150140 Design control (OA-1 and OA-4.5).

~~As provided in Chapter 14.66 of this title and as follows:~~

- A. ~~No structure shall be built or altered including exterior changes in color, materials, and signage except upon approval of the city planner for minor changes and architectural and site approval to be obtained as prescribed in Chapter 14.78 of this title for major changes.~~
- B. ~~Scale. When the location of this district is to a larger region such as the OA-1 District in the El Camino corridor, a mixture of scales may be appropriate with some elements scaled for appreciation from the street and moving automobile and others for appreciation by pedestrians.~~

~~In Altos Oaks OA-1 District, elements of design shall retain the low profile residential appearance and surface materials shall only be those which are in keeping with the traditional materials of the district.~~
- C. ~~The proportions of building elements, especially those at ground level, should be kept close to human scale by using recesses, courtyards, entries, or outdoor spaces.~~
- D. ~~The proportions of building elements at a commercial/residential interface shall be designed to protect residential privacy (including but not limited to window placement), daylight, and environmental quality.~~
- E. ~~Rooftop mechanical equipment must be within the height limit and screened architecturally from public view.~~
- F. ~~Firewalls. Consideration should be given to the aesthetic treatment of firewalls including increased side yard setback, contouring the firewall to the building, use of noncombustible roofing materials, and creative use of architectural features in the firewall.~~
- G. ~~Presentation materials. Graphics presented to the architectural and site control committee and planning commission to explain the character of a proposed development shall be adequate to show neighboring buildings and important features of adjacent sites in sufficient detail to enable evaluation~~

of the relationship of the proposed development to its context. Evaluations facing the public street shall be drawn at a scale of 1/4" = 1'-0".

(Amended during 2/06 supplement; prior code § 10-2.1411)

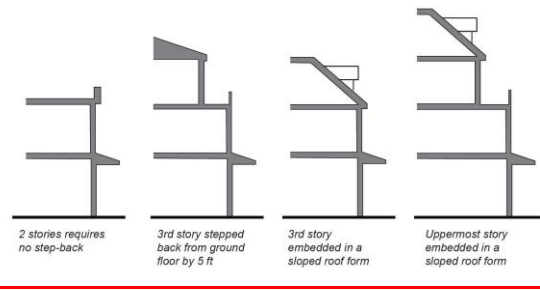
A. Building Placement. A minimum seventy-five (75) percent of ground-floor building frontages must be built at the minimum setback line. This standard applies to the building frontage only (exclusive of side setbacks).

B. Building Massing and Articulation.

1. Upper-story Step-backs, Front and Street Side.

a. Along all frontages, the third story must be either stepped back a minimum five feet from the ground floor façade or embedded in a sloped roof form such as a mansard roof or a hipped and/or gabled roof with dormers.

b. For buildings over three stories along all frontages, the uppermost story must be embedded in a sloped roof form.



2. Upper Story Step-backs, Side Interior and Rear where Abutting an R-1 District.

a. The third story must be either stepped back a minimum five (5) feet from ground floor façade or embedded in a sloped roof form.

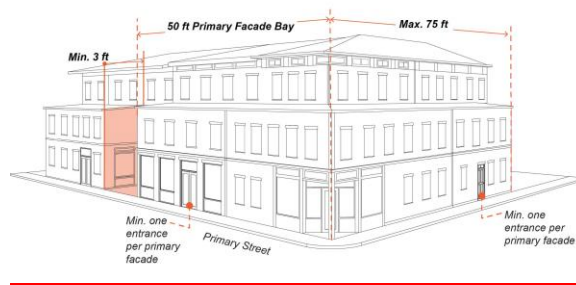
b. For buildings over three stories, the uppermost story must be embedded in a sloped roof form.

3. Vertical Articulation.

a. When a building façade exceeds seventy-five (75) feet in length along a right-of-way, it must be separated into primary façade bays no greater than fifty (50) feet and secondary façade bays defined by a recess a minimum three feet deep and ten (10) feet wide.

b. A minimum one entrance shall be provided per primary façade bay.

c. The eave/roof of a secondary façade bay shall be no higher than the corresponding elements of the primary façade bay.

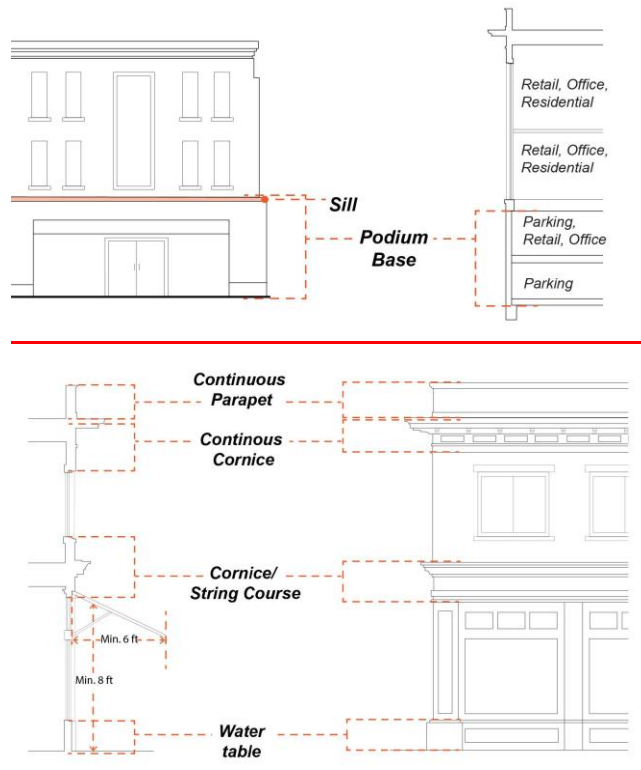


4. Horizontal Articulation. New façades and façade modifications along a street or civic space shall be designed to visually express a base, middle, and top.

a. One or more of the following patterns shall be used to define the base:

- i. Watertable: Base material extends from grade to between eight and fifty-four (54) inches above grade.
- ii. Podium: The base material encompasses the lowest story (or stories) of the building, with or without mezzanine(s), and terminates in a sill, string course, or cornice at its upper bound (multi-story buildings only).
- iii. Watertable and Cornice/String Course: A watertable using the base material is combined with a cornice or string course at the lowest story's upper bound, including any mezzanine (multi-story buildings only).

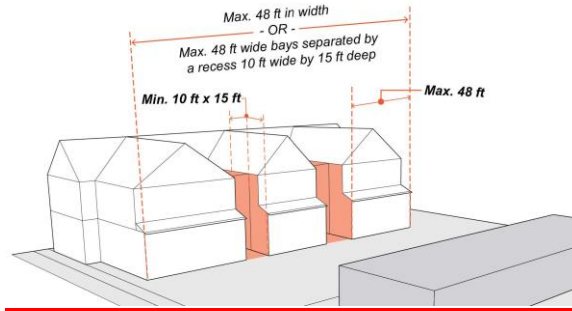
b. The top of each building mass/bay shall be defined by elements spanning the full length of the façade of the mass/bay. Such elements may include a cornice, eave and/or gable(s), or other similar elements. These elements shall be consistent with the overall architectural style of the building mass/bay.



5. Adjacencies.

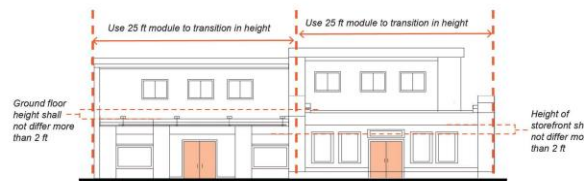
a. Façades adjacent to an R-1 District.

- i. Building façade planes abutting an R-1 district may not exceed forty-eight (48) feet in width.
- ii. When a building façade abutting an R-1 district exceeds forty-eight (48) feet in width, it must be separated into façade bays no greater than forty-eight (48) feet by a recess ten (10) feet wide and fifteen (15) feet deep.



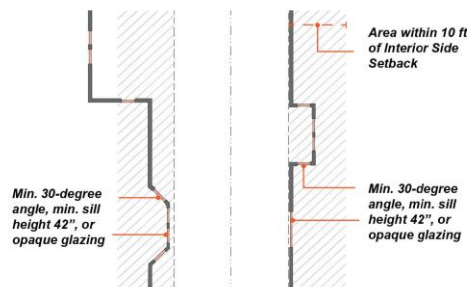
b. Storefront Façades Adjacent to Storefront Façades.

- i. The height of a storefront shall not differ from the height of any adjacent storefront by more than two feet.**
- ii. The height of ground story shall not differ from height of any adjacent ground story by more than two feet.**
- iii. Storefronts may transition in height using a module of twenty-five (25) feet in length along a right-of-way.**



6. Privacy and Line of Sight.

- a. Primary living spaces and balconies located along a side setback shall orient principal windows and balconies toward the front and rear of the building.**
- b. Where windows are within ten (10) feet of and oriented toward an interior side setback, glazing shall either be a minimum thirty (30) degree angle measured perpendicular to the adjacent side setback line, have minimum sill height of forty-two (42) inches, or be opaque.**



7. Roofline and Roof Design.

- a. Roof designs shall be limited to:**
 - i. Hipped.**

ii. Gable.

iii. Shed.

iv. Dormer.

v. Parapet.

(a) Not allowed on frontages facing R-1 District.

(b) When used on the first or second floor, a parapet longer than twenty-five (25) feet in length must include at least one but not more than two of the following design elements to break up the length of the parapet:

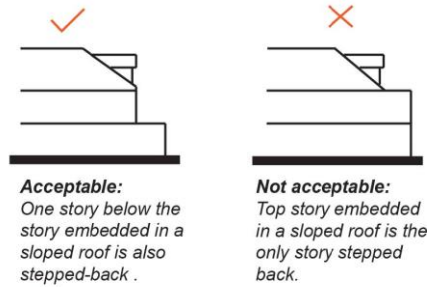
(1) Steps.

(2) Curves.

(3) Angled surfaces.

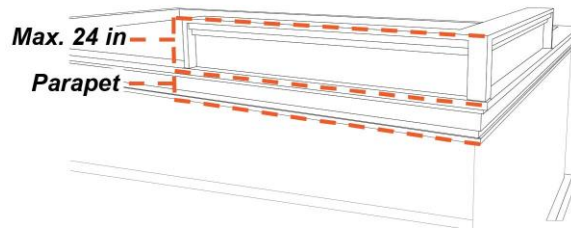
(c) The length of a parapet segment on the third floor and above may not exceed twenty-five (25) feet.

b. When the top story is stepped back and embedded in a sloped roof form such as a mansard roof or a hipped and/or gabled roof with dormers, the floor below must (and other floors may) be stepped back to meet the slope of the top story.



c. Building façades facing an R-1 district must have a hipped or gable roof and may incorporate dormers.

d. Roofline/parapet at corners shall not exceed roofline/parapet of adjacent wallplanes by more than twenty-four (24) inches.



C. Building Design.

1. Façade Design.

a. Building façades shall be arranged in an orderly composition of bays, defined by vertically aligned openings alternating horizontally with solid walls or columns. The pattern shall be visually

expressed through the spacing of openings, recesses, eaves, inset panels, cornices, overhangs, trellises, exposed rafters, columns, or bay windows.

- b. The pattern may be shared between the ground floor and upper stories provided the ground floor exhibits enhanced detail or modulation.
- c. Residential façades shall incorporate at least one element that signals habitation, such as bay windows, or balconies.
- d. Non-glazed wall areas (blank walls) must be enhanced with architectural details, landscaping, and/or landscaped trellises or lattices.

2. Pedestrian-Scaled Entrances.

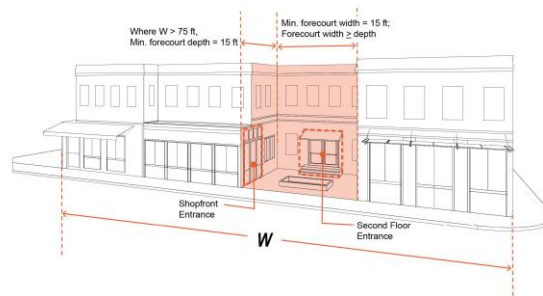
a. Building entrances must incorporate at least one of the following entry features. See Section 14.66.275 (Entrance Type Standards) for design standards applicable to each entrance type listed.

- i. Stoop.
- ii. Dooryard.
- iii. Shopfront.

(a) Shopfronts more than twenty-five (25) feet in width must incorporate variations in bulkhead, awnings, materials and/or color to visually articulate the shopfront into modules not to exceed twenty-five (25) continuous feet.

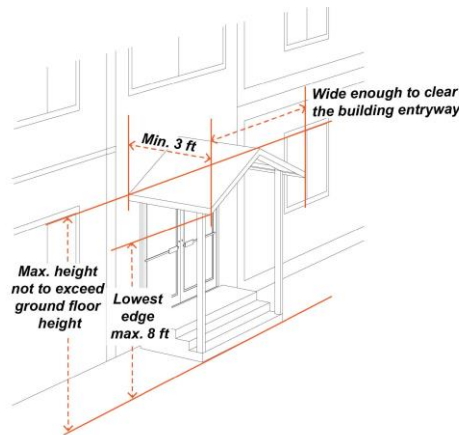
- iv. Gallery.
- v. Arcade.
- vi. Forecourt.

- (a) Forecourts must feature at least one entry to a shop and/or second floor use.
- (b) Forecourts for buildings more than seventy (70) feet in length along a right-of-way must have a minimum width and depth of fifteen (15) feet from front façade. Width of forecourt shall be equal to or greater than depth.
- (c) The size of the forecourt must be appropriate relative to the size of the building. The maximum ratio of building height to forecourt is 2:1 (height < 2 x width).
- (d) Forecourt must be enclosed on at least three sides by buildings.
- (e) Forecourt must remain open to the sky (arbors and trellises are allowed).

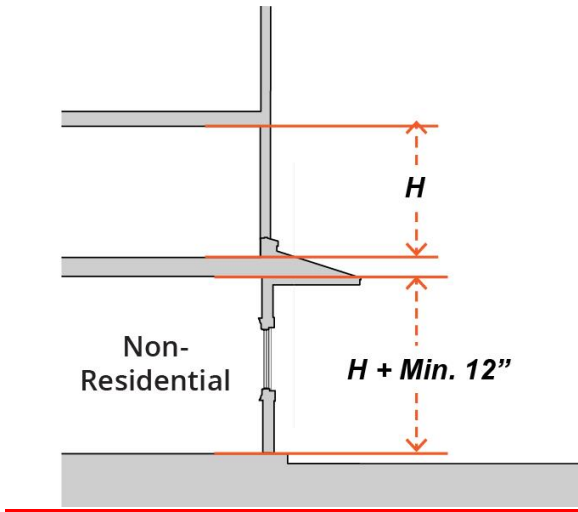


b. Primary Entrance Location(s). The building entrance shall be located along the primary right-of-way.

- c. Corner Entrances. Chamfered corners must incorporate a building entrance. Any required entrances may be provided on the corner of the building assuming one of the intersecting sides is a primary frontage.
- d. Street-facing Entries to Upper Floors. Street-facing entries to upper floors shall be equal in quality and detail to storefronts. This standard may be satisfied through two or more of the following:
 - i. Dedicated awning, canopy, or other roof element.
 - ii. Stairs with a single color applied to treads and a contrasting color or pattern applied to risers.
 - iii. Dedicated light fixture(s).
 - iv. Decorative street address numbers or tiles.
 - v. Plaque signs for upper-floor business tenants.
- e. Entry Protection. Primary street-facing entrances shall be protected by a recess in the building frontage at least three feet deep or by a projection extending outward at least three feet measured horizontally from the entrance, and wide enough to clear the building entryway on both sides.
 - i. Protection may be coterminous with an accent element.
 - ii. Protection may take the form of an extended eave, overhang, awning, door canopy, gallery, arcade frontage, or other element that provides shade and shelter from the elements.
 - iii. The lowest edge of a projecting awning or door canopy shall have a vertical clearance of no more than eight feet.
 - iv. Recessed entries shall differentiate pavement within the recess through the use of a dedicated paving material or pattern.



- f. Accent elements demarcating building frontage, entrance, and common open space areas shall not exceed the height of the ground floor story. Roof elements are excepted.
3. Ground Floor Floor-to-Ceiling Height. Minimum twelve (12) inches taller than typical upper floor floor-to-ceiling.



- 4. Interior Courtyard. Interior courtyards must be:
 - a. Enclosed on at least two sides by buildings.
 - b. Open to the sky (arbors and trellises are allowed).
 - c. A minimum width of twenty (20) feet and a minimum area of four hundred (400) square feet.

- 5. Paseos. Paseos must be:
 - a. A minimum width of ten (10) feet for through-block paseos.
 - b. A minimum width of four feet for entries to courtyards or individual single businesses.

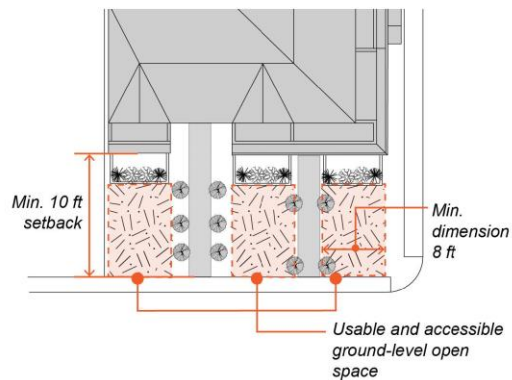
D. Window Design.

- 1. Window frames, backbands, and sills.
 - a. All windows shall have a sill.
 - i. The sill shall extend horizontally beyond the window opening or frame/casing (if present) at each end.
 - ii. The sill shall be sloped toward the outside.
 - iii. The sill shall have a drip at its outer edge.
- 2. Vinyl windows are prohibited on façades visible from a right-of-way.
- 3. Tinted glass is not allowed.

E. Building Materials.

- 1. Primary shall mean fifty (50) percent or more of a façade surface area excluding transparent surfaces. Permitted primary cladding materials are limited to:
 - a. Stucco (minimum two-coat stucco);
 - b. Siding (lap, vertical, panelized, or shingle).
 - i. All siding shall be wood, composite wood, or cement fiberboard.
 - ii. Wood siding shall be painted or stained.

- iii. Vinyl and aluminum not permitted.
- c. Stone.
- d. Brick.
- 2. Secondary shall mean less than fifty (50) percent of a façade surface area excluding transparent surfaces. Permitted secondary cladding materials are limited to:
 - a. Stucco (minimum two-coat stucco; synthetic stucco not allowed, EIFS not allowed).
 - b. Siding (lap, vertical, panelized, or shingle).
 - i. All siding shall be wood, composite wood, or cement fiberboard.
 - ii. Wood siding shall be painted or stained.
 - iii. Vinyl and aluminum siding are not permitted.
 - c. Stone (building base only).
 - d. Brick (building base only).
 - e. Tile (for bulkheads below display windows and decorative accents only).
 - f. Metal (matte finish or Cor-ten).
 - i. Ribbed metal, titanium, and mirrored finishes are not permitted.
 - g. Concrete Masonry Units (watertable and building base only, and not allowed on any façade facing a right-of-way or a single-family zone).
 - h. Concrete (building base only, board-form only, cast concrete not permitted).
- F. Ground Level Open Space. Where any required front, rear, or side yard setback is ten (10) feet or greater, on-site ground-level open space shall be provided within the setback.
 - 1. The ground level open space shall be usable and accessible.
 - 2. The minimum dimension for ground level open space shall be eight feet.



- G. Landscaping, Paving and Pedestrian Amenities.
 - 1. Landscape elements shall be integrated with the building architecture, parking, and streetscape. Recommended patterns shall include, but are not limited to:
 - a. Planters for flowers and shrubs within street frontage.
 - b. Landscape buffers between parking spaces and building façades.

c. Landscaping within and/or on walls adjacent to courtyards, open spaces, and setbacks.

2. See Sections 14.66.180 (Maintenance of Landscaped Areas) and 14.70.070 (Landscaped Strips) for additional landscaping standards.

H. Site Circulation and Access.

1. New development on abutting lots shall be designed to allow cross-access for internal pedestrian, bicycle, and vehicular circulation systems.

2. Bicycle racks shall be provided:

a. In or within fifty (50) feet of every parking area; and

b. Within twenty (20) feet of at least one building entrance.

I. Service Areas and Screening.

1. Service areas must be located at the rear of lot.

2. Service areas must be enclosed in enclosures that are architecturally consistent with primary building in terms of materials, colors, and style.

(Ord. No. 2015-406 , § 5, 2-10-2015)

Note(s)—See the editor's note to § 14.36.050.

~~14.36.160 Signs (OA-1 and OA-4.5).~~

~~(As provided in Chapter 14.68 of this code.)~~

~~(Prior code § 10-2.1412)~~

~~(Ord. No. 2015-406 , § 5, 2-10-2015; Ord. No. 2015-413, § 12, 9-8-2015)~~

~~Note(s)—See the editor's note to § 14.36.050.~~

~~14.36.170 Fences (OA-1 and OA-4.5).~~

~~(As provided in Chapter 14.72 of this title.)~~

~~(Prior code § 10-2.1413)~~

~~(Ord. No. 2015-406 , § 5, 2-10-2015)~~

~~Note(s)—See the editor's note to § 14.36.050.~~

14.36.180150 Nonconforming use regulations (OA-1 and OA-4.5).

(As provided in Chapter 14.66 of this title.)

(Prior code § 10-2.1414)

(Ord. No. 2015-406 , § 5, 2-10-2015)

Note(s)—See the editor's note to § 14.36.050.

Chapter 14.50 CT COMMERCIAL THOROUGHFARE DISTRICT*

Sections:

14.50.010 CT District.

The regulations, general provisions, and exceptions set forth in this chapter and in Chapter 14.66 of this title shall apply in the CT District.

(Ord. 04-259 § 1 (part))

14.50.020 Specific purposes (CT).

Specific purposes for CT Districts are as follows:

- A. To encourage a variety of residential developments, including affordable housing development;
- B. To promote the economic and commercial success of Los Altos;
- C. To encourage aggregation of parcels;
- D. To buffer the impacts of commercial and multi-family land uses on neighboring residential properties;
- E. To emphasize a healthy proportion of retail uses as opposed to office and service uses; and
- F. To allow for mixed uses of commercial and residential

(Ord. 04-259 § 1 (part))

Ord. No. 2017-436 , § 1, 10-10-2017)

14.50.030 Permitted uses (CT).

The following uses shall be permitted in the CT District:

- A. Professional and office-administrative services;
- B. Restaurants, excluding drive-through facilities;
- C. Retail and personal services;
- ~~D.~~ D. Residential Only Development(s);
- ~~E.~~ E. Mixed Use Development(s);
- ~~F.~~ F. Single Room Occupancy (SRO) Housing;
- ~~D-G.~~ Emergency shelters; and
- ~~E-H.~~ Uses which are determined by the city planner Zoning Administrator to be of the same general character.

(Ord. 05-280 § 8 (part): Ord. 04-259 § 1 (part))

(Ord. No. 2015-406 , § 2, 2-10-2015; Ord. No. 2015-408 , § 2, 6-9-2015)

14.50.040 Conditional uses (CT).

Upon the granting of a use permit in accordance with the provisions of Chapter 14.80 of this title, the following uses shall be permitted in the CT District:

- A. Animal clinics, hospitals, and kennels;
- B. Business, professional, and trade schools;
- ~~C. Cocktail lounges;~~
- ~~D.C.~~ Commercial recreation;
- ~~E.D.~~ Day care centers;
- ~~F.E.~~ Hotels and motels;
- ~~G.F.~~ Medical and dental clinics;
- ~~H. Medical and dental offices that are five thousand (5,000) gross square feet or more;~~
- ~~I. Mixed-use projects, including a combination of multiple family dwelling units and nonresidential uses;~~
- ~~J.G.~~ Mortuaries;
- ~~K. Multiple family housing;~~
- ~~L.H.~~ Pet shops;
- ~~M.I.~~ Printing shops;
- ~~N. Single-room occupancy housing;~~
- ~~O.J.~~ Upholstery shops; and
- ~~P.K.~~ Uses which are determined by the planning commission ~~and the city council~~ to be of the same general character.

(Ord. 05-280 § 8 (part): Ord. 04-259 § 1 (part))

(Ord. No. 2015-406 , §§ 3, 4, 2-10-2015; Ord. No. 2015-409 , § 2, 6-9-2015)

14.50.050 Limited conditional uses (CT).

Upon the granting of a use permit in accordance with the provisions of Chapter 14.80 of this title, the following uses shall be permitted except on parcels within fifty (50) feet of an R District:

- A. Automotive display or salesrooms, servicing and repair;
- B. Cabinet and carpenter shops;
- C. Drive-through facilities, including car washes;
- D. Service stations provided the site has at least one hundred (100) feet of frontage on a street with a minimum site area of twenty thousand (20,000) square feet;
- E. Sheet metal shops;
- F. Sign painting shops; and
- G. Theaters and auditoriums.

(Ord. 04-259 § 1 (part))

(Ord. No. 10-348, § 6, 4-13-2010)

14.50.060 Required conditions (CT).

The following conditions shall be required of all uses in the CT District:

- A. All businesses, services, and processes shall be conducted within a completely enclosed structure, except for recycling facilities, parking and loading areas, outdoor dining areas, nurseries, the sale of gasoline and oil at service stations, bus depots, or as permitted under the terms of a permit issued pursuant to Chapter 14.80 of this title.
- B. No use shall be permitted and no process, equipment, or materials shall be employed which are found by the commission to be objectionable by reason of odor, dust, noise, vibration, illumination, glare, unsightliness, or electrical disturbances which are manifested beyond the premises in which the permitted use is located.
- C. No property owner, business owner, or tenant shall permit or allow activities, which violate the requirements of this chapter, including the following general criteria:
 - 1. General screening standard. Every development shall provide sufficient screening to reasonably protect the privacy, safety, and environment of neighboring residential properties and shield them from adverse external effects of that development.

Walls up to twelve (12) feet in height shall be required for the purpose of attenuating noise, odor, air pollution, artificial light, mitigation for grade differential between properties, and providing privacy and safety.
 - 2. Access and screening of refuse collection. Every development will be required to provide suitable space on-site for solid waste separation, collection, storage, and pick up and shall site these in locations that facilitate access, collection, and minimize any negative impact on persons occupying the development site, neighboring properties, or public rights-of-way.
 - 3. Lighting. Lighting within any lot that unnecessarily illuminates any other lot or substantially interferes with the use or enjoyment of such other lot is prohibited. Lighting shall be designed to minimize the glare and intensity of external illumination, and to respect the privacy of neighbors by avoiding direct and reflected illumination onto adjacent properties.
 - 4. Air pollution. Any use that emits any "air contaminant" as defined by the Bay Area Air Quality Management District shall comply with applicable state standards concerning air pollution.
 - 5. Maintenance of common areas, improvements, and facilities. Maintenance of all common areas, improvements, or facilities required by this chapter or any permit issued in accordance with its provisions shall be required except those areas, improvements, or facilities with respect to which an offer of dedication to the public has been accepted by the appropriate public authority.
 - 6. Odors. No use may generate any odor that reasonably may be found objectionable as determined by an appropriate agency such as the Santa Clara County health department and the Bay Area Air Quality Management District beyond the boundary occupied by the enterprise generating the odor. All mechanical, venting, and/or exhausting equipment that generates odors shall be located away from residential properties.
 - 7. Noise. No person shall operate, or cause to be operated, any source of sound at any location within the city or allow the creation of any noise on property owned, leased, occupied or otherwise controlled by such person, which causes the noise level, when measured on any other

(Supp. No. 40, Update 2)

property, either incorporated or unincorporated, to exceed standards as set forth in Chapter 6.16 of the Los Altos Municipal Code. All mechanical, venting, and/or exhausting equipment that generates noise shall be located away from residential properties. Exterior heating, venting, and air-conditioning facilities shall be muffled.

In order to attenuate noise associated with commercial development, walls up to twelve (12) feet in height shall be required at a commercial or residential interface.

(Ord. 04-259 § 1 (part))

(Ord. No. 2017-436 , § 1, 10-10-2017)

14.50.070 Site area (CT).

The minimum site area shall be twenty thousand (20,000) square feet. The minimum site frontage shall be seventy-five (75) feet.

(Ord. 04-259 § 1 (part))

14.50.080 Residential density (CT).

~~The maximum permitted residential density shall be thirty eight (38) dwelling units per net acre of land.~~

~~No residential density shall be applicable within the Commercial Thoroughfare Zoning District.~~

(Ord. 04-259 § 1 (part))

14.50.090 Front yard (CT).

The minimum front yard depth shall be twenty-five (25) feet, with a minimum of fifty (50) percent of which shall be landscaped.

(Ord. 04-259 § 1 (part))

14.50.100 Side yards (CT).

~~Side yard width shall average seven feet six inches with a minimum setback of four feet over the length of the wall of the structure at the side yard, except that on a corner lot, the width of the side yard adjoining the street shall average fifteen (15) feet with a minimum setback of four feet. For a property that abuts an R-District (excluding access corridors), the following requirements shall apply:~~

- ~~A. When the side property line of the site is across a street or alley from property in an R-District, in which instance the minimum width of that side yard shall be thirty (30) feet;~~
- ~~B. When the side property line of the site abuts on property in an R-District, in which instance the minimum width of that side yard shall be forty (40) feet for any portion of a structure thirty (30) feet or less in height and one hundred (100) feet for any portion of a structure over thirty (30) feet in height;~~
- ~~C. A minimum twenty (20) foot landscape buffer of evergreen trees and shrubs to provide screening shall be provided, all of which shall be permanently maintained by the property owner. No below grade garage construction or excavation is permitted within this landscape buffer.~~

(Ord. 04-259 § 1 (part))

- a. The minimum interior side yard depth shall be ten (10) feet, with a minimum of fifty (50) percent of which shall be landscaped.
- b. The minimum exterior side yard depth shall be fifteen (15) feet, with a minimum of fifty (50) percent of which shall be landscaped.

(Ord. No. 2017-436 , § 1, 10-10-2017)

14.50.110 Rear yard (CT).

~~No rear yard shall be required, unless the property abuts an R district (excluding access corridors) in which case the following requirements shall apply:~~

- ~~A. —When the rear property line of the site is across a street or alley from property in an R-District, the rear yard setback shall be thirty (30) feet for all structures thirty (30) feet or less in height and seventy (70) feet for all structures over thirty (30) feet in height;~~
- ~~B. —When the rear property line of the site abuts on property in an R-District, the rear yard setback shall be forty (40) feet for all structures thirty (30) feet or less in height and one hundred (100) feet for all structures over thirty (30) feet in height;~~
- ~~C. —A minimum twenty (20) foot landscape buffer of evergreen trees and shrubs to provide screening shall be provided, all of which shall be permanently maintained by the property owner. No below grade garage construction or excavation is permitted within this landscape buffer.~~

The minimum rear yard depth shall be twenty-five (25) feet, with a minimum of fifty (50) percent of which shall be landscaped.

(Ord. 04-259 § 1 (part))

(Ord. No. 10-351, § 1, 5-25-2010)

14.50.120 Off-street parking (CT).

As provided in Chapter 14.74 of this title.

(Ord. 04-259 § 1 (part))

14.50.130 Off-street loading (CT).

As provided in Chapter 14.74 of this title.

(Ord. 04-259 § 1 (part))

14.50.140 Height of structures (CT).

~~No structure shall exceed forty five (45) feet in height. Commercial and mixed use projects that include ground floor commercial floor area shall provide a ground floor with a minimum interior ceiling height of twelve (12) feet.~~

- a. Residential Only Development(s) building height shall be a maximum of fifty-five (55) feet and five (5) stories.
- b. Mixed Use Development(s) building height shall be a maximum of sixty (60) feet and five (5) stories.

(Supp. No. 40, Update 2)

c. Non-Residential Use Only Development(s) building height shall be a maximum of forty-five (45) feet and four (4) stories.

(Ord. 08-323 § 1: Ord. 04-259 § 1 (part))

(Ord. No. 10-351, § 2, 5-25-2010)

14.50.150 Open space (CT).

All multiple-family residential projects, including mixed-use projects with multiple-family dwelling units, except duplexes, shall provide permanently maintained outdoor open space, subject to the following requirements:

- A. Although not required for each dwelling unit, an average of fifty (50) square feet of private open space shall be provided for the total number of dwelling units within a project.
- B. Any private open space provided shall be at the same level and immediately accessible from the unit it serves. The provision of private open space shall not reduce the common open space requirements of this section.
- C. Depending on the number of dwelling units in a multiple-family project, common open space shall be provided to meet the following criteria:
 - 1. Two to ten (10) units: a minimum of eight hundred (800) square feet of common open space shall be provided.
 - 2. Eleven (11) to twenty-five (25) units: a minimum of one thousand six hundred (1,600) square feet of common open space shall be provided.
 - 3. Twenty-six (26) to fifty (50) units: a minimum of two thousand four hundred (2,400) square feet of common open space shall be provided.
 - 4. Fifty-one (51) or more units: a minimum of three thousand two hundred (3,200) square feet of common open space shall be provided.
- D. Common open space areas:
 - 1. Shall be designed to be easily accessible and shall be available for passive and active outdoor recreational purposes for the enjoyment of all residents of the project;
 - 2. Shall be provided as continuous, usable site elements of sufficient size to be usable by residents that may be within the rear yard setback;
 - 3. Shall not include driveways, public or private streets, or utility easements where the ground surface cannot be used appropriately for open space.
 - 4. Common open space areas shall be surfaced with any practical combination of landscaping, paving, decking, concrete, or other serviceable material with no more than fifty (50) percent of the area at grade level covered with a non-permeable surface.
- E. Required common open space shall be controlled and permanently maintained by the owner of the property or by a homeowners' association. Provisions for control and maintenance shall be included in any property covenants of common interest developments.

(Ord. No. 2017-436 , § 1, 10-10-2017)

Editor's note(s)—Ord. No. 2017-436 § 1, adopted October 10, 2017, enacted new provisions set out as §§ 14.50.150, 14.50.160, and 14.50.180, and subsequently renumbered former §§ 14.50.150 through 14.50.180

as 14.50.170 and 14.50.190 through 14.50.210. Historical notation to the former sections have been retained for reference purposes.

14.50.160 Rooftop uses (CT).

Rooftop activities or uses are permitted within the perimeter walls of a structure that meet all setback standards provided also that any such activities or uses are accessory to the principal use or uses of the development, and provided further, activities shall comply with the following performance standards:

- A. No use shall be established or activity conducted that violates the noise standards and limits identified in Chapter 6.16, Noise Control, of the Municipal Code.
- B. No activity shall be conducted which causes ground vibrations perceptible at the property line.
- C. No lighting or illuminated device shall be operated so as to create glare which creates a hazard or nuisance on other properties.
- D. No use or activity shall be conducted without first obtaining any required permit from the county air pollution control district. Uses shall be conducted to prevent dust or other airborne material from crossing property lines.
- E. Solid wastes shall be handled and stored so as to prevent nuisances, health and fire hazards, and to facilitate recycling. Suitable containers shall be provided to prevent blowing or scattering of trash and screened by an enclosure. Suitable concealed space and containers shall be provided at the roof top to encourage the appropriate sorting and collection of discarded materials.
- F. No use may generate any odor that reasonably may be found objectionable as determined by an appropriate agency such as the Santa Clara County Health Department and the Bay Area Air Quality Management District beyond the boundary occupied by the enterprise generating the odor. All mechanical, venting, and/or exhausting equipment that generates odors shall be located away from residential properties.
- G. The use of conventional energy sources for space heating and cooling, water heating, and illumination shall be minimized by means of proper design and orientation, including provision and protection of solar exposure.
- H. These performance standards are general requirements and shall not be construed to prevent the council, boards or commission with review authority or staff from imposing, as part of project approval, specific conditions which may be more restrictive, in order to meet the intent of these regulations.

(Ord. No. 2017-436 , § 1, 10-10-2017)

Editor's note(s)—See Editor's Note § 14.50.150.

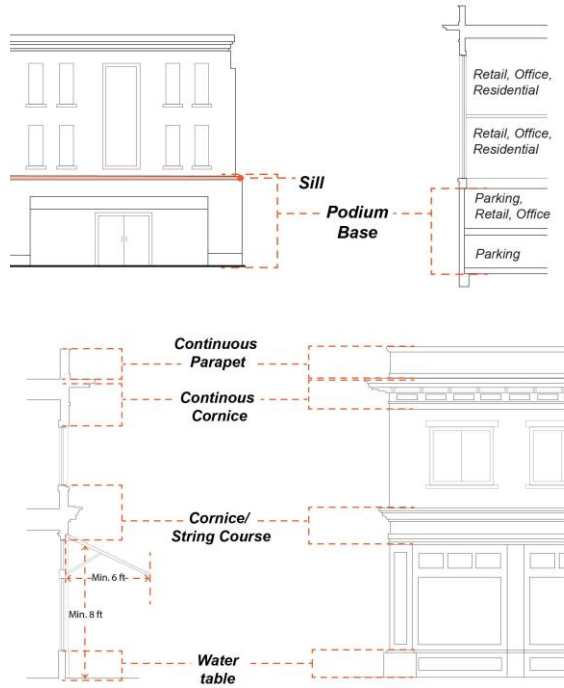
14.50.170 Design control (CT).

- A. Building Placement. A minimum seventy-five (75) percent of ground-floor building frontages facing El Camino Real must be built at the minimum setback line. This standard applies to the building frontage only (exclusive of side setbacks).
- B. Building Massing and Articulation.
 - 1. Upper-story Step-backs.

- a. Front: Minimum ten (10) feet from ground floor façade for stories above forty-five (45) feet in height.
 - b. Street Side: Minimum ten (10) feet from ground floor façade for stories above forty-five (45) feet in height.
2. Vertical Articulation.
- a. When a building façade exceeds one hundred (100) feet in length along a right-of-way, it must be separated into primary façade bays no greater than fifty (50) feet and secondary façade bays defined by a recess a minimum three feet deep and ten (10) feet wide.
 - b. A minimum one entrance shall be provided per one hundred fifty (150) linear feet along El Camino Real and per primary façade bay along all other rights-of-way.
 - c. The eave/roof of a secondary façade bay shall be no higher than the corresponding elements of the primary façade bay.



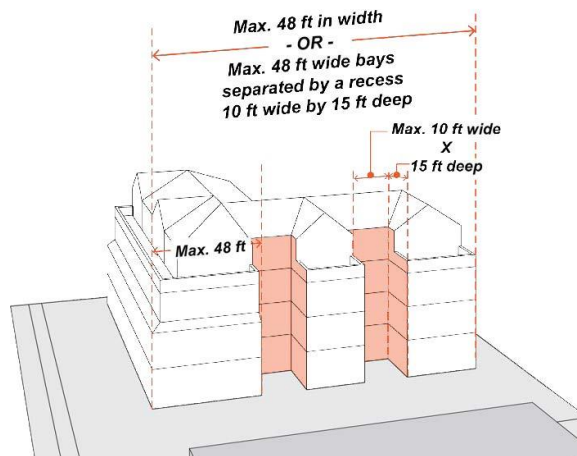
3. Horizontal Articulation. New façades and façade modifications along a street or civic space shall be designed to visually express a base, middle, and top.
- a. One or more of the following patterns shall be used to define the base:
 - i. Watertable: Base material extends from grade to between eight and fifty-four (54) inches above grade.
 - ii. Podium: The base material encompasses the lowest story (or stories) of the building, with or without mezzanine(s), and terminates in a sill, string course, or cornice at its upper bound (multi-story buildings only).
 - iii. Watertable and Cornice/String Course: A watertable using the base material is combined with a cornice or string course at the lowest story's upper bound, including any mezzanine (multi-story buildings only).
 - b. The top of each building mass/bay shall be defined by elements spanning the full length of the façade of the mass/bay. Such elements may include a cornice, eave and/or gable(s), or other elements listed under Section 17.50.170.B.6. These elements shall be consistent with the overall architectural style of the building mass/bay.



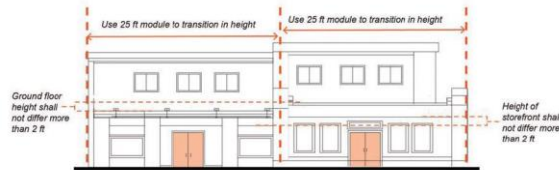
4. Adjacencies.

a. Façades Adjacent to an R-1 District.

- i. Building façade planes abutting an R-1 district may not exceed forty-eight (48) feet in width.
- ii. When a building façade abutting an R-1 district exceeds forty-eight (48) feet in width, it must be separated into façade bays no greater than forty-eight (48) feet by a recess ten (10) feet wide and fifteen (15) feet deep.
- iii. Balconies, roof decks and other habitable outdoor space are not allowed on upper-story façades abutting R-1 zones.
- iv. Sliding glass doors, French doors, and floor-to-ceiling windows are not allowed on upper-story façades abutting R-1 zones.



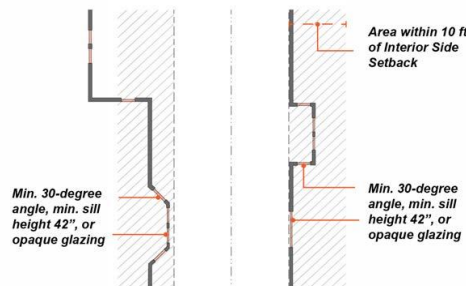
- b. Storefront Façades Adjacent to Storefront Façades.
 - i. The height of a storefront shall not differ from the height of any adjacent storefront by more than two feet.
 - ii. The height of ground story shall not differ from height of any adjacent ground story by more than two feet.
 - iii. Storefronts may transition in height using a module of twenty-five (25) feet in length along a right-of-way.



- c. Compatibility with Adjacent Shorter Buildings with Height Difference of One Story or More. When adjacent to an existing shorter building with a height difference of one story or more, a proposed building must utilize two or more of the following strategies:
 - i. Incorporate the uppermost floor into the roof form.
 - ii. Break the mass of the building into smaller modules through changes in wall plane, setbacks, and/or height.
 - iii. Match window heights and/or proportions.
 - iv. Relate roof cornices and moldings at floor lines.

5. Privacy and Line of Sight.

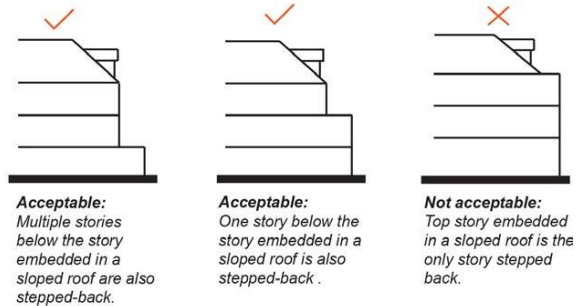
- a. Primary living spaces and balconies located along a side setback shall orient principal windows and balconies toward the front and rear of the building.
- b. Where windows are within ten (10) feet of and oriented toward an interior side setback, glazing shall either be a minimum thirty (30) degree angle measured perpendicular to the adjacent side setback line, have minimum sill height of forty-two (42) inches, or be opaque.
- c. The maximum sill height for an ingress/egress window is forty-four (44) inches from finished floor.



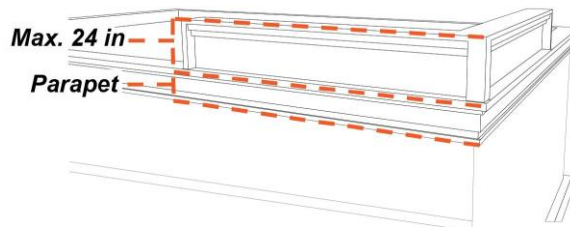
6. Roofline and Roof Design.

- a. Roof designs shall be limited to:
 - i. Hipped.

- ii. Gable.
- iii. Shed.
- iv. Dormer.
- v. Parapet.
 - (a) When used on the first or second floor, a parapet longer than twenty-five (25) feet in length must include at least one but not more than two of the following design elements to break up the length of the parapet:
 - (1) Steps.
 - (2) Curves.
 - (3) Angled surfaces.
 - (b) The length of a parapet segment on the third floor and above may not exceed twenty-five (25) feet.



- b. When the top story is stepped back and embedded in a sloped roof form, the floor below must (and other floors may) be stepped back to meet the slope of the top story.
- c. Building façades facing an R-1 district must have a hipped or gable roof and may incorporate dormers.
- d. Roofline/parapet at corners shall not exceed roofline/parapet of adjacent wallplanes by more than twenty-four (24) inches.

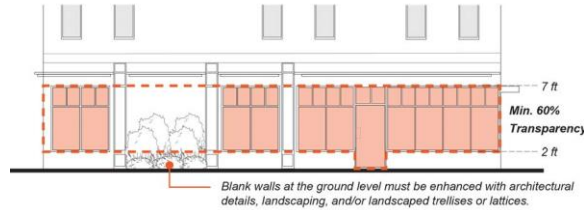


C. Building Design.

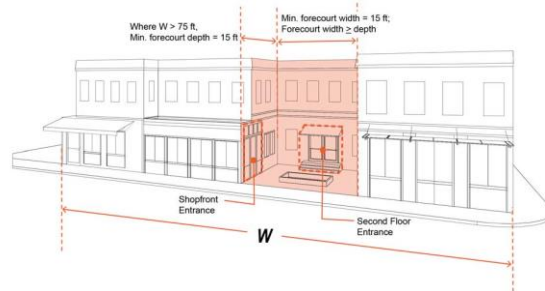
1. Façade Design.

- a. Building façades shall be arranged in an orderly composition of bays, defined by vertically aligned openings alternating horizontally with solid walls or columns. The pattern shall be visually expressed through the spacing of openings, recesses, eaves, inset panels, cornices, overhangs, trellises, exposed rafters, columns, or bay windows.

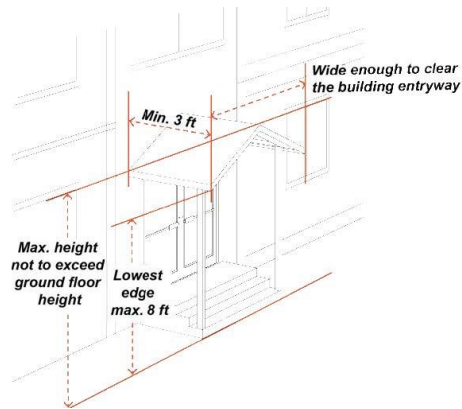
- b. The pattern may be shared between the ground floor and upper stories provided the ground floor exhibits enhanced detail or modulation.
 - c. Residential façades shall incorporate at least one element that signals habitation, such as bay windows, or balconies.
 - d. Non-glazed wall areas (blank walls) must be enhanced with architectural details, landscaping, and/or landscaped trellises or lattices.
2. Ground Level Transparency. A minimum sixty (60) percent of commercial ground floor street-facing façades between two and seven feet in height shall be transparent window surface. Opaque, reflective, or dark tinted glass is not allowed.



3. Pedestrian-Scaled Entrances.
- a. Buildings more than seventy (70) feet in length along a right-of-way must incorporate at least one forecourt frontage on the right-of-way-facing façade. Required forecourts must also comply with the standards of Section 14.50.170.C.3.b.v. below.
 - b. Each street-facing building façade must incorporate at one of the following entry features. See Section 14.66.275 (Entrance Type Standards) for design standards applicable to each entrance type listed.
 - i. Stoop.
 - ii. Shopfront.
 - (a) Shopfronts more than twenty-five (25) feet in width must incorporate variations in bulkhead, awnings, materials and/or color to visually articulate the shopfront into modules not to exceed twenty-five (25) continuous feet.
 - iii. Gallery.
 - iv. Arcade.
 - v. Forecourt.
 - (a) Forecourts must feature at least one entry to a shop and/or second floor use.
 - (b) The size of the forecourt must be appropriate relative to the size of the building. The maximum ratio of building height to forecourt is 2:1 (height < 2 x width).
 - (c) Forecourt must be minimum fifteen (15) feet in width.
 - (d) Forecourt must be enclosed on at least three sides by buildings.
 - (e) Forecourt must remain open to the sky (arbors and trellises are allowed).



- vi. Terrace.
- c. Primary Entrance Location(s). Locate primary entrance on the front right-of-way.
- d. Individual Entries. Ground floor residential units facing a street must provide individual entries along the street frontage.
- e. Corner Entrances. Chamfered corners must incorporate a building entrance. Any required entrances may be provided on the corner of the building assuming one of the intersecting sides is a primary frontage.
- f. Street-facing Entries to Upper Floors. Street-facing entries to upper floors shall be equal in quality and detail to storefronts. This standard may be satisfied through two or more of the following:
 - i. Dedicated awning, canopy, or other roof element.
 - ii. Stairs with a single color applied to treads and a contrasting color or pattern applied to risers.
 - iii. Dedicated light fixture(s).
 - iv. Decorative street address numbers or tiles.
 - v. Plaque signs for upper-floor business tenants.
- g. Entry Protection. Primary street-facing entrances shall be protected by a recess in the building frontage at least three feet deep or by a projection extending outward at least three feet measured horizontally from the entrance, and wide enough to clear the building entryway on both sides.
 - i. Protection may be coterminous with an accent element.
 - ii. Protection may take the form of an extended eave, overhang, awning, door canopy, gallery, arcade frontage, or other element that provides shade and shelter from the elements.
 - iii. The lowest edge of a projecting awning or door canopy shall have a vertical clearance of no more than eight feet.
 - iv. Recessed entries shall differentiate pavement within the recess through the use of a dedicated paving material or pattern.

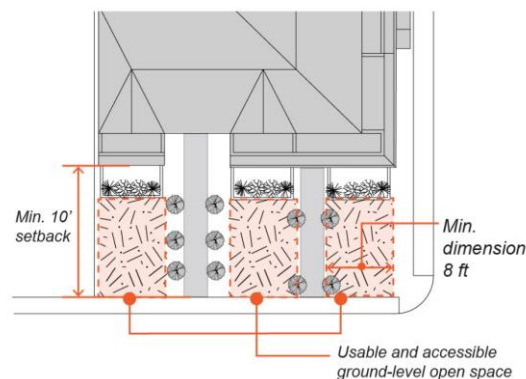


- h. Accent elements demarcating building frontage, entrance, and common open space areas shall not exceed the height of the ground floor story. Roof elements are excepted.
- 4. Ground Floor Floor-to-Ceiling Height.
 - a. Minimum twenty-four (24) inches taller than typical upper floor floor-to-ceiling height where ground floor is non-residential.
 - b. Minimum twelve (12) inches taller than typical upper floor floor-to-ceiling where ground floor is residential.



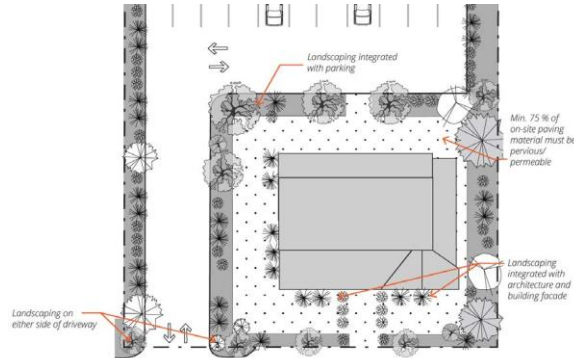
- 5. Interior Courtyard. Interior courtyards must be:
 - a. Partially visible from the street and linked to the street by a clear accessible path of travel.
 - b. Enclosed on at least two sides by buildings.
 - c. Open to the sky (arbors and trellises are allowed).
 - d. A minimum width of twenty (20) feet and a minimum area of four hundred (400) square feet.
- 6. Paseos. Paseos must be:
 - a. A minimum width of ten (10) feet for through-block paseos.
 - b. A minimum width of four feet for entries to courtyards or individual single businesses.
- D. Window Design. Vinyl windows are prohibited on façades visible from a right-of-way.
- E. Building Materials.
 - 1. Primary shall mean fifty (50) percent or more of a façade surface area excluding transparent surfaces. Permitted primary cladding materials are limited to:
 - a. Stucco (minimum two-coat stucco; synthetic stucco or EIFS not allowed).
 - b. Siding (lap, vertical, panelized, or shingle).
 - i. All siding shall be wood, composite wood, or cement fiberboard.

- ii. Wood siding shall be painted or stained.
 - iii. Vinyl and aluminum siding are not permitted.
 - c. Stone.
 - d. Brick.
 - e. Concrete (board-form only).
 - 2. Secondary shall mean less than fifty (50) percent of a façade surface area excluding transparent surfaces. Permitted secondary cladding materials are limited to:
 - a. Stucco (minimum two-coat stucco; synthetic stucco not allowed, EIFS not allowed).
 - b. Siding (lap, vertical, panelized, or shingle).
 - i. All siding shall be wood, composite wood, or cement fiberboard.
 - ii. Wood siding shall be painted or stained.
 - iii. Vinyl and aluminum siding are not permitted.
 - c. Stone (building base only).
 - d. Brick (building base only).
 - e. Tile.
 - f. Metal (matte finish or Cor-ten).
 - i. Ribbed metal, titanium, and mirrored finishes are not permitted.
 - g. Concrete Masonry Units (watertable and building base only, and not allowed on any façade facing a right-of-way or a single-family zone).
 - h. Concrete (building base only, board-form only, cast concrete not permitted).
 - 3. On attached elements, such as bay windows, orioles, and balconies.
- F. Ground Level Open Space. Where any required front, rear, or side yard setback is ten (10) feet or greater, on-site ground-level open space shall be provided within the setback.
 - 1. The ground level open space shall be usable and accessible.
 - 2. The minimum dimension for ground level open space shall be eight feet.



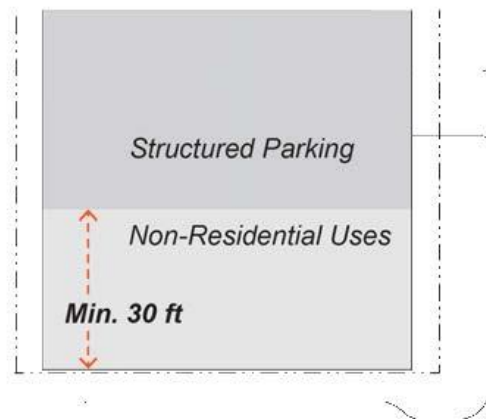
G. Landscaping and Paving.

1. Landscaping must be placed on each side of a driveway at grade or in raised planters.
2. Landscape elements shall be integrated with the building architecture, parking, and streetscape. Recommended patterns shall include, but are not limited to:
 - a. Planters for flowers and shrubs within street frontage.
 - b. Landscape buffers between parking spaces and building façades.
 - c. Landscaping within and/or on walls adjacent to courtyards, open spaces, and setbacks.
3. See Sections 14.66.180 (Maintenance of Landscaped Areas) and 14.70.070 (Landscaped Strips) for additional landscaping standards.

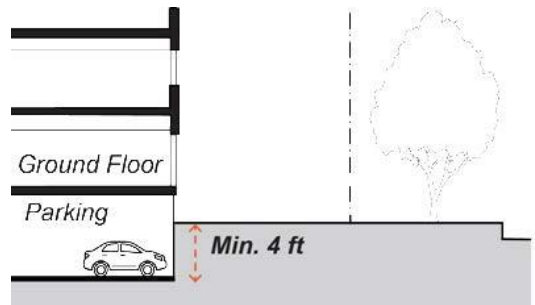


H. Parking Design and Access.

1. Where structured parking is provided, the parking area must be either:
 - a. "Lined" with ground-floor non-residential uses at least thirty (30) feet deep as measured from the front façade; or



- b. Designed such that the floor elevation is a minimum four vertical feet below the elevation of the adjacent sidewalk.



- 2. Visible structured parking must be screened from view from the right-of-way by at least one of the following features:
 - a. Regular punched openings designed to resemble windows of habitable spaces.
 - b. Trellis/living wall.
 - c. Custom textured or decorative screening.
- 3. Entrances to Parking Facilities.
 - a. A maximum of two curb cuts for one-way traffic and one curb cut for two-way traffic may be permitted per street frontage per lot.
 - b. Controlled entrances to parking facilities (gates, doors, etc.) shall be located a minimum ten (10) feet from the back of sidewalk.
 - c. Entrances to parking facilities along a street frontage shall be separated by a minimum of sixty (60) feet.
 - d. Where possible, curb cuts serving adjacent parking facilities shall be shared.
- I. Site Circulation and Access.
 - 1. New development on abutting lots shall be designed to allow cross-access for internal pedestrian, bicycle, and vehicular circulation systems.
 - 2. Bicycle racks shall be provided:
 - a. In or within fifty (50) feet of every parking area; and
 - b. Within twenty (20) feet of at least one building entrance.
- J. Service Areas and Screening.
 - 1. Service areas must be located at the rear of lot.
 - 2. Service areas must be enclosed in enclosures that are architecturally consistent with primary building in terms of materials, colors, and style.
- K. Additional Design Standards. See Section 14.66.280 for additional design standards applicable to all residential mixed-use development in the CT District.

(Ord. 04-259 § 1 (part))

(Ord. No. 2017-436 , § 1, 10-10-2017; Ord. No. 2021-478 , § 1, 9-14-2021)

Editor's note(s)—See Editor's Note § 14.50.150.

14.50.180 Off-street loading for residential (CT).

In order to accommodate the delivery or shipping of goods at a multiple-family residential project, on-site loading/unloading space shall be provided:

- A. There shall be at least one loading/unloading space provided, which shall have minimum dimensions of at least ten (10) feet by twenty-five (25) feet, with fourteen (14) feet of vertical clearance;
- B. Loading and unloading spaces shall be located and designed so that the vehicles intended to use them can maneuver safely and conveniently to and from a public right-of-way without interfering with the orderly movement of traffic and pedestrians on any public way and complete the loading and unloading operations without obstructing or interfering with any parking space or parking lot aisle;
- C. No area allocated to loading and unloading facilities may be used to satisfy the area requirements for off-street parking, nor shall any portion of any of off-street parking area be used to satisfy the area requirements for loading and unloading facilities;
- D. A loading/unloading space may be located in the front yard setback, but shall comply with other required setbacks;
- F. All loading spaces shall be designed and maintained so that vehicles do not back in from, or onto, a public street;
- G. Loading spaces shall be striped indicating the loading spaces and identifying the spaces for "loading only." The striping shall be permanently maintained by the property owner/tenant in a clear and visible manner at all times; and
- H. Adequate signage shall be provided that directs delivery vehicles to the loading space.

(Ord. No. 2017-436 , § 1, 10-10-2017)

Editor's note(s)—See Editor's Note § 14.50.150.

14.50.190 Signs (CT).

As provided in Chapter 14.68 of this code.

(Ord. 04-259 § 1 (part); Ord. No. 2015-414, § 12, 9-8-2015; Ord. No. 2017-436 , § 1, 10-10-2017)

Editor's note(s)—See Editor's Note § 14.50.150.

14.50.200 Fences (CT).

As provided in Chapter 14.72 of this title.

(Ord. 04-259 § 1 (part))

(Ord. No. 2017-436 , § 1, 10-10-2017)

Editor's note(s)—See Editor's Note § 14.50.150.

14.50.210 Nonconforming use regulations (CT).

As provided in Chapter 14.66 of this title.

(Ord. 04-259 § 1 (part))

(Ord. No. 2017-436 , § 1, 10-10-2017)

Editor's note(s)—See Editor's Note § 14.50.150.

CHAPTER 14.63 – SPECIALIZED HOUSING REGULATIONS

Article 1. Supportive and Transitional Housing

Section 14.63.010 – Purpose

The purpose of this Section is to establish provisions for the review of supportive and transitional housing. The established provisions of this chapter shall allow for all proposed supportive and transitional housing to be a use by right in zones where multifamily and mixed uses are permitted, including nonresidential zones permitting multifamily uses.

Section 14.63.020 – Definitions

“Supportive housing” shall mean a housing development project as defined in Government Code section 65582(g), as may be amended or renumbered from time to time, as being housing with no limit on length of stay, that is occupied by the target population, and that is linked to an on-site or off-site service that assists the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. Supportive housing is a residential use and is subject to only those restrictions that apply to other residential uses of the same type in the same zone. “Target population” means persons with low incomes who have one or more disabilities as described in section 65582(i) of the Government Code.

“Transitional housing” shall mean a housing development project as defined in Government Code section 65582(j), as may be amended or renumbered from time to time, as being building(s) configured as a rental housing development, but operated under program requirements that require the termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no less than six (6) months from the beginning of the assistance. Transitional housing is a residential use and is subject to only those restrictions that apply to other residential uses of the same type in the same zone.

Section 14.63.030 – Allowed Zoning

The districts established by this section shall allow supportive and transitional housing and are designated as follows:

- Multiple-Family District (R3-4.5)
- Multiple-Family District (R3-5)
- Multiple-Family District (R3-3)
- Multiple-Family District (R3.1.8)
- Multiple-Family District (R3-1)
- Commercial Downtown/Multiple-Family District (CD/R3)
- Commercial Thoroughfare District (CT)

Section 14.63.040 – Development Standards

Development Standards shall be the same for supportive and transitional housing as they are for any residential housing development located within the zoning district. Additional standards specific for supportive and transitional housing developments are as follows:

- A. Units within the development are subject to a recorded affordability restriction for fifty-five (55) years.
- B. One hundred percent (100%) of the units, excluding managers’ units, within the development are dedicated to lower income households and are receiving public funding to ensure affordability of the housing to lower income residents. For purposes of this paragraph, “lower income households” has the same meaning as defined in section 50079.5 of the Health and Safety Code.
- C. At least twenty-five percent (25%) of the units in the development or 12 units, whichever is greater, are restricted to residents in supportive housing who meet the criteria of the target population. If the development consists of fewer than 12 units, then one hundred percent (100%) of the units, excluding managers’ units, in the development shall be restricted to residents in supportive housing.
- D. The developer provides the planning agency with the information required by Section 65652 of the Government Code.
- E. Nonresidential floor area shall be used for onsite supportive services in the following amounts:
 - 1. For a development with twenty (20) or fewer total units, at least 90 square feet shall be provided for onsite supportive services.
 - 2. For a development with more than twenty (20) units, at least three percent (3%) of the total nonresidential floor area shall be provided for onsite supportive services that are limited to tenant use, including, but not limited to, community rooms, case management offices, computer rooms, and community kitchens.
- F. The developer replaces any dwelling units on the site of the supportive housing development in the manner provided in paragraph (3) of subdivision (c) of Section 65915 of the Government Code.
- G. Units within the development, excluding managers’ units, include at least one bathroom and a kitchen or other cooking facilities, including, at minimum, a stovetop, a sink, and a refrigerator.
- H. Parking.
 - 1. Parking stall requirement shall be one-half (0.5) per unit and one (1) for each onsite management/staff.
 - 2. No Parking shall be required within one half mile of a public transit stop.

Section 14.63.050 – Application Review

- 1. The Development Services Department shall notify the project applicant whether the application is complete within thirty (30) days of receipt of an application.
- 2. After the application is deemed complete, the Development Services Department shall complete its review of the application within sixty (60) days for projects of fifty (50) or

fewer units and one hundred and twenty (120) days for projects of fifty-one (51) and greater.

Article 2. Low-Barrier Navigation Center

Section 14.63.060 – Purpose

The purpose of this chapter is to establish development standards for low-barrier navigation centers and to ensure this use is constructed and operated in a manner that is consistent with the requirements and allowances of state law, specifically Article 12 of Chapter 3 of Division 1 of Planning and Zoning Law commencing with Government Code Section 65660.

Section 14.63.070 – Definitions

“Low-barrier navigation center” means a housing-first, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing. “Low barrier” means best practices to reduce barriers to entry, and may include, but is not limited to, the following:

1. The presence of partners if it is not a population-specific site, such as for survivors of domestic violence or sexual assault, women, or youth.
2. Pets.
3. The storage of possessions.
4. Privacy, such as partitions around beds in a dormitory setting or in larger rooms containing more than two beds, or private rooms.

Section 14.63.080 – Applicability & Review

The provisions of this chapter shall apply to all low-barrier navigation center projects.

The permit shall be a ministerial action without discretionary review or a hearing. The city will notify a developer whether the developer’s application is complete within 30 days, pursuant to Government Code section 65943. Action shall be taken within 60 days of a complete application being filed.

Section 14.63.090 – Permit Required

A planning permit is required prior to the establishment of any low-barrier navigation center project meeting the following criteria:

1. It offers services to connect people to permanent housing through a services plan that identifies services staffing.
2. It is linked to a coordinated entry system, so that staff in the interim facility or staff who co-locate in the facility may conduct assessments and provide services to connect people to permanent housing. “Coordinated entry system” means a centralized or coordinated assessment system developed pursuant to Section 576.400(d) or Section 578.7(a)(8), as applicable, of Title 24 of the Code of Federal Regulations, as those sections read on January

- 1, 2020, and any related requirements, designed to coordinate program participant intake, assessment, and referrals.
- 3. It complies with Chapter 6.5 (commencing with Section 8255) of Division 8 of the Welfare and Institutions Code.
- 4. It has a system for entering information regarding client stays, client demographics, client income, and exit destination through the local Homeless Management Information System as defined by Section 578.3 of Title 24 of the Code of Federal Regulations.

14.63.100 – Allowed Zoning

The districts established by this Section shall allow low-barrier navigation centers and are designated as follows:

- Commercial Downtown/Multiple-Family District (CD/R3)
- Commercial Neighborhood District (CN)
- Commercial Downtown District (CD)
- Commercial Retail Sales District (CRS)
- Commercial Thoroughfare District (CT)
- Commercial Retail Sales/Office District (CRS/OAD)

14.63.110 – Development Standards

All low-barrier navigation center development shall meet the following requirements:

- A. Connected Services. It offers services to connect people to permanent housing through a services plan that identifies services staffing.
- B. Coordinated Entry System. It is linked to a coordinated entry system, so that staff in the interim facility or staff who co-locate in the facility may conduct assessments and provide services to connect people to permanent housing. “Coordinated entry system” means a centralized or coordinated assessment system developed pursuant to Section 576.400(d) or Section 578.7(a)(8), as applicable, of Title 24 of the Code of Federal Regulations, as those sections read on January 1, 2020, and any related requirements, designed to coordinate program participant intake, assessment, and referrals.
- C. Code Compliant. It complies with Chapter 6.5 (commencing with Section 8255) of Division 8 of the Welfare and Institutions Code.
- D. Homeless Management Information System. It has a system for entering information regarding client stays, client demographics, client income, and exit destination through the local Homeless Management Information System, as defined by Section 578.3 of Title 24 of the Code of Federal Regulations.

Article 3. Reasonable Accommodation

Section 14.63.120 – Purpose

The purpose of reasonable accommodations is to provide provisions in accordance with federal and state fair housing laws (42 USC § 3600 et seq. and Government Code §§ 65008 and 12900 et seq., together referred to as “Fair Housing Laws”) for persons with disabilities seeking fair access

to housing in the application of the city's zoning laws. The term “disability” as used in this article shall have the same meaning as the term’s “disability”, “handicapped”, or similar terms, as defined in the Fair Housing Laws, as may be amended from time to time. The purpose of this article is to establish the procedure by which a request for a reasonable accommodation shall be made and processed.

Section 14.63.130 – Applicability

- A. A request for reasonable accommodation may be made by any individual with a disability, his or her representative, or a developer or provider of housing for individuals with disabilities, when the application of a land use, zoning or building regulation, policy, practice, or procedure acts as a barrier to housing opportunities.
- B. A request for reasonable accommodation may include a modification or exception to the rules, standards, development, and use of housing-related facilities that would eliminate regulatory barriers and provide a person with a disability equal opportunity for the housing of their choice.
- C. A request for reasonable accommodation in regulations, policies, practices, and procedures may be filed at any time that the accommodation may be necessary to ensure equal access to housing. Reasonable accommodation does not affect the obligations of an individual or a developer of housing for an individual with disabilities to comply with other applicable regulations not necessary to achieve the purposes set forth in paragraph (B).
- D. If a request for reasonable accommodation is granted, the request shall be granted to an individual and shall not run with the land unless it is determined that (1) the modification is physically integrated into the residential structure and cannot easily be removed or altered to comply with applicable city or state codes, or (2) the accommodation is to be used by another individual with a disability.

Section 14.63.140 – Request for Reasonable Accommodation

- A. Application for a request for reasonable accommodation shall be made in writing on a form provided by the Development Services Department. The form shall be signed by the property owner or authorized agent. The application shall state the circumstances and conditions relied upon as grounds for the application and shall be accompanied by adequate plans and all other materials as specified by the Development Services Director. The application shall include the zoning, land use and/or building code provision, regulation, policy or practice from which modification or exception for reasonable accommodation is being requested, including an explanation of how application of the existing zoning, land use or building code provision, regulation, policy or practice would preclude the provision of reasonable accommodation, along with documentation that demonstrates the reason that the requested accommodation may be necessary for the individual(s) with the disability to use and enjoy the dwelling.
- B. If any information provided is identified by an applicant as confidential then the city shall endeavor to withhold that information from copying and inspection by members of the public, to the extent reasonably determined by the city to be authorized or required by applicable law, including Government Code sections 7926.000 to 7926.500 and 7927.705, and Section 1 of Article 1 of the California Constitution.

Section 14.63.150 – Review Authority and Procedure

- A. Within 60 days of receipt of a completed application, the Development Services Director, or designee, shall issue a written determination to approve, conditionally approve, or deny a request for reasonable accommodation, and the modification or revocation thereof in compliance with this chapter. The request shall be processed independently of any other required development permits. However, approval of reasonable accommodation may be conditioned upon approval of other related permits.
- B. The filing of an application for request for reasonable accommodation shall not require public notice.
- C. If necessary to reach a determination on the request for reasonable accommodation, the Development Services Director, or designee, may request further information from the applicant consistent with Fair Housing Laws, specifying in detail the information that is required.
- D. The decision on a request for reasonable accommodation shall be final and not appealable.

Section 14.63.160 – Findings

- A. The written decision to grant or deny a request for reasonable accommodation will be consistent with the Fair Housing Laws and shall be based on consideration of the following factors:
 - 1. The housing which is the subject of the request for reasonable accommodation will be occupied by an individual, or individuals, with a disability protected under Fair Housing Laws;
 - 2. The requested accommodation is necessary to make specific housing available and/or accessible to an individual with a disability protected under the Fair Housing Laws;
 - 3. The requested accommodation would not impose an undue financial or administrative burden on the City; and
 - 4. The requested accommodation would not require a fundamental alteration in the nature of the city’s land use and zoning and building regulations, policies, practices, and procedures.
- B. In granting a request for reasonable accommodation, the Development Services Director, or designee may impose any conditions of approval deemed reasonably necessary to ensure that the reasonable accommodation would comply with the findings required above.

Article 4. Qualified Employee Housing

Section 14.63.180 – Purpose

The Employee Housing Act allows for flexibility in housing types for employee housing, including conventional and nonconventional structures, such as: living quarters, boardinghouse, tent, bunkhouse, mobilehome, manufactured home, recreational vehicle, and travel trailers. The laws and regulations governing these structures depend on the housing type; however, all qualified employee housing must comply with: the Employee Housing Act (Health and Safety Code Section 17000 et seq.) and the Employee Housing Regulations (California Code of Regulations Title 25, Division 1, Chapter 1, Subchapter 3—Employee Housing), which outline specific requirements

for the construction of housing, maintenance of grounds, buildings, sleeping space and facilities, sanitation and heating; and the provisions of this section.

Section 14.63.190 – Definitions

“Qualified employee housing” means employee housing defined in Health & Safety Code section 17008, even if the housing accommodations or property are not located in a rural area, as defined by Health & Safety Code section 50101. Any housing development project approved pursuant to Health & Safety Code section 17021.8 is also “qualified employee housing,” and shall be a permitted use notwithstanding anything to the contrary in this code.

Section 14.63.200 – Review Authority and Procedure

- A. Qualified employee housing for seven (7) or more employees shall be considered an agricultural use and shall not require any discretionary approval not required of other agricultural activity in the same zone, provided that:
 - 1. The qualified employee housing should not consist of more than thirty-six (36) beds in a group quarters or twelve (12) units or spaces designed for use by a single family or household.
 - 2. All temporary or permanent structures that contain qualified employee housing shall meet the setback, lot coverage, height, and other development standards applicable to the zone in which it is located.
 - 3. Parking shall be provided in accordance with chapters 14.74 and 14.75 of this code, unless the applicant provides substantial evidence demonstrating that the actual parking need is lower, subject to the approval of the Development Services Director.
 - 4. Qualified employee housing shall comply, as applicable, with the following: (1) Employee Housing Act (California Health and Safety Code Sections 17000—17062); (2) Mobilehome Parks Act (California Health and Safety Code Sections 18200—18700); and Special Occupancy Parks Act (California Health and Safety Code Sections 18860—18874), as may be amended from time to time.
 - 5. Qualified employee housing shall be reviewed and approved subject to the same requirements as other agricultural uses within the same zone.
 - 6. If an existing agriculture use does not have any required permit, a permit for both the agricultural use and qualified employee housing must be obtained.
 - a. The property owner shall obtain and maintain any required permit to operate pursuant to Health & Safety Code section 17030 et seq.
 - 7. The property owner shall: (1) complete and submit to the Development Services Director a verification form no later than thirty (30) days after receiving a permit to operate from HCD; (2) a verification form shall be submitted to the Development Services Director annually to ensure compliance with this Chapter 14.63; and (3) the verification form shall include: information regarding the agricultural use, housing type, number of dwelling units or beds, number of occupants, occupants’ employment information, and proof that a permit to operate has been obtained and maintained.

- 8. Qualified employee housing – seven or more employees shall be removed or converted to another permitted use at such time as the agricultural activity to which it relates ceases operation for more than twelve (12) consecutive months.

- B. Qualified employee housing providing accommodations for six (6) or fewer employees, pursuant to Health and Safety Code section 17021.5, shall be deemed a single-family dwelling and is allowed in residential zones. Qualified employee housing for six (6) or fewer employees is subject to all municipal codes, regulations, and other standards generally applicable to other residential dwellings of the same type in the same zone.

Article 5. Manufactured Homes and Factory-Built Housing

14.63.200 – General Provisions

The City of Los Altos shall allow the installation of manufactured homes certified under the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. Secs. 5401 et seq.) on a foundation system, pursuant to Section 18551 of the Health and Safety Code, on lots zoned for conventional single-family residential dwellings. Except with respect to architectural requirements, the city shall only subject the manufactured home and the lot on which it is placed to the same development standards to which a conventional single-family residential dwelling on the same lot would be subject, including, but not limited to, building setback standards, side and rear yard requirements, standards for enclosures, access, and vehicle parking, aesthetic requirements, and minimum square footage requirements. Any architectural requirements imposed on the manufactured home structure itself, exclusive of any requirement for any and all additional enclosures, shall be limited to its roof overhang, roofing material, and siding material. These architectural requirements may be imposed on manufactured homes even if similar requirements are not imposed on conventional single-family residential dwellings. However, any architectural requirements for roofing and siding material shall not exceed those which would be required of conventional single-family dwellings constructed on the same lot. In no case may the city apply any development standards that will have the effect of precluding manufactured homes from being installed as permanent residences.

14.63.210 – Review Authority

Manufactured Homes and Factory-Built Housing shall be reviewed and approved in accordance with the provisions of all single-family housing development within the City of Los Altos.

Article 6. Residential Care Facilities

Section 14.63.220 – Purpose

The purpose of this section is to establish provisions for the review of residential care facilities. The established provisions of this chapter shall allow for all proposed residential care facilities to be a use by right in zones where residential structure(s) and use(s) are allowed or existing at the time this code was established.

Section 14.63.230 – Definitions

“Residential Care Facility” or “Residential Care Facilities” shall be defined consistent with the California Health & Safety Code Section 1502 which may be amended from time to time. The following shall constitute a Residential Care Facility within the City of Los Altos:

1. “Community care facility” means any facility, place, or building that is maintained and operated to provide nonmedical residential care, day treatment, adult day care, or foster family agency services for children, adults, or children and adults, including, but not limited to, the physically handicapped, mentally impaired, incompetent persons, and abused or neglected children, and includes the following:
 - a. “Residential facility” means any family home, group care facility, or similar facility determined by the director, for 24-hour nonmedical care of persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual.
 - b. “Adult day program” means any community-based facility or program that provides care to persons 18 years of age or older in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of these individuals on less than a 24-hour basis.
 - c. “Therapeutic day services facility” means any facility that provides nonmedical care, counseling, educational or vocational support, or social rehabilitation services on less than a 24-hour basis to persons under 18 years of age who would otherwise be placed in foster care or who are returning to families from foster care. Program standards for these facilities shall be developed by the department, pursuant to Section 1530, in consultation with therapeutic day services and foster care providers.
 - d. “Foster family agency” means any public agency or private organization engaged in the recruiting, certifying, and training of, and providing professional support to, foster parents, or in finding homes or other places for placement of children for temporary or permanent care who require that level of care. Private foster family agencies shall be organized and operated on a nonprofit basis.
 - e. “Foster family home” means any residential facility providing 24-hour care for six or fewer foster children that is owned, leased, or rented and is the residence of the foster parent or parents, including their family, in whose care the foster children have been placed. The placement may be by a public or private child placement agency or by a court order, or by voluntary placement by a parent, parents, or guardian. It also means a foster family home described in Section 1505.2.
 - f. “Small family home” means any residential facility, in the licensee’s family residence, that provides 24-hour care for six or fewer foster children who have mental disorders or developmental or physical disabilities and who require special care and supervision as a result of their disabilities. A small family home may accept children with special health care needs, pursuant to subdivision (a) of Section 17710 of the Welfare and Institutions Code. In addition to placing children with special health care needs, the department may approve placement of children without special health care needs, up to the licensed capacity.

- g. “Social rehabilitation facility” means any residential facility that provides social rehabilitation services for no longer than 18 months in a group setting to adults recovering from mental illness who temporarily need assistance, guidance, or counseling. Program components shall be subject to program standards pursuant to Article 1 (commencing with Section 5670) of Chapter 2.5 of Part 2 of Division 5 of the Welfare and Institutions Code.
- h. “Community treatment facility” means any residential facility that provides mental health treatment services to children in a group setting and that has the capacity to provide secure containment. Program components shall be subject to program standards developed and enforced by the State Department of Health Care Services pursuant to Section 4094 of the Welfare and Institutions Code.

14.63.240 – Allowed Zoning

The districts established by this section shall allow residential care facilities by-right and are designated as follows:

- Single-Family District (R1-10);
- Single-Family District (R1-H);
- Single-Family District (R1-20);
- Single-Family District (R1-40);
- Single-Story Single-Family Overlay District (R1-S);
- Multiple-Family District (R3-4.5);
- Multiple-Family District (R3-5);
- Multiple-Family District (R3-3);
- Multiple-Family District (R3.1.8);
- Multiple-Family District (R3-1);
- Office-Administrative District (OA);
- Office-Administrative District (OA-1 and OA-4.5);
- Commercial Downtown/Multiple-Family District (CD/R3);
- Commercial Neighborhood District (CN);
- Commercial Downtown District (CD);
- Commercial Retail Sales District (CRS);
- Commercial Thoroughfare District (CT);
- Commercial Retail Sales/Office District (CRS/OAD);
- Planned Community (PC);
- Planned Unit Development (PUD).

Section 14.63.250 – Permit Required

- A. No Residential Care Facility regardless of size shall require discretionary review to establish use and operation within the City of Los Altos. This provision is only applicable to the allowed use and does not apply to any discretionary review required by other chapters within the code for the establishment or modification of any structure within the City of Los Altos.

- B. Any required building permit shall be obtained from the Development Services Department prior to establishing the use and operation within the City of Los Altos.
- C. Any required license or permit by the California Department of Social Services (CDSS) or the California Department of Health Care Services (DHCS) that is required shall be obtained prior to establishing use and operation within the City of Los Altos.

14.63.260 – Development Standards

All residential care facilities shall meet the standard development standards for the zone in which it is located. No additional or special development standards shall be imposed on any residential care facility.

ORDINANCE NO. 2023-__

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS
REPEALING IN ITS ENTIRETY THE LOYOLA CORNERS SPECIFIC PLAN,
CHAPTER 14.42 OF THE LOS ALTOS MUNICIPAL CODE, AND CITY COUNCIL
RESOLUTION NO. 2017-41 AND REINSTATING THE UNDERLYING ZONING
DISTRICTS TO ALL AFFECTED PARCELS TO IMPLEMENT PROGRAM 1.E OF
THE SIXTH CYCLE HOUSING ELEMENT UPDATE**

WHEREAS, the City Council is empowered pursuant to Article XI, Section 7 of the California Constitution to make and enforce within the City all local, police, sanitary, and other ordinances and regulations not in conflict with general laws; and

WHEREAS, on January 24, 2023, the City Council approved the City’s Sixth Cycle Housing Element Update; and

WHEREAS, the City Council held a duly noticed public hearing on November 14, 2023, and November 28, 2023; and

WHEREAS, Program 1.E of the Housing Element Update calls for Update of the Loyola Corners Specific Plan; and

WHEREAS, Program 1.E of the Housing Element Update requires the City of Los Altos to rescind and revert to underlying zoning districts to facilitate housing production; and

WHEREAS, Program 1.E of the Housing Element Update requires the City of Los Altos repeal all conflicting land use regulations present in the Loyola Corner area; and

WHEREAS, Program 1.E of the Housing Element Update requires the City of Los Altos repeal all land use regulations that are in opposition to Housing law; and

WHEREAS, the City Council repeals in its entirety the Loyola Corners Specific Plan; and

WHEREAS, Upon repeal of the Loyola Corners Specific Plan all effected parcels shall return to the underlying zoning districts as identified on the adopted City of Los Altos Zoning Map; and

WHEREAS, the City Council repeals in its entirety City Council Resolution 2017-41 which enacted development standards which violate the Housing Crisis Act and are not enforceable; and

WHEREAS, the City Council repeals in its entirety Chapter 14.42 – LC/SPZ Loyola Corners Specific Plan Zone District; and

WHEREAS, this Ordinance is exempt from environmental review pursuant to Section 15061(b)(3) of the State Guidelines implementing the California Environmental Quality Act of 1970, as amended; and

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

SECTION 1. AMENDMENT OF CHAPTER 14.42 OF THE MUNICIPAL CODE. Chapter 14.42 of the Los Altos Municipal Code is hereby amended as set forth in Appendix A to this Ordinance, underline indicating addition, and strikethrough indicating deletion.

SECTION 2. CONSTITUTIONALITY; AMBIGUITIES. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions hereof. Any ambiguities in the Los Altos Municipal Code created by this Ordinance shall be resolved by the Director of Development Services, in their reasonable discretion, after consulting the City Attorney.

SECTION 3. PUBLICATION. This Ordinance shall be published as provided in Government Code Section 36933.

SECTION 4. EFFECTIVE DATE. This Ordinance shall be effective upon the commencement of the thirty-first day following the adoption hereof.

The foregoing Ordinance was duly and properly introduced at a regular meeting of the City Council of the City of Los Altos held on __, 2023, and was thereafter, at a regular meeting held on __, 2023, passed and adopted by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

Sally Meadows, MAYOR

Attest:

Melissa Thurman, MMC, CITY CLERK

**APPENDIX A
AMENDMENTS TO CHAPTER 14.42**

Chapter 14.42 ~~RESERVED LC/SPZ LOYOLA CORNERS SPECIFIC PLAN ZONE DISTRICT~~

Sections:

14.42.010 ~~RESERVED FOR FUTURE USE LC/SPZ District.~~

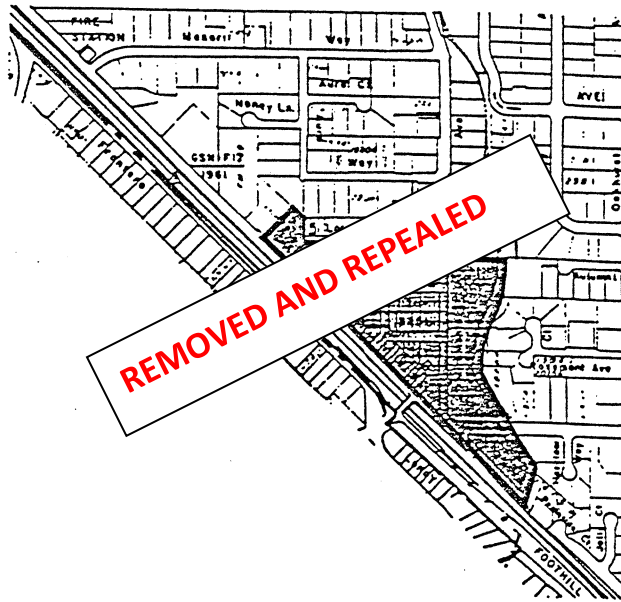
~~The regulations, general provisions, and exceptions set forth in this chapter, Chapter 14.40, and Chapter 14.66 shall apply in the LC/SPZ District. The zoning district regulations implement the Loyola District. The zoning district regulations implement the Loyola Corners neighborhood commercial center specific plan. These district regulations incorporate by reference Chapter 14.40 — Neighborhood Commercial District Regulations except as indicated below. Where a conflict occurs between this chapter and Chapter 14.40, this chapter shall take precedence.~~

~~(Prior code § 10-2.1701)~~

14.42.020 ~~Specific purposes (LC/SPZ).~~

~~Specific purposes for LC/SPZ Districts are as follows:~~

- ~~A. — To maintain a neighborhood convenience commercial orientation supplemented on a limited basis with retail service and office administrative services uses;~~
- ~~B. — To implement the objectives, policies and commercial center specific plan;~~
- ~~C. — To assist in the re-establishment of business momentum for Loyola Corners;~~
- ~~D. — To protect nearby residents from unreasonable intrusions from the shopping area;~~
- ~~E. — To apply to the area delineated below:~~



(Prior code § 10-2.1702)

(Ord. No. 2015-406, § 2, 2-10-2015)

14.42.030 Limited permitted uses (LC/SPZ).

- A. — Re-establishment of business momentum in the Loyola Corners Neighborhood Commercial Center is important to retain its economic vitality. Long term vacancies can significantly adversely impact the area's success.
- B. — For those properties in the LC/SPC Zoning District a use permit for office use in the above-described area may be permitted for a period of up to ten (10) years to be determined on a case-by-case basis provided the city council can make a positive finding to each of the following issues:
 - 1. — That the space proposed to be occupied by the office use is developed space which has been vacant for the previous twelve (12) months;
 - 2. — That the property owner has demonstrated to the satisfaction of the city council that during the previous twelve (12) months the space to be occupied has been actively but unsuccessfully marketed as retail space at fair market value;
 - 3. — That the proposed office is of a type that receives significant clientele visitations;
 - 4. — That the owner of the proposed office use has agreed to maintain a pedestrian friendly exterior by maintaining visual access into the building interior through windows which are not permanently blocked during business hours; and
 - 5. — Such use does not significantly remove the area from an ideal cost/benefit ratio of seventy (70) percent retail and thirty (30) percent office which is determined necessary to (i) provide a retail center whose function it is to provide retail services to the surrounding community; (ii) provide a lively, active and diversified shopping experience; and (iii) ensure that a reasonable portion of the commercial activities are generating taxable retail sales.

~~C. — Voluntary discontinuance of the office use shall require conversion of such use to a permitted use, a conditionally permitted use found to meet the criteria of Chapter 14.80 of this title of the Los Altos Municipal Code, or a limited permitted use based on the findings of this section.~~

~~D. — Any request for an extension of time shall be subject to the provisions outlined in Chapter 14.80 of this title.
(Prior code § 10-2-1703)~~

~~**14.42.040 Conditional expansion.**~~

~~A. — In order to allow moderate expansion to enhance economic vitality, twenty three thousand (23,000) square feet of expansion (over and above the approximately ninety one thousand (91,000) square feet, one hundred ten thousand (110,000) including the Post Office, of existing square feet in December 1990) shall be permitted subject to a use permit pursuant to Chapter 14.80 of this title of the Los Altos Municipal Code. The additional square footage shall be aggregated as follows:~~

- ~~1. — New ground level retail fifteen thousand (15,000) square feet;~~
- ~~2. — Second level retail service four thousand (4,000) square feet;~~
- ~~3. — Second level office use four thousand (4,000) square feet.~~

~~B. — The following definitions apply in allocating space for expansion;~~

- ~~1. — Retail stores are commercial establishments which predominantly sell products rather than services, directly to the general public, generally for household use, on a daily basis. Examples include groceries, produce markets, liquor stores, furniture stores, sporting goods and gas stations and other types of establishments which tend to draw other people into the area.~~
- ~~2. — Retail services are commercial establishments which predominantly sell services directly to the general public, generally for household use, on a daily basis. Examples include beauty and barber shops, banks, dry cleaners and repair shops.~~
- ~~3. — Office administrative services are commercial establishments which predominantly sell to the general public or to businesses and other customers as well. The contact with the general public is not as frequent as with retail services and a significant portion of the business may take place at other locations. Examples include law offices, accountants, medical, advertising and software computer programming.~~

~~C. — This section shall apply to all properties within the Loyola Corners planning area except for those defined in the specific plan as "specific parcels" which have policies contrary to this section, as approved by the city.~~

~~(Prior code § 10-2-1704)~~

~~(Ord. No. 2015-406, § 2, 2-10-2015)~~

~~**14.42.050 Off-street parking (LC/SPZ).**~~

~~Not less than one parking space for each three hundred (300) square feet of gross floor area shall be required. Properties whose existing ground floor space is occupied by a nonconforming use shall not be permitted second level office use expansion based upon a parking ratio of one space for each three hundred (300) square feet of gross floor area unless an amount of ground floor space equivalent to the second floor addition is converted to a conforming permitted or conditionally permitted use, unless the nonconforming use is found by the city council to be an undesirable retail location, and there is a parking study from which the city council may determine that on-site parking is adequate.~~

~~(Prior code § 10-2.1705)~~

~~(Ord. No. 10-348, § 9, 4-13-2010)~~

ORDINANCE NO. 2023-__

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS
AMENDING CHAPTER 14.88 OF THE LOS ALTOS MUNICIPAL CODE
PERTAINING TO REZONING OF A PARCEL LOCATED AT 4546 EL CAMINO REAL
(APN: 16712042) FROM R1-10 TO COMMERCIAL THOROUGHFARE (CT) AND
REPEALING IN ITS ENTIRETY PLANNED UNIT DEVELOPMENT (62-PUD/C7) TO
IMPLEMENT PROGRAM 1.F REZONE VILLAGE COURT PARCEL OF THE SIXTH
CYCLE HOUSING ELEMENT UPDATE**

WHEREAS, the City Council is empowered pursuant to Article XI, Section 7 of the California Constitution to make and enforce within the City all local, police, sanitary, and other ordinances and regulations not in conflict with general laws; and

WHEREAS, on January 24, 2023, the City Council approved the City’s Sixth Cycle Housing Element Update; and

WHEREAS, the City Council held a duly noticed public hearing on November 14, 2023, and November 28, 2023; and

WHEREAS, Program 1.F of the Housing Element Update calls for Rezone Village Court Parcel; and

WHEREAS, Program 1.F of the Housing Element Update requires the City of Los Altos to rezone the Village Court Parcel from R1-10 to Commercial Thoroughfare (CT); and

WHEREAS, Program 1.F of the Housing Element Update requires the City of Los Altos to remove modifications made by Planned Unit Development (62-PUD/C7) for consistency with the Commercial Thoroughfare (CT) District; and

WHEREAS, the City Council amends the Zoning Designation of the property located at 4546 El Camino Real, APN: 16712042, commonly referred to as “Village Court” from R1-10 to Commercial Thoroughfare (CT);

WHEREAS, the City Council repeals in its entirety the Planned Unit Development (62-PUD/C7) and reverts to the underlying zoning district of Commercial Thoroughfare (CT) District; and

WHEREAS, this Ordinance is exempt from environmental review pursuant to Section 15061(b)(3) of the State Guidelines implementing the California Environmental Quality Act of 1970, as amended; and

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

SECTION 1. AMENDMENT OF CHAPTER 14.88 OF THE MUNICIPAL CODE. Chapter 14.88 of the Los Altos Municipal Code are hereby amended as set forth in Appendix A to this Ordinance, underline indicating addition, and strikethrough indicating deletion.

SECTION 2. AMENDMENT OF CHAPTER 14.88 OF THE MUNICIPAL CODE. Chapter 14.88 of the Los Altos Municipal Code is hereby amended as set forth in Exhibit A to this Ordinance, underline indicating addition, and strikethrough indicating deletion.

SECTION 3. CONSTITUTIONALITY; AMBIGUITIES. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions hereof. Any ambiguities in the Los Altos Municipal Code created by this Ordinance shall be resolved by the Director of Development Services, in their reasonable discretion, after consulting the City Attorney.

SECTION 4. PUBLICATION. This Ordinance shall be published as provided in Government Code Section 36933.

SECTION 5. EFFECTIVE DATE. This Ordinance shall be effective upon the commencement of the thirty-first day following the adoption hereof.

The foregoing Ordinance was duly and properly introduced at a regular meeting of the City Council of the City of Los Altos held on __, 2023, and was thereafter, at a regular meeting held on __, 2023, passed and adopted by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

Sally Meadows, MAYOR

Attest:

Melissa Thurman, MMC, CITY CLERK

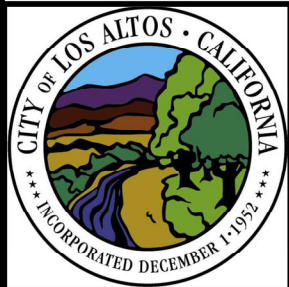
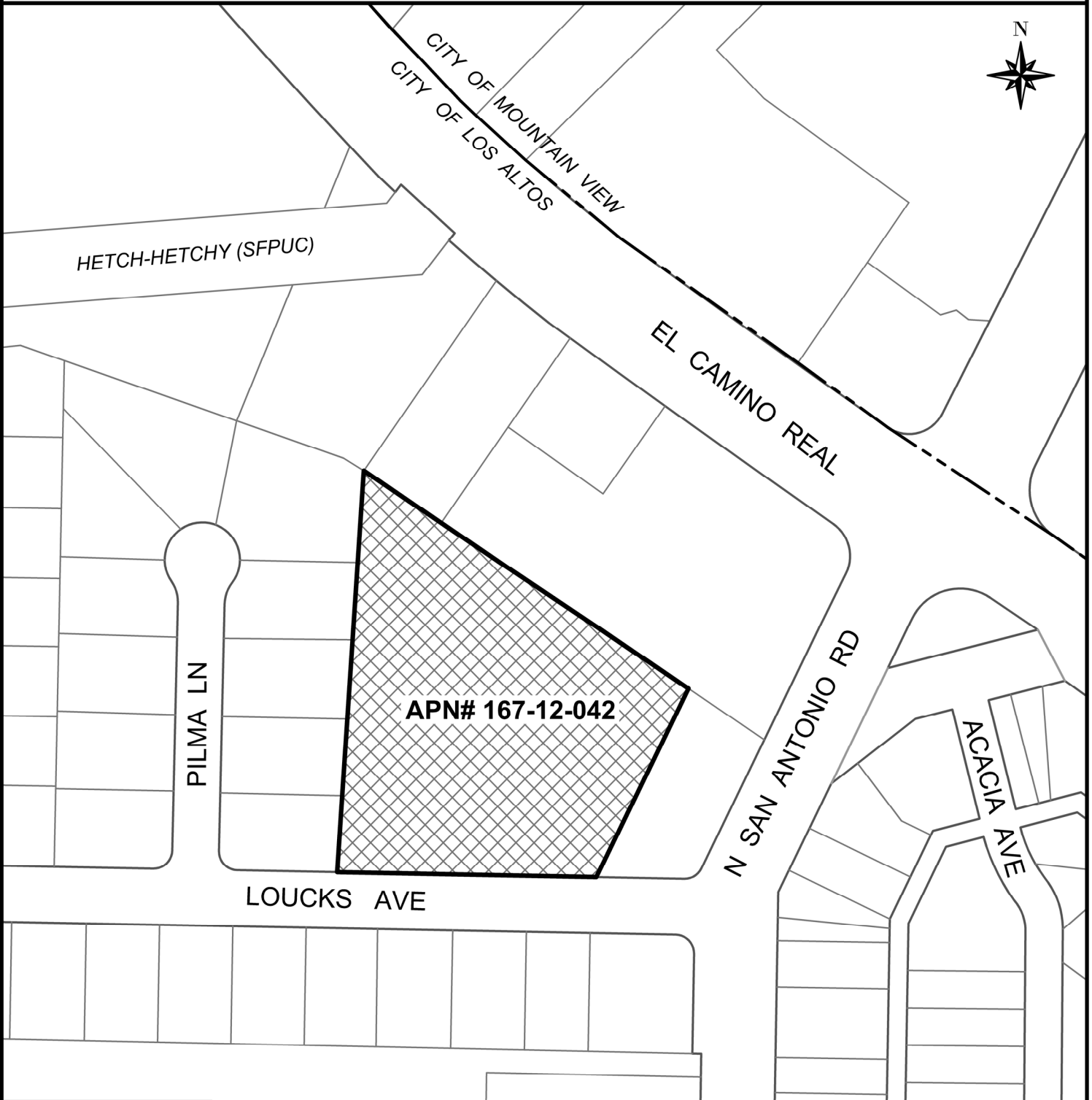
EXHIBIT A
AMENDMENTS TO CHAPTER 14.88

ORDINANCE #3, APPENDIX A

14.88.730 – Zoning map amended.

- A. The property located at 4546 El Camino Real, APN: 16712042 also known as “Village Court”, as delineated on Rezoning Map No. 23-Z-01, attached hereto and incorporated herein by reference, are hereby included within the Commercial Thoroughfare (CT) Zoning District.
- B. The zoning map is amended in accordance with the provisions of the section and the district boundaries are so designated.

Exhibit to Ordinance No. TBD



DRAWN	VW
CHECKED	NZ
APPROVED	NZ
DATE	10/12/2023
SCALE	1" = 150'
DWG NO.	23-Z-01

PLANNING DIVISION
CITY OF LOS ALTOS SANTA CLARA COUNTY, CALIFORNIA

Rezoning Map No. 23-Z-01
APN 167-12-042 - R1-10 to CT



AGENDA REPORT SUMMARY

Meeting Date: November 28, 2023

Subject Tree Protection Ordinance

Prepared by: Tania Katbi, Sustainability Coordinator

Reviewed by: Nick Zornes, Development Services Director

Approved by: Gabriel Engeland, City Manager

Attachment(s):

- 1. Draft Ordinance
- 2. Appendix A
- 3. Draft Resolution – Establishment of New Fee Schedule

Initiated by:

City Council

Previous Council Consideration:

May 24, 2022

Fiscal Impact:

A certified arborist was contracted in February of 2023, for a fee of \$10,000. Funds were used in Fiscal Year 22/23 from the Sustainability Fund.

Environmental Review:

This Ordinance is exempt from environmental review pursuant to Section 15061(b)(3) of the State Guidelines implementing the California Environmental Quality Act of 1970.

Summary:

- The City’s Tree Protection Ordinance (Los Altos Municipal Code Chapter 11.08) provides regulations regarding the removal of certain types of trees within the City of Los Altos.
- The Ordinance was last updated in 2007 and required updating to remain relevant and reflect the changing environment and current policies.
- On May 24, 2022, the City Council tasked the Environmental Commission to work with City staff to review the Ordinance and recommend changes as needed.
- Following the hiring of new Sustainability staff in October 2022, staff began conducting research and peer review with the Environmental Commission’s continued support on the policy level.

Reviewed By:

City Manager

GE

City Attorney

JH

Finance Director

JD



Subject: Tree Protection Ordinance

-
- In February 2023, staff began working with a certified arborist to engage in and provide technical and policy recommendations to inform the update.
 - In August 2023, Staff presented the final policy updates to the Environmental Commission for review and comment.

Staff Recommendation:

Introduce and waive further reading of an ordinance of the City Council of the City of Los Altos amending Chapter 11.08 Tree Protection Regulations.

Purpose

To update the City’s Tree Protection Ordinance to reflect current policies and procedures, protect the City’s vibrant urban forest, maintain tree canopy that contributes to carbon sequestration, and provide clear tree removal criteria for both residents and city staff.

Background

The City’s Tree Protection Ordinance provides regulations regarding the removal of certain types of trees within the City of Los Altos. The Ordinance was last updated in 2007 and required updating to remain relevant and reflect the changing environment, current policies, and best management practices.

Staff worked with a consultant for technical expertise who provided policy recommendations that were based on an analysis of current policies and procedures. To incorporate the recommendations into the ordinance, staff collaborated with the Planning Division (the Division within the City that reviews Tree Removal Permits) and the Environmental Commission.

Discussion/Analysis

Staff is proposing amendments and additions to the ordinance in the following areas to remain in alignment with the tree policies of neighboring jurisdictions, to preserve the City’s vibrant tree canopy, and to help meet our climate adaptation goals:

- Definition of a protected tree
- Criteria for removal
- Replacement requirements

Definition of a protected tree: In order to protect more existing trees, staff recommends that all trees to be protected at a smaller diameter of 12 inches rather than the previous diameter of 15 inches. This also includes protecting native trees at a diameter of 10 inches as natives require less care, have a better chance of survival, provide food and shelter for local wildlife, and can withstand California’s drought conditions.



Subject: Tree Protection Ordinance

Criteria for removal: Tree protection ordinances have a number of key elements, including circumstances under which a tree may be removed. Clear decision-making criteria can often reduce misunderstandings and conflicts later in the process. In collaboration with the certified arborist, staff updated and clarified the current language. Arborists met with staff from various departments and discussed operational impressions of the ordinance in its current form. They reviewed relevant materials and benchmarked with surrounding cities on key issues and identified areas for improvement. To align with the CAAP, which calls for preserving, protecting, and growing the urban forest as a key element in sequestering carbon, the updated decision-making criteria and replacement system integrate these goals and focus on preserving and growing a healthy tree canopy.

Tree replacement: A section in the updated ordinance has been added to include tree replacement guidelines as follows: trees approved for removal shall be replaced in-kind, with some exceptions. In cases or at sites where smaller trees at maturity are proposed, more trees will be required. For example, if a 45-inch diameter tree is removed, and the applicant is proposing to replace it with a species that would reach 20 inches at maturity, two additional trees would be required. Applicants will be required to work with an arborist to determine appropriate tree replacement and develop a tree replacement plan. In cases where no tree can be replaced on-site, the applicant will be required to pay an in-lieu fee in an amount set by council. The City will utilize these funds to purchase, plant, maintain and monitor trees on public lands, or support the City’s urban forestry management goals. In-lieu fees vary amongst jurisdictions, below is a table summarizing various in-lieu options mainly in Santa Clara County.

Jurisdiction	In Lieu Fee
Los Altos	No
Campbell	Yes: In-lieu fee is equal to the fair market value of a standard City street tree (delivered and installed).
Cupertino	Yes
Gilroy	Yes: In lieu fee is equal to the value of the replacement trees required as specified. The in-lieu payment shall include funds sufficient for the care of the replacement tree during their establishment period.
Los Altos Hills	Not specified
Los Gatos	Yes: in-lieu fee \$250 for each 15 gallon and each 24" Box Replacement Tree In-Lieu Fee* \$500 for each 36" Box Replacement Tree In-Lieu Fee*
Menlo Park	\$100-\$7,000 based on trunk diameter.
Milpitas	Not specified



Subject: Tree Protection Ordinance

Monte Sereno	Not specified
Jurisdiction	In Lieu Fee
Morgan Hill	Not specified
Mountain View	\$750.00
Palo Alto	\$650.00
San Jose	\$775.00
Santa Clara	Not specified
Saratoga	Not specified
Sunnyvale	Yes: In -lieu fee shall be paid in accordance with the City's adopted Fee Schedule.

Tree Removal Application Fees: Staff conducted research on cities in Santa Clara County to compare tree removal application fees. Research showed that the City of Los Altos' fee is significantly lower than the surrounding cities. Staff recommend increasing the application fee, including a fee per tree. Below is a table showing tree permit removal fees in the county:

Jurisdiction	Permit Fee	Additional Tree Fee
Los Altos	\$75.00	No
Campbell	\$249.00	\$78.00
Cupertino	\$328.00	\$165.00
Gilroy	\$313.00	No
Los Altos Hills	\$250.00	No
Los Gatos	\$250.00	\$125.00
Milpitas	\$247.00	no
Monte Sereno	\$100.00	no
Morgan Hill	\$120.00	no
Mountain View	\$116.00	\$58.00
Palo Alto	\$472.00	no
San Jose	\$268.00	\$33.00
Santa Clara	\$295.00	no
Saratoga	\$130.00	no
Sunnyvale	\$373.00	no



Subject: Tree Protection Ordinance

Recommendation

Introduce and waive further reading of an ordinance of the City Council of the City of Los Altos amending Chapter 11.08 Tree Protection Regulations to update current policies.

ORDINANCE NO. 2023-__

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS
AMENDING CHAPTER 11.08 OF TITLE 11 MISCELLANEOUS PROPERTY
REGULATIONS OF THE LOS ALTOS MUNICIPAL CODE FOR TREE PROTECTION
REGULATIONS**

WHEREAS, the City Council requested that the Environmental Commission work with City Staff to amend the City’s Tree Protection Ordinance to further implement the adopted Climate Action and Adaptation Plan (CAAP); and

WHEREAS, the amendments was processed in accordance with the applicable provisions of the California Government Code and the Los Altos Municipal Code; and

WHEREAS, the City Council held a duly noticed public meeting on November 14, 2023, and November 28, 2023; and

WHEREAS, this Ordinance is exempt from environmental review pursuant to Section 15061(b)(3) of the State Guidelines implementing the California Environmental Quality Act of 1970, as amended; and

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

SECTION 1. AMENDMENT OF TITLE 11 OF THE MUNICIPAL CODE. Chapter 11.08 is hereby amended of the Los Altos Municipal Code as set forth in Appendix A to this Ordinance.

SECTION 2. CONSTITUTIONALITY; AMBIGUITIES. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions hereof. Any ambiguities in the Los Altos Municipal Code created by this Ordinance shall be resolved by the Development Services Director, in their reasonable discretion, after consulting the City Attorney.

SECTION 3. PUBLICATION. This Ordinance shall be published as provided in Government Code Section 36933.

SECTION 4. EFFECTIVE DATE. This Ordinance shall be effective upon the commencement of the thirty-first day following the adoption hereof.

The foregoing Ordinance was duly and properly introduced at a regular meeting of the City Council of the City of Los Altos held on November 14, 2023, and was thereafter, at a regular meeting held on November 28, 2023, passed and adopted by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

Sally Meadows, MAYOR

Attest:

Melissa Thurman MMC, City Clerk

**APPENDIX A
AMENDMENTS TO CHAPTER 11.14**

APPENDIX A

Chapter 11.08 TREE PROTECTION REGULATIONS

11.08.010 Purpose and Intent.

The purpose of this chapter is to protect and promote the growth of a healthy and sustainable tree canopy in Los Altos. Trees in Los Altos are highly valued by the community and provide several benefits, including shade and climate resilience, habitat for wildlife, carbon sequestration and improved air quality, protection against wind and flood hazards, and aesthetic quality.

This chapter establishes standards for proper tree removal and replacement, preservation, and protection during construction.

11.08.0120 Definitions.

The following words and phrases when used in this article shall have the meaning set forth herein, except where the context clearly indicates a different meaning:

"Damage" means any intentional action or negligence which causes injury, death or disfigurement of a tree. Actions include, but are not limited to, cutting, girdling, poisoning, overwatering, unauthorized relocation or transportation of a tree or trenching, excavating, altering the grade or paving within the dripline of a tree.

"Certified Arborist" – means a person having expertise in the care and maintenance of trees, who is certified by the International Society of Arboriculture (ISA) or the American Society of Consulting Arborists (ASCA).

"Development review application" means application for land alteration or development, including but not limited to tentative subdivision map, design review, variance, use permit, rezoning, planned unit development and tree removal.

"Dripline" means the outermost line of the tree's canopy projected straight down to the ground surface. As depicted in a plan view, the dripline generally appears as an irregularly shaped circle.

"Heritage tree" means any tree so designated by the historical commission, based on the finding that the tree has character, interest, or value as part of the development of, and/or exemplification of, the cultural, educational, economic, agricultural, social, indigenous, or historical heritage of the city.

"Native Species" – as defined by list on file with the Development Services Department.

Protected Tree (See Section 11.08.040).

"Significant Pruning" means the cutting or taking away of more than thirty-three percent of the living foliage material (including branches) of a tree in any twelve (12) month period such that it damages a tree as determined by a certified arborist or as otherwise determined by the Development Services Director ~~planning director~~. (See the definition for tree removal in this section.)

~~"RI" means any single family residential zoning district, for example, Ri-b, RI-20, Ri-H, R1-40.~~

"Remove" (See the definition for tree removal in this section).

"Tree" means a woody perennial plant characterized by having a main stem or trunk or a multi-stemmed trunk system with a more or less definitely formed crown, and is usually over ten (10) feet high at maturity.

"Tree removal" means the removal of a tree, including significant pruning. (See the definition for significant pruning in this section).

“Undesirable/Invasive Species” - as defined by list on file with the Development Services Department.

(Prior code § 10-2.26501)

11.08.0230 Application of chapter.

This chapter shall apply to every owner of real property within the city and to every person responsible for removing a tree regardless of whether such person is engaged in a tree removal business.

(Prior code § 10-2.26502)

11.08.0340 Actions prohibited.

- A. It is unlawful to damage or kill any protected tree;~~and~~
- B. It is unlawful to remove any protected tree from private or public property in any zoning district without first obtaining a tree removal permit.

(See Section 11.08.160 for violation/penalties).

(Prior code § 10-2.26503)

11.08.0450 Protected trees.

A protected tree is any of the following:

- A. Any tree that is ~~forty-eight (48)~~ thirty-eight (38) inches in circumference (12 inches in diameter) measured at forty-eight (48) inches (4-feet) above grade;
- B. Any tree of a native species that is ten (10) inches in diameter or greater measured at forty-eight (48) inches above grade;
- CB. Any tree designated by the historical commission as a heritage tree or any tree under official consideration by the historical commission for heritage tree designation;
- C. Any tree which was required by the city to be either saved or planted in conjunction with a development review application.

(Ord. 07-314 § 2 (part); prior code § 10-2.26504)

11.08.0560 Heritage tree designations.

- A. Applications. Applications for designation of a heritage tree may be filed by the owner of the property on which the tree is located. The city council or planning commission or zoning administrator may also, by resolution or motion, refer a proposed designation to the historical commission, or the historical commission may also consider a proposed designation upon its own initiative. Applications by property owners shall be prepared in accordance with instructions provided by the ~~planning director~~ Development Services Director.
- B. Study. The historical commission shall conduct a study of the proposed heritage tree, based upon such information or documentation as it may require from the applicant, the commission staff, or from other available sources.
- C. Property owner notification. The historical commission shall notify the owner of the property on which the tree is located of the meeting at which the commission will consider the tree for designation. The notice shall

be mailed to the recorded owner(s) as shown on the last equalized assessment roll and shall be mailed at least thirty (30) days prior to the meeting unless the property owner(s) agree in writing to a lesser notification period. Failure to receive notice shall not invalidate any proceedings under this chapter.

- D. Action on designation. The historical commission may either recommend ~~denial~~ or approve ~~of~~ designation based on the criteria outlined in Section 12.44.030 of this code.

(Prior code § 10-2.26505)

11.08.0670 Tree removal permits required.

In order to remove any protected tree, a tree removal permit must be obtained. All applications for a tree removal permit shall be prepared in accordance with instructions provided by the Development Services Director ~~planning director, and when the application is filed independent of any other development review application, it shall be accompanied by a fee which shall be established by city council resolution.~~

(Prior code § 10-2.26506)

11.08.0780 Approval authority.

Notwithstanding the provisions of Section 11.08.100 of this chapter, the approval authority for tree removal requests shall be as follows:

- A. For heritage trees: the approval authority shall be the historical commission.
- B. For all other protected trees:
 1. The approval authority for tree removal ~~requests filed independent of any other development review application~~ shall be the ~~planning director~~ Development Services Director.
 2. ~~The approval authority for tree removal requests filed in conjunction with another development review application shall be the same approval authority as established by this code for the accompanying development review application. Trees removed in conjunction with a development review application will conform to the determination on permit and tree replacement sections of this chapter.~~

(Prior code § 10-2.26507)

11.08.0890 Notification.

~~When a tree removal application involves a tree(s) which was designated for preservation at the request of a neighboring property owner(s) in conjunction with a development review application, the current owner(s) of said neighboring property(s) shall be notified of the meeting at which the approval authority will consider the tree removal. The notice shall be mailed to the recorded owner(s) as shown on the last equalized assessment roll and shall be mailed at least ten (10) days prior to the meeting. Failure to receive notice shall not invalidate any proceedings under this chapter. Once the City issues a Tree Removal Permit, city staff or, at their discretion, the applicant, shall post notice of the decision on the application for such permit on the subject property and shall be legible from the public right-of-way. Such notice shall state the decision on the application and shall provide information on the appeal process pursuant to this Chapter.~~

(Prior code § 10-2.26508)

11.08.09100 Determination on permit.

A. Criteria. Each application for a tree removal permit shall be reviewed and determined ~~on the basis of~~ based on the following tree removal criteria:

- 1. The tree is dead, in poor health (as defined in the most recent edition of the Guide for Plant Appraisal), or has a risk rating of moderate, high, or extreme which cannot be mitigated through sound arboricultural practices to a low-risk rating.
- 2. The tree species is identified as an invasive or undesirable species (as defined by list on file with the Development Services Department).
- 3. The tree is interfering or will interfere with a utility, public transportation, waterway, or other public infrastructure system.
- 4. The tree is causing damage to an enclosed structure which cannot be mitigated in another way.
- 5. Preservation of the tree will impede the use of real property and no reasonable or feasible alternative (as determined by the Development Services Director) exists to preserve the tree in the current location.

- ~~1. The condition of the tree with respect to disease, imminent danger of falling, proximity to existing or proposed structures and interference with utility services;~~
- ~~2. The necessity to remove the tree for economic or other enjoyment of the property;~~
- ~~3. The topography of the land and the effect of the tree removal upon erosion, soil retention and the diversion or increased flow of surface waters;~~
- ~~4. The number, species, size and location of existing trees in the area and the effect the removal would have upon shade, privacy impact, scenic beauty, property values and any established standards of the area;~~
- ~~5. The number of healthy trees the property is able to support according to good forestry practices;~~
- ~~6. The approximate age of the tree compared with average life span for that species;~~
- ~~7. Whether there are any reasonable and feasible alternatives that would allow for the preservation of the tree.~~

B. Additional recommendations. The approval authority may refer the application to another department, commission or person for a report and recommendation. The approval authority may also require the applicant to furnish a written report from an independent ~~tree expert~~ certified arborist acceptable to the approval authority; such report shall ~~to~~ be obtained at the expense of the applicant.

C. Action. Based on the criteria outlined in subsection A of this section, the approval authority shall either approve, conditionally approve, or deny the application. Conditions of approval may require any of the following:

- 1. One or more replacement trees be planted as outlined in section 11.08.120 Tree Replacement Criteria;
- 2. Payment of an in-lieu fee in compliance with section 11.08.120;
- 3. A combination of replacement trees and in-lieu fees that in total provide for the number of replacement trees as outline in section 11.08.110. of a species and size and at locations as designated by the approval authority. When deciding upon replacement tree(s), the approval authority will take into consideration: (1) the cost of replacement trees; and (2) the wishes of the property owner

~~relative to the species of tree to be planted. Any such replacement trees shall be obtained and planted at the expense of the applicant.~~

(Prior code § 10-2.26509)

11.08.10110 Emergency waivers and exemptions.

- A. In case of emergency caused by hazardous or dangerous condition of a tree requiring immediate action for the safety of life or property, a tree may be removed upon the order of the ~~planning director~~ Development Services Director, the ~~director of public works~~ Public Works Director or any member of the police or fire department without the necessity of applying for a tree removal permit;
- B. Employees of the city may take such action with regard to trees on city-owned property as may be necessary to maintain the safety of city operations and/or the safe conditions on city property, without the necessity of applying for a tree removal permit; and
- C. Public utilities subject to the jurisdiction of the public utilities commission of the state of California may also take such action as may be necessary to comply with the safety regulations of said commission and as may be necessary to maintain a safe operation of their facilities without the necessity of applying for a tree removal permit.

Prior code § 10-2.26510)

11.08.120 Tree Replacement.

- A. Trees approved for removal (including dead trees) shall be replaced based on the number and size of trees approved for removal as follows:
 - 1. Replace the tree 1:1 with a tree of a similar size canopy at maturity.
 - 2. Where 1:1 replacement in kind is not feasible, replace the tree with two (2) or more trees, such that the replacement trees (combined) provide a similar size canopy at maturity.
 - 3. Replacement tree shall be a minimum of 24-inch box size container unless a smaller container is recommended by the Certified Arborist based on tree species or planting location.
- B. The Development Services Director shall have the authority to approve an increase in the number of the on-site replacement trees and reduce the required size of the trees, when appropriate.
- C. Replacement Plan. A tree replacement plan prepared by a Certified Arborist shall be made a requirement of the Tree Removal Permit and be provided with the Tree Removal Application. It shall include and adhere to the following:
 - 1. The number, species and site plan of the proposed location of replacement trees;
 - 2. Replacement trees shall be planted within thirty (30) days from removal of the tree, unless accepted arboricultural practices dictate a preferential planting period based on the species chosen as the replacement tree and seasonal factors;
 - 3. Any person who is required to plant replacement trees as a condition of a tree removal permit shall maintain such trees in a healthy condition to ensure their long-term survival;
 - 4. Replacement trees shall be obtained and planted at the expense of the applicant.
- D. Where replacement is not possible on site as determined by the Certified Arborist, the applicant shall pay an in-lieu fee in an amount set forth by the City Council, and shall be paid to the Street Tree Fund.

(Supp. No. 37)

11.08.130 Appeals.

Any action of the approval authority may be appealed by the applicant or any interested party to the city council. Said appeal shall be in writing, shall state the reasons for the appeal, shall be accompanied by a fee which shall be set by city council resolution and shall be filed with the city clerk within ten (10) calendar days of the decision.

(Prior code § 10-2.26511)

11.08.1240 Tree protection during construction.

Protected trees designated for preservation shall be protected during development of a property by compliance with the following, which may be modified by the ~~planning director~~ Development Services Director:

- A. Protective fencing shall be installed no closer to the trunk than the dripline, and far enough from the trunk to protect the integrity of the tree. The fence shall be a minimum of ~~five~~ four feet in height and shall be set securely in place. The fence shall be of a sturdy but open material (i.e., chainlink), to allow visibility to the trunk for inspections and safety. There shall be no storage of any kind within the protective fencing. The fence shall be in place until construction has been completed.
- B. The existing grade level around a tree shall normally be maintained out to the dripline of the tree. Alternate grade levels may be approved by the Development Services Director ~~planning director~~.
- C. Drain wells shall be installed whenever impervious surfaces will be placed over the root system of a tree (the root system generally extends to the outermost edges of the branches).
- D. Trees that have been damaged by construction shall be repaired in accordance with accepted arboriculture methods. If a tree is damaged beyond repair, damage shall be categorized as a violation in accordance with Section 11.08.160 and shall require replacement tree(s) in accordance with Section 11.08.120.
- E. No signs, wires, or any other object shall be attached to the tree.

(Ord. 07-314 § 2 (part); prior code § 10.2.26513)

11.08.1350 Delegation of functions.

The ~~planning director and director of public works~~ Development Services Director may delegate any or all of the administrative duties authorized by this chapter to one or more staff members.

(Ord. 07-314 § 2 (part); prior code § 10-2.26514)

11.08.1460 Violations—Penalties.

The violation of any provision contained in this chapter is hereby declared to be a misdemeanor and shall be punishable as prescribed in Chapter 1.20 of this code. Violations pursuant to this section of the code shall incur a penalty fine for each tree removed without proper authorization. In addition thereto, any person unlawfully removing or destroying any protected tree without a permit shall be penalized as follows:

- A. Replacing the unlawfully removed tree with one or more new trees ~~which, in accordance with section 11.08.120 or~~ in the opinion of the ~~planning director~~ Development Services Director, will provide equivalent aesthetic quality in terms of size, height, location, appearance and other characteristics of the unlawfully removed tree.

- B. Where replacement trees will not provide equivalent aesthetic quality because of the size, age or other characteristics of the unlawfully removed tree, the ~~planning director~~ Development Services Director shall calculate the value of the removed tree in accordance with the latest edition of the Guide for Establishing Values of Trees and Other Plants, as prepared by the council of tree and landscape appraisers. Upon the determination of such value, the Development Services Director ~~planning director~~ may require either a cash payment to the city to be added to the Street Tree Fund ~~street tree fund~~, or the planting of replacement trees as designated by the ~~planning director~~ Development Services Director, or any combination thereof, in accordance with the following:
1. To the extent that a cash payment is required for any portion or all of the value of the removed tree, such payment shall be doubled to reflect the estimated installation costs that would be incurred if replacement trees are planted; and
 2. To the extent that the planting of replacement trees is required, the retail cost of such trees, as shown by documentary evidence satisfactory to the ~~planning director~~ Development Services Director, shall be given for transportation, installation, maintenance and other costs incidental to the planting and care of the replacement trees.
- C. Any person who is required to plant replacement trees pursuant to subsection A or B of this section shall maintain such trees in a good and healthy condition, as determined by the Development Services Director ~~planning director~~. The ~~planning director~~ Development Services Director may require a maintenance bond or other security deposit approved by the city finance department which shall be provided to the city by the person required to plant replacement trees. The bond shall be in an amount of money and for a period of time determined by the ~~planning director~~ Development Services Director.

(Ord. 07-314 § 2 (part); prior code § 10-2.26515)

RESOLUTION NO. 2023-XX

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS
AMENDING TREE REMOVAL PERMIT FEE STRUCTURE**

WHEREAS, the Los Altos Municipal Code specifies that certain fees and charges shall be set by Resolution of the City Council; and

WHEREAS, these fees and charges should be in amounts sufficient to recover the costs incurred by the City with respect to the functions to be performed by the City; and

WHEREAS, in the event that the replacement tree as required by ordinance is not feasible an applicant may make payment of an in-lieu fee as established by this resolution.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Los Altos hereby adopts the following fees:

	FEE
Tree Removal Permit (1 tree)	\$300.00
Tree Removal Permit (each additional tree)	\$150.00
In-Lieu Tree Replacement	\$1,200.00

BE IT FURTHER RESOLVED that all other fees previously established by other City Council Resolution or Ordinance remain in effect.

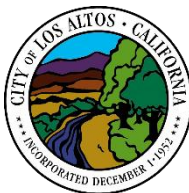
I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution passed and adopted by the City Council of the City of Los Altos at a meeting thereof on the XX day of December 2023 by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

Sally Meadows, MAYOR

Attest:

Melissa Thurman MMC, City Clerk



AGENDA REPORT SUMMARY

Meeting Date: November 14, 2023

Subject Report Out on Shared Police Services Study With Los Altos Hills

Prepared by: Gabriel Engeland, City Manager

Attachment(s): Attachment 1: Initial Assessment for Los Altos/Los Altos Hills Police Services
Attachment 2: August 22, 2023 Staff Report, City of Los Altos
Attachment 3: August 17, 2023 Staff Report, Town of Los Altos Hills

Initiated by:
Request from the Town of Los Altos Hills

Previous Council Consideration: August 22, 2023

Background:

At the regular City Council meeting on August 22, 2023, the City Council considered a request from the Town of Los Altos Hills to engage in an initial assessment of the feasibility of shared police services. This report provides the results of the initial analysis and is included as attachment 1.

Fiscal Impact:

\$25,000 from the General Fund.

Environmental Review:

This action does not qualify as a “Project” as defined in California Government Code Section 15378(b) of the Guidelines for California Environmental Quality Act (CEQA), and it is also considered a feasibility or planning study for possible future action and exempt under CEQA Guidelines 15262.

Policy Question(s) for Council Consideration:

Does the City Council wish to further examine the possibility of developing an agreement for shared law enforcement services?

If the City Council does wish to proceed, will the City Council authorize \$25,000 from the general fund to complete a formal analysis?

Summary:

The City of Los Altos and the Town of Los Altos Hills completed an initial assessment (attachment 1) of the feasibility of shared police services after Council authorization on August 22, 2023 (attachment 2).

The results of the initial assessment show that shared services may be feasible, but more analysis is necessary if the Town and the City are interested in pursuing a shared police model.



Subject: Report Out on Shared Police Services Study With Los Altos Hills

The initial assessment was paid for entirely by the Town of Los Altos Hills. Each of the models considered in the assessment assumed that shared Police services would improve policing in both jurisdictions. Should the City Council wish to complete a formal study, staff believes it is appropriate to share in these costs as there are benefits to both parties in further exploration. The current estimate of a formal study is expected to be \$50,000 with each jurisdiction providing 50% of the necessary funds. Should the ultimate study, if approved, cost more or less than this estimate, each jurisdiction would continue to provide 50% of the funding.

Staff Recommendation:

Discuss the initial analysis and information in this staff report and provide direction as to whether the City Council would like to further study shared Police services with Los Altos Hills.

If the City Council would like to proceed, direction should include the approval of increasing the current budget by \$25,000 in the General Fund.

Purpose:

Through their respective City Councils, the Cities of Los Altos and the Town of Los Altos Hills agreed to examine the possibility of developing an agreement for shared law enforcement services. The result of this analysis are contained in the staff report as attachment 3 and is intend to provide leadership in the City and the Town with preliminary data so both jurisdictions:

- (1) are informed about progress,
- (2) have the opportunity to provide direction on the types of information needed for future decisions, and
- (3) may confirm if they wish to complete a formal study.

Discussion/Analysis:

At the regular City Council meeting on August 22, 2023 the City Council considered a request from the Town of Los Altos Hills to engage in an initial assessment of the feasibility of shared police services. The results of the initial assessment show that shared services may be feasible, but more analysis is necessary if the Town and the City are interested in pursuing a shared police model.

The initial analysis provides high-level, conceptual outlines of feasibility, structure, operational evaluations, and a potential financial model. It is expected each of these areas would be further developed or refined through the completion of a formal study.

It is important to note that the data provided in this staff report, including the initial assessment, is informational only and that any action to change law enforcement service providers by the Town of Los Altos will be conducted in a manner consistent with state and Los Altos Hills services procurement policies.

Additionally, the discussions to date, and/or any further studies do not constitute any agreement between the parties. Any item outside of the initial assessment and the further, formal study would approval by the City Council of the City of Los Altos.



Subject: Report Out on Shared Police Services Study With Los Altos Hills

Staff Recommendation:

Discuss the initial analysis and information in this staff report and provide direction as to whether the City Council would like to further study shared Police services with Los Altos Hills.

If the City Council would like to proceed, direction should include the approval of increasing the current budget by \$25,000 in the General Fund.



**To: Peter Pirnejad, Los Altos Hills City Manager
Gabriel Engeland, Los Altos City Manager**
From: Brian Uhler, MRG Consultant
RE: Initial Assessment for Los Altos/Los Altos Hills Police Services

November 2, 2023

Purpose

Through their respective City Councils, the Cities of Los Altos (LA) and Los Altos Hills (LAH) have agreed to examine the possibility of developing an agreement for shared law enforcement services. This document is to provide leadership with preliminary data so both jurisdictions:

- (1) are informed about progress,
- (2) have the opportunity to provide direction on the types of information needed for future decisions, and
- (3) may confirm their desire to continue to move forward (or not).

Feasibility

In initial meetings, there were a few broad requirements which were viewed as being essential:

- Improvement of service level/coverage for both jurisdictions
- Financial tracking mechanism to ensure fairness and transparency
- For LAH, costs must be reasonably close to current spending levels
- For LA, adequate time is needed for proper implementation

Structure

At the onset, legal experts were queried to ensure ongoing discussions and any future agreement would conform to California law. For example, we learned a simple agreement where LA would provide services to LAH would not require Local Agency Formation Commission (LAFCo) involvement. One local model which may serve as an example between Los Gatos and Monte Sereno has been successfully deployed since 1995.

Operational Evaluation Elements Overview

Law enforcement deployment and staffing studies are commonplace. Most rely on a variety of established parameters which typically include¹:

1. Crime trends
2. Per capita comparisons
3. Existing/historical staffing levels or minimum staffing policy
4. Budget-driven decisions
5. Workload based models (call for service volume)

1. ICMA, Center for Public Safety Management (review of 62 agencies analyzed by ICMS).
https://icma.org/sites/default/files/305747_Analysis%20of%20Police%20Department%20Staffing%20_%20McCabe.pdf



Political realities affecting increases or decreases in the level of law enforcement funding, have been added in recent years. A more recent concern is understaffing for virtually all California agencies—now at lowest statewide levels since 1991². Of course, this causes hiring pressures for virtually all jurisdictions.

Schedule modeling for workload analysis in larger agencies can be quite time-consuming, costly, and complex. In these agencies, over extended periods of time, professional evaluators drill down into workload details, such as how often certain events take place and how long it takes personnel “on-the-scene” to handle such events. They do this for every type of service call and administrative function (e.g. training or court). In addition, some agencies seek to align workload demands by the time of day and day of week. Ultimately, such agencies seek to schedule enough personnel during peak times and balance the workload while maintaining some ideal level of unassigned preventive patrol time (called an “availability factor”).

For smaller agencies, other dynamics or realities negate the need for detailed and costly analysis. For example, size, population, or call volume, may readily justify a single officer working at certain times; however, practical deference to officer safety may dictate two officers on the schedule. Another practical consideration for smaller jurisdictions is the fact that “big” events do not happen often or happen at sporadic times/days. Anticipating or staffing for these is just not feasible. For these events, smaller agencies typically rely on mutual aid agreements with neighboring jurisdictions. Lastly, in smaller agencies, the total number of sworn staff often limits police leaders’ ability to deploy staff proportionately to the workload (e.g. peak activity hours may justify added staff, but doing so would run afoul of minimum staffing requirements during other times).

Financial Model

The LA/LAH law enforcement services working group, to include both City Managers, considered three financial structure models as follows:

- (1) Dedicated Position Basis—Specific positions are funded by the receiving jurisdiction
- (2) Call for Service Basis—Total budget shared proportionately by call volume
- (3) Service Hour Basis—Cost-per-hour coupled with agreed service levels

Through extensive discussions, the group believed using the Dedicated Position Basis provides the best structure for both jurisdictions. First, it provides maximum transparency and simplicity by defining specific positions with their funding source. Second, it provides clearly defined coverage. Third, when coupled with provisions for administrative overhead costs, it covers all costs for the services provided to the receiving jurisdiction.

NOTE: The Call for Service basis was overly complicated by the “residential only” nature of LAH. Further, the Service Hour Basis model implies a time-consuming, complex, and impractical accounting of all personnel’s activities on a minute-by-minute basis.

2. California Public Policy Institute, Law Enforcement Staffing in California, February, 2023 Fact Sheet. www.ppic.org/publication/law-enforcement-staffing-in-california/



Los Altos/Los Altos Hills Evaluation Elements

To guide future decisions and stay within reasonable budgetary and time constraints, the below combination of measures, commonly used in smaller jurisdictions, are provided. Ultimately, these data points may be used to guide staffing levels (and costs). This way, both jurisdictions fund sufficient staffing to handle “their” workload while they simultaneously provide mutually beneficial back-up/field operations capacity. Conversely, if one jurisdiction is comparatively understaffed, the other jurisdiction would disproportionately and unfairly prop-up the other.

ELEMENT 1: Call workload compared to sworn staff

Los Altos had 14,176 calls for service (FY 22/23). With its 32 officers, this equates to 443 calls per sworn position.

Los Altos Hills had 1,583 calls for service (calendar 2022). Using the same ratio, a total of 3.57 officer positions would be needed to provide the same level of sworn staff coverage on a per call basis.

NOTE: This element may seem to conflict with Element #3 (3.57 versus 8.37 officers). However, due to having a business component, call volume for Los Altos, per capita, is higher. By subtracting an estimated 40% of all Los Altos calls (related to businesses), Los Altos Hills would then need 5.95 officers to “cover” its residential call volume at the same level currently staffed by Los Altos.

ELEMENT 2: Call workload compared to budget

Los Altos—14,176 calls with PD budget of \$14,769,116* equates to \$1,042/call
 Los Altos Hills—1,583 calls with budget of \$2,416,044 equates to \$1,526/call

The cost-per-call difference, suggests adding approximately 30% more service hours for Los Altos Hills could be accomplished at about the same cost.

*NOTE: Contracted fire services are subtracted from total PD budget of \$23,617,027

ELEMENT 3: Sworn staffing per capita

Los Altos, at a population of 31,625, has 32 sworn staff. This equates to 1.01 police officers per 1000.

Los Altos Hills has a population of 8,295. To match this ratio, Los Altos Hills would need the services of 8.37 sworn personnel.

Here, a simple ratio does not adequately describe the deployment situation. A portion of Los Altos’ sworn staff are administrative personnel, who would be providing their services for both jurisdictions. By comparing personnel who are assigned to field duties in Los Altos (27), the number of sworn personnel needed by Los Altos Hills to “match” drops to 7.08 officers.



ELEMENT 4: Existing/Historical and Minimum Staffing

Los Altos: Current minimum complement of 3 sworn (1 Sgt plus 2 officers)
 Los Altos Hills: Minimum of 1 sworn

To maintain “no change” to these minimum levels, 4 sworn staff would be needed on the schedule at all times. However, with the goal to improve services for both jurisdictions, increasing the minimum staffing to 5 sworn personnel may be desired—representing a combined 25% increase in service levels.

NOTE: The LA Chief of Police may consider creating a hybrid minimum staffing model where 5 sworn staff are required during peak workload hours of each day and 4 may be sufficient at low activity times (e.g., only 4 needed between midnight and 8 a.m.).

Assessment of Evaluation Elements

Element	Description of Needed Sworn Staffing for LAH*
1—Call Workload	5.95
2—Call Workload/Budget	6.5 (30 % increase in hours)
3—Sworn per Capita	7.08
4—Minimum Staffing	6.25 (25% increase in hours)

*Adjusted as described in each element.

NOTE: 7,903 total hours of currently contracted services for Los Altos Hills equates to approximately 5 sworn positions (1,580 “field hours” and 500 administrative hours per FTE. For example, a total of 7,900 hours of field work can be derived from 5 sworn staff members).

Staffing Recommendation

In reviewing the issues and data, the LA/LAH Law Enforcement Services workgroup recommends adding 7 police officers and 1 dispatcher position. Key advantages include:

- 40% increase in LAH coverage (11,060 hours versus 7,900 hours)
- Improved dispatcher coverage
- Ongoing costs to LAH is approximately the same as current levels
- Improved supervisor to subordinate ratio for Los Altos
- Added nearby “back up” resources for events occurring in both jurisdictions

Detective/Evidence Services and “Back Up” to Los Altos

Analysis by Los Altos officials concludes that existing detective and evidence handling resources can “absorb” the added demands from Los Altos Hills. This said, we do not suggest this resource be provided for free. Likewise, we recognize that the overall workload in Los Altos is higher than in Los Altos Hills. This, coupled with overall staffing limitations means that the Los Altos Hills patrol officers will sometimes be “pulled” into call-driven demands in Los Altos It is believed that these two issues will balance out. To ensure fairness, we plan to monitor these factors.

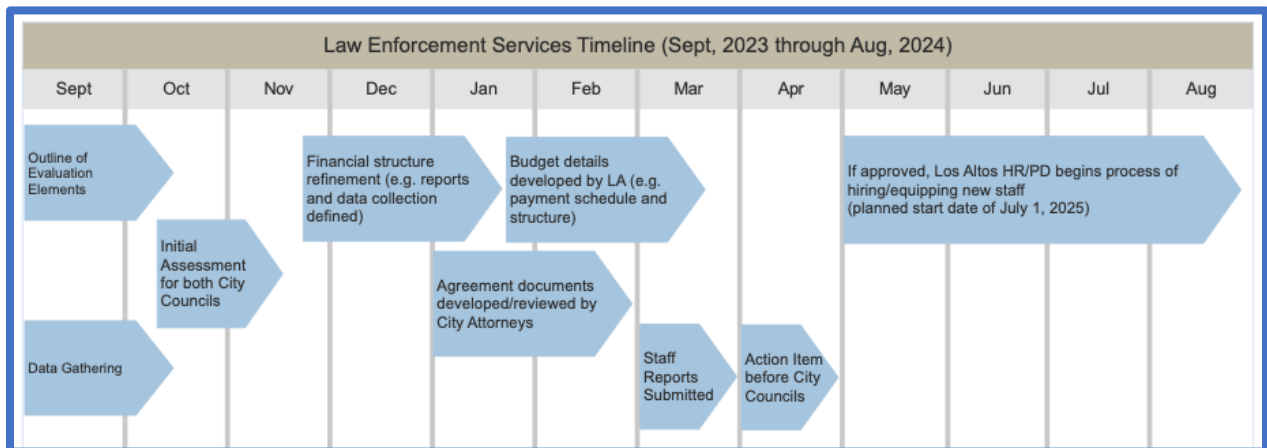


Los Gatos/Monte Sereno Site Visit

In October, the LA/LAH Law Enforcement Services workgroup visited with the Los Gatos/Monte Sereno City Manager and Police Chief. This process provided an excellent framework for our continuing efforts. For example, we learned that a major crime occurring in Monte Sereno necessitated a huge commitment from Los Gatos detectives and leadership. This “extra” commitment led to a cost recovery process (shouldered by Monte Sereno). This serves as one example of the types of situations we may need to anticipate.

Timeline

If both City Councils agree to continue moving forward, we project an “action item” would be presented to both jurisdiction’s City Councils in April, 2024 (coincides with budget for FY 24/25). Details on activities are depicted here:



* After Initial assessments from both council the Town would need to prepare a scope of work, have it approved by the Council, go through a competitive bid process and “if” Los Altos is selected or is the only bidder the Town would need to go back to Council to authorize the Town and City work on the financial structure and return for approval.

Community characteristics

As neighbors, both Los Altos and Los Altos Hills have very similar demographics. Importantly, the criminals victimizing both jurisdictions do not recognize the boundary.

From a police staffing standpoint, this could be viewed favorably. For example, law enforcement experience suggests the highest workload exists “where the people are.” If there are higher daytime demands in Los Altos’ business district, then law enforcement staff from Los Altos Hills could be used to augment/support these call-driven demands. Conversely, in the evening or during weekends, when demands are lower in the business districts and higher in neighborhoods, resources could be directed into Los Altos Hill’s neighborhoods.



Budget Structure

Description	Year 1	Year 2	Year 3
Off. Salary (7)	1,873,788.00	1,967,477.40	2,065,851.27
Disp. Salary (1)	217,773.00	228,661.65	240,094.73
15% Administrative	313,734.15	329,420.86	345,891.90
Liability Coverage (8 FTEs)	92,000.00	96,600	101,430
Total	2,497,295.15	2,622,159.91	2,753,267.90

Salary includes: CalPERS, Overtime, Uniforms (replacement), and all other traditional benefits.

NOTE: Data from the LA group liability provider indicates a cost based on salary of approximately \$44K per \$1M of payroll. Given added payroll costs of about \$2.1M, we estimate an ongoing annual cost for liability protection of \$92K.

15% Administrative Charge—Estimate (15%/\$313K)

Item	Description	Approx. Cost	Included (Y/N)
Sgt/Sup Hours	Call response, duty scheduling, etc.	\$93K	Y
Admin Support (Capt/Chief)	Meetings, strategic planning, correspondence	\$120K	Y
HR/Finance	Hiring, recruiting, financial reports	\$100K	Y
Total (for included items)		\$313K	

LAH to LA One Time Costs

Item	Description	Cost
Vehicle(s)	2 Fully Equipped Police	\$198,452
Equipment	Firearms, belts, vests, (\$2,500 each)	\$17,500
Initial Issue (e.g. uniforms)	Clothing, boots (\$1,500 each)	\$10,500
Dispatcher Equipment	Clothing, headset, training materials, etc.	\$2,500
Total		\$228,952

Goal: Service Improvement and Mutual benefit

- Deeper bench—through collaboration, both jurisdictions will benefit from relying on the other. Geographic proximity bolsters this. In short, officers working in either location can provide timely support for one another.
- Better responsiveness for local level issues—Los Altos is well-aligned with Los Altos Hills as it relates to citizen perspectives on crime. In all likelihood, the issues affecting the



citizens on both sides of the border can be prioritized by the police.

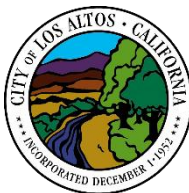
- Improved response times—a 40% increase in coverage means a responder may be closer when a call for service occurs. Additionally, since Los Altos is nearby, an available officer inside Los Altos may be closer to a Los Altos Hills call for service than a patrolling officer inside Los Altos Hills.
- Public engagement improvements—Los Altos has a robust combination of public engagement programs and a social media presence which can be regionalized and expanded to Los Altos Hills.
- Stronger regional approach—Criminals do not respect boundaries. Through improved resource coordination, both jurisdictions could benefit.
- Automated License Plate system sharing—through improved data sharing, both jurisdictions’ ALPR infrastructure will be more effective and provide an increased ROI.
- More efficient Sergeant Span of Control—Expanding the number of front-line officers by adding police officers in Los Altos Hills is within the capacity of existing Sergeants. The benefit to Los Altos would include some cost-sharing for the Sergeant position.

Next Steps

In the event both City Councils express support to keep moving this concept forward, the following should be accomplished in advance of an “action item” coming to both City Councils:

- (1) LA Police, Finance, and HR staff to complete a framework for financial reporting and data collection
- (2) LAH officials to develop agreement on scope of work for inclusion in a potential agreement
- (3) LA to prepare an RFP, seek CC approval and include ample time for competitive bidding.
- (4) LAH to Review the proposals and go to City Council for award of contract.
- (5) Assuming LA is selected, City Attorney’s from both jurisdictions to review and coordinate agreement documents
- (6) LA Finance staff to develop budget and payment structure
- (7) Staff to complete staff reports for “action item” to go before both City Councils

The data provided in this MRG report is informational only and any action to change law enforcement service providers by the Town will be conducted in a manner consistent with state and Los Altos Hills services procurement policies.



AGENDA REPORT SUMMARY

Meeting Date: August 22, 2023

Subject Request From the Town of Los Altos Hills to Engage in Discussions for Future Law Enforcement Services Provided by the City of Los Altos

Approved by: Gabriel Engeland, City Manager

Attachment(s):

- 1. Los Altos Hills Staff Report

Initiated by:

The Town of Los Altos Hills

Previous Council Consideration:

Fiscal Impact:

None

Environmental Review:

This action does not qualify as a “Project” as defined in California Government Code Section 15378(b) of the Guidelines for California Environmental Quality Act (CEQA), and it is also considered a feasibility or planning study for possible future action and exempt under CEQA Guidelines 15262.

Policy Question(s) for Council Consideration:

- Does the City of Los Altos wish to engage in a study of law enforcement services as requested by the Town of Los Altos Hills at their Town Council meeting on 8/17/2023?

Summary:

- The Town of Los Altos Hills has requested the City of Los Altos engage in discussions to consider the City providing law enforcement services to the Town.
- Attachment #1 is the staff report approved by the Los Altos Hills Town Council and outlines the background of the request.
- Any studies completed as part of the discussions would be paid for by the Town of Los Altos Hills.

City Manager

GE

Reviewed By:

City Attorney

JH

Finance Director

JD



Subject: Request From the Town of Los Altos Hills to Engage in Discussions for Future Law Enforcement Services Provided by the City of Los Altos

Staff Recommendation:

Staff recommends engaging in discussions as requested.

Purpose

To receive authorization to engage in discussions and complete any necessary studies to determine if providing law enforcement services to Los Altos Hills is feasible or desirable.

Background

At the Los Altos Hills Town Council meeting on August 17, 2023, the Los Altos Hills Town Council authorized the Los Altos Hills City Manager to engage in discussions with law enforcement entities for future law enforcement services for the Town of Los Altos Hills. The City Manager of Los Altos Hills has requested to discuss this topic with Los Altos.

Discussion/Analysis

The Town of Los Altos Hills has requested to engage the City of Los Altos in discussion to consider if the City can provide law enforcement services to the Town. The discussions and any subsequent studies would be used to determine if the provision of law enforcement services by the City to the Town is feasible or desirable. The discussions and/or studies would not constitute any agreement between the parties. Any item outside of discussions or the completion of a law enforcement services study, paid for by the Town of Los Altos Hills, would require further approval for the City Council of the City of Los Altos.

Recommendation

Staff recommends engaging in discussions as requested.

TOWN OF LOS ALTOS HILLS
Staff Report to the City
Council

August 17, 2023

RE: AUTHORIZE THE CITY MANAGER TO ENGAGE IN DISCUSSIONS
FOR FUTURE LAW ENFORCEMENT SERVICES FOR THE TOWN OF
LOS ALTOS HILLS

FROM: Peter Pirnejad, City Manager

RECOMMENDATION: That the City Council:

Motion to authorize the City Manager to engage in discussions with law enforcement entities for future law enforcement services for the Town of Los Altos Hills.

BACKGROUND AND ANALYSIS:

In June 2014, the Town of Los Altos Hills (“Town”) entered into an agreement with the County of Santa Clara (“County”) for law enforcement services (hereinafter “Agreement”). The Agreement establishes that the County will provide law enforcement services within Town limits. The term of the Agreement began June 19, 2014, and terminates on July 1, 2024. The Town and County are both authorized to terminate the Agreement at an earlier time with one hundred and eighty (180) days written notice, with some remaining financial commitments of the Town. At the expiration of the Agreement, the Town and County may renew the Agreement for an additional five (5) year period upon written notice of renewal at least one hundred and eighty (180) days prior to the expiration of the Agreement.

At this time, the Town continues to receive law enforcement services from the County. The Town may eventually choose to renew the Agreement with the County, or the Town may elect to allow the Agreement to expire without renewal. If the Town were to seek out a law enforcement entity, other than the County, to provide law enforcement services within the Town, staff would be required to comply with procurement procedures for professional services as established in the Los Altos Hills Municipal Code.

Los Altos Hills Municipal Code Section 2-4.04 establishes, in part, that all procurement of services, including but not limited to professional services, the cost of which is in excess of sixty thousand dollars (\$60,000) must be made through either informal or formal procedures, as established in Section 2-4.04. All procurement of services, the cost of which is more than two hundred thousand dollars (\$200,000), must be based upon specifications or a scope of work approved by the City Council. When entering into a contract for services, the skill, ability, and expertise of the entity or person performing the services is a key component of the selection criteria. The services selection should therefore be on the basis of demonstrated competence, overall value to the Town, and on the professional qualifications necessary for the satisfactory performance of the services required. Cost is only one factor in determining the selection. In

accordance with Section 2-4.04, the procurement of services may be made by soliciting requests for proposals or requests for quotations to prospective vendors.

At this time, if the Town were to issue a request for proposals or a request for quotation for law enforcement services staff believe that only the County may respond to the Town's request. In order to explore all options for law enforcement services, prior to issuing a request for proposals or a request for quotations for future law enforcement services, Town staff would like to have discussions with multiple law enforcement entities about the law enforcement service needs of the Town. Therefore, staff are asking the City Council to authorize the City Manager or his designee to engage in discussions with other law enforcement entities that may be interested in providing law enforcement services within the Town. At this time, staff plan to engage in discussions with both the City of Los Altos and the County of Santa Clara to discuss the law enforcement needs of the Town. At the time that staff believe the Town is ready to issue a request for proposals or request for quotations then staff will bring an item back to the City Council with the request, the scope of services and draft agreement for law enforcement services for Council approval prior to soliciting responses.

ENVIRONMENTAL REVIEW:

This action does not qualify as a "Project" as defined in California Government Code Section 15378(b) of the Guidelines for California Environmental Quality Act.

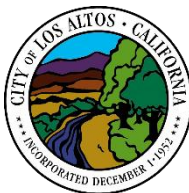
2023 CITY COUNCIL STRATEGIC PRIORITIES:

Promoting Public Safety is identified in the 2023 Work Plan.

FISCAL IMPACT:

Currently, there is no fiscal impact. This request seeks authorization to initiate discussions with Los Altos.

5382747.1



AGENDA REPORT SUMMARY

Meeting Date: November 28, 2023

Subject: Authorization by City Council for the use of Civic Center Land for the Construction of Outdoor Library Patio and send to Planning Commission for Final Design Approval.

Prepared by: Nick Zornes, Development Services Director

Reviewed by: Jon Maginot, Assistant City Manager

Approved by: Gabriel Engeland, City Manager

Initiated by:

Los Altos Library Endowment, and Chou Family in collaboration with the Santa Clara County Library District.

Previous Council Consideration:

June 27, 2023

Fiscal Impact:

The Library Patio Project is fully funded by private donations through the Los Altos Library Endowment. The cost of the project is estimated to be \$2 million with no funding required from the City of Los Altos. Cost for review and approval of the Design Review, Conditional Use Permit and Building Permit associated with this project will be fully paid by the project sponsors.

Environmental Review:

The City Council action authorizing the review of the proposed project is exempt from review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3). Subsequent action taken during the review of the proposed project will be analyzed separately under CEQA.

Summary:

On June 27, 2023, the City Council unanimously approved sending the Los Altos Library Patio Project to the Development Services Director for review and necessary approvals, with further direction to preserve and protect and include mitigations, if necessary and require pre-application study session design review pursuant to Section 14.78.040 of the Los Altos Municipal Code. The project before the City Council tonight reflects the direction provided on June 27, 2023.

Reviewed By:

City Manager

GE

City Attorney

JH



Subject: Authorization by City Council for the use of Civic Center Land for the Construction of Outdoor Library Patio and send to Planning Commission for Final Design Approval.

Staff Recommendation:

Authorization by City Council for the use of Civic Center Land for the Construction of Outdoor Library Patio and send to Planning Commission for Final Design Approval.

Purpose

To create an outdoor space that provides residents with a place to read, relax, study, work, and learn. The patio will be used to provide free library programs for all ages, as well as open seating to use during leisurely time. Backed with research from professional library journals, outdoor spaces in libraries enhance the lives of residents. Due to limited space inside the library, library staff feel strongly that the outdoor space will expand options to best meet the needs of residents with an outdoor patio area.

Discussion

Since the June 27, 2023 City Council meeting the Project Sponsors have met regularly to further refine and define the Library Patio Project. The project has been regularly discussed with the Development Services Director, Santa Clara County Library District staff, History Museum representatives, Library Commission, Friends of the Library, Los Altos Library Endowment, and the Chou Family.

The regular meetings have discussed the location of the patio project, any mitigation required, how the project will function, finish materials, and general details such as size and shape. Mostly specifically, the Library Patio Project group have discussed how the project will integrate into the Civic Center.

Analysis

The initial project proposal was for a Patio Enclosure at the front of the library entrance immediately adjacent to San Antonio Road. This project would have enclosed the existing arbors, benches, and fountain which exists today. Due to the development standards that are in effect as of today the initial proposal would not have conformed thus necessitating an alternative location to be determined. Additionally, concern was raised that the community would lose their unrestricted access and enjoyment of the fountain feature which was dedicated by the residents at the City’s 25th Anniversary.

Once the project was sent to the Development Services Director for review a site alternative was discussed with the primary stakeholders of the project. The project before the City Council is the outcome of multiple working meetings and iterations to the project proposal which now proposes



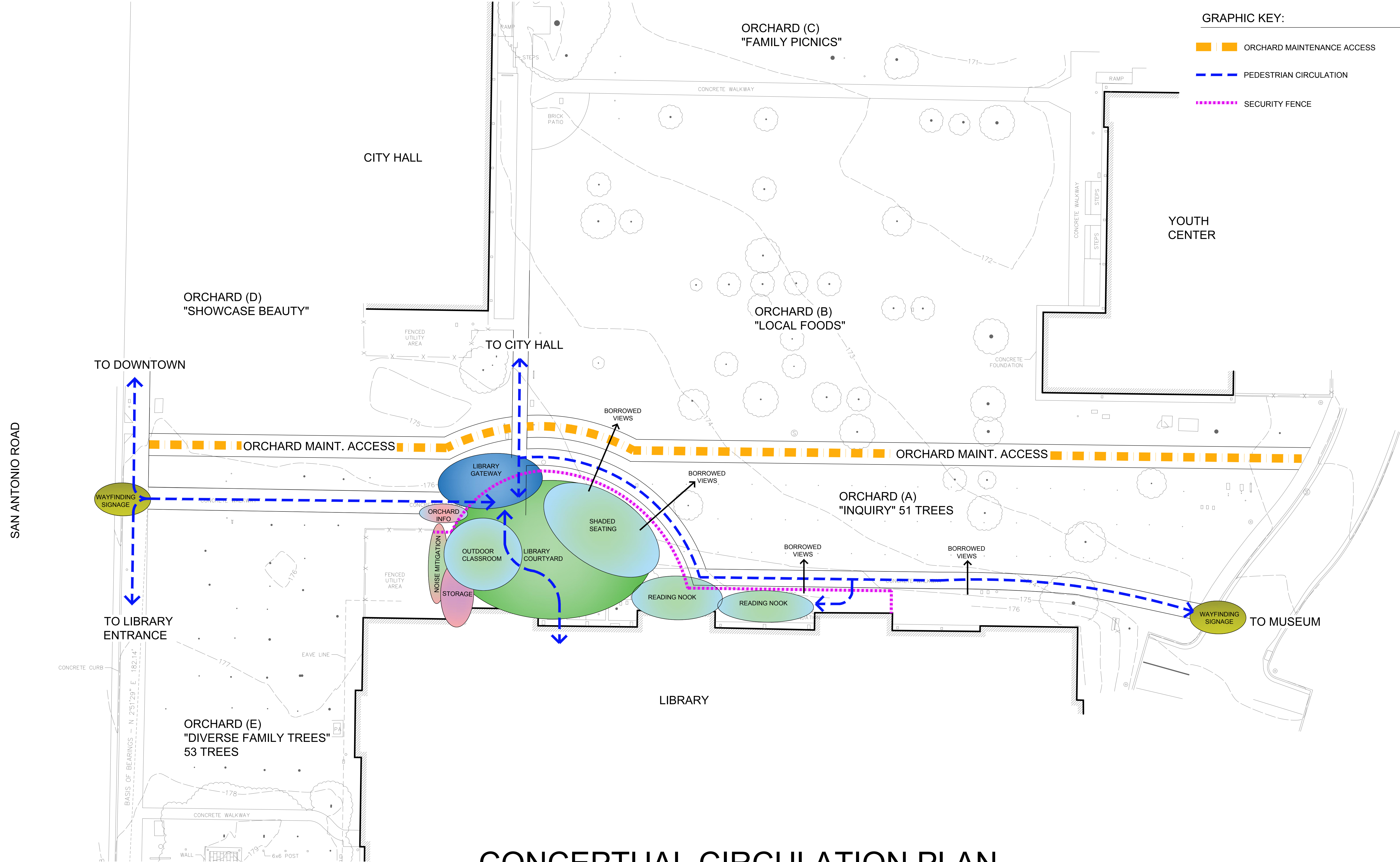
Subject: Authorization by City Council for the use of Civic Center Land for the Construction of Outdoor Library Patio and send to Planning Commission for Final Design Approval.

a location alternative which mitigates any associated impacts and complies with all development standards established within the Los Altos Municipal Code.

The project proposes a new patio on the north side of the library immediately adjacent to the Apricot Orchard. Specifically, the project proposal **does not** remove any apricot trees as no trees exist today in the area which is proposed. The project design professionals have taken consideration of apricot tree locations and provided alternative locations in order to address the concerns of the History Museum. The project will include an enclosed patio area with multiple exterior entrances, perimeter fencing, umbrellas and shade features, new planting materials, hardscape and outdoor rated furnishings.

Consideration of the City Council

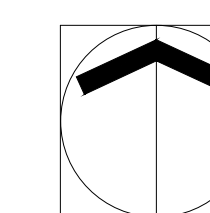
Tonight, the City Council is considering the general design, location, placement, and size of the Library Patio Project. If authorized the project will proceed to the Planning Commission where final design such as project materials will be reviewed and approved. General direction and consideration of design characteristics should be provided to the Planning Commission. Consideration by the Planning Commission after tonight shall reflect final action and approval of the project.



CONCEPTUAL CIRCULATION PLAN



LOS ALTOS LIBRARY
13 S. SAN ANTONIO ROAD
LOS ALTOS, CA 94022



- 1/16" = 1'-0"
- 11 . 28 . 2023
- 01 OF 04



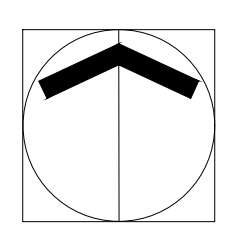
HERITAGE ORCHARD EXISTING CONDITIONS:

- 6 ORCHARD (A)
"INQUIRY"
- 40 ORCHARD (B)
"LOCAL FOODS"
- 71 ORCHARD (C)
"FAMILY PICNICS"
- 34 ORCHARD (D)
"SHOWCASE BEAUTY"
- 23 ORCHARD (E)
"DIVERSE FAMILY TREES"

CIVIC CENTER HERITAGE ORCHARD OVERVIEW



LOS ALTOS LIBRARY
 13 S. SAN ANTONIO ROAD
 LOS ALTOS, CA 94022



- 1" = 30'-0"
- 11 . 28 . 2023
- 04 OF 04

OVERALL TREE CAPACITY GOAL: 444 TREES



- EXISTING TREES
- OCC POTENTIAL NEW TREE LOCATIONS
- MITIGATION TREE LOCATIONS
- DISPLACED TREE LOCATIONS

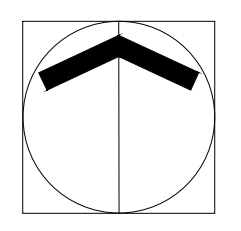
ESTIMATED QUANTITIES:

ORCHARD (A)	= 44
ORCHARD (B)	= 149
ORCHARD (C)	= 138
ORCHARD (D)	= 104
ORCHARD (E)	= 54
OPPORTUNITIES	= 489

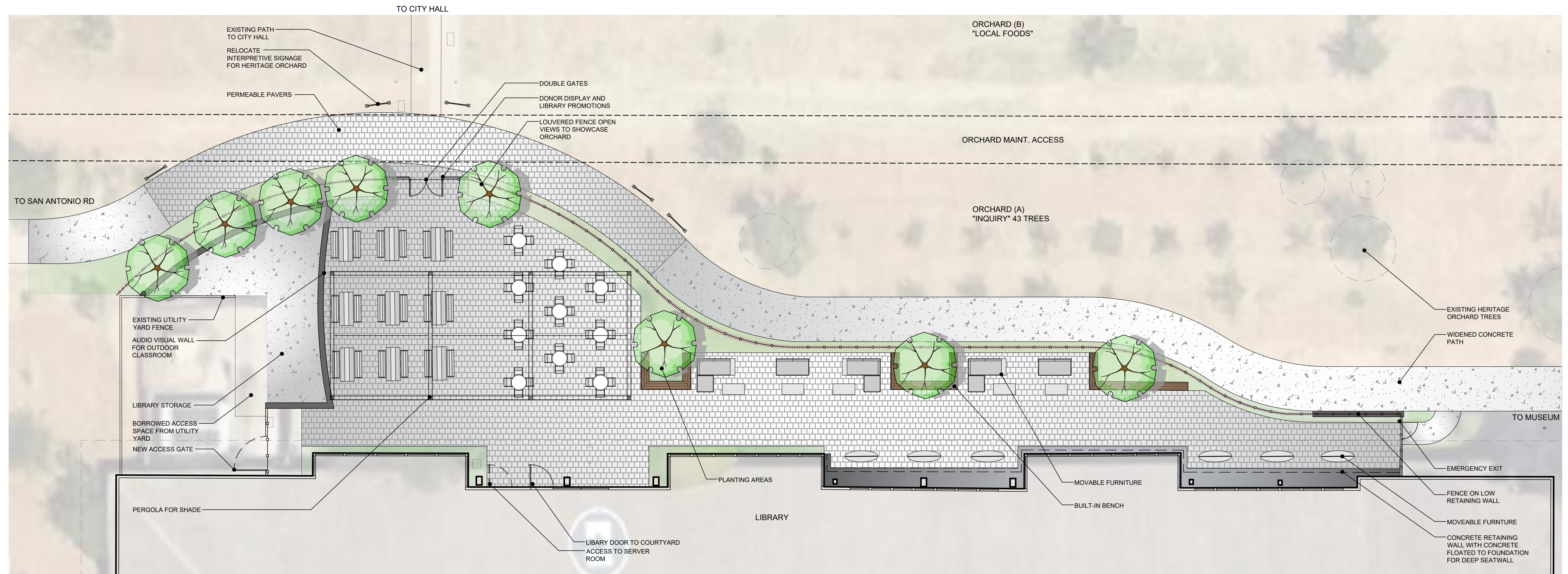
CIVIC CENTER HERITAGE ORCHARD OVERVIEW



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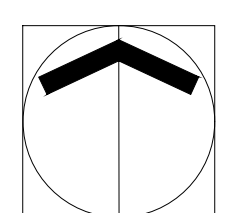


- 1" = 30'-0"
- 11 . 28 . 2023
- 03 OF 04



CONCEPTUAL PLAN

LOS ALTOS LIBRARY
 13 S. SAN ANTONIO ROAD
 LOS ALTOS, CA 94022





PLAN VIEW



AXONOMETRIC VIEW FROM NORTH



AXONOMETRIC VIEW FROM NORTH EAST



AXONOMETRIC VIEW FROM NORTH WEST

CONCEPT 3D MODEL VIEWS



VIEW OF READING NOOKS FROM EAST



VIEW UNDER COVERED PERGOLA FROM WEST

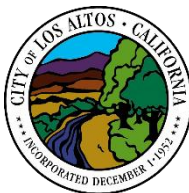


VIEW OF COVERED PERGOLA AND READING NOOKS FROM WEST



AXONOMETRIC VIEW OF OUTDOOR CLASSROOM AND COVERED PERGOLA FROM WEST

CONCEPT 3D MODEL VIEWS



AGENDA REPORT SUMMARY

Meeting Date: November 28, 2023

Subject Restated City Manager Employment Agreement

Prepared by: Jon Maginot, Assistant City Manager

Approved by: Gabriel Engeland, City Manager

Attachment(s):

- 1. Restated City Manager Employment Agreement

Initiated by:

City Council

Previous Council Consideration:

June 22, 2021; October 11, 2022

Fiscal Impact:

The proposed restated agreement contains an increase in the City Manager’s base salary of \$27,000 per year for a total annual salary of \$284,595

Environmental Review:

Not applicable

Policy Question(s) for Council Consideration:

- Does the Council wish to approve the restated employment agreement?

Summary:

- The restated employment agreement for City Manager includes an increase of \$27,000 per year in the City Manager’s base salary

Staff Recommendation:

Approve the restated employment agreement for City Manager which includes a base salary of \$284,595



Subject: Restated City Manager Employment Agreement

Purpose

To approve the restated employment agreement for the City Manager

Background

On June 22, 2021, the City Council approved an employment agreement with Gabe Engeland to serve as City Manager for the City of Los Altos. This agreement was amended on October 11, 2022.

Discussion/Analysis

The City Council has concluded its annual performance review for Mr. Engeland and wishes to make the following modification to the agreement:

- Compensation increase of \$27,000 per year for a new base salary of \$284,595

The restated agreement will be retroactive to July 1, 2023.

Recommendation

It is recommended that Council approve the restated employment agreement for City Manager which includes a base salary of \$284,595

CITY MANAGER EMPLOYMENT AGREEMENT

This Amended and Restated Agreement for Employment of City Manager (this “Agreement”) is made and entered on this __ day of _____, 202__, by and between the City of Los Altos (the “City”), a California general law municipal corporation, and Gabriel Engeland (“Engeland”) (jointly, the “Parties”).

RECITALS

WHEREAS, on June 22, 2021, the Parties entered a City Manager Employment Agreement (the “Employment Contract”) setting forth the terms and conditions of Engeland’s employment by the City as the City’s City Manager; and

WHEREAS, the effective date of the Employment Contract was July 19, 2021; and

WHEREAS, the Employment Contract was amended on October 11, 2022, by Amendment No. 1 to the Employment Contract (the “First Amendment”); and

WHEREAS, the City Council now desires to amend the Employment Contract again to increase Engeland’s salary by \$27,000 annually; and

WHEREAS, for administrative convenience the Parties desire to amend and restate the Employment Contract in full to reflect in one document the original provisions of the Employment Contract as amended by the First Amendment, and to reflect the foregoing salary increase; and

WHEREAS, the Parties do not intend the amendment and restatement of the Employment Contract to affect its interpretation in any manner except to reflect the amendments in the First Amendment and to reflect the foregoing salary increase; and

WHEREAS, the City is best served by a City Manager who establishes and maintains a strong partnership with the City Council and the community, and such a partnership is best achieved by the City Manager’s involvement in a broad spectrum of community activities and by having a personal stake and interest in the quality of life shared by those who live in the community; and

WHEREAS, the City Manager is an integral part of the City’s Emergency Services Team and the City Council has developed a heightened awareness of the value of having the City Manager available during the critical hours immediately following catastrophic events; and

WHEREAS, the City Council believes, therefore, that it is in the best interest of the community for the City Manager to reside within the geographic boundaries of the City, and recognizing the high cost of housing, the City determines that it is in the City’s best interest to assist in such housing; and

WHEREAS, the housing assistance shall be in accordance with the terms of this Agreement; and

WHEREAS, the City Council finds that above stated reasons for the housing assistance constitute legitimate public purposes for making the housing assistance;

NOW, THEREFORE, in consideration of the respective and mutual covenants hereinafter contained and made, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged and agreed, and subject to all the terms and conditions hereof, the Parties agree as follows:

SECTION 1. EMPLOYMENT, DUTIES AND RESPONSIBILITIES

A. **Appointment of City Manager.** City does hereby agree to employ Engeland in the capacity of City Manager with a work start date of July 19, 2021 (the “Effective Date”). Engeland’s employment is “at-will” and Engeland serves at the pleasure of the City-Council.

B. **Duties.** Engeland shall perform the functions and duties specified under the Government Code of the State of California, the Los Altos Municipal Code, and Ordinances and Resolutions of the City, and to perform such other legally permissible and proper duties and functions as the City Council shall from time-to-time assign.

C. **Term of Agreement.** This Agreement shall be effective from July 19, 2021, and will remain in force and effect until terminated as provided herein, Engeland resigns, or Engeland dies or becomes incapacitated or otherwise unable to perform the duties hereunder. Nothing in this Agreement shall prevent, limit, or otherwise interfere with (a) Engeland’s at-will status; (b) the right of the City to terminate the services of Engeland as provided herein; or (c) the right of Engeland to resign from his position as provided herein.

D. **[Deleted by the First Amendment.]**

E. **Hours of Work.** Engeland is expected to devote the necessary time outside normal office hours to the business of the City. To that end, Engeland shall be allowed flexibility in setting his own office hours, provided that Engeland shall work as necessary during customary business hours to satisfactorily perform his City Manager duties and responsibilities and be available to other City staff during customary business hours. This position is exempt from the Fair Labor Standards Act overtime pay requirements; therefore, Engeland shall not be entitled to additional compensation for any work performed in excess of the City’s regular workweek. Engeland shall keep the City Council and his direct reports aware of his office schedule.

F. **Exclusive Employment.** The employment provided for by this Agreement shall be Engeland’s sole employment. Recognizing that certain outside consulting or teaching opportunities provide indirect benefits to the City and the community, subject to prior approval by the City Council, Engeland may elect to accept limited teaching, consulting

or other business opportunities which do not interfere with or create a conflict of interest (or the appearance of a conflict of interest) with the performance of his duties or obligations under this Agreement, or place the City, the City Council or Engeland in an unfavorable light.

SECTION 2. COMPENSATION - SALARY AND BENEFITS

A. **Salary.**

1. Initial Base Salary. City shall pay Engeland an annual base salary of Two Hundred Forty-five Thousand and Ninety-five Dollars (\$245,095) (“Base Salary”). Salary shall be paid in bi-weekly installments at the same time as other employees of City are paid. Engeland’s Base Salary shall increase to Two Hundred Fifty-seven Thousand Five Hundred Ninety-five Dollars (\$257,595) effective the first pay period after July 1, 2022. Engeland’s Base Salary shall increase to Two Hundred Eighty-four Thousand Five Hundred Ninety-five Dollars (\$284,595), effective the first pay period after July 1, 2023.

2. Changes to Compensation. Should the City Council, upon completion of its annual review of Engeland’s performance pursuant to this Agreement, determine that Engeland has met City’s performance expectations, the City Council may consider an increase in Engeland’s compensation. Said consideration may include factors such as employee performance level, salary survey data and compensation increases granted to other City management employees. Engeland understands and agrees that he has no entitlement to an increase in compensation. City Council will inform Engeland of its decision. Changes to compensation may include adjustment to base salary, bonus, or other discretionary benefits as determined by the City Council.

B. **Benefits.**

1. CalPERS. Engeland will be enrolled into the California Public Employees Retirement System (CalPERS). The terms of the contract between City and CalPERS and applicable law shall govern the eligibility for and level of benefits to which Engeland is entitled. Based on Engeland’s hire date and date of entry into CalPERS, Engeland shall be classified as a “new member” as defined by Government Code Section 7522.04(e). With respect to retirement compensation and all other relevant respects, City will comply with Government Code Section 7522 *et. seq.*, including but not limited to the employee cost-share, the cap on pension benefits, and the three-year average for calculating final compensation. As a new member, retirement benefits are pursuant to the California Public Employee’s Retirement Reform Act of 2013 (PEPRA) Section 7522.10, employees hired on or after January 1, 2013, will have a retirement formula of 2% @ 62 and will pay 50% of the normal CalPERS retirement cost. Employee contribution is currently set at 6.25% and is subject to change based on CalPERS actuarial. CalPERS formula and benefit are subject to change based on future CalPERS law modifications and City policy. The City does not participate in Social Security, nor is it currently enrolled for State Disability Insurance.

2. Benefits. Except as otherwise set forth in this Agreement, in addition to the benefits specified herein, Engeland shall be eligible to participate in any and all employee

benefits otherwise accorded to City's unrepresented employees, and not covered under a Memorandum of Understanding, including without limitation to participation in health, dental, vision and other supplemental benefits, and those benefits may be subject to change.

3. Vacation. As of the Effective Date, Engeland shall be credited with eighty (80) hours of vacation and with the equivalent of 10-11 years of continuance service for purpose of setting a vacation accrual schedule, thus providing an effective rate of one hundred forty-four (144) hours per year. Engeland shall be entitled to accrue, use, or redeem vacation leave in whatever manner is permitted pursuant to City policy, as same may be amended from time to time by action of the City Council.

4. Sick Leave. As of the Effective Date, Engeland shall be credited with forty (40) hours of sick leave and accrue sick leave at a rate of ninety-six (96) hours per year. Engeland shall be entitled to accrue, use, or redeem sick leave in whatever manner is permitted pursuant to California Labor Code Section 246.5 or any other applicable City policy, as same may be amended from time to time by action of the City Council.

5. Management Leave. As of the Effective Date, Engeland shall be credited with twenty-four (24) hours of Management Leave, and he will thereafter accrue Management Leave at the rate of one hundred twenty (120) hours per year. Engeland shall be entitled to accrue, use, or redeem Management Leave in whatever manner is permitted pursuant to City policy, as same may be amended from time to time by action of the City Council.

SECTION 3. ADDITIONAL EXPENSES

A. **Professional Development, Dues and Subscriptions.** City agrees to pay for the professional dues, subscriptions, and other costs of Engeland deemed necessary for his participation in national, state, regional, and local associations and organizations and in meetings, conferences, and training related directly thereto, including but not limited to the International City/County Management Association, League of California Cities, and County City Managers' Association, which are considered mutually desirable for his continued professional participation and growth and for the good of the City, subject to budgetary approval and City Council oversight.

B. **Business Expenses.** City shall reimburse Engeland for all necessary and appropriate business expenses, including, but not limited to, the costs of business meetings, business meals, staff functions and special events attended in an official capacity, subject to any guidelines the City Council may impose. Any expenditures must be in conformance with any applicable City reimbursement policy.

C. **Vehicle and Cell Phone Expenses.** Notwithstanding Section 2 above, Engeland: (1) is entitled to an auto allowance the same as the City Directors (that is \$350.00 per month at the Effective Date), which shall not be considered pensionable compensation pursuant to Government Code Section 7522.34(c)(7); (2) shall have access to City pool cars consistent with City policies; and (3) will be provided with a cell phone for business use, however he is not entitled to allowance or reimbursement of expenses associated with use of that cell phone.

SECTION 4. RELOCATION AND HOUSING ASSISTANCE

A. **Relocation Assistance.** City shall provide up to \$15,000 reimbursement to Engeland for actual and documented expenses associated with moving and temporary storage of household goods for this City Manager position. Reimbursement will be made upon presentation to City of receipts) for reasonable costs.

B. **Temporary Housing Assistance.** On or about the Effective Date, Engeland agrees to reside within the corporate limits of the City.

1. Housing Assistance. The Parties contemplate that, starting on the Effective Date, the city will provide assistance to Engeland for the rental or lease of housing in Los Altos through a cash payment to be dispersed to Engeland in equal payments monthly. The City will bear the actual and reasonable monthly rental or lease cost in the amount of Two Thousand Five Hundred (\$2,500) Dollars per month, which shall not exceed a total annual amount of Thirty Thousand (\$30,000) Dollars. The City shall provide this Housing Assistance until six (6) years following the Effective date of the contract or until Engeland decides to purchase a primary resident pursuant to Section 4(B)(2) below, whichever occurs first. Such housing shall be located within the corporate limits of the City. This housing assistance shall not be considered pensionable compensation pursuant to government code Section 7522.34(c)(7). Engeland will keep accurate records related to such lease or rental payments.

2. Primary Residence Purchase Assistance. If during the term of the Agreement, Engeland decides to purchase a primary residence within the corporate limits of the City, the City agrees to negotiate in good faith an agreement with Engeland whereby the City provides some form of financial assistance toward the purchase of the residence. The amount of the City's assistance and Engeland's contribution, the method of financing, and other elements of a purchase transaction will be determined through good faith negotiations and mutual agreement and documented in an amendment to this Agreement. Engeland's performance of his duties and responsibilities as City Manager will also be factored into such negotiations. At no time will the City provide both the Temporary Housing Assistance and the Primary Residence Purchase Assistance at the same time.

SECTION 5. PERFORMANCE REVIEW

The intent of the Parties is that there be open and constructive communication between the City Council and City Manager regarding the City Manager's performance and City Council expectations regarding such performance.

A. **Initial Performance Expectations.** Within sixty (60) days of the Effective Date, the City Council will establish performance expectations for Engeland.

B. **Annual Review.** The City Council shall conduct annual reviews of Engeland's performance on or around the anniversary of the Effective Date. The objective of such

review shall be to maintain an optimal working relationship and a mutual understanding and agreement on duties, responsibilities, and priorities between Engeland and the City Council. Performance expectations are an integral part of the evaluation and may be updated from time to time throughout the year.

C. **Use of Facilitator.** Either the City Council or Engeland may request the involvement of an outside facilitator in such annual reviews. Engeland will arrange for such services with a mutually agreed upon facilitator in a manner that ensures the completion of the entire review process in a timely manner and consistent with the terms of the Agreement.

SECTION 6. TERMINATION AND SEVERANCE

A. **Termination by the City.** The following provisions apply to any termination of Engeland’s employment by the City:

1. Engeland is an at-will employee who may be terminated for any or no reason, and Engeland shall serve at the will and sole pleasure of the City Council. In the event Engeland is terminated for any reason prior to the expiration of the employment term, or any extension, except as otherwise specifically stated in the Agreement, including subsections 6.A.2, 6.A.5 and 6.B below, City shall pay Engeland a severance payment described herein, provided, however, that such severance payment shall be contingent on Engeland first executing a release and waiver of all rights to sue the City or any city employee or official, which release and waiver shall be drafted by the city attorney or designee.

The severance payment that Engeland shall be entitled to shall be as follows: If the City decides to terminate Engeland, City shall provide six-month’s notice and (i) a lump sum payment equal to six (6) months base salary or the number of months left on the unexpired term of the Agreement (whichever is less),¹ (ii) cash out of any accrued leave balances that are compensable (per City policy) upon termination of employment, and (iii) pursuant to the Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA), the City shall reimburse Engeland for COBRA eligible benefits, subject to presentation of receipts, for six-month period after termination, or until Engeland either secures full-time employment or obtains other health insurance coverage, or the number of months left on the unexpired term of the Agreement, whichever of these events occurs first. Engeland shall notify City within five (5) days of securing new full-time employment or acquiring health insurance coverage. If Engeland is willing and able to perform his duties under this Agreement, Engeland will continue performing his duties as City Manager during the six-month notice period referenced above, unless otherwise approved by the City Council.

Any severance payment shall exclude all other benefits, such as retirement, health, vision, and dental benefits. In addition, vacation and sick leave accrual shall immediately cease upon the date of City’s notification to Engeland that his employment will be terminated. The

¹ Editor’s Note: Reference to the unexpired term of the Agreement is to former provisions of Section 1.C that were removed by the First Amendment.

severance pay shall be computed from the effective date of Engeland’s termination. The intent of these provisions is to comply with Government Code section 53260.

This Section shall not apply to non-renewal of this Agreement as set forth in Section 1.D.²

2. The City may terminate this Agreement immediately for Engeland’s willful negligence, dishonesty, fraud or because of his conviction of any felonious act, any other illegal act involving use of Engeland’s position for personal gain, any crime involving moral turpitude, or any material breach of this Agreement. City shall have no obligation to pay the severance or the other benefits set forth in Section 6.A of this Agreement. Such termination shall herein be referred to as a termination “for cause.” Notwithstanding the use of the term “cause” herein, nothing herein contained shall be deemed to create or establish a property right or a right to continuing employment in the position of employment of Engeland or affect City’s right to terminate the employment of Engeland with or without cause in accordance with this Agreement.

3. Termination of this Agreement shall require at least three affirmative votes of the City Council at a lawfully called meeting, as provided by the provisions of the Ralph M. Brown Act (California Government Code §54950 et seq.). Effective date of Termination is at the discretion of the City Council. Except for a “for cause” termination pursuant to Section 6.A.2, the City shall take no action to terminate the services of Engeland before the second Tuesday of March immediately following a regular election at which one or more new members are elected to the City Council, thereby allowing new Councilmembers adequate time to assess Engeland’s performance.

4. In the event that the City Council formally asks Engeland to resign and he is willing and able to perform his duties under this Agreement and the Los Altos Municipal Code, then Engeland shall be entitled to resign and still receive the severance benefits outlined in section 6.A, provided he agrees to the release and waiver requirements in section 6.A.

5. In the event that, at the time of termination, Engeland is under investigation by any law enforcement agency for any reason that would meet the definition of a “for cause termination” as defined in Section 6.2, City may withhold all or part of such severance pay until it is determined if charges will be filed, and if charges are filed, until final judgment is rendered.

6. Upon termination or expiration of this Agreement, Engeland agrees to cooperate with the City in any pending lawsuit or legal matters in which he may have relevant information.

B. Termination by Manager. Due to the important nature of Engeland’s duties to the City, Engeland shall not terminate this Agreement during the initial two (2) year Term

² Editor’s Note: This clause is made moot by the deletion of Section 1.D in the First Amendment.

of this Agreement without cause, unless City agrees to such termination in writing. Thereafter, Engeland may terminate this Agreement through a resignation by giving the City notice of his intent to resign and providing an effective date for his resignation that is at least thirty (30) days' after he provides notice of his intent to resign. Engeland and the City agree that the City has discretion to select an effective date for the resignation that is earlier than the effective date stated by Engeland. If Engeland terminates this Agreement through a resignation, he is not entitled to receive any severance payment.

In the event Engeland terminates his employment under this Agreement, the provisions of this Agreement and all compensation and benefits owed Engeland under it shall cease upon the effective date of such termination as determined by City.

SECTION 7. GENERAL PROVISIONS

A. **Indemnification.** City agrees to defend, hold harmless and indemnify Engeland against any tort, professional liability claim or demand, or other legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring in the performance of Engeland's duties. City is not required to indemnify Engeland for any illegal acts committed by Engeland but may agree to do so, in its discretion.

B. **Bonding Requirements.** City shall bear full cost of the fidelity bond required of Engeland under any law or ordinance in connection with his duties hereunder. This Agreement shall be deemed void and of no effect if Engeland is unable to qualify for any such fidelity bond prior to the Effective Date.

C. **Other Terms and Conditions.** The Council, in consultation with Engeland shall fix any such other terms and conditions of employment as it may determine from time to time, relating to the performance of Engeland provided such terms and conditions are not inconsistent with or in conflict with the provision of this Agreement or State law.

All provisions of the City Code and regulations and rules of City relating to vacation and sick leave, retirement and pension system contributions, holidays and other fringe benefits and working conditions pertaining to City Department Heads as they now exist or hereafter may be amended, except as otherwise set forth herein also shall apply to Engeland.

D. **Severability.** If any provision, or portion thereof, contained in the Agreement is held unconstitutional, invalid, or unenforceable, the remainder of this Agreement, or portion thereof, shall be deemed severable and shall remain in full force and effect.

E. **Notices.** Notices pursuant to this Agreement shall be given by deposit in the custody of the United States Postal Service, postage prepaid, addressed as follows:

Mayor and City Council City of Los Altos
One North San Antonio Road
Los Altos, CA 94022

Gabriel Engeland
City Manager City of Los Altos
One North San Antonio Road

Los Altos, CA 94022
(or to Engeland's home address on file)

Notices also may be personally served in the same manner as applicable to civil judicial practice. Notice shall be deemed given as of the date of personal service or as of the date of deposit of such written notice in the course of transmission by the United States Postal Service. Either party hereto may change their respective address of record by providing written notice thereof in accordance with this Section.

F. **Amendments.** Any amendments to this Agreement must be in writing and executed by both Parties.

G. **General Provisions.** The text herein shall constitute the entire Agreement between the Parties.

1. No provisions of this Agreement may be modified, waived, or discharged unless such waiver, modification or discharge is agreed to in writing by the City and Engeland. No waiver of either party at any time of the breach of, or lack of compliance with, any conditions or provisions of this Agreement shall be deemed a waiver of other provisions or conditions hereof.

2. This Agreement contains the entire agreement and understanding between the Parties and contains all of the terms and conditions of the Parties' agreement and supersedes any other oral or written negotiations, discussions, representations, or agreements. Engeland acknowledges that he has not relied on any promises, statements, representations, or warranties except as set forth expressly in this Agreement.

3. This Agreement shall be binding upon and shall inure to the benefit of the respective heirs, executors, administrators, successors and assigns of the Parties, provided, however, that Engeland may not assign his obligations hereunder.

4. This Agreement shall be governed by and construed in accordance with the laws of the State of California, and venue for any action concerning this Agreement shall be limited to the Superior Court for the County of Santa Clara.

5. If any provision, or any portion thereof, contained in this Agreement is held unconstitutional, invalid, or unenforceable, the remainder of this Agreement, or portion thereof, shall be deemed severable, shall not be affected and shall remain in full force and effect.

6. The Parties hereto acknowledge and agree that, although this Agreement has been drafted by City's legal counsel, Engeland has reviewed, or had an opportunity to review, the terms of this Agreement with his legal counsel. Consequently, the doctrine that ambiguities in an agreement should be resolved against the drafting party shall

not be employed in connection with this Agreement and this Agreement shall be interpreted in accordance with its fair meaning.

7. Unless provided for otherwise by this Agreement, all provisions of the Los Altos Municipal Code Chapter 2.01 (as amended) entitled "City Manager," which are applicable to the City Manager shall remain in full force and effect.

8. Required provisions of California Government Code 53243-53243.4 (and as subsequently amended) are hereby agreed to and expressly made a part of this Agreement.

IN WITNESS WHEREOF, the undersigned have executed this Agreement. This Agreement may be executed in counterparts, and each counterpart shall be deemed a duplicate original. A copy of a signature shall be deemed equivalent to an original signature. Electronic, fax and email signatures are equally binding as originals.

CITY

GABRIEL ENGELAND

By: _____
Sally Meadows, Mayor

ATTEST

Melissa Thurman, City Clerk

APPROVED AS TO FORM

Jolie Houston, City Attorney



City of Los Altos 2023 Tentative Council Agenda Calendar

December 5, 2023
City Council Reorganization

December 12, 2023 Closed Session: TBD Study Session: TBD	
AGENDA TITLE:	DEPARTMENT:
<u>SPECIAL ITEMS:</u>	
<u>CONSENT:</u>	
Contract for Investment Advisor	FIN
RFP – Audit Services	FIN
Approve Updated Employee Policies & Procedures	HR
Waive Second Reading and Adopt Housing Element Ordinance	Dev. Svcs.
<u>PUBLIC HEARING:</u>	
<u>DISCUSSION ITEMS:</u>	
Discussion on the Downtown Wireless Connectivity	CM
Update on the Stormwater Master Plan Implementation Status	PW

2024 City Council agenda calendar items are pending and will be published at a later date.

All items and dates are tentative and subject to change unless a specific date has been noticed for a legally required Public Hearing. Items may be added or removed from the shown date at any time and for any reason prior to the publication of the agenda.

PROGRAM	SUB PROJECT	INITIATION DATE	HEU COMPLETION DATE	STATUS
Program 2.D: Encourage and streamline Accessory Dwelling Units (ADUs).	Budget & Hire Planning Technician		December 31, 2022	COMPLETED
Program 2.D: Encourage and streamline Accessory Dwelling Units (ADUs).	Amend ADU Ordinance based upon HCD's letter		6 months or less	
Program 3.H: Amend design review process and requirements.	Eliminate 3rd Party Architectural Review		February 28, 2023	COMPLETED
Program 3.H: Amend design review process and requirements.	Dismiss Design Review Commission		February 28, 2023	COMPLETED
Program 3.L: Eliminate the requirement of story poles.			March 31, 2023	COMPLETED
Program 2.E: Conduct annual ADU rental income surveys.	Budget & Hire Housing Manager	March 31, 2023		IN-PROGRESS
Program 4.J: Facilitate alternate modes of transportation for	Adopt VMT Policy &		June 30, 2023	COMPLETED
Program 2.D: Encourage and streamline Accessory Dwelling Units (ADUs).	RFP-Permit Ready ADU Plans		July 31, 2023	PLANS IN DEVELOPMENT
Program 1.H: Facilitate housing on City-owned sites.	Financial Analysis	July 1, 2023	December 31, 2023	DEVELOPING RFP
Program 3.D: Evaluate and adjust impact fees.		August 1, 2023	December 31, 2024	IN-PROGRESS
Program 1.H: Facilitate housing on City-owned sites.	Release RFP	December 31, 2023		
Program 6.C: Target housing development in highest resource areas.	Initial Outreach		September 31, 2023	
Program 6.D: Promote Housing Choice (Section 8) rental assistance program.			September 31, 2023	
Program 2.A: Continue to implement and enhance inclusionary housing requirements.			December 31, 2023	IN-PROGRESS
Program 2.B: Establish an affordable housing in-lieu fee and commercial linkage fee.	Housing in-lieu fee.		December 31, 2023	IN-PROGRESS
Program 2.F: Water and Sewer Service Providers.			December 31, 2023	COMPLETED
Program 3.B: Modify building height in mixed-use zoning districts.	Downtown Districts		December 31, 2023	IN-PROGRESS
Program 3.E: Ensure that the density bonus ordinance remains consistent with State law.			December 31, 2023	ONGOING
Program 3.H: Amend design review process and requirements.	Code Amendments		December 31, 2023	COMPLETED

Program 3.K: Standardize multimodal transportation requirements.	Bicycle Storage and Charging Regulations		December 31, 2023	COMPLETED
Program 3.K: Standardize multimodal transportation requirements.	Remove CSC Review of Housing Developments		December 31, 2023	COMPLETED
Program 4.C: Allow Low Barrier Navigation Centers consistent with AB 101.			December 31, 2023	COMPLETED
Program 4.D: Allow transitional and supportive housing consistent with State law.			December 31, 2023	COMPLETED
Program 4.E: Allow employee/farmworker housing consistent with State law.			December 31, 2023	COMPLETED
Program 4.F: Reasonably accommodate disabled persons' housing needs.			December 31, 2023	COMPLETED
Program 6.B: Maintain and expand an inventory of affordable housing funding sources.	Prepare Inventory.		December 31, 2023	
Program 6.E: Prepare and distribute anti-displacement information.			December 31, 2023	
Program 1.A: Rezone for RHNA shortfall.			January 31, 2024	TO BE COMPLETED BY 1/31/2024
Program 1.G: Rezone housing sites from previous Housing Elements.			January 31, 2024	TO BE COMPLETED BY 1/31/2024
Program 3.G: Amend Conditional Use Permits findings applicable to housing developments.			March 31, 2024	IN-PROGRESS
Program 3.I: Allow residential care facilities consistent with State law.			March 31, 2024	TO BE COMPLETED BY 1/31/2024
Program 3.J: Explicitly allow manufactured homes consistent with State law.			March 31, 2024	TO BE COMPLETED BY 1/31/2024
Program 3.F: Reduce Conditional Use Permit requirement for residential mixed-use and multi-family.			September 31, 2024	IN-PROGRESS
Program 1.B: Facilitate higher density housing in the Commercial Thoroughfare (CT) District.			December 31, 2024	TO BE COMPLETED BY 1/31/2024
Program 1.C: Allow housing in the Office Administrative (OA) District.			December 31, 2024	TO BE COMPLETED BY 1/31/2024

Program 1.E: Update the Loyola Corners Specific Plan.			December 31, 2024	TO BE COMPLETED BY 1/31/2024
Program 2.D: Encourage and streamline Accessory Dwelling Units (ADUs).	Adopt-Permit Ready ADU Plans		December 31, 2024	
Program 3.A: Prepare a Downtown parking plan and update citywide parking requirements.			December 31, 2024	CONTRACT SIGNED
Program 3.B: Modify building height in mixed-use zoning districts.	Neighborhood (CN) District		December 31, 2024	IN-PROGRESS
Program 3.C: Remove floor-to-area ratio (FAR) restriction at Rancho Shopping Center and Woodland Plaza.			December 31, 2024	IN-PROGRESS
Program 3.M: Modify parking requirements for emergency shelters consistent with State law.			December 31, 2024	
Program 2.B: Establish an affordable housing in-lieu fee and commercial linkage fee.	Commercial linkage fee.	December 31, 2025		
Program 1.D: Allow housing on certain Public and Community Facilities District sites and facilitate housing on religious institution properties.			December 31, 2025	
Program 1.F: Rezone Village Court parcel.			December 31, 2025	TO BE COMPLETED BY 1/31/2024
Program 4.H: Provide additional density bonuses and incentives for housing that accommodates special needs groups.			December 31, 2025	
Program 4.I: Allow senior housing with extended care facilities in multi-family and mixed-use zoning districts.			December 31, 2025	
Program 1.I: Incentivize Downtown lot consolidation.			July 31, 2026	
Program 4.G: Assist seniors to maintain and rehabilitate their homes.			July 31, 2026	
Program 6.C: Target housing development in highest resource areas.	Follow-up Outreach		September 31, 2026	
Program 1.H: Facilitate housing on City-owned sites.	Entitlement Review		December 31, 2026	

Program 3.N: Modify standards in the R3 zoning districts.			December 31, 2026	IN-PROGRESS
Program 4.J: Facilitate alternate modes of transportation for residents.	Capital Improvement Project for above head pedestrian crossing signals on San Antonio Road near Downtown Los Altos		December 31, 2027	
Program 5.F: Incentivize the creation of play areas for multi-family housing projects.			December 31, 2027	
Program 1.K: Participate in regional housing needs planning efforts.			Ongoing	
Program 1.L: General Plan amendments.			Ongoing	
Program 1.M: SB 9 implementation.			Ongoing	
Program 1.N: Facilitate and monitor pipeline housing projects.			Ongoing	
Program 2.C: Assist in securing funding for affordable housing projects.			Ongoing	
Program 2.D: Encourage and streamline Accessory Dwelling Units (ADUs).			Ongoing	
Program 2.E: Conduct annual ADU rental income surveys.	Annual Survey		Annually	
Program 4.A: Support efforts to fund homeless services.			Ongoing	
Program 4.B: Continue to participate in local and regional forums for homelessness, supportive, and transitional housing.			Ongoing	
Program 5.A: Monitor condominium conversions.			Ongoing	
Program 5.B: Continue to administer the City's affordable housing programs.			Ongoing	
Program 5.C: Restrict commercial uses from displacing residential neighborhoods.			Ongoing	
Program 5.D: Implement voluntary code inspection program.			Ongoing	

Program 5.E: Help secure funding for housing rehabilitation and assistance programs.			Ongoing	
Program 6.A: Assist residents with housing discrimination and landlord-tenant complaints.			Ongoing	
Program 6.B: Maintain and expand an inventory of affordable housing funding sources.	Inform, Evaluate Apply/Submit		Ongoing	
Program 6.F: Affirmatively market physically accessible units.			Ongoing	
Program 7.A: Promote energy and water conservation and greenhouse gas reduction through education and awareness campaigns.			Ongoing	
Program 7.B: Monitor and implement thresholds and statutory requirements of climate change legislation.			Ongoing	