



[Addressee TBD upon assignment by Senate Rules Committee]

**RE: AB 1944 (Lee): Brown Act Modernization  
SUPPORT IF AMENDED (As amended 5/25/22)**

The City of Los Altos supports AB 1944, as amended. AB 1944 aims to modernize the Brown Act by giving local legislative bodies the option to waive the requirement that its members who are appearing virtually from a remote location need to publish their private address on the public meeting agenda. AB 1944 also requires a remote participation option for members of the public to address the body.

During the COVID-19 pandemic, Governor Newsom issued Executive Order N-29-20 that allowed officials of local agencies to appear remotely without having to disclose their private addresses. In 2021, Assemblymember Rivas's Bill 361 further allowed local agencies to continue to meet virtually during a state-declared emergency without having to meet the quorum and other requirements of teleconference meetings under the Brown Act. Our city council has taken advantage of AB 361 and continues to meet virtually.

[DELETE THE FOLLOWING ORIGINAL PARAGRAPH AND REPLACE WITH NEW TERMINAL PARAGRAPH BASED ON MAY AMENDMENT]

[ORIGINAL] The City of Los Altos recommends that AB 1944 be amended to require local legislative bodies, which opt to waive the requirement, have its members who are appearing virtually from a remote location provide the legislative body with the address of the remote location. The legislative body would be required not to make the address public. We support this amendment to ensure that members who are appearing virtually from a remote location are participating within the jurisdiction, thus avoiding any potential abuse of the flexibility that AB 1944 provides. This amendment further makes it easier to enforce compliance with the Brown Act quorum requirement. Therefore, the City of Los Altos supports AB 1944 with that amendment.]

[NEW] The amendments made May 25, 2022, address the concerns previously expressed. The current language, which requires a physical quorum while allowing remote participation without necessitating that the member disclose their physical address, resolves the issues we previously raised while maintaining compliance with the Brown Act quorum requirement.

Sincerely,

Anita Enander  
Mayor, City of Los Altos

Cc:  
The Honorable Alex Lee  
The Honorable Josh Becker  
The Honorable Marc Berman  
League of California Cities [cityletters@calcities.org](mailto:cityletters@calcities.org)  
Seth Miller [smiller@calcities.org](mailto:smiller@calcities.org)

The Honorable Scott Wiener  
Chair, Senate Housing Committee  
1021 O Street, Room 3330  
Sacramento, CA 95814

Dear Senator Wiener:

**Re: AB 2011 (Wicks) Affordable Housing and High Road Jobs Act of 2022  
NOTICE OF OPPOSITION (As amended 5/11/22)**

The City of Los Altos joins the League of California Cities (Cal Cities) in respectfully opposing AB 2011, which would require cities to ministerially approve, without condition or discretion, certain affordable housing and mixed-use housing developments in zones where office, retail, or parking are a principally permitted use regardless of any inconsistency with a local government's general plan, specific plan, zoning ordinance, or regulation.

Housing affordability and homelessness are among the most critical issues facing California cities. Affordably priced homes are out of reach for many people, and housing is not being built fast enough to meet the current or projected needs of people living in the state. Cities lay the essential groundwork for housing production through planning and zoning new projects in their communities based on extensive public input and engagement, state housing laws, and the needs of the building industry. Importantly, cities are currently updating housing plans to identify sites for more than two million additional housing units.

AB 2011 disregards this state-mandated local planning effort and forces cities to allow housing developments in nearly all areas of a city. This seriously questions the rationale for the regional housing needs allocation (RHNA) process. If developers can build housing in office, retail, and parking areas, why should cities go through the multiyear planning process to identify sites suitable for new housing units, only to have those plans ignored and housing built on sites never considered for new housing?

Less than 5% of the land area in the City of Los Altos is currently devoted to commercial and retail use. These areas provide critical retail (especially grocery) within walkable distances to every neighborhood. Nevertheless, we have judiciously identified commercial areas that could accommodate mixed use and multi-family housing while retaining walkability. This bill would potentially negate those efforts.

Eliminating opportunities for public review of housing developments goes against the principles of transparency and public engagement. Public hearings allow members of the community to inform their representatives of their support or concerns. "Streamlining" in the context of AB 2011 is a shortcut around public input. While it may be frustrating for some developers to address neighborhood concerns about traffic, parking, and other development impacts, those directly affected by such projects should be heard. Public engagement often leads to better projects. Developers for projects that we have approved in recent years have uniformly stated that the Planning Commission and public review have resulted in better projects. Disregarding community input will increase public distrust in government and may result in additional efforts by voters to restrict growth.

The City of Los Altos is committed to being part of the solution to the housing shortfall across all income levels and will work collaboratively with you and other stakeholders on legislative

proposals that will spur much needed housing construction without disregarding the state-mandated local planning process and important public engagement.

For these reasons, the City of Los Altos opposes AB 2011.

Sincerely,

Anita Enander  
Mayor, City of Los Altos

Cc:  
The Honorable Buffy Wicks  
The Honorable Josh Becker  
The Honorable Marc Berman  
League of California Cities [cityletters@calcities.org](mailto:cityletters@calcities.org)  
Seth Miller [smiller@calcities.org](mailto:smiller@calcities.org)

[Amended from original to reflect single amendment that eliminates “public transit corridors”]

[Addressee TBD upon assignment by Senate Rules Committee]

**RE: AB 2097 (Friedman): Residential and Commercial Development. Parking Requirements.**  
**NOTICE OF OPPOSITION (As amended 5/19/22)**

The City of Los Altos joins the League of California Cities (Cal Cities) in respectfully opposing your measure Assembly Bill 2097, which would prohibit a local government from imposing or enforcing a minimum automobile parking requirement on residential, commercial, or other developments, without regard to the development size, if the development is located on a parcel within one-half mile of public transit.

The amendment to eliminate applicability to high-frequency transit routes improves but does not eliminate the problems with the bill. AB 2097 would essentially allow developers to dictate parking requirements in areas within ½ mile of current major transit stops. This does not guarantee individuals living, working, or shopping on those parcels will actually use transit. Many residents will continue to own automobiles and require nearby parking, which will only increase parking demand, displace parking to adjacent neighborhoods, and increase congestion.

AB 2097 would give both developers and transit agencies, who are unaccountable to local voters, the power to determine parking requirements. Transit agencies would be able to dramatically alter local parking standards by shifting transit routes and adjusting service intervals.

Additionally, AB 2097 could negatively impact the State’s Density Bonus Law by providing developers parking concessions without also requiring developers to include affordable housing units in the project. The purpose of the Density Bonus Law is to provide concessions and waivers to developers in exchange for affordable housing units.

While AB 2097 may be well intended, parking requirements are most appropriately established at the local level based on community needs. A one-size fits all approach to an issue that is project specific just does not work. For these reasons, the City of Los Altos opposes AB 2097.

Sincerely,

Anita Enander  
Mayor, City of Los Altos

Cc:  
The Honorable Laura Friedman  
The Honorable Josh Becker  
The Honorable Marc Berman  
League of California Cities [cityletters@calcities.org](mailto:cityletters@calcities.org)  
Seth Miller [smiller@calcities.org](mailto:smiller@calcities.org)

The Honorable Lena Gonzalez  
Chair, Senate Transportation Committee  
State Capitol, Room 405  
Sacramento, CA 95814

Dear Senator Gonzalez:

**AB 2181 (Berman) Santa Clara Valley Transportation Authority: board of directors.  
NOTICE OF OPPOSITION (As amended 5/2/22)**

The City of Los Altos respectfully opposes AB 2181. We concur with Assembly member Berman's concern that the Valley Transportation Authority (VTA) Governance structure should provide the most effective policy and oversight leadership possible for this critical transportation agency.

A complete change to the governance structure as proposed in AB 2181 would have far reaching implications and long-lasting effects on the delivery of transit and transportation in Santa Clara County. On behalf of our community, we must make sure any legislated change to the Board structure is an effective change, which, regrettably, AB 2181 is not.

The total re-structuring of the VTA Board of Directors under AB 2181 would eliminate the role of elected representatives from certain jurisdictions, leaving no representatives – who are accountable to residents – to convey and represent their city's priorities and concerns.

Elected city officials provide critical experience and knowledge of local transit and transportation concerns, land use and policy making. Mayors and council members understand and implement land-use decisions that enhance VTA's transit service planning as well. But more particularly for small cities like Los Altos, AB 2181 would greatly reduce our ability to meaningfully represent the interests of our city within the context of regional needs. AB 2181 would seriously undermine this principle of local representation. The Legislature has chosen to link a number of housing bills and parking requirements for multi-family developments to the availability of local transit. Under AB 2181, jurisdictions seeking to meet housing goals, that both depend on and are affected by transit, would be excluded from participating in VTA governance, with potentially profound adverse effects.

VTA's Board Enhancement Committee and the Governance and Audit Committee have worked effectively since 2019 on dozens of improvements to the governance of VTA and the process for recruiting and retaining engaged and knowledgeable Board members. Los Altos has diligently participated in and supported these efforts, and VTA's governance has been improved through these changes. Additional potential improvements are undergoing careful evaluation, consistent with an open process that involves all affected jurisdictions.

The future carries a double responsibility for the VTA Board, as public transportation has the huge challenge of recovering from the impacts of the pandemic and providing service to help Santa Clara County and the state reduce GHG emissions by moving people from single-occupancy vehicles to transit. This bill is not a good solution to these challenges, especially as there has been insufficient engagement with the Santa Clara County community and the member cities like Los Altos that would be most directly affected.

The City of Los Altos therefore must oppose AB 2181.

Sincerely,

Anita Enander  
Mayor, City of Los Altos

Cc:  
The Honorable Marc Berman  
The Honorable Josh Becker  
League of California Cities [cityletters@calcities.org](mailto:cityletters@calcities.org)  
Seth Miller [smiller@calcities.org](mailto:smiller@calcities.org)

The Honorable Buffy Wicks  
Chair, Assembly Housing and Community Development Committee  
1020 N Street, Room 156  
Sacramento, CA 95814

Dear Assembly Member Wicks:

**Senate Bill 897 (Wieckowski): Accessory dwelling units: junior accessory dwelling units.  
NOTICE OF OPPOSITION (As amended 5/19/22)**

The City of Los Altos joins the League of California Cities (Cal Cities) in regrettably taking an “oppose” position on **your** Senate Bill 897, which would significantly amend the statewide standards that apply to locally adopted ordinances concerning the construction of accessory dwelling units (ADUs), even though the law has been substantially amended nearly every year since 2016.

Specifically, SB 897 would require local jurisdictions to:

- **Allow ADUs to be constructed with a height of up to 25 feet.** Current law appropriately authorizes cities and counties to restrict ADU height to 16 feet, thus helping ensure that these accessory units blend into the existing neighborhood. Mandating that local jurisdictions allow essentially two-story ADUs, even if limited to residential neighborhoods near transit, is completely contrary to the stated belief that ADUs are a way to increase density in a modest fashion that is not disruptive to established communities. Shoehorning a 25-foot structure into a backyard of a single-story ranch style home calls to question the idea that these are “accessory dwelling units.”
- **Permit constructed ADUs in violation of State building standards and in violation of local zoning requirements.** Current law already requires cities and counties to approve ADUs ministerially, without discretionary review. Expanding this to prohibit local jurisdictions from denying permits for already constructed ADUs that fail to comply with State mandated building standards or local zoning requirements could result in dangerous or substandard living conditions.
- **Allow two ADUs to be constructed on a lot if a multifamily dwelling is proposed to be developed.** SB 897 would allow a property owner to construct two ADUs on a vacant parcel years before the proposed multifamily structure begins construction. Additionally, there is no guarantee that the multifamily structure will ever be constructed. It is unclear why local jurisdictions should be forced to allow ADUs to be constructed before the originally proposed multifamily structure. Constructing an ADU without a primary structure makes them accessory to nothing, but rather a standalone unit.

For these reasons, the City of Los Altos opposes SB 897.

Sincerely,

Anita Enander  
Mayor, City of Los Altos

Cc:  
The Honorable Bob Weickowski



The Honorable Josh Becker  
The Honorable Marc Berman  
League of California Cities [cityletters@calcities.org](mailto:cityletters@calcities.org)  
Seth Miller [smiller@calcities.org](mailto:smiller@calcities.org)

The Honorable Luz Rivas  
Chair, Assembly Natural Resources Committee  
1020 N Street, Room 164  
Sacramento, CA 95814

Dear Assembly Member Rivas:

**RE: SB 922 (Wiener) California Environmental Quality Act: Exemption: transportation  
Related Projects  
NOTICE OF SUPPORT (As Amended 5/11/22)**

The City of Los Altos write in support of SB 922 to help transit agencies and local governments build active and sustainable transportation projects that will create a safer, healthier, and more equitable future for all Californians. The author's previous bill (SB 288) temporarily exempted from CEQA certain clean transportation projects. Under current law, these CEQA exemptions sunset on January 1, 2023.

SB 922 would eliminate the sunset and provide greater clarity about how to use the exemption and which types of projects are eligible for exemption. SB 922 would streamline CEQA with targeted statutory exemptions for transit and active transportation projects that significantly advance the state's climate, safety, and health goals.

We favor the criteria required in the bill that the community be meaningfully engaged in shaping projects to require that they benefit residents. The racial equity analysis and residential displacement risk analysis are particularly significant.

SB 922 helps ensure that transportation spending aligns with the state's policy goals while benefitting communities. For these reasons, the City of Los Altos is pleased to support SB 922.

Sincerely,

Anita Enander  
Mayor, City of Los Altos

Cc:  
The Honorable Scott Wiener  
The Honorable Josh Becker  
The Honorable Marc Berman  
League of California Cities [cityletters@calcities.org](mailto:cityletters@calcities.org)  
Seth Miller [smiller@calcities.org](mailto:smiller@calcities.org)

[Note: final Senate amendments only limited new cause of action applicability to the period 1/1/24-1/1/28. Changes were made to original draft of letter in response to Council member Weinberg's comments. Project description in paragraph 2 was revised and then reviewed by staff transportation consultant familiar with the project for accuracy.]

The Honorable Cecelia M. Aguiar-Curry  
Chair, Assembly Local Government Committee  
1020 N Street, Room 157  
Sacramento, CA 95814

Dear Assembly Member Aguiar-Curry:

**Senate Bill 932 (Portantino): General plans, circulation element  
NOTICE OF OPPOSITION UNLESS AMENDED (As amended 5/4/22)**

Dear Chair Portantino:

The City of Los Altos joins the League of California Cities (Cal Cities) in regrettably taking an “oppose unless amended” position on your Senate Bill 932. SB 932 would make significant, unprecedented, and overly prescriptive changes to the requirements of the circulation element of local general plans; impose costly, unfunded mandates for changes to local transportation infrastructure; and expose local governments to significant legal liability.

The City of Los Altos has taken a pro-active approach to meeting the important goals of this bill: to make streets and roads safer for all users. With impetus from Los Altos, a safe-routes-to school infrastructure project is underway along Homestead Road that transects rights-of-way in the city of Los Altos, County of Santa Clara, City of Cupertino, and City of Sunnyvale and will integrate those new paths with local streets. After Los Altos brought all stakeholders together (the above jurisdictions plus two school districts), the County was persuaded to fund and complete the initial planning phase to help build consensus on a unified vision. Following a two-year period of awaiting appropriate grant fund opportunities, the Santa Clara Valley Transportation Agency took the lead in developing and securing grant fund sources for the design and environmental phases of the project. Grant funding for the construction phases of the project are still unidentified. This project continues to require considerable interagency coordination as part of the design, but the result will be a significant improvement in safe, shared use for students who live in one city but attend school in another. This is just one example of critical projects that require flexibility and quick response to the opportunities to work across multiple jurisdictions to improve bicycle and pedestrian safety. They cannot be achieved through a top-down approach that dictates the type of improvements and timing for implementation when multiple jurisdictions are involved.

We are nearing completion of a new Complete Streets Master Plan that integrates improved bicycle/pedestrian paths and safety with routine street maintenance and sets out a long-term plan for making our streets more available to and safer for all users. Much of the plan remains unfunded, despite planned use of state funding from sources such as SB-1, Block Grants, gas tax, and other County return-to-fund sources. The requirements of SB 932 are likely even to exceed the ambitious plan we have just developed; without any additional revenue sources, SB 932 will place even greater strain on limited City resources.

We note that cities that have made safety a priority and that have virtually no fatalities would be penalized under 65302(b)(2)(ii)(III) because the already excellent safety record would not allow

for the reductions that are needed to be granted a 10-year extension of time to implement the provisions of SB 932. This is probably unintended and could perhaps be corrected through amendment.

Our city faces significant tradeoffs in prioritizing competing needs for roadway maintenance and improvements. The loss of employees during COVID, escalating costs for materials, and problems with supply chains are all impediments to be overcome. The circulation element must continue to provide flexibility as to the type of transportation improvements warranted in specific contexts, and any timelines for implementation must be developed in consideration of realistically available financial resources. We note that there is significant pressure from the legislature for local agencies to reduce, eliminate or defer development impact fees, which are among the few sources of revenue the small cities need to implement the provisions of this bill.

Finally, SB 932 creates significant new legal liability for local jurisdictions in Santa Clara County that fail to meet the bill's arbitrary implementation timeframes. In addition to the funding constraints and issues discussed above, the new private right of action created by SB 932 will be counter-productive to making progress on improving our local streets. Simply put, every additional dollar that goes toward defending against litigation is one fewer dollar available for improving our local streets and roads. Section 65302(b)(2)B(iii) must be removed from the bill for our city to remove opposition to SB 932.

The following would allow us to remove our OPPOSE UNLESS AMENDED position.

1. Remove the uniform, top-down mandates as to project type and timing.
2. Allow for flexibility in projects that cross jurisdictions.
3. Identify new funding sources for any new mandate.
4. Remove entirely the proposed new cause of action liability (we note the currently amended version imposes a time limit on its application, but the entire concept is problematic).
5. Eliminate the perhaps unintended penalties of 65302(b)(2)(ii)(III), as described above.

Sincerely,

Anita Enander  
Mayor, City of Los Altos

Cc:  
The Honorable Anthony Portantino  
The Honorable Josh Becker  
The Honorable Marc Berman  
League of California Cities [cityletters@calcities.org](mailto:cityletters@calcities.org)  
Seth Miller [smiller@calcities.org](mailto:smiller@calcities.org)