



**TOWN OF LOS GATOS
COUNCIL MEETING AGENDA
APRIL 02, 2024
110 EAST MAIN STREET AND TELECONFERENCE
TOWN COUNCIL CHAMBERS
7:00 PM**

*Mary Badame, Mayor
Matthew Hudes, Vice Mayor
Rob Moore, Council Member
Rob Rennie, Council Member
Maria Ristow, Council Member*

IMPORTANT NOTICE

This is a hybrid meeting and will be held in-person at the Town Council Chambers at 110 E. Main Street and virtually through Zoom Webinar (log-in information provided below). Members of the public may provide public comments for agenda items in-person or virtually through the Zoom Webinar by following the instructions listed below. The live stream of the meeting may be viewed on television and/or online at www.LosGatosCA.gov/TownYouTube.

HOW TO PARTICIPATE

The public is welcome to provide oral comments in real-time during the meeting in three ways:

Zoom Webinar (Online): Join from a PC, Mac, iPad, iPhone or Android device. Please click this URL to join: https://losgatosca.gov.zoom.us/j/82232739012?pwd=1zlbRu029_33oyBb9l3AyTZQ7D2MEQ.kN8FbuOkINsmz-Jj
Passcode: 793054 You can also type in 822 3273 9012 in the "Join a Meeting" page on the Zoom website at and use passcode 793054.

When the Mayor announces the item for which you wish to speak, click the "raise hand" feature in Zoom. If you are participating by phone on the Zoom app, press *9 on your telephone keypad to raise your hand.

Telephone: Please dial (877) 336-1839 for US Toll-free or (636) 651-0008 for US Toll. (Conference code: 1052180)

If you are participating by calling in, press #2 on your telephone keypad to raise your hand.

In-Person: Please complete a "speaker's card" located on the back of the chamber benches and return it to the Town Clerk before the meeting or when the Mayor announces the item for which you wish to speak.

NOTES: (1) Comments will be limited to three (3) minutes or less at the Mayor's discretion.

(2) If you are unable to participate in real-time, you may email to Clerk@losgatosca.gov the subject line "Public Comment Item #___" (insert the item number relevant to your comment). All comments received will become part of the record.

(3) Deadlines to submit written comments are:

11:00 a.m. the Thursday before the Council meeting for inclusion in the agenda packet.

11:00 a.m. the Monday before the Council meeting for inclusion in an addendum.

11:00 a.m. on the day of the Council meeting for inclusion in a desk item.

(4) Persons wishing to make an audio/visual presentation must submit the presentation electronically to Clerk@losgatosca.gov no later than 3:00 p.m. on the day of the Council meeting.

CALL MEETING TO ORDER

ROLL CALL

APPROVE REMOTE PARTICIPATION *(This item is listed on the agenda in the event there is an emergency circumstance requiring a Council Member to participate remotely under AB 2449 (Government Code 54953)).*

PLEDGE OF ALLEGIANCE

PRESENTATIONS

- i. Los Gatos Foundation for Older Adults to Thrive Presentation
- ii. Poetry Month Proclamation and Poetry Reading by Town Poet Laureate William Ward Butler

CONSENT ITEMS *(Items appearing on the Consent Items are considered routine Town business and may be approved by one motion. Any member of the Council may request to have an item removed from the Consent Items for comment and action. Members of the public may provide input on any or multiple Consent Item(s) when the Mayor asks for public comments on the Consent Items. If you wish to comment, please follow the Participation Instructions contained on Page 1 of this agenda. If an item is removed, the Mayor has the sole discretion to determine when the item will be heard.)*

1. Approve Minutes of the March 15, 2024 Special Town Council Meeting.
2. Approve Minutes of the March 19, 2024 Closed Session Town Council Meeting.
3. Approve Minutes of the March 19, 2024 Special Town Council Meeting - Commissioner Interviews.
4. Approve Minutes of the March 19, 2024 Town Council Meeting.
5. Approve Minutes of the March 26, 2024 Closed Session Town Council Meeting.
6. Authorize the Town Manager to Execute an Agreement with Peckham & McKenney for Town Manager Recruitment Services in an Amount not to Exceed \$32,000.
7. Adopt an Ordinance Titled "An Ordinance of the Town Council of the Town of Los Gatos Amending the Zoning from C-1 (Neighborhood Commercial) to RD (Residential Duplex) for Properties Located at 15025, 15026, 15039, 15040, 15053, 15054, 15066, 15067, 15080, and 15081 Downing Oak Court." APNs 523-41-024, -033, -025, -032, -026, -031, -030, -027, -029, and -028. Exempt pursuant to CEQA Guidelines 15061 (b)(3): Review for Exemption. Zoning Amendment Application Z-24-002. Applicant: Town of Los Gatos. Project Planner: Sean Mullin.
8. Adopt an Ordinance Titled "An Ordinance of the Town Council of the Town of Los Gatos Amending Chapter 29, 'Zoning Regulations,' of the Town Code Regarding Appeals from the Decision by the Planning Director, Appeals from the Decision of the Historic Preservation Committee, Assignment of Duties to the Planning Director, Assignment of Duties to the Planning Commission, Powers and Duties of Planning Commission, Powers and Duties of the Planning Director, and Powers and Duties of the Historic Preservation Committee" and Adopt a Resolution Titled "Resolution of the Town Council of the Town of Los Gatos Amending the Enabling Resolution of the Historic Preservation Committee and Rescinding Resolution 2021-043." The Proposed Amendments to the Town Code are Not Considered a Project Under Section 15378 of the California Environmental Quality Act.

Town Code Amendment Application A-24-001. Applicant: Town of Los Gatos. Project Planner: Sean Mullin.

9. Adopt an Ordinance Titled, "An Ordinance of the Town Council of the Town Los Gatos Amending Chapter 1 Article III, 'Administrative Citations,' Chapter 11, 'Garbage, Refuse, and Weeds,' and Chapter 16, 'Noise' of the Town Code."
10. Modify the Town of Los Gatos Donation Opportunities FY 2023/24 List of Town Needs, Accept the Donation of Automated External Defibrillators and Outdoor SaveStation® Cabinets from the Kyle J. Taylor Foundation, and Authorize the Town Manager to Sign the Acknowledgement Form Provided by the Donor.
11. Approve a Novation Replacing Columbia Telecommunications Corporation with Imperial County Office of Education for the State Negotiated Contract for the Library's Corporation for Educational Network Initiatives in California Broadband Connection and Servicing.
12. Authorize Revenue and Expenditure Budget Adjustments in the Amount of \$65,000 to Recognize Receipt of State Homeland Security Grant Program (SHSGP) funds and Authorize the Town Manager to Execute the Required Agreement and Grant Documents to Receive Reimbursement Funds in Accordance with SHSGP Requirements.
13. Authorize the Town Manager to Execute a Third Amendment with HdL Companies for Business License Consulting and Reviewing Services to Review Draft Procedures for the Apportionment of Business License Taxes with Netflix Inc. Not to Exceed \$40,000 with a Total Contract Not to Exceed \$273,000.
14. Chavan & Associates Agreement:
 - a. Authorize the Town Manager to Execute a First Amendment with Chavan & Associates, LLP. for Auditing Services Adding Transportation Development Act Audit Services and Increasing the Compensation by \$15,500 for a Total Agreement Not to Exceed \$132,500; and
 - b. Authorize an Expenditure Budget Adjustment in the Amount of \$10,500 from the Available General Fund Capital/Special Projects Reserve.
15. Authorize the Town Manager to Execute a Certificate of Acceptance and Notice of Completion for the Fiscal Year 2022/23 Annual Street Repair and Resurfacing Project (CIP No. 811-9901), Completed by Pavement Coatings, and Authorize the Town Clerk to File for Recordation.
16. Reschedule to April 16, 2024, the Consideration of the Adoption of a Resolution Modifying the Height Pole and Netting Policy for Additions and New Construction. The Proposed Modifications to Town Policy are Not Considered a Project Under the California Environmental Quality Act. Project Location: Town Wide. Applicant: Town of Los Gatos.

VERBAL COMMUNICATIONS *(Members of the public are welcome to address the Town Council on any matter that is not listed on the agenda and is within the subject matter jurisdiction of the Town Council. The law generally prohibits the Town Council from discussing or taking action on such items. However, the Council may instruct staff accordingly. To ensure all agenda items are heard, this portion of the agenda is limited to 30 minutes. In the event additional speakers were not able to be heard during the initial Verbal Communications portion of the agenda, an additional Verbal Communications will be opened prior to adjournment. Each speaker is limited to no more than three (3) minutes or such time as authorized by the Mayor.)*

OTHER BUSINESS *(Up to three minutes may be allotted to each speaker on any of the following items.)*

17. Receive a Report on the Transportation Impact Fee and Provide Direction.
18. Discuss Potential Next Steps with Regard to the Referendum of Land Use and Community Design Elements of 2040 General Plan and Provide Direction to Staff.

PUBLIC HEARINGS *(Applicants/Appellants and their representatives may be allotted up to a total of five minutes maximum for opening statements. Members of the public may be allotted up to three minutes to comment on any public hearing item. Applicants/Appellants and their representatives may be allotted up to a total of three minutes maximum for closing statements. Items requested/recommended for continuance are subject to Council's consent at the meeting.)*

19. Adopt a Resolution Approving the Comprehensive Fee Schedule for Fiscal Year 2024/25 to Continue Certain Department Fees, Rates, and Charges, and Amending Certain Fees, Rates, and Charges for Fiscal Year 2024/25.
20. Introduce an Ordinance Titled, "An Ordinance of the Town Council of the Town of Los Gatos Amending Chapter 29, 'Zoning Regulations,' Article I, 'In General,' Division 3 'Signs,' of the Town Code Regarding Sign Regulations" as Recommended by the Planning Commission. The proposed amendments to the Town Code are not a project subject to CEQA [CEQA Guidelines Section 15061(b)(3)]. Town Code Amendment Application A-24-002. Project Location: Town Wide. Applicant: Town of Los Gatos.

OTHER BUSINESS *(Up to three minutes may be allotted to each speaker on any of the following items.)*

21. Discuss the Code of Conduct Policy Sections V. and XI. Pertaining to Councilmember Communications.

COUNCIL / MANAGER MATTERS

CLOSED SESSION REPORT

ADJOURNMENT *(Council policy is to adjourn no later than midnight unless a majority of Council votes for an extension of time.)*

ADA NOTICE In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Clerk's Office at (408) 354- 6834. Notification at least two (2) business days prior to the meeting date will enable the Town to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR §35.102-35.104]