



TOWN OF LOS GATOS
COUNCIL MEETING AGENDA *AMENDED
APRIL 16, 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.

This meeting will be teleconferenced pursuant to Government Code Section 54953(b)(3). Council Member Maria Ristow will be participating from a teleconference location at SACO Bristol – West India House, 2-4 Welsh Back, Bristol ENGLAND BS1-4SS. The teleconference location shall be accessible to the public and the agenda will be posted at the teleconference location 72 hours before the meeting.

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 use this URL to join: https://losgatosca.gov.zoom.us/j/82232739012?pwd=1zlbRu029_33oyBb9l3AyTZQ7D2MEQ.kN8FbuOkINsmz-Ji
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. Arbor Day Proclamation
- ii. Keep Los Gatos Beautiful Month Proclamation
- iii. National Public Safety Telecommunications Week

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 April 2, 2024 Closed Session Town Council Meeting.
2. Approve Minutes of the April 2, 2024 Town Council Meeting.
3. Approve Minutes of the April 8, 2024 Special Town Council Meeting.
4. Authorize the Town Manager to Execute a First Amendment to the Agreement for Services with Brightview Tree Care Services, Inc. to Increase Compensation for Fiscal Year 2023/24 in an Amount of \$100,000 for a Total Annual Amount Not to Exceed \$300,000 and a Total Agreement Amount Not to Exceed \$1,100,000; and Authorize a Revenue and Expenditure Budget Adjustment in the Amount of \$100,000 from the Available Tree Replacement Deposit Account.
5. Authorize a Budget Transfer of Previously Allocated Measure B Funds in the Amount of \$1,734,250 from the Winchester Boulevard Complete Streets Project (CIP No. 813-0238) to the Kennedy Road Sidewalk – Los Gatos Boulevard Project (CIP No. 813-0241).
6. Receive the Monthly Financial and Investment Report for February 2024.
7. Adopt a Resolution Describing Improvements and Directing the Preparation of the Town Engineer’s Report for Fiscal Year 2024/25 for Landscape and Lighting Assessment Districts No. 1 and 2.
8. Authorize Revenue and Expenditure Budget Adjustments in the Amount of \$15,615.98 to Recognize Excess Insurance Reimbursement for Damage to Howes Play Lot Structure.
9. Approve the Following Action for the Shannon Road Pedestrian and Bikeway Improvement Project (CIP No. 813-0218):
 - a. Authorize the Town Manager to execute Program Supplement No. F0104 to the Administering Agency-State Agreement for Federal-Aid Project No. 04-5067F15 in the Amount of \$940,100 from the State of California Department of Transportation (Caltrans).
10. Authorize the Town Manager to Execute a Certificate of Acceptance and Notice of Completion for Construction of the Corporation Yard Building Replacement Completed by S&H Construction, Inc., and Authorize the Town Clerk to File for Recordation.

11. Approve and Authorize the Town Manager to Execute a Memorandum of Understanding Between the Town of Los Gatos and the Police Officers' Association, and Authorize an Expenditure Budget Adjustment in the Amount of \$154,376 from the Available General Fund Capital/Special Projects Reserve.
12. Adopt a Resolution Rescinding the Land Use and Community Design Elements of the 2040 General Plan.
13. Adopt a Resolution Rescinding Resolution Nos. 2024-003, 2024-004, and 2024-005 Regarding the Transportation Impact Fee.
14. Authorize the Town Manager to Execute the First Amendment to the Contract with DKS Associates to Modify the Scope of Services and Increase Compensation from \$160,505 to \$166,647.

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.)*

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.)*

15. Open the Public Hearing for an Appeal of a Planning Commission Decision to Deny a Request to Eliminate a Housing Unit from the Town's Housing Inventory on Property Zoned R-1D, Located at **501 Monterey Avenue**, and Continue the Matter to May 7, 2024. APN 410-15-052. Categorically Exempt Pursuant to CEQA Guidelines Section 15301: Existing Facilities. Architecture and Site Application S-23-038. Property Owner/Applicant/Appellant: Katrina and Carlos Azucena. Project Planner: Sean Mullin

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

16. Establish a Town Council Policy Governing Town Board, Commission, and Committee Budgets.
17. Discuss Future Adoption Development Agreement Procedures and Provide Direction to Staff.
18. Adopt a Resolution, Based on Planning Commission Recommendations, 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.
19. Discuss and Provide Direction Regarding the Finance Commission Recommendation to Issue a Request for Qualification (RFQ) for the Preparation of the Annual Comprehensive Financial Report (ACFR).

20. Authorize the Town Manager to Negotiate an Animal Services Agreement between the Town of Los Gatos and the Silicon Valley Animal Control Authority (SVACA), and Direct Staff to Bring Back an Agreement for the Town to Become a Member of the SVACA.

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]

***The title of item #14 has been amended.**