



**TOWN OF LOS GATOS
COUNCIL MEETING AGENDA
FEBRUARY 07, 2023
110 EAST MAIN STREET AND TELECONFERENCE
TOWN COUNCIL CHAMBERS
LOS GATOS, CA
7:00 PM**

PARTICIPATION IN THE PUBLIC PROCESS

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

How to participate: The Town of Los Gatos strongly encourages your active participation in the public process, which is the cornerstone of democracy. If you wish to speak to an item on the agenda, please follow the participation instructions on page 2 of this agenda. If you wish to speak to an item NOT on the agenda, you may do so during the “Verbal Communications” period, by following the participation instructions on page 2 of this agenda. The time allocated to speakers may change to better facilitate the Town Council meeting.

Effective Proceedings: The purpose of the Town Council meeting is to conduct the business of the community in an effective and efficient manner. For the benefit of the community, the Town of Los Gatos asks that you follow the Town’s meeting guidelines while attending Town Council meetings and treat everyone with respect and dignity. This is done by following meeting guidelines set forth in State law and in the Town Code. Disruptive conduct is not tolerated, including but not limited to: addressing the Town Council without first being recognized; interrupting speakers, Town Council or Town staff; continuing to speak after the allotted time has expired; failing to relinquish the podium when directed to do so; and repetitiously addressing the same subject.

Deadlines for Public Comment and Presentations are as follows:

- Persons wishing to make an audio/visual presentation on any agenda item must submit the presentation electronically, either in person or via email, to the Clerk’s Office no later than 3:00 p.m. on the day of the Council meeting.
- Persons wishing to submit written comments to be included in the materials provided to Town Council must provide the comments as follows:
 - For inclusion in the regular packet: by 11:00 a.m. the Thursday before the Council meeting
 - For inclusion in any Addendum: by 11:00 a.m. the Monday before the Council meeting
 - For inclusion in any Desk Item: by 11:00 a.m. on the day of the Council Meeting

Town Council Meetings Broadcast Live on KCAT, Channel 15 (on Comcast) on the 1st and 3rd Tuesdays at 7:00 p.m.

Rebroadcast of Town Council Meetings on the 2nd and 4th Tuesdays at 7:00 p.m.

Live & Archived Council Meetings can be viewed by going to:

www.LosGatosCA.gov/TownYouTube

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, PLEASE CONTACT THE CLERK DEPARTMENT AT (408) 354-6834. NOTIFICATION 48 HOURS BEFORE THE MEETING WILL ENABLE THE TOWN TO MAKE REASONABLE ARRANGEMENTS TO ENSURE ACCESSIBILITY TO THIS MEETING [28 CFR §35.102-35.104]

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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 the Zoom webinar application (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.

PARTICIPATION

To provide oral comments in real-time during the meeting:

- **Zoom webinar:** Join from a PC, Mac, iPad, iPhone or Android device: Please click this URL to join: <https://losgatosca.gov.zoom.us/j/83387683101?pwd=Ky9lWmRneEFURHl6MTRUbml2SDBCUT09>
Passcode: 266177 You can also type in 833 8768 3101 in the “Join a Meeting” page on the Zoom website at <https://zoom.us/join>.
 - 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.
- **Join by telephone:** Join by Telephone: Dial: USA 877 336 1839 US Toll-free or 636 651 0008 US Toll. Conference code: 686100
 - If you are participating by calling in, press #2 on your telephone keypad to raise your hand.
- **In-Person:** If you wish to speak during the meeting, please complete a “speaker’s card” located on the back of the chamber benches and return it to the Town Clerk. If you wish to speak to an item on the agenda, please list the item number. If you wish to speak on an item NOT on the agenda, please list the subject and you may speak during the “Verbal Communications” period. The time allocated to speakers may change to better facilitate the Town Council meeting.

When called to speak, you may be asked to provide your full name and your town/city of residence. This identifying information is optional and not a requirement for participation. Please limit your comments to three (3) minutes, or such other time as the Mayor may decide, consistent with the time limit for speakers at a Council meeting. If you wish to speak to an item or items on the Consent Calendar, please state which item number(s) you are commenting on at the beginning of your time.

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) or “Verbal Communications – Non-Agenda Item.” Comments received by 11:00 a.m. the day of the meeting

will be reviewed and distributed before the meeting. All comments received will become part of the record.

RULES OF DECORUM AND CIVILITY

To conduct the business of the community in an effective and efficient manner, please follow the meeting guidelines set forth in the Town Code and State law.

The Town does not tolerate disruptive conduct, which includes but is not limited to:

- addressing the Town Council without first being recognized;
- interrupting speakers, Town Council, or Town staff;
- continuing to speak after the allotted time has expired;
- failing to relinquish the microphone when directed to do so;
- repetitiously addressing the same subject.

Town Policy does not allow speakers to cede their commenting time to another speaker. Disruption of the meeting may result in a violation of Penal Code 403.

MEETING CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

COUNCIL / MANAGER MATTERS

ANNOUNCEMENT OF FINANCE COMMISSIONER SELECTION BY COUNCIL MEMBER ROB RENNIE

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 2 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 January 17, 2023 Closed Session Town Council Meeting.
2. Approve Minutes of the January 17, 2023 Town Council Meeting.
3. Approve Minutes of the January 24, 2023 Special Town Council Meeting.
4. Approve Minutes of the January 30, 2023 Special Town Council Meeting.
5. Adopt a Resolution Reaffirming Resolution 2021-044 and Making Findings Pursuant to Government Code Section 54953, as Amended by Assembly Bill 361, and, Due to Health and Safety Concerns for the Public, Authorizing the Use of Hybrid Meetings for the Town Council and the Continued Use of Virtual Meetings for Boards and Commissions While Town Staff Makes the Necessary Arrangements to Transition to Hybrid Meetings for All Town Boards, Commissions, and Committees.
6. Consider the Following Actions for the Americans with Disabilities Act (ADA) Public Restroom -- Adult Recreation Center Project (CIP No. 821-2601):
 - a. Approve Plans and Specifications; and

- b. Authorize Advertising the Project for Bid; and
 - c. Authorize the Town Manager to Execute the County of Santa Clara Grant Agreement (Fiscal Year 2022/23) and Authorize Revenue and Expenditure Budget Adjustments in the Amount of \$250,000 to Recognize Receipt and Expenditure for CIP No. 821-2601; and
 - d. Authorize the Town Manager to Execute the Santa Clara County Community Development Block Grant (CDBG) City/County Contract for Fiscal Year 2023 and Authorize Revenue and Expenditure Budget Adjustments in the Amount of \$140,000 to Recognize Receipt and Expenditure of the Community Development Block Grant Fund for CIP No 821-2601.
7. Authorize Budget Adjustments in the Total Amount of \$43,500 to Recognize Receipt and Expenditure of Black Gold Library Consortium Grant Funds.
 8. Consider the Following Actions for the Annual Curb, Gutter, and Sidewalk Maintenance Project (CIP No. 813-9921):
 - a. Approve the Plans and Specifications; and
 - b. Authorize Advertising the Project for Bid.
 9. Consider the Following Actions for the Property Location: 137 Bersano Lane. APN 424-29-054. Property Owner: Lisa DeGeorge.
 - a. Adopt a Resolution Approving a Purchase and Sale Agreement for the Re-Purchase of an Affordable Housing Unit Subject to an Existing Below Market Price (BMP) First Right of Refusal Option; and
 - b. Authorize the Town Manager to Negotiate and Execute all Agreements and Documents Necessary and Appropriate to Effectuate the Preservation of the Affordable Housing Unit; and
 - c. Authorize Revenue and Expenditure Budget Adjustments in the Amount of \$436,276 from Available BMP Housing In-Lieu Fee Fund to Re-Purchase, Repair, and Pay Past Due Fees and Taxes of the Property.
 10. Authorize the Town Manager to Execute a Certificate of Acceptance and Notice of Completion Accepting the Work of Ashron Construction and Restoration, Inc., and Authorize Recording by the Town Clerk for PPW Job No. 817-0708 Parking Lot 4 Repair and Waterproofing.
 11. Authorize the Town Manager to Execute First Amendments to the Master Lease Agreements with Tait Firehouse, LLC and Forbes Mill, LLC.
 12. Authorize the Town Manager to Execute an Agreement with Sustainable Waze to Continue the Coordination of Music in the Park (MIP) Summer Concert Series for 2023, with Options for Annual Extensions for Two Additional Years.

VERBAL COMMUNICATIONS *(Members of the public are welcome to address the Town Council on any matter that is not listed on the agenda. To ensure all agenda items are heard and unless additional time is authorized by the Mayor, this portion of the agenda is limited to 30 minutes and no more than three (3) minutes per speaker. 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.)*

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.)

13. Introduce a Proposed Ordinance Amending Chapter 24 (Subdivision Regulations) and Chapter 29 (Zoning Regulations) of the Town Code Regarding Town-Initiated Parcel Mergers.

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

14. Discuss Valley Transportation Authority (VTA) Proposed Changes to Route 27 Weekend Bus Service.
15. Consider Modifications to Town Council Policy 2-01: Town Agenda Format and Rules Regarding Remote Attendance for Town Boards, Commissions, and Committees as Discussed by the Council Policy Committee.
16. Receive the Senior Service Committee Roadmap for Senior Services and Provide Any Additional Direction to the Committee and/or Staff.
17. Consider the Following Items Recommended by the Art and Culture Commission:
 - a. Receive the Arts and Culture Commission's Three-Year Plan Consisting of Capital Improvement Program (CIP) Funding for Completion of the Gateway Project and Annual Funding for Maintenance of Existing Town-Owned Public Artwork; and
 - b. Authorize the Town Manager to Enter into a Memorandum of Understanding with Silicon Valley Creates; and
 - c. Grant permission for Arts and Culture Commissioners to Solicit Philanthropic Funding for Future Public Art Projects.
18. Receive a Report on the Town Resources Utilized to Support 2022 Special Events, Provide Direction for the Allocation of Resources to Support Anticipated 2023 Special Events, and Approve the Attached Modifications to the Town's Facilities Use Policy.
19. Approve the Library's Holiday and Recognition Work Plan.

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

Writings related to an item on the Town Council meeting agenda distributed to members of the Council within 72 hours of the meeting are available for public inspection at the front desk of the Los Gatos Town Library, located at 100 Villa Avenue, and are also available for review on the official Town of Los Gatos website. Copies of desk items distributed to members of the Council at the meeting are available for review in the Town Council Chambers.

Note: In accordance with Code of Civil Procedure §1094.6; litigation challenging a quasi-adjudicatory decision of the Town Council must be brought within 90 days after the decision is final unless a shorter time is required by State or Federal law.