

**TOWN OF LOS GATOS
COUNCIL MEETING AGENDA
MARCH 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/88488901492?pwd=aTFYeFplZW90Ly9uZDNheEVXc2UxQT09>
Passcode: 729037 You can also type in 884 8890 1492 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 Section 403.

MEETING CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

CLOSED SESSION REPORT

COUNCIL / MANAGER MATTERS

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 Draft Minutes of the February 21, 2023 Town Council Meeting.
2. Approve the Draft Minutes of the February 23, 2023 Town Council Joint meeting of the Arts and Culture Commission, the Building Board of Appeals, the Community Health And Senior Services Commission, the Complete Streets and Transportation Commission, the Finance Commission, the General Plan Committee, the Historic Preservation Committee, the Housing Element Advisory Board, the Library Board, Parks Commission, the Personnel Board, the Planning Commission, the Senior Services Committee, and the Youth Commission.
3. Approve the Proposed Shannon Road Litigation Settlement and Release Agreements with the County of Santa Clara, Graniterock Construction, and Uretek; and Approve Revenue and Expenditure Budget Adjustments in the Amount of \$1,565,000 to

Recognize the Settlement Proceeds and Authorize Spending for the Shannon Road Repair Capital Project (411-811-008)

4. Adopt a Resolution Proclaiming the Termination of the Local Emergency Caused by the COVID-19 Pandemic.
5. Designate the Town's Agents by Title to Obtain Federal and/or State Financial Assistance Through the California Governor's Office of Emergency Services (Cal OES).
6. Annual Street Repair and Resurfacing Project (CIP No. 811-9901):
 - a. Approve the Plans and Specifications;
 - b. Authorize Advertising the Project for Bid;
 - c. Authorize an Expenditure Budget Transfer in an Amount of \$158,590 from Available Funds in CIP #813-0239;
 - d. Authorize a Revenue and Expenditure Budget Adjustment in the Amount of \$143,713 to Recognize Receiving and Expending Funds from San José Water Company; and
 - e. Authorize a Revenue and Expenditure Budget Adjustment in the Amount of \$55,545 to Recognize Receiving and Expending Funds from West Valley Sanitation District.

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.)*

7. Introduce an Ordinance of the Town Council of the Town of Los Gatos, by Title Only, Amending Planned Development Ordinance 2172 Relative to the Maximum Residence Size Allowed on Lot 14 and the Maximum Average Residence Size Allowed in the Shannon Valley Ranch Subdivision and Repealing Ordinance 2172 for the Shannon Valley Ranch Subdivision at Shannon and Hicks Roads (Shannon Oaks and Mountain Laurel Lanes) on Property Zoned HR-5:PD. APN: 567-24-023. This Request for Modification of a Planned Development Ordinance is not Considered a Project Under the California Environmental Quality Act. Planned Development Ordinance Application PD-22-001. Location: 300 Mountain Laurel Lane. PROPERTY OWNER: Bright Smile Dental Office Defined Benefit Plan. APPLICANT: Kunling Wu, Trustee.
8. Discuss and Provide Direction on Possible Modifications to Regulations Adopted in Response to Senate Bill 9 for Urban Lot Split and Two-Unit Housing Development Applications. 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.)*

9. Discuss and Provide Direction on the Senior Roadmap, Including:
 - a. Identify Specific “Core Senior Services” to be Provided by Los Gatos-Saratoga Recreation with the Funding of \$225,000 for Fiscal Year (FY) 2023/24;
 - b. Focus Community Efforts Towards Establishing a Potential 501c(3) for Fundraising for Ongoing Senior Services Expenditures and/or a Future Renovation/Rebuild of the Adult Recreation Center;
 - c. Refer the Transportation Year One Action Items to the Complete Streets and Transportation Commission for Consideration and Addition to its Work Plan for 2023;
 - d. Defer the Housing Year One Action Items for Future Council Discussion and Direction After the Certification of the Housing Element;
 - e. Recognize the Recent Accomplishments of the Community Health and Senior Services Commission (CHSSC), Discuss the Capacity of CHSSC, and Identify Specific Year One Priorities from the Roadmap for the CHSSC 2023 Work Plan;
 - f. Determine Other Specific One Year Action Items from the Roadmap; and
 - g. Thank the Senior Services Committee (SSC) Members for Their Service to the Town, Encourage the Members to Stay Engaged with Roadmap Implementation as Active Community Members with the CHSSC, and Sunset the SSC.

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.