



**AMENDED  
TOWN OF LOS GATOS  
COUNCIL MEETING AGENDA  
APRIL 18, 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 2<sup>nd</sup> and 4<sup>th</sup> Tuesdays at 7:00 p.m.***

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

***[www.LosGatosCA.gov/TownYouTube](http://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 NOTICES**

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](http://www.LosGatosCA.gov/TownYouTube).

\*This meeting will be teleconferenced pursuant to Government Code Section 54953(b)(3). Council Member Rob Moore will be participating from a teleconference location at the Four Points Sheraton, Sacramento Airport, 4900 Duckworth Drive, Sacramento CA, 95834, Natomas 2 Conference Room. Council Member Matthew Hudes will be participating from a teleconference location at 1-3 Sakuramachi, Chuo Ward, Kumamoto, 860-0805, Japan. The teleconference locations shall be accessible to the public and the agenda will be posted at the teleconference locations 72 hours before the meeting.

**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/88274632289?pwd=OUNjVzI2RWVBQ05HdUVhRU14MEVDUT09>  
Passcode: 665212 You can also type in 882 7463 2289 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](mailto: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.

## **MEETING CALL 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)).*

## **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 Meeting without first being recognized;
- Interrupting speakers, Town Council Meeting, 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.

## **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 the Draft Minutes of the April 3, 2023 Closed Session Town Council Meeting.
2. Approve the Draft Minutes of the April 4, 2023 Town Council Meeting.
3. Approve Draft Minutes of the April 11, 2023 Closed Session Town Council Meeting.
4. Adopt a Resolution Describing Improvements and Directing the Preparation of the Town Engineer's Report for Fiscal Year 2023/24 for Landscape and Lighting Assessment Districts No. 1 and 2.
5. Adopt an Ordinance of the Town Council of the Town of Los Gatos, 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.
6. Authorize the Town Manager to Execute a Notice of Completion and Certificate of Acceptance for the Fiscal Year 2022 Annual Storm Drain Improvements – 62 Ellenwood Avenue Project (CIP No. 816-0420), Completed by Casey Construction, and Authorize the Town Clerk to File for Recordation.
7. Receive the Monthly Financial and Investment Report (February 2023).
8. Authorize a Revenue and Expenditure Budget Adjustment in the amount of \$750,000 from Available American Rescue Plan Act Proceeds to the Roadside Fire Fuel Reduction Project (CIP No. 812-0130).
9. Authorize Revenue and Expenditure Budget Adjustments in the Amount of \$28,000 to Recognize Receipt and Expenditure of Board of State and Community Corrections (BSCC) Officer Wellness and Mental Health Grant Funds.
10. Adopt a Resolution to Set a Date for Consideration of the Reorganization of an Uninhabited Area Designated as Stephenie Lane No. 4, Approximately 0.53 Acres on Property Pre-Zoned R-1:8. APN 523-25-034. Exempt Pursuant to CEQA Guidelines Section 15061(b)(3): Common Sense Exemption. Annexation Application AN22-003. Project Location: 15974 Stephenie Lane. Property Owner/Applicant: Ron and Daphne Watson.
11. Annual Street Repair and Resurfacing Project (CIP No. 811-9901):
  - a. Award and Execute a Construction Agreement with Pavement Coating Company in an Amount Not to Exceed \$3,341,090; and
  - b. Authorize Staff to Execute Change Orders in an Amount Not to Exceed Fifteen Percent of the Contract Award Amount.
12. Americans with Disabilities Act (ADA) Restroom at the Adult Recreation Center (CIP No. 821-2601):
  - a. Reject All Bids Received and Opened on March 24, 2023 for the Project; and
  - b. Authorize the Town Manager to Re-Bid the Project with a Revision to a Contractor License Requirement.

13. Approve an Amendment to the Town Employee Association (TEA) Salary Schedule to Establish a New Classification Title and Salary Range for Librarian II and to Amend the Classification Title of Librarian to Librarian I.

**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.)*

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

14. Consider the Following Actions for the Shannon Road Pedestrian and Bikeway Improvements Project (CIP No. 813-0218):
  - a. Approve the Plans and Specifications;
  - b. Authorize Advertising the Project for Bid Contingent on Receiving Caltrans Authorization;
  - c. Authorize the Town Manager to Execute the Second Amendment to the Consulting Services Agreement with ActiveWayz Engineering for Additional Engineering Services During Bid, Award, and Construction in an Amount of \$25,238, Resulting in a Total Agreement Amount Not to Exceed \$196,709;
  - d. Authorize an Expenditure Budget Transfer in an Amount of \$133,380 from available Traffic Mitigation Funds;
  - e. Authorize an Expenditure Budget Transfer in an Amount of \$200,000 from Available Funds in Fund 461 CIP #816-0420;
  - f. Authorize an Expenditure Budget Transfer in an Amount of \$60,000 from Available Funds in CIP #813-0221;
  - g. Authorize an Expenditure Budget Transfer in an Amount of \$231,524 from Available Funds in CIP #813-0231; and
  - h. Authorize an Expenditure Budget Transfer in an Amount of \$219,772 from Available Funds in CIP #811-9902.
15. Provide Direction for the Potential Disposition and Use of Calhill Court (APN 529-21-034).
16. Provide Direction for the Potential Disposition and Use of 224 W. Main Street (APN 510-44-069).
17. Rescission of Planning Commissioner Censure.

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

**\*The agenda was amended to add the teleconference location for Council Member Hudes.**

*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.*