



**TOWN OF LOS GATOS  
COUNCIL AGENDA REPORT**

MEETING DATE: 11/01/2022

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**Minutes of the Town Council  
November 15, 2022**

The Town Council of the Town of Los Gatos conducted a regular meeting in-person and utilizing teleconferencing means on Tuesday, November 15, 2022 at 7:00 p.m.

**MEETING CALLED TO ORDER AT 7:01 P.M.**

**ROLL CALL**

Present: Mayor Rob Rennie, Vice Mayor Maria Ristow, Council Member Mary Badame, Council Member Matthew Hudes, Council Member Marico Sayoc.

Absent: None

**PLEDGE OF ALLEGIANCE**

Mayor Rennie led the Pledge of Allegiance. The audience was invited to participate.

**COUNCIL / MANAGER MATTERS**

**Council Matters**

- Council Member Badame stated she attended the Dittos Lane affordable housing Ribbon Cutting, the West Valley Clean Water Authority Board meeting, and the Conceptual Development Advisory Committee meeting.
- Council Member Sayoc stated she attended the Cities Association Executive Board meeting, and announced this week is United Against Hate Week.
- Council Member Hudes stated he attended the Dittos Lane affordable housing Ribbon Cutting, Senior Services Roadmap Sub-Committee Meetings, the First Fridays Senior Service Committee event at the Palms for community members 55 years and older, and the annual Community Emergency Response Team (CERT) Drill; met with members of the Plant-Based Advocates; and attended the Santa Clara County Emergency Operation Area Council Meeting.
- Vice Mayor Ristow stated she attended the 5<sup>th</sup> Grade Bike Skills Training, the Dittos Lane affordable housing Ribbon Cutting, the Conceptual Development Advisory Committee meeting, the First Fridays Senior Service Committee event at the Palms, the Cities Association Workshop, the Veteran's Day Ceremony, and the Thanksgiving Day Luncheon put on by the Lion's Club for people 55 years and older; commented on United Against Hate Week; and announced Los Gatos Interfaith Thanksgiving Day Celebration on Thursday.
- Mayor Rennie stated he participated in some of the 55+ programs; and attended the Bay Area Air Quality Management District Board meeting, the Dittos Lane Ribbon Cutting, the Valley Transportation Authority Board meeting, the ribbon cutting for Todd Anderson Dentistry, the CERT Drill, Silicon Valley Clean Energy Risk Oversight Committee and Board meetings, the ribbon cutting for Restore Los Gatos Ribbon, the Cities Association Board meeting, the Veteran's Day Ceremony, the Thanksgiving Day Luncheon put on by the Lion's

Council Matters – continued

Club, the Bay Area Air Quality Management District Legislative Committee meeting, and the Fire Safe Council meeting.

**Manager Matters**

- Announced the Boards, Commissions, and Committees recruitments are still underway, applications are due on December 2, at 4:00 p.m., and more information can be found on the Clerk webpage.
- Announced a Housing Element Advisory Board meeting will be held on Thursday, November 17 at 7:00 p.m. via teleconference.
- Announced a special meeting of the Planning Commission will be held on Monday November 21<sup>st</sup> via teleconference.
- Announced the free valet parking service will begin on Friday, November 25 in Downtown Los Gatos.
- Announced the Holiday Tree Lighting will take place at 6:00 p.m. on December 2, 2022 at Town Plaza Park.

**CONSENT ITEMS**

1. Approve the Draft Minutes of the November 1, 2022 Closed Session Town Council Meeting.
2. Approve the Draft Minutes of the November 1, 2022 Town Council Meeting.
3. 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. **RESOLUTION 2022-070**
4. Adopt an Ordinance to Amend Town Code Section 1.10.075, "Official Town Holidays – Designated; Exceptions," to Add the Juneteenth Holiday. **ORDINANCE 2333**
5. Adopt an Ordinance Effecting Amendments to Chapter 29 (Zoning Regulations) of the Town Code to Regulate Urban Lot Splits and Two-Unit Housing Developments in Compliance with Senate Bill 9. Town Code Amendment Application A-22-002. Location: Town-wide. Applicant: Town of Los Gatos. **ORDINANCE 2334**
6. Adopt an Ordinance Effecting Amendments Repealing and Replacing Chapter 6, Building Regulations, and Chapter 9, Fire Prevention and Protection, of the Town of Los Gatos Municipal Code with the New 2022 California Building and Fire Codes, as Amended, Including Reach Codes. Town Code Amendment Application A-22-003. Project Location: Town Wide. Applicant: Town of Los Gatos. **ORDINANCE 2335**

Consent Items – continued

7. Los Gatos Creek Trail to Highway 9 Trailhead Connector (CIP No. 832-4505):
  - a. Authorize the Town Manager to Execute the 2016 Measure B Funding Agreement with the Santa Clara Valley Transportation Authority to Accept Grant Funding in the Amount of \$693,500 for the Project Construction; and
  - b. Authorize the Town Manager to Negotiate and Execute a Transportation Fund for Clean Air Funding Agreement with the Santa Clara Valley Transportation Authority to Accept Grant Funding in the Amount of \$755,921 for the Project Construction.
8. Receive the First Quarter Investment Report (July through September 2022) for Fiscal Year 2022/23.
9. Approve the Assignment of the North 40 Market Hall Transportation Demand Management Agreement from SummerHill N40 LLC to Yuki Farms, a California General Partnership.

Opened public comment.

Ivy Chang

- Commented on item five and requested Council remove the 30% slope restriction and increase the first SB 9 unit to 1,400 square feet.

Lee Quintana

- Commented on item five and stated concerns with using the SB 9 ministerial process for urban lot splits and the discretionary process for developments on those lots.

Harin

- Commented on item five and requested Council consider a step back exemption and increase the first SB 9 unit to 1,500 square feet.

Closed public comment.

Council Member Hudes pulled item #5.

**MOTION: Motion by Vice Mayor Ristow to approve items 1-9, exclusive of item 5. Seconded by Council Member Sayoc.**

**VOTE: Motion passes unanimously.**

**VERBAL COMMUNICATIONS**

DOC

- Suggested residents of Los Gatos create their own films and hold a film festival.

Verbal Communications – continued

Pat Kearns

- Commented on issues with San Jose Water Company's claim process related to the water leak discussed at the last Council meeting.

Lee Fagot

- Commented on concerns with the employee parking permit signage and stated Dittos Lane property should be Town subsidized affordable housing open to the community.

**OTHER BUSINESS**

10. Adopt a Resolution Accepting Funds from the California Supplemental Law Enforcement Service Fund (SLESF). **RESOLUTION 2022-071**

Heather St. John, Senior Administrative Analyst, provided the staff report.

Opened public comment.

No one spoke.

Closed public comment.

Council discussed the item.

**MOTION:** Motion by **Council Member Badame** to adopt a resolution accepting funds from the California Supplemental Law Enforcement Service Fund (SLESF). **Seconded by Council Member Sayoc.**

**VOTE:** Motion passed unanimously.

**PUBLIC HEARING**

11. Consider Adoption of a Resolution Establishing Objective Standards for Qualifying Multi-Family and Residential Mixed-Use Developments. Location: Town-wide. Applicant: Town of Los Gatos. **RESOLUTION 2022-072**

Sean Mullin, Senior Planner, provided the staff report.

Opened public comment.

Louis Liss, Associate Director of Real Estate Development at Eden Housing

- Commented on concerns of open space requirements, mass and scale requirements, and roof design standards as adding costs to the production of affordable housing.

Public Hearing Item #11 – continued

Closed public comment.

Council discussed the item.

**MOTION:** Motion by Council Member Sayoc to adopt a resolution establishing Objective Standards for qualifying multi-family and residential mixed-use developments with the following amendments: change the document title so the applicability is clear, modify the wording used in Standard A.10.1(b) the last sentence, changing “cannot” to “shall not”, remove the requirement for townhomes or rowhouses to have no more than six contiguous units in any single building, add a requirement for high quality bicycle parking with aesthetics that blend with the building and follow the Valley Transportation Authority (VTA) Bicycle Technical Guidelines chapter on bicycle parking, and approved the Planning Commission’s recommendation including changes regarding private recreation. **Seconded by Vice Mayor Ristow.**

**VOTE:** Motion passed 3-2; Council Member Badame and Hudes voted no.

Recess 9:52 p.m.

Reconvene 10:04 p.m.

## **OTHER BUSINESS**

12. Receive an Update on Community Outreach Activities for the Highway 17 Bicycle and Pedestrian Overcrossing Project (CIP Number 818-0803) and Approve the Concrete Box Girder as the Preferred Bridge Type for Final Design.

Michelle Quinney, Special Projects Manager, provided the staff report.

Opened public comment.

June Beeler

- Commented on concerns of the need for a heavy-duty concrete overpass.

Closed public comment.

Council discussed the item.

Other Business item #12 – continued

**MOTION:** Motion by **Vice Mayor Ristow** to approve the concrete box girder as the preferred bridge type for final design for the Highway 17 bicycle and pedestrian Blossom Hill Road overcrossing. **Seconded** by **Council Member Sayoc**.

**VOTE:** Motion passed 4-0-1; Council Member Hudes abstained.

### **Pulled Consent Items**

5. Adopt an Ordinance Effecting Amendments to Chapter 29 (Zoning Regulations) of the Town Code to Regulate Urban Lot Splits and Two-Unit Housing Developments in Compliance with Senate Bill 9. Town Code Amendment Application A-22-002. Location: Town-wide.  
Applicant: Town of Los Gatos. **ORDINANCE 2334**

Jennifer Armer, Planning Manager, presented the staff report.

Opened public comment.

Lee Quintana

- Inquired about the intent of the ordinance in regard to the discretionary and ministerial processes.

Closed public comment.

Council discussed the item.

**MOTION:** Motion by **Council Member Hudes** to adopt an ordinance effecting amendments to Chapter 29 (Zoning Regulations) of the Town Code to regulate Urban Lot Splits and Two-Unit Housing Developments in compliance with Senate Bill 9. **Seconded** by **Vice Mayor Ristow**.

**VOTE:** Motion passed unanimously.

Town Clerk Wood read the title of the Ordinance.

### **ADJOURNMENT**

The meeting adjourned at 11:09 p.m.

Respectfully submitted:

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/s/ Jenna De Long, Deputy Clerk