



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 11/01/2022

**Minutes of the Town Council
October 18, 2022**

The Town Council of the Town of Los Gatos conducted a regular meeting in-person and utilizing teleconferencing means on Tuesday, October 18, 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

Pravin Balasingham led the Pledge of Allegiance. The audience was invited to participate.

CLOSED SESSION REPORT

Gabrielle Whelan, Town Attorney, stated Council met as duly noted on the October 13 and 18, 2022 Closed Session agendas and stated there is no reportable action.

COUNCIL / MANAGER MATTERS

Council Matters

- Council Member Sayoc stated she attended the West Valley Community College Roots Pantry Grand Opening and attended the Cities Association Board meeting on behalf of the Mayor.
- Council Member Badame stated she attended the Finance Commission meeting as an observer; chaired the Conceptual Development Advisory Committee meeting which was continued November 9 due to a lack of quorum; attended the West Valley Solid Waste Management Authority Board meeting and the West Valley Clean Water Authority Board meeting; met with Alan Feinberg the creator of "Discover LOST Gatos" the historical walking tours, and a KCAT Board Member to discuss various issues in Town.
- Vice Mayor Ristow stated she attended the Los Gatos-Monte Sereno Police Foundation Recognition Luncheon, the Police Academy, the First Fridays Senior Service Committee event at the Palms for community members 55 and older, the Finance Committee meeting as an observer, the Complete Streets and Transportation Committee meeting as an observer, and met with residents on various topics.
- Council Member Hudes stated he attended the Los Gatos-Monte Sereno Police Foundation Recognition Luncheon, the Los Gatos-Monte Sereno Emergency Communication Leadership meetings "HAM Cram" class and Community Emergency Response Team exercises, the Senior Service Roadmap Sub-Committee meetings, and the Finance Commission meeting.

Council Matters – continued

- Mayor Rennie stated he attended the Bay Area Air Quality Management District Technology Implementation Steering Committee meeting, the Stationary Source Committee meeting, and the Board meeting; attended the Silicon Valley Clean Energy Authority (SVCEA) Finance Committee meeting, the SVCEA Risk Oversight Committee meeting, and Board meeting; attended the Valley Transportation Authority Board and Policy Advisory Committee meetings; and the Finance Commission meeting.

Manager Matters

- Announced that Board, Commission, and Committee recruitment is 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 Committee meeting will be held on Thursday, October 20th via teleconference.
- Announced free COVID-19 testing will take place on October 27, 2022 at the Adult Recreation Center and appointments will be available beginning Thursday, October 20.
- Announced ballot boxes are now outside of Town Hall and the Library.

CONSENT ITEMS

1. Approve Draft Minutes of the October 4, 2022 Special Town Council Meeting.
2. Approve Draft Minutes of the October 4, 2022 Town Council Meeting.
3. Approve Draft Minutes of the October 13, 2022 Closed Session Town Council Meeting.
4. 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 2022-065**
5. Adopt an Extension to June 30, 2023 to the Town's Economic Recovery Resolution to Allow for the Continued Support of the Town's Economic Recovery Efforts, including the Completion of the Construction and Implementation of the Semi-Permanent Parklet Program. **RESOLUTION 2022-066**
6. Adopt a Resolution Approving and Authorizing the Town Manager to Execute the Project Specific Maintenance Agreement for Los Gatos Creek Trail with the California Department of Transportation. **RESOLUTION 2022-067**
7. Authorize the Town Manager to Enter into a Memorandum of Understanding with the Los Gatos Saratoga Union High School District and Los Gatos Union School District to Participate in a Community Norms Effort at a Cost Not to Exceed \$16,800.
8. Receive Independent Accountants' Report on Agreed-Upon Procedures on Measure G Revenues and Expenditures for the Period March 1, 2019 to June 30, 2021.

Consent Items – continued

9. Storm Drainage System Repair at 62 Ellenwood Avenue (CIP No. 816-0420):
 - a. Reject All Bids Received and Opened on October 10, 2022 for the Project; and
 - b. Authorize the Town Manager to Re- Bid the Project with Changes that May Reduce Project Cost.

Opened public comment.

No one spoke.

Closed public comment.

MOTION: Motion by Vice Mayor Ristow to approve items 1-9. Seconded by Council Member Badame.

VOTE: Motion passes unanimously.

VERBAL COMMUNICATIONS

Christopher Bajorer

- Requested the Town adopt a rigorous process for validating the residency of an applicant who requests to build an Accessory Dwelling Unit or split a lot.

Tom Picraux, Senior Service Committee Chair

- Commented on the Senior Service Roadmap Sub-Committee progress.

John Shepardson

- Commented on the Albright settlement funds, and suggested the Town make better use of the Finance Commission, hire an outside consultant to review the budget, have the Santa Clara County Sheriff make a proposal to provide police services to the Town, and possibly submit a parcel tax ballot measure to help fund police services.

OTHER BUSINESS

10. Receive an Annual Report Regarding the Independent Police Auditor Function.

Gabrielle Whelan, Town Attorney, provided the staff report.

Opened public comment.

No one spoke.

Closed public comment.

Council discussed the item and received the report.

11. Discuss the Housing Element Process and the Next Steps for the Referendum of the 2040 General Plan Land Use and Community Design Elements, and Provide Direction on the Preferred Approach for the Referendum.

Gabrielle Whelan, Town Attorney, and Joel Paulson, Community Development Director, provided the staff report.

Opened public comment.

Ronald Meyer

- Inquired where the 2040 General Plan can be accessed and commented in support of Option B in the staff report to place the measure on the ballot at the November 2024 General Municipal Election.

Richard Kananen

- Commented on the Housing Element, opposed rezoning to higher density, and supports restoring the land use goal to preserve, promote and protect the existing small town character and quality of life in Los Gatos.

Diane Pleasant

- Commented on the small town character of the Town and requested the Council consider adding the word "small" back into the verbiage of the 2040 General Plan.

Rob Stump

- Commented on the referendum and spoke in support of the option to rescind and replace the Land Use and Community Design Elements of the 2040 General Plan.

Rick Van Hoesen

- Commented on the referendum and stated support for Option C to rescind and replace the Elements as listed in the staff report.

Barbara Dodson

- Commented on the General Plan, did not support placing the referendum on a ballot, and supports the option to rescind and replace.

Markene Smith

- Commented on concerns with the housing numbers and affordable housing, requested the Council consider adding transit solutions and energy efficiency, requested the phrase "preserve, promote and protect the existing small town character and quality of life" be added back into the Plan, and supported the rescind and replace option.

Other Business item #11 – continued

Kathryn Morgan

- Commented on concerns with water, housing, traffic, and parking, and requested a guaranteed percentage of affordable housing.

Sutton Roley

- Commented on concerns with housing numbers being higher than the State mandated number and would like to revisit the General Plan every eight years in line with the Regional Housing Needs Assessment (RHNA) cycle to make any necessary amendments.

Lee Quintana

- Commented on the difference between increasing density in a General Plan designation and upzoning in the Zoning Code. She also explained that the Zoning Code may limit what might be possible within a General Plan land use designation.

Lee Fagot

- Commented on concerns with too much housing, the impacts of traffic, parking, water use, and electricity, and would like Council to commit to preserve, promote and protect the existing small town character and quality of life in Los Gatos.

Catherine Somers, Chamber of Commerce Executive Director

- Commented in support of the 2040 Community Design Element and requested Council consider implementing workforce housing and additional transportation solutions.

Ken Arendt

- Commented on concerns with the increased housing numbers, availability of affordable housing, stated he would not want to go through an expensive ballot measure and would like to preserve the small-town character.

Younggang “Jason” Xu

- Commented on the small town character.

Melanie Hanssen

- Commented in support of option C in the staff report and commented on the Design Element.

Bill Kraus

- Commented that the housing number buffer should be reduced from 15% to 3 to 5% and recommended adding the goal of preserving the small town character back into the 2040 General Plan.

Other Business item #11 – continued

Ian Land

- Commented on moderating growth, stated concerns with pressures on infrastructure, and spoke about rescinding and replacing the elements and voting on the proposed amended elements in 2024.

Kevin Ma

- Commented on the need for housing and discussed compliance issues with the Housing Element.

John Shepardson

- Commented on concerns with the possible number of units, the draw on the Town's resources, and supports keeping the small town character language and include Justice, Equity, Diversity and Inclusion (JEDI) in the 2040 General Plan.

Randi Chen

- Commented that not all parcels are eligible for upzoning due to other constraints and Town Codes; stated that the 12,000 housing unit number is unrealistic; and said that requiring different types of housing can enhance the small town character.

Joanne Rodgers

- Commented in support of Option C and opposed adding 12,000 units.

Jake Wilde

- Commented the Town has a need for additional housing given the job housing ratio.

Closed public comment.

Recess 9:16 p.m.

Reconvene 9:27 p.m.

Council discussed the item.

MOTION: Motion by **Council Member Hudes** to reconsider the Land use and Community Design elements after adoption of the 2040 Housing Element, no later than the time frame for the 2024 election. **Seconded** by **Council Member Badame**.

VOTE: Motion passed unanimously.

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SUBJECT: Minutes of the Town Council Meeting of October 18, 2022

DATE: October 25, 2022

ADJOURNMENT

The meeting adjourned at 10:05 p.m.

Respectfully submitted:

/s/ Jenna De Long, Deputy Clerk