



TOWN OF LOS GATOS COUNCIL AGENDA REPORT

Minutes of the Town Council Meeting March 7, 2023

The Town Council of the Town of Los Gatos conducted a regular meeting in-person and utilizing teleconferencing means on Tuesday, March 7, 2023, at 7:00 p.m.

MEETING CALLED TO ORDER AT 7:00 P.M.

ROLL CALL

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

Absent: None

PLEDGE OF ALLEGIANCE

The Stratford School Student Council led the Pledge of Allegiance. The audience was invited to participate.

CLOSED SESSION REPORT

Gabrielle Whelan, Town Attorney, stated the Town Council met in Closed Session and to discuss the Shannon Road litigation and a letter received from the American Civil Liberties Union and there was no reportable action.

COUNCIL/TOWN MANAGER REPORTS

Council Matters

- Council Member Rennie stated he attended the Silicon Valley Clean Energy Authority Risk Oversight Committee and Executive Committee meetings, the Valley Transportation Authority Board meeting, and Board workshop.
- Council Member Hudes stated he attended the Senior Services Road Map Sub-Committee meeting, the Diversity Equity and Inclusion (DEI) training, the Senior Service Committee (SSC) meeting, and the Council Policy Committee meeting; observed the Community Health and Senior Services Commission (CHSSC) meeting; and attended the Santa Clara County Emergency Operational Area Council meeting, the Bay Area Housing Finance Authority public workshop, a meeting called "Planning for Life Sciences Development in the Bay Area Communities," and the Los Gatos-Monte Sereno Police Foundation Officer's Ball.
- Vice Mayor Badame stated she attended the DEI training, the Council Policy Committee as an observer, and the Democracy Tent as guest speaker; and corresponded with several constituents regarding Town matters.
- Council Member Moore commented on Women's History Month, his monthly newsletter, and community coffee opportunities; met with a Girl Scout Troop; met with Santa Clara County Fire Chief Suwanna Kerdkaew; attended the Veterans Memorial Support and

Council Matters – continued

- Foundation Board meeting; met with Mark Turner, Mayor of Morgan Hill; and attended the Council Policy Committee meeting and the DEI training.
- Mayor Ristow stated she attended the West Valley Mayors and Managers meeting, the Santa Clara County Mayors meeting, the Mayors and Managers luncheon at Stanford, the Bay Area Housing Authority Financial workshop, the DEI training, the SSC meeting, the CHSSC meeting as an observer, met with representatives of Harmonie Park, Grosvenor and Eden Housing regarding Phase II of the North 40; attended the Los Gatos-Monte Sereno Police Foundation Officer's Ball; met with several community members on various topics; and was interviewed by KCAT Producers Network Senior Moments.

Manager Matters

- Announced the Housing Element Advisory Board will meet on Thursday, March 16 to review the revised draft of the Housing Element.
- Announced the Library will be holding a discussion on climate change with an equity lense on Wednesday, March 8, and a discussion on factory farming on March 20.
- Announced the Town Manager's Office will bring forward the draft DEI plan to all Boards, Commissions and Committees to receive input.

CONSENT ITEMS (TO BE ACTED UPON BY A SINGLE MOTION)

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. **RESOLUTION 2023-011**
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).

Consent Items – continued

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.

Opened public comment.

No one spoke.

Closed public comment.

MOTION: Motion by Vice Mayor Badame to approve items 1-6. Seconded by Council Member Moore.

VOTE: Motion passed unanimously.

VERBAL COMMUNICATIONS

Ali Miano, Los Gatos Ani-Racism Coalition

- Commented on a letter submitted by Planning Commissioner Kylie Clark and provided supportive remarks.

Jeff Suzuki, Los Gatos Ani-Racism Coalition

- Commented on the censure of Planning Commissioner Clark and requested Council reconsider their decision.

Joanne Rodgers

- Commented on concerns with Planning Commissioner Clark and requested Council Member Moore recuse himself on any matter that involving Commissioner Clark.

Lee Fagot

- Commented on new Below Market Rate (BMR) rental units in Los Gatos for the “missing middle.”

PUBLIC HEARINGS

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.

Sean Mullin, Senior Planner, presented the staff report.

Mayor Ristow, Council Member Hudes, and Council Member Moore disclosed they visited the site.

The applicant's representative provided opening comments.

Opened public comment.

Chad Seiler, Shannon Valley Ranch Homeowners Association

- Commented on safety and aesthetic concerns and posed questions for the development team.

Closed public comment.

The applicant provided closing comments.

Council discussed the matter.

MOTION: Motion by Council Member Rennie to 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. **Seconded by Vice Mayor Badame.**

VOTE: Motion passed unanimously.

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.

Public Hearing Item #8 – continued

Gabrielle Whelan, Town Attorney, presented the staff report.

Opened public comment.

No one spoke.

Closed public comment.

Council discussed the matter.

MOTION: Motion by Council Member Moore to direct staff to wait for further guidance from the State on SB9 regarding High Fire Hazard Severity Zone. **Seconded by Mayor Ristow.**

Council discussed the item. **Mayor Ristow withdrew her second. Council Member Moore amended the motion to:** direct staff to monitor HCD direction on SB9 and return to Council within the next year with an update on the Very High Fire Hazard Severity Zone portion of SB9. **Seconded: Council Member Rennie.**

VOTE: Motion 3-2, Vice Mayor Badame and Council Member Hudes voted no.

Recess 8:29 p.m.

Reconvene 8:40 p.m.

OTHER BUSINESS

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.

Other Business Item #9 – continued

Laurel Prevetti, Town Manager, presented the staff report.

Opened public comment.

Jeffrey Blum, Community Health and Senior Services Commission (CHSSC) Chair

- Commented in support of sunseting the Senior Services Committee; stated the CHSSC is prepared to implement the roadmap; requested the ability for non-residents to serve on CHSSC subcommittees; and requested Council consider expanding the CHSSC.

Elenor Yick, CHSSC Member

- Commented on the recent allocation of funds to support Los Gatos Saratoga Recreation (LGS Rec), and requested Council consider allocating additional funds to the LGS Rec 55+ program and compile a list of available of senior housing.

Dick Konrad, CHSSC Member

- Commented on the CHSSC accomplishments report submitted last year and believes it is possible for LGS Recreation to continue the 55+ program at the same level using their own initiatives.

Tom Picraux

- Requested Council consider adding Los Gatos Commons Community Gardens project as a core service under the roadmap and commented on the partnership between CHSSC and LGS Recreation 55+ program.

Lisanne Kennedy, Los Gatos-Saratoga Recreation

- Commented on the programs offered by Los Gatos-Saratoga Recreation, the levels of service provided, and a case manager role.

Ali Miano, Complete Streets and Transportation Member

- Thanked the Senior Service Committee for their work and hope to work with them in the future.

Closed public comment.

Council discussed the matter.

Other Business Item #9 – continued

MOTION: Motion by **Council Member Hudes** to direct the Community Health and Senior Services Commission to meet with Los Gatos-Saratoga Recreation to review their proposal and the actual activities schedule that can be found in print and the list of services in Exhibit F of the 2009 lease agreement, and make recommendations to the Council for services not to exceed \$225,000 over 12 months with the goal of continuing services at the current level. **Seconded by Mayor Ristow.**

VOTE: Motion passed unanimously.

MOTION: Motion by **Vice Mayor Badame** to 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 and that the 501c(3) remain legally, financially, and administratively separate from the Town. **Seconded by Council Member Hudes.**

VOTE: Motion passed unanimously.

MOTION: Motion by **Mayor Ristow** to refer the transportation year-one action items to the Complete Streets and Transportation Commission (CSTC) and direct the CSTC to return to the Council on April 18, 2023 for a discussion of what is in their bandwidth. **Seconded by Council Member Hudes.**

VOTE: Motion passed unanimously.

MOTION: Motion by **Council Member Hudes** to defer the housing year-one action items for future Council discussion and direction after the certification of the Housing Element and to prioritize the creation of a senior housing inventory immediately or soon after the certification. **Seconded by Council Member Moore.**

VOTE: Motion passed unanimously.

MOTION: Motion by **Vice Mayor Badame** to recognize the recent accomplishments of the Community Health and Senior Services (CHSSC), identify year-one priorities from the Roadmap for the CHSSC workplan which encompass all the priorities set forth by the Senior Services Roadmap gameplan as listed in Attachment 6 of the staff report with the ability to make changes. **AMENDMENT:** add one Council liaison to the CHSSC and direct the Town Attorney to explore options to create subcommittees that have non-resident members. **Seconded by Council Member Hudes.**

VOTE: Motion passed unanimously.

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SUBJECT: Minutes of the Town Council Meeting of March 7, 2023

DATE: March 8, 2023

Other Business Item #9 – continued

MOTION: Motion by **Council Member Hudes** to include a community garden in the year-one action items with coordination between the Roadmap and the Parks Commission to help move it forward. **Seconded by Mayor Ristow.**

VOTE: Motion passed unanimously.

MOTION: Motion by **Council Member Hudes** to thank the Senior Services Committee, encourage the members to stay engaged, and sunset the Senior Services Committee. **Seconded by Council Member Moore.**

VOTE: Motion passed unanimously.

ADJOURNMENT

The meeting adjourned at 10:44 p.m.

Respectfully Submitted:

/s/ Jenna De Long, Deputy Clerk