



TOWN OF LOS GATOS COUNCIL AGENDA REPORT

Minutes of the Town Council Meeting Tuesday, February 6, 2024

The Town Council of the Town of Los Gatos conducted a regular meeting in-person and utilizing teleconferencing means on Tuesday, February 6, 2024, at 7:00 p.m.

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

ROLL CALL

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

Absent: None

PLEDGE OF ALLEGIANCE

Mayor Badame 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 to discuss labor negotiations pursuant to Government Code Section 54957.6 and anticipated litigation pursuant to Government Code Section 54956.9(e)(1), and there was no reportable action.

COUNCIL/TOWN MANAGER REPORTS

Council Matters

- Council Member Ristow stated she attended a Housing Element Advisory Board meeting; met with Girl Scout Troup 60879 to discuss leadership; attended a Council Policy Committee meeting, the League of California Cities New Mayor and Council Member Academy, and a Cal Cities Peninsula Division Legislative Address; volunteered at the Los Gatos-Almaden Pollinator Garden; attended a Midpeninsula Newt Project Bicyclist Stakeholder meeting; met with stakeholders on topics such as the Housing Element and the Rail to Trail pathway project; met with Jim Foley regarding the Chamber of Commerce priorities; and addressed severe weather concerns.
- Council Member Moore addressed severe weather concerns; acknowledged CERT Member Mark Wang for providing generators to residents during severe weather; attended an Interim Community Center community meeting and the Los Gatos History Club open house; met with Senator Josh Becker regarding affordable housing; attended a Cal Cities Peninsula Division Legislative Address; listened to Vice President Kamla Harris, Senators Alex Padilla and Laphonza Butler, and Secretary of Health and Human Services Xavier Becerra; held his first Council Member Happy Hour; attended a Democracy Tent meeting; concluded his time as Assistant Coach of the Leigh Wrestling Team; attended the Housing Element Advisory Board meeting, and a Cities Association Legislative Action Committee meeting; and announced his Council Member Community Coffee on Friday.

- Council Member Rennie stated he met with the Finance Commission Chair; attended a Silicon Valley Clean Energy Authority (SVCEA) Risk Oversight Committee meeting; met with Jim Foley to discuss the Post Office building and the Tait and Forbes Mill leases; met with neighbors near the proposed Lynn Avenue Path and Pinehurst Community Garden; and met with architect Jay Plett regarding Senate Bill (SB) 9.
- Vice Mayor Hudes stated he attended the Cities Association Board of Directors meeting; met with the Finance Commission Chair; met with Chamber of Commerce Director; met with the Initiatives and Publicity Committee of the Older Adults Thrive Foundation; toured the Mountain View Senior Center; attended Older Adults Thrive Foundation meetings, the League of California Cities New Mayor and Council Members Academy; met with Community Health and Senior Services Commission Chair Eleanor Yick; met with the developers of the Los Gatos Meadows; and met with Jim Foley.
- Vice Mayor Badame stated she toured the Mountain View Community Center; attended the League of California Cities New Mayors and Council Members Academy; met with Jim Foley of the Chamber of Commerce to discuss beach traffic; met with Nancy Rollett (Executive Director of Los Gatos-Saratoga Recreation) to discuss the Senior Services Program; met with the Executive Director of the West Valley Solid Waste Management Authority; attended a West Valley Clean Water Authority Board meeting, a West Valley Solid Waste Management Authority Board meeting, and attended the Rotary Club Crab Festival and auction at St. Luke's Church.

Manager Matters

- Announced Board, Commission, and Committee applications are open, and applications are due by March 4. Opportunities include seats on the Planning Commission; Parks and Sustainability Commission; General Plan Committee; Personnel Board; and the Diversity, Equity, and Inclusion Commission seat for a Los Gatos business owner who is also a resident.

ANNOUNCEMENT OF FINANCE COMMISSION APPOINTMENTS

Vice Mayor Hudes announced Joe Rodgers as his appointment to the Finance Commission.

Council Member Moore announced Dr. Ashby Monk as his appointment to the Finance Commission.

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

1. Approve Closed Session Minutes of the January 16, 2024 Town Council Meeting.
2. Approve Minutes of the January 16, 2024 Town Council Meeting.
3. Authorize the Town Manager to Execute a Notice of Completion and Certificate of Acceptance for Specified Improvements Completed by SummerHill N40 LLC for the North 40 Phase 1 Development at Lark Avenue and Los Gatos Boulevard and Authorize the Town Clerk to Submit for Recordation.
4. Adopt a Resolution Remanding Decision to Deny a Fence Height Exception Request at 124 Garden Hill Drive for the Construction of a Six-Foot Tall Fence Located Within the Required

Front Yard Setback, Street Side Yard Setback, and Corner Sight Triangle on Property Zoned R-1:8 to the Planning Commission for Further Consideration. APN 424-23-084. Fence Height Exception Application FHE-23-005. Categorically Exempt Pursuant to CEQA Guidelines Section 15303: New Construction or Conversion of Small Structures and Section 15301: Existing Facilities. Property Owner: Rushikesh Kulkarni. Applicant/Appellant: Martin Lettunich. Project Planner: Ryan Safty. **RESOLUTION 2024-006**

5. Authorize \$10,000 from the County of Santa Clara County Grant for Unhoused Los Gatos Residents to Be Used for the Hotel Program.

Mayor Badame opened public comment.

No one spoke.

Mayor Badame closed public comment.

MOTION: Motion by Council Member Ristow to approve consent items 1-5. Seconded by Council Member Moore.

VOTE: Motion passed unanimously.

VERBAL COMMUNICATIONS

Lynley

- Commented in opposition of Diversity, Equity, and Inclusion efforts.

OTHER BUSINESS

6. Review and Discuss the Proposed Revisions to the Draft Revised 2023-2031 Housing Element. Location: Town-Wide. General Plan Amendment Application GP-22-003.

Jocelyn Shoopman, Associate Planner, presented the staff report.

Mayor Badame opened public comment.

No one spoke.

Mayor Badame closed public comment.

Council discussed the item.

MOTION: Motion by Council Member Rennie to leave the language as proposed and not change “a variety of neighborhoods” to “Town-wide.” Seconded by Council Member Ristow.

Council discussed the motion.

Council Member Rennie withdrew the motion.

MOTION: Motion by Vice Mayor Hudes to bundle the steps to increase housing mobility similar to Los Altos in the Town's Housing Element, modify Program J language from "in all neighborhoods" to "in a variety of neighborhoods," and replace the language in the current draft [of the Housing Element] in the paragraph that starts with "Zoning for small multi-unit housing" with language similar to Los Altos, which is "Rezoning - modify zoning to allow residential or increased residential intensity and/or density of residential throughout Los Gatos. This includes zoning amendments already completed along higher intensity corridors with access to transit and other opportunities (North 40, Los Gatos Boulevard, Highway 9, and Winchester Boulevard) and for sites within lower-density neighborhoods herein, Oka Lane, Lark Avenue, Union Avenue, Downtown Area). See Program AZ which has been implemented.

Recess 8:20 p.m.

Reconvene 8:28 p.m.

After the recess, the Vice Mayor's written motion was distributed to each Council Member and projected in the Chambers for the public to see.

MOTION: Written motion submitted by Vice Mayor Hudes: Programs J and AY Rezoning - Modify zoning to allow residential or increased residential intensity and/or density in a variety of neighborhoods. This includes zoning amendments already completed along higher intensity corridors with access to transit and other opportunities (North 40, Los Gatos Boulevard, Highway 9, and Winchester Boulevard) and for sites within lower-density neighborhoods (Oka Lane, Lark Avenue Area, Union Avenue, Downtown Area). See Program AZ which has been implemented. **Seconded** by Mayor Badame.

VOTE: Motion failed 2-2-1. Council Members Ristow and Council Member Moore voted no. Council Member Rennie abstained.

After further discussion Vice Mayor Hudes made a request to submit a written motion.

Recess 8:48 p.m.

Reconvene 8:58 p.m.

After the recess, the Vice Mayor's written motion was distributed to each Council Member and projected in the Chambers for the public to see.

MOTION: Written to replace the language in the paragraph starting with “Zoning – for multi-unit housing” (which was provided by the HEAB) and replace it with the following language: “Zoning – Modify the Zoning Code to facilitate small multi-unit housing in certain low and medium density designations. This includes creating mixed residential neighborhoods through new and innovative housing types that meet the changing needs of Los Gatos households and expand housing choices in a variety of neighborhoods. Housing types include but are not limited to single dwelling units, multi-family dwelling units, accessory dwelling units, small and micro units, use of prefabricated homes, and cluster/cottage housing. This zoning will occur in a variety of areas throughout town but not in areas that are very high fire hazard severity zone, adjacent to homes in our historic inventory (currently pre-1941) home, in hillside residential zones, within 500 feet of an evacuation route and are more than 1/2 mile of a currently established public transit stop.

Town Attorney Whelan clarified her understanding of the intent of the motion is that all of the places listed be excluded from areas that would be rezoned and if that were the case, the language would state within 500 feet of an evacuation route or more than a half mile from a currently established public transit stop.

Vice Mayor Hudes confirmed that was his intention and accepted the clarification of his motion.
Seconded by Mayor Badame.

AMENDMENT: Amendment by **Vice Mayor Hudes** to modify his motion to say, “within half mile of a transit stop.” **Seconder Mayor Badame** accepted the amendment.

VOTE: Motion passed 3-2. Council Member Ristow and Council Member Moore voted no.

MOTION: Motion by **Vice Mayor Hudes** to direct staff to apply this language in a consistent way throughout the document including program J and program AY. **Seconded by Mayor Badame.**

VOTE: Motion passed 3-2. Council Member Ristow and Council Member Moore voted no.

MOTION: Motion by **Vice Mayor Hudes** to move the objective from 50 to 150 [units] for the combined actions of California Department of Housing and Community Development (HCD) suggested in their letter. **Seconded by Council Member Ristow.**

VOTE: Motion passed unanimously.

MOTION: Motion by Council Member Ristow to direct staff and the consultant to work through the language, get feedback from legal counsel and the Housing consultant, do their best to get feedback from HCD on latest changes, and report back to the Council at the next meeting. **Seconded by Council Member Moore.**

Council Member Ristow clarified the intent of the motion is that the work would be reviewed by Council and there would not be another review by the Housing Element Advisory Board (HEAB).

VOTE: Motion passed unanimously.

7. Adopt a Resolution to Set a Date for Consideration of the Reorganization of an Uninhabited Area Designated as Blackberry Hill Road No. 06, Approximately 2.1 Acres on Property Pre-Zoned HR-2½. APN 532-25-011. Annexation Application AN23-001. Project Location: 15405 Blackberry Hill Road. Property Owner/Applicant: Maurice Brewster. **RESOLUTION 2024-007**

Jennifer Armer, Planning Manager, presented the staff report.

Mayor Badame opened public comment.

No one spoke.

Mayor Badame closed public comment.

Council discussed the item.

MOTION: Motion by Council Member Rennie to adopt a resolution to set a date for consideration of the reorganization of an uninhabited area designated as Blackberry Hill Road No. 06, approximately 2.1 acres on located at 1545 Blackberry Hill Road APN 532-25-011. **Seconded by Vice Mayor Hudes.**

VOTE: Motion passed unanimously.

8. Receive Report and Provide Input on Town of Los Gatos Street Tree Program.

Jim Harbin, Parks Superintendent, presented the staff report.

Mayor Badame opened public comment.

No one spoke.

Mayor Badame closed public comment.

Council discussed the item and provided direction regarding prioritizing native and drought tolerant trees.

9. Receive a Status Report on Capital Improvement Projects and Provide Direction for the Fiscal Year 2024/25 – 2028/29 Priorities.

Nicolle Burnham, Parks and Public Works Director, presented the staff report.

Mayor Badame opened public comment.

Bill

- Commented on increasing capacity and accessibility for pickleball, stated concerns with the court upkeep, and sound mitigation.

Liz

- Commented on the need for additional pickleball courts and stated concerns with the upkeep of the courts.

Leeann

- Commented on Creekside Park project and stated concern with using artificial turf.

Cynthia

- Commented on Creekside Park turf replacement project and stated concerns with using artificial turf.

Nicole

- Commented on concerns with the use of artificial turf.

Pamela

- Commented on the Creekside Sports Park, requested the Town consider replacing turf with natural drought tolerant grass, and stated concerns with artificial turf.

Aiden

- Commented on reducing light pollution and concerns with artificial turf.

Mayor Badame closed public comment.

Council discussed the item and provided preliminary direction on CIP priorities.

MOTION: Motion by Council Member Moore to extend the meeting to 12:15 a.m. Seconded by Mayor Badame.

VOTE: Motion passed unanimously.

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SUBJECT: Minutes of the Town Council Meeting of February 6, 2024

DATE: February 6, 2024

Council discussed the item and provided preliminary direction on Capital Improvement Projects priorities.

ADJOURNMENT

The meeting adjourned at 12:06 a.m.

Respectfully Submitted:

/s/ Jenna De Long, Deputy Town Clerk