



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 10/04/2022

**Minutes of the Town Council
September 20, 2022**

The Town Council of the Town of Los Gatos conducted a regular meeting utilizing teleconference and electronic means consistent with Government Code Section 54953, as Amended by Assembly Bill 361, in response to the state of emergency relating to COVID-19 and enabling teleconferencing accommodations by suspending or waiving specified provisions in the Ralph M. Brown Act (Government Code § 54950 et seq.) and Town of Los Gatos Resolution 2021-044 on Tuesday, September 20, 2022 at 7:00 p.m.

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

ROLL CALL

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

Absent: None

CLOSED SESSION REPORT

Gabrielle Whelan, Town Attorney, stated Council met as duly noted on the September 20, 2022 Closed Session agenda and stated there is no reportable action.

COUNCIL / MANAGER MATTERS

Council Matters

- Vice Mayor Ristow stated she attended the Finance Commission as an observer, Los Gatos-Saratoga Service Providers meeting, Housing Element Advisory Board meeting, Green Streets for Sustainable Communities meeting, Council Retreat, Fiesta De Arts event, and met with a small group to plan the next steps for the United Against Hate week.
- Council Member Sayoc stated in addition to some meetings mentioned by Vice Mayor Ristow, she attended the League of California Cities Peninsula Division meeting.
- Council Member Hudes stated he participated in the Break the Stigma Health Fair with Council Member Sayoc, met with Community Emergency Response Team (CERT) members, and announced "HAM Cram" classes have begun which will enable people to get a license to operate a HAM radio, attended the 9/11 Veterans Memorial event, Finance Commission meeting, Finance Forum hosted by the Community Alliance, and the Council Retreat.
- Council Member Badame stated she met with the Chamber of Commerce Executive Director and Board President regarding economic vitality, met with several residents to discuss concerns, attended the 9/11 Veterans Memorial event.
- Mayor Rennie stated he attended a Bay Area Air Quality Management District (BAAQMD) regular and closed session meetings, Valley Transportation Authority (VTA) Board and Policy Advisory Committee meeting, 9/11 Veterans Memorial event, Silicon Valley Clean Energy

Council Matters – continued

Authority Board and Oversight Committee meetings, Finance Commission meeting, Ribbon Cutting for Grocer and Goddess and Designs by Mish, met with the Chamber of Commerce with Vice Mayor Ristow, met with residents to discuss United Against Hate activities, VTA Board Workshop, BAAQMD Stationary Source and Climate Committee meetings.

Manager Matters

- Announced a community meeting on Senate Bill 9 will be held on September 21 via teleconference regarding parameters for a potential permanent ordinance.
- Announced a community meeting for Blossom Hill Road will be held on September 22 at 7:00 p.m. via teleconference to discuss potential safety improvements by the elementary school.
- Announced Screen on the Green will take place at Oak Meadow Park on Friday, September 23 with activities starting at 6:00 p.m.
- Announced the Library will be closed to the public on September 29 for a service day.
- Announced Boards, Commission, and Committee recruitment is underway and stated applications and more information can be found on the Clerk webpage, interviews will take place on December 13 in the evening.
- Announced the Draft Housing Element is available for review, comments are encouraged and must be submitted by September 27 at 5:00 p.m.

CONSENT ITEMS

1. Approve Draft Minutes of the September 6, 2022 Closed Session Town Council Meeting.
2. Approve Draft Minutes of the September 6, 2022 Town Council Meeting.
3. Adopt a Resolution Reaffirming Resolution 2021-044 Regarding Brown Act Compliance and Teleconferencing and Making Findings Pursuant to Government Code Section 54953, as Amended by Assembly Bill 361, During the COVID-19 Pandemic. **RESOLUTION 2022-059**
4. Authorize the Town Manager to Execute a First Amendment to the EMC Planning Group Inc. Agreement for Completion of the Housing Element Update as Proposed by the Firm for a Not to Exceed Total of \$455,329 and authorize Revenue and Expenditure Budget Adjustments up to the Amount of \$172,894 (\$131,500 Plus 10 Percent Contingency) from the Available General Plan Update Deposit Account.
5. Consider the following in support of repair of a storm drainage system at 62 Ellenwood Avenue:
 - a. Approve the Plans and Specifications;
 - b. Authorize Advertising the Project for Bid;
 - c. Authorize the Town Manager to Award and Execute a Construction Agreement in an Amount Not to Exceed \$300,000, Including Contingencies;
 - d. Authorize Staff to Execute Future Change Orders in an Amount Not to Exceed Ten Percent of the Contract Award Amount, If Needed; and
 - e. Authorize Expenditure Budget Adjustment in an Amount of \$113,400 From Available Funds in Fund 46.

Consent Calendar - continued

6. Authorize the Town Manager to Execute a Second Amendment to a Special Services Agreement with Liebert Cassidy Whitmore (LCW) to Increase Compensation in the Amount of \$50,000 for a Total Contract Amount Not to Exceed \$230,000.
7. Authorize Payment of Up to An Additional \$25,000 to Colantuono, Highsmith & Whatley, PC for a Total Payment Not to Exceed \$115,000 for Fiscal Year 2021-22.
8. Authorize Revenue and Expenditure Budget Adjustments in the Amount of \$5,000 to Recognize Receipt and Expenditure of California State Library Grant Funds.

Council Member Hudes pulled item #4.

Opened public comment.

Dick Konrad, Community Health and Senior Services Commission (CHSSC) Chair

- Commented on the Community Health and Senior Service Commission's goals for the year.

Closed public comment.

MOTION: Motion by Vice Mayor Ristow to approve items 1-8, exclusive of item 4. Seconded by Council Member Hudes.

VOTE: Motion passes unanimously.

VERBAL COMMUNICATIONS

Kylie Clark

- Commented in support of temporary cooling, heating, and smoke shelters.

Susan Testa

- Commented in support of moving the Christmas Parade to Sundays instead of Saturdays.

Catherine Somers

- Commented on the Los Gatos magazine article recognizing the luminaries in town and moving the Christmas Parade earlier in the morning or on Sunday instead of Saturday.

Jack Lucas

- Introduced himself as the Trustee for the West Valley Mission Community College District 5 and a Board member for the Los Gatos Community Concert Association, and commented on the Town supporting the Los Gatos Community Concert Association.

OTHER BUSINESS

9. Discuss Roles and Responsibilities of the Community Health and Senior Service Commission and the Senior Service Committee and Provide Direction to Staff.

Arn Andrews, Assistant Town Manager, presented the staff report.

Opened public comment.

Tom Picraux, Senior Service Committee Chair

- Commented on the Senior Service Committee Roadmap for senior services in Los Gatos and is supportive of option two.

Jeffrey Blum, (CHSSC) Commissioner

- Commented concerns of the CHSSC operating alongside the Senior Service Committee and is opposed to option three.

George Grossman, CHSSC Commissioner

- Commented concerns with the Roadmap drafted by Senior Service Committee and stated the committee may need to be extended.

Catherine Somers, Senior Services Committee Member

- Commented on the Senior Services Committee and is opposed to sunseting the committee.

Nancy Pearson, Senior Services Committee Member

- Commented on the Senior Service Committee and agrees with the comments made by Catherine Somers.

Closed public comment.

Council discussed the item.

MOTION: Motion by Council Member Hudes to adopt option two in the staff report to have the members of the Community Health join with the Senior Service Commission in the Senior Service Committee through the completion of the Comprehensive Report.

AMENDMENT: when the completion of the report has occurred, the Council will reevaluate the structure of the Commission depending on the outcome of the report. **Seconded by Vice Mayor Ristow.**

VOTE: Motion passed unanimously.

10. Remote Participation:

- a. Discuss Remote Participation Expectations for Town Council Members and Commissioners,
- b. Approve a Modification as Recommended by the Council Policy Committee to Town Council Policy 2-01: Town Agenda Format and Rules, and
- c. Modify Town Council Policy 2-11: Commission Appointments, Residency and Attendance Requirements, and Establishing a Quorum for Consistent Language Regarding Excused Absences.

Laurel Prevetti, Town Manager, presented the staff report.

Opened public comment.

No one spoke.

Closed public comment.

Council discussed the item.

MOTION: Motion by Vice Mayor Ristow to approve a modification as recommended by the Council Policy Committee to Town Council Policy 2-01: Town Agenda Format and Rules; and modify Town Council Policy 2-11: Commission Appointments, Residency and Attendance Requirements, and Establishing a Quorum for consistent language regarding excused absences with an amendment to include language stating “consistent with the FMLA and California Family Rights Act, absences of up to twelve (12) weeks due to parental leave constitute excused absences.” **Seconded by Council Member Hudes.**

VOTE: Motion passed unanimously.

11. Receive an Update on a Roadside Fuel Reduction Federal Grant of \$750,000 and Recognize a Future Match Commitment of \$750,000.

Arn Andrews, Assistant Town Manager, presented the staff report.

Opened public comment.

No one spoke.

Closed public comment.

Council discussed the item and received the update.

Pulled Consent Item

4. Authorize the Town Manager to Execute a First Amendment to the EMC Planning Group Inc. Agreement for Completion of the Housing Element Update as Proposed by the Firm for a Not to Exceed Total of \$455,329 and authorize Revenue and Expenditure Budget Adjustments up to the Amount of \$172,894 (\$131,500 Plus 10 Percent Contingency) from the Available General Plan Update Deposit Account.

Joel Paulson, Community Development Director, presented the staff report.

Opened public comment.

No one spoke.

Closed public comment.

MOTION: Motion by **Council Member Hudes** to authorize the Town Manager to execute a first amendment to the EMC Planning Group Inc. agreement for completion of the Housing Element Update as proposed by the firm and authorize revenue and expenditure budget adjustments up to the amount of \$131,500 plus the modified contingency amount of \$13,150 from the available General Plan Update Deposit account which would apply to the work that is prospective. **Seconded by Vice Mayor Ristow.**

VOTE: Motion passed unanimously.

ADJOURNMENT

The meeting adjourned at 8:53 p.m.

Respectfully submitted:

/s/ Jenna De Long, Deputy Clerk