



TOWN OF LOS GATOS COUNCIL AGENDA REPORT

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

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

Aarav John led the Pledge of Allegiance. The audience was invited to participate.

PRESENTATIONS

Mayor Badame presented a Commendation to West Valley Community Services in recognition of its 50th anniversary.

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

1. Approve Minutes of the June 18, 2024 Closed Session Town Council Meeting.
2. Approve Minutes of the June 18, 2024 Town Council Meeting.
3. Approve Minutes of the July 1, 2024 Town Council Special Meeting.
4. Approve Minutes of the July 8, 2024 Closed Session Town Council Meeting.
5. Approve Minutes of the July 25, 2024 Closed Session Town Council Meeting.
6. Approve Minutes of the July 26, 2024 Closed Session Town Council Meeting.
7. Approve Minutes of the July 30, 2024 Closed Session Town Council Meeting.
8. Approve Modifications to Town Council Policy 2-01: Agenda Format and Rules to Allow Only In-Person Public Participation in Town Council Closed Sessions. **POLICY 2-01**
9. Receive the Monthly Financial and Investment Report for May 2024.
10. Authorize the Following Actions for Town Janitorial Services:
 - a. Authorize the Town Manager to Execute a Four-Year, Nine-Month Agreement for Services with Frank and Grossman Landscape Contractors, Inc. for Janitorial Services Including a Contingency for Unforeseen Work for a Total Agreement Amount of \$1,270,370; and
 - b. Authorize an Expenditure Budget Adjustment in an Amount of \$40,658 from the Available Special/Capital Projects Reserve.
11. Adopt an Ordinance Amending the Town's Curfew Ordinance. Ordinance Title: "An Ordinance of the Town Council of the Town of Los Gatos Amending Chapter 18, 'Offenses and Miscellaneous Provisions,' Article III, 'Minors,' and Division 2, 'Curfew,' of the Town of Los Gatos Town Code". **ORDINANCE 2360**

12. Authorize the Town Manager to Execute a Sixth Amendment to a Special Services Agreement with Liebert Cassidy Whitmore (LCW) to Update the Fee Schedule for Hourly Rates.
13. Adopt a Resolution Establishing Development Agreement Procedures. **RESOLUTION 2024-042**
14. Approve and Authorize the Town Manager to Execute a Memorandum of Understanding Between the Town of Los Gatos and the American Federation of State, County, and Municipal Employees (AFSCME), and Authorize an Expenditure Budget Adjustment in the Amount of \$84,199 from the Available General Fund Capital/Special Projects Reserve.
15. Approve and Authorize the Town Manager to Execute a Memorandum of Understanding Between the Town of Los Gatos and the Town Employees' Association, and Authorize an Expenditure Budget Adjustment in the Amount of \$548,131 from the Available General Fund Capital/Special Projects Reserve.
16. Vegetation Management – Townwide Open Spaces Project (CIP No. 832-4508):
 - a. Adopt the “Vegetation Management Plan for the Town of Los Gatos, Santa Clara County, California” Dated June 2021;
 - b. Adopt the Findings of the Project Specific Analysis and Addendum to the Programmatic Environmental Impact Report for the California Vegetation Treatment Program, Including the Mitigation and Monitoring Reporting Program;
 - c. Authorize the Town Manager to Execute an Agreement for Services with Sequoia Ecological Consulting in the Amount of \$181,165 for the Vegetation Management – Townwide Open Spaces Project (CIP No. 832-4508); and
 - d. Authorize Revenue and Expenditure Budget Adjustments to the Vegetation Management – Townwide Open Spaces Project (CIP No. 832-4508) to Recognize Receipt and Expenditure of FEMA Hazard Mitigation Grant Program (HMPG) Funds in the Amount of \$1,591,344.75 for the 75 Percent Federal Share of the Project Costs and \$35,974.97 for the 100 Percent Federal Share of Subrecipient Management Costs (SRMC).
17. Americans with Disabilities Act (ADA) Upgrade Public Restroom – Adult Recreation Building (CIP No. 821-2601):
 - a. Authorize the Town Manager to Execute a Certificate of Acceptance and Notice of Completion for Construction of an Americans with Disabilities Act (ADA) Compliant Public Restroom in the Adult Recreation Building Completed by Tucker Construction, Inc., and Authorize the Town Clerk to File for Recordation (CIP No. 821-2601);
 - b. Authorize an Expenditure Budget Decrease of Community Development Block Grant (CDBG) Funds in an Amount of \$218,979; and
 - c. Authorize an Expenditure Reclassification from Grant Fund to General Fund Appropriated Reserve (GFAR) in an amount of \$50,361.26

Vice Mayor Hudes pulled item #17.

Mayor Badame opened public comment.

No one spoke.

Mayor Badame closed public comment.

MOTION: Motion by Council Member Rennie to approve consent items 1-16. Seconded by Council Member Ristow.

VOTE: Motion passed unanimously.

VERBAL COMMUNICATIONS

Zack Franz

- Commented on concerns with potential future development.

Tevis Ignacio

- Commented on concerns with a previous discussion to increase the sales tax.

Amy Despars

- Spoke about "Our Neighborhood Voices" coalition and commented on concerns with development and communication.

John Shepardson

- Commented on concerns with a potential development at 220 Belgatos Road and requested Council reject a General Plan Amendment for the property.

Lynley Hogan

- Spoke about current events and commented on the groups "Moms for Liberty" and "Informed Parents."

OTHER BUSINESS

18. Receive a Report from the Community Health and Senior Services Commission Regarding Progress on Year-One Goals of the Senior Roadmap, and Provide Direction on Year-One and Year-Two Goals.

Ryan Baker, Library Director, presented the staff report. The Community Health and Senior Services Commission (CHSSC) Chair Yick and Vice Chair Blum gave a presentation.

Mayor Badame opened public comment.

Lissa Kreisler, Los Gatos Thrives Foundation

- Commented on the Los Gatos Thrives movie matinee events and building a new Community Center.

Jeffrey Blum

- Commented on Youth Commission engagement.

Mayor Badame closed public comment.

Council discussed the item and provided general feedback.

19. Provide Direction on Senior Services Coordinator Options.

Katy Nomura, Assistant Town Manager, presented the staff report.

Mayor Badame opened public comment.

Elenor Yick

- Requested the options listed in the staff report go to the Community Health and Senior Services Commission for discussion and a recommendation; and commented in support of including option one with option two for the administrative analyst.

Lisanne Kennedy, Los Gatos-Saratoga Recreation (LGS Rec)

- Commented on the services the 55 plus program currently provides and spoke about the proposal for a Case Manager.

Mayor Badame closed public comment.

Council discussed the item.

MOTION: Motion by Vice Mayor Hudes to continue this item to a meeting in September or October with a recommendation (from the Community Health and Senior Services Commission); and suggested the following working parameters: look at the elements of options one and two; work in collaboration with LGS Rec; and start (the position) as a contract service in the range of about \$110,000 for around one full-time (position). **AMENDMENT:** to have the CHSSC work with Town staff to understand the financial implications of their recommendation. **Seconded by Council Member Ristow.**

VOTE: Motion passed unanimously.

Mayor Badame called a recess at 9:06 p.m.

The meeting reconvened at 9:16 p.m.

PUBLIC HEARINGS

20. Conduct a Public Hearing to Consider Objections to the 2024 Weed Abatement Program Assessment Report and Adopt a Resolution Confirming the Report and Authorizing Collection of the Assessment Charges. **RESOLUTION 2024-043**

Meredith Johnston, Administrative Technician, presented the staff report.

Mayor Badame opened public comment.

Kim Hailey

- Requested a later fire season start date and additional clarification regarding inspections.

Andrew Siu

- Commented on concerns regarding the timing of inspections and fine for climbing ivy.

John Beuerle

- Summarized a letter previously submitted protesting the findings of the weed abatement assessment report and commented on concerns.

Sundar

- Commented on the letters that were provided to the Council and stated concerns with the weed abatement program.

Mayor Badame closed public comment.

Council discussed the item.

MOTION: Motion by Mayor Badame to adopt a resolution confirming the report and authorizing the collection of the assessment charges with the exception of the parcel at 16060 Cerro Vista. **Seconded by Council Member Ristow.**

VOTE: Motion passed unanimously.

21. Review Consultant Proposal and Cost Estimate, and Provide Direction on Next Steps for Potential Revisions to the Town's Objective Design Standards.

Sean Mullin, Senior Planner, presented the staff report.

Mayor Badame opened public comment.

Susan Burnett

- Commented on concerns with using M-Group to revise the Town's objective standards.

Mayor Badame closed public comment.

Council discussed the item.

MOTION: Motion by Vice Mayor Hudes to issue an RFP (Request for Proposals) to qualified providers to address the development of objective design standards in the following areas: (1) high quality design that would include the façade information that (Council) received, (2) architectural style which could be similar to what is in the current neighborhood compatibility, where an architectural style is allowed that is compatible with the surrounding neighborhood, and (3) height transitions and could include other aspects such as solar consideration and massing; and that all three be considered with regard to small multi-unit housing. **Seconded by Council Member Rennie.**

VOTE: Motion passed unanimously.

Pulled consent items –

17. Americans with Disabilities Act (ADA) Upgrade Public Restroom – Adult Recreation Building (CIP No. 821-2601):

- a. Authorize the Town Manager to Execute a Certificate of Acceptance and Notice of Completion for Construction of an Americans with Disabilities Act (ADA) Compliant Public Restroom in the Adult Recreation Building Completed by Tucker Construction, Inc., and Authorize the Town Clerk to File for Recordation (CIP No. 821-2601);
- b. Authorize an Expenditure Budget Decrease of Community Development Block Grant (CDBG) Funds in an Amount of \$218,979; and
- c. Authorize an Expenditure Reclassification from Grant Fund to General Fund Appropriated Reserve (GFAR) in an amount of \$50,361.26.

Nicolle Burnham, Parks and Public Works Director, answered Council questions.

Mayor Badame opened public comment.

No one spoke.

Mayor Badame closed public comment.

Council discussed the item.

MOTION: Motion by Vice Mayor Hudes to authorize the Town Manager to execute the Certificate of Acceptance and Notice of Completion [for construction of an Americans with Disabilities Act (ADA) compliant public restroom in the Adult Recreation Building completed by Tucker Construction, Inc., and Authorize the Town Clerk to File for Recordation (CIP No. 821-2601)]; to authorize an expenditure budget decrease of Community Development Block Grant (CDBG) funds in an amount of \$218,979; and authorize an expenditure reclassification from grant fund to General Fund Appropriated Reserve (GFAR) in the amount of \$50,361.26. **Seconded by Council Member Ristow.**

VOTE: Motion passed unanimously.

COUNCIL/TOWN MANAGER REPORTS

Council Matters

- Council Member Ristow stated she attended the Finance Commission meeting as an observer, the Parks and Sustainability Commission meeting as an observer, the Community Center Dreaming workshop hosted by the Los Gatos Foundation for Older Adults to Thrive , the Council Policy Committee meeting, the General Plan Committee meeting, and the Silicon Valley@Home Elected Official Roundtable; supported the 2024 Law Enforcement Torch Run for the Special Olympics; attended the July 4th Symphony in the Park event; the Domas mural dedication; the Brown Act, Public Records Act (PRA), and Workplace Violence Prevention (WPVVP) training; and the Gardenia ribbon cutting and reception; and met with neighbors, architects, and others in Town regarding proposed development.
- Council Member Moore stated he hosted a happy hour at Out of the Barrel; interviewed with radio station KPCR; received information from West Valley Sanitation District (WVSD) staff regarding the collection and transportation of sewage; spent time at Cristo del Rey High School to empower students from underserved communities; met with residents regarding wildfire evacuation routes, spoke with school board members; attended the Town's All Staff Summer BBQ, Jazz on the Plazz, and Music in the Park; stated he will be attending the upcoming Democratic National Convention as a delegate.
- Council Member Rennie stated he attended the Silicon Valley Clean Energy Authority (SVCEA) Risk Oversight Committee meeting, a presentation for Valley Water Advisory Commission, Valley Transportation Authority (VTA) Board meeting, and the Finance Commission meeting.
- Vice Mayor Hudes stated he attended the Los Gatos Foundation for Older Adults to Thrive Community Center Dreaming workshop, and a CERT (Community Emergency Response Team) exercise; met with residents regarding a neighboring SB 330 development, the Los Gatos Foundation for Older Adults to Thrive Executive Committee, and community members regarding a Blossom Hill Road development; drove the Billy Jones Rail Road train; attended another Los Gatos Foundation for Older Adults to Thrive Executive Committee meeting; participated in a Democracy Tent meeting; attended a Los Gatos Foundation for Older Adults to Thrive meeting; attended the Los Gatos Foundation for Older Adults to Thrive Initiatives and Publicity Committee meeting; met with a resident regarding secondary access to the Los Gatos High School; visited the San Jose Youth Wellness Center; participated in the Los Gatos-Saratoga Recreation 55+ Summer Picnic; and attended a ribbon cutting, Finance Commission meeting, and the Monday Morning Movie event hosted by the Los Gatos Foundation for Older Adults to Thrive.

- Mayor Badame announced that the Town Manager recruitment is still in process and the Council requested the Town Manager extend her end date to September 6, 2024 and she agreed. Mayor Badame participated in a ribbon cutting for First Born Restaurant; met with a Board Member and the CEO of El Camino Health; met with NUMU and LGS Recreation Camp participants; attended the West Valley Mayors and Managers meeting; met with the Superintendent and the Los Gatos Lodge developers; was the Master of Ceremonies for the Fourth of July Symphony in the Park event and led the first ever bicycle and stroller parade; participated in the dedication of the wall mural at Domas; met with West Valley Mayors and Managers; attended a training on the Brown Act, PRA, and WPVP; participated in a Gardenia ribbon cutting; and attended a meeting of the Finance Commission as an observer and National Night Out.

Manager Matters

- Announced applications are being accepted for the Leadership Los Gatos program. Information is available on the website and applications are due August 23, 2024.
- Announced sections of the Los Gatos Creek Trail may be closed due to vegetation management.

CLOSED SESSION REPORT

Gabrielle Whelan, Town Attorney, stated the Town Council met in closed session on July 25 and 26, to discuss a public employee employment for the position of Town Manager in accordance with Government Code Section 54957 and again on July 30 to discuss the same position and a public employee appointment for the position of Interim Town Manager pursuant to the same Government Code Section.

ADJOURNMENT

The meeting adjourned in memory of Gil Decker at 11:17 p.m.

Respectfully Submitted:

/s/ Jenna De Long, Deputy Town Clerk