



## TOWN OF LOS GATOS COUNCIL AGENDA REPORT

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### Minutes of the Town Council Meeting Tuesday, May 6, 2025 7:00 P.M.

The Town Council of the Town of Los Gatos conducted a regular meeting in person and via teleconference.

#### MEETING CALLED TO ORDER AT 7:03 P.M.

#### ROLL CALL

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

Absent: None.

#### PLEDGE OF ALLEGIANCE

Radmehr Mojudi led the Pledge of Allegiance. The audience was invited to participate.

#### PRESENTATIONS

Mayor Hudes presented a National Police Week Proclamation, Affordable Housing Month Proclamation, a Historic Preservation Month Proclamation and a Building Safety Month Proclamation.

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

1. Approve the Minutes of the April 15, 2025 Town Council Closed Session Meeting.
2. Approve the Minutes of the April 15, 2025 Town Council Special Meeting.
3. Approve the Minutes of the April 15, 2025 Town Council Meeting.
4. Award and Authorize the Town Manager to Execute a Contract for the 2025 Annual Curb, Gutter, and Sidewalk Maintenance Project (CIP No. 813-9921) to Spektren Engineering Inc. in an Amount Not to Exceed \$162,200, Authorize the Town Manager to Execute Change Orders in an Amount Not to Exceed \$16,220 (10% Contract Contingency), and Approve Project Construction Documents.
5. Adopt Resolutions Approving the Engineer's Report for all Landscape and Lighting Districts for Fiscal Year 2025/26, Adopt Resolutions of Intention to Order the Levy and Collection of Assessments for the Associated Benefit Zones, and set the Date for the Public Hearing Regarding the Levy and Collection of Assessments. **Resolutions 2025-013, Resolutions 2025-014, Resolutions 2025-015, Resolutions 2025-016, Resolutions 2025-017, Resolutions 2025-018, and Resolution 2025-019**
6. Authorize the Town Manager to Execute an Amendment to the Agreement for Services with Brightview Tree Care Services, Inc. to Increase the Compensation for Fiscal Year 2024-25 By \$15,000 for a Fiscal Year 2024-25 Annual Amount Not to Exceed \$215,000 and a Total Agreement Amount Not to Exceed \$1,115,000

7. Authorize Revenue and Expenditure Budget Adjustments in the Amount of \$2,973 to Recognize Receipt and Expenditure of California Library Services Act Grant Funds.
8. Approve Resolution Supporting Efforts of Santa Clara County to Provide Universal Childcare. **Resolution 2025-020**

Mayor Hudes, Council Member Ristow, and Vice Mayor Moore commented on Item number eight.

Mayor Hudes opened public comment.

Gus Who

- Commented on item number two.

Lynley Hogan

- Provided comments related to Item eight.

Jaria Jaung, Build the Future

- Commented on item number eight.

Mayor Hudes closed public comment.

**MOTION: Motion by Council Member Ristow to approve consent items one through eight.  
Seconded by Vice Mayor Moore.**

**VOTE: Motion passed unanimously by roll call vote**

## **VERBAL COMMUNICATIONS**

Will Whitney

- Commented on the upcoming Billy Jones Railroad, 120<sup>th</sup> Birthday Celebration event on June 1, 2025.

Gus Who

- Commented on a variety of topics of personal interest, including recent events, legal matters, identification requirements, emergency preparedness, and various published articles

Joe Enz

- Commented on concerns with a damaged fence near St. Luke's Church.

Wayne Heimsoth

- Commented on preserving the old fire station and proposed repurposing it as a veteran's center for use by veterans and other organizations

Lynley Hogan

- Commented on concerns with a spiritual decline in the Town.

## **PUBLIC HEARINGS**

9. Fee and Fine Schedules for Fiscal Year 2025-26:
  - a. Adopt a Resolution Approving the Comprehensive Fee Schedule for Fiscal Year 2025-26 to Continue Certain Department Fees, Rates, and Charges, and Amending Certain Fees, Rates, and Charges for Fiscal Year 2025-26.
  - b. Adopt a Resolution Approving the Administrative Fine and Penalty Schedule for Fiscal Year 2025-26 to Continue Certain Department Fines and Amending Certain Fines for Fiscal Year 2025-26.

Gitta Ungvari, Finance Director, presented the staff report.

Council asked preliminary questions.

Mayor Hudes opened public comment.

No one spoke.

Mayor Hudes closed public comment.

Council discussed the item.

**MOTION:** Motion by **Council Member Ristow** to adopt a resolution approving the Comprehensive Fee Schedule for Fiscal Year 2025-26 to continue certain department fees, rates, and charges, and amending certain fees, rates, and charges for Fiscal Year 2025-26 as outlined in Attachment 1, and adopt a resolution approving the Administrative Fine and Penalty Schedule for Fiscal Year 2025-26 to continue certain department fines and amending certain fines for Fiscal Year 2025-26 in Attachment 3 with the exception that no changes are made to the items involving CUPs (Conditional Use Permits) and discuss them later. **AMENDMENT:** change the fee for tree appeals [fee 223] to the CPI (Consumer Price Index) adjustment, changing the fee from \$107 to \$110; and approve the Conditional Use Permits with the exception of the top-line fees in line items 158, 159, and 160 to only be a \$1,000 increase and the Engineering Development Review Service Fee (bottom-line in line items 158, 159, and 160) would increase as indicated by staff. **Seconded by Council Member Badame.**

**VOTE:** Motion passed unanimously by roll call vote.

Mayor Hudes called a recess at recess at 8:31.

Mayor Hudes reconvened the meeting at 8:45 p.m.

10. Consider the Recommendation of the Planning Commission for Adoption of a Resolution to Amend the General Plan to Allow 100 Percent Affordable Housing Projects as a By-Right Use in the Mixed Use Commercial General Plan Land Use Designation and Adoption of an Ordinance to Amend Chapter 29 (Zoning Regulations) of the Town Code to Add 100 Percent Affordable Housing Projects as a Permitted Use in the Restricted Commercial Highway (CH) Zone, Pursuant to Implementation Program AB of the 2023-2031 Housing Element. The Proposed Amendments are Not Subject to the California Environmental Quality Act ("CEQA") Because the Amendments Being Proposed are Not a Project Under CEQA Pursuant to Section 21065 of the Public Resources Code and Section 15378 of the State CEQA Guidelines. Additionally, the Adoption of this Resolution and Ordinance are Exempt Pursuant to CEQA, Section 15061(b)(3) in that it Can be Seen with Certainty that they Will Not Impact the Environment. General Plan Amendment Application GP-24-004 and Zoning Code Amendment Application A-24-010. Project Location: Town Wide. Applicant: Town of Los Gatos.

**Ordinance Title:** An Ordinance of the Town Council of the Town of Los Gatos Amending Chapter 29, "Zoning Regulations," of the Town Code Adding 100 Percent Affordable Housing Projects as a Permitted Use in the Restricted Commercial Highway (CH) Zone Pursuant to Implementation Program AB of the 2023-2031 Housing Element.

Sean Mullin, Planning Manager, presented the staff report.

Council asked preliminary questions.

Mayor Hudes opened public comment.

Leigh Fagot

- Commented on affordable housing and requiring environmental review for new developments.

Manuel Salazar

- Commented on Affordable Housing and spoke in support of the item.

Carren Yamamoto

- Commented on affordable housing and requested clarification on what size and type of units are considered "affordable."

Mayor Hudes closed public comment.

Council discussed the item.

**MOTION: Motion by Vice Mayor Moore** Adoption of a Resolution to amend the General Plan to allow 100 percent Affordable Housing Projects as a By-Right Use in the Mixed Use Commercial General Plan Land Use Designation and introduce an Ordinance to amend Chapter 29 (Zoning Regulations) of the Town Code to add 100 percent Affordable Housing Projects as a permitted use in the Restricted Commercial Highway (CH) Zone, pursuant to the implementation Program AB of the 2023-2031 Housing Element. **Seconded by Council Member**

**ALTERNATE MOTION: Motion by Mayor Hudes** to refer [this resolution] back to staff to evaluate whether and where 100% affordable housing could be implemented judiciously within the area set forth, and to contact and collaborate with HCD (California Department of Housing & Community Development) and to bring [the item] back to Council with further consideration. **Seconded by Council Member Badame.**

**VOTE: Alternate Motion passed unanimously by roll call vote.**

#### **OTHER BUSINESS**

11. Approve the Revised Town Council Code of Conduct Policy 2-4 and Adopt New Board, Committee, and Commission Code of Conduct Policy

Wendy Wood, Town Clerk, presented the staff report.

Council asked preliminary questions.

Mayor Hudes opened public comment.

Jeffrey Suzuki

- Commented on concern with the proposed Commissioner Code of Conduct.

Emily Thomas

- Commented on the Code of Conduct and spoke about some concerns.

Gordon Yamate

- Commented on concerns with the proposed Commissioner Code of Conduct.

Ali Miano

- Commented on concerns with the proposed Commissioner Code of Conduct.

Carmen Lo

- Commented on concerns with the proposed Commissioner Code of Conduct.

Mayor Hudes closed public comment.

Council discussed the item.

Mayor Hudes called a recess at recess at 11:03 p.m.

Mayor Hudes reconvened the meeting at 11:10 p.m.

Mayor Hudes recommended continuing this item and to consider holding a Study Session with the full Council to discuss ideas.

No action was taken.

## **COUNCIL/TOWN MANAGER REPORTS**

### **Council Matters**

- Council Member Badame stated she participated in meetings of a resident wildfire advisory group, Creek Trail head connector project ribbon cutting; attend Council Policy Committee meeting, two Finance Commission meetings as an observer, West Valley Storm Water Authority meeting and a Solid Waste Management Authority meeting.
- Council Member Ristow stated she attended the Leadership Los Gatos graduation.
- Vice Mayor Moore stated he toured the El Camino Hospital in Los Gatos; attended the Leadership Los Gatos graduation, two Finance Commission meetings, Arbor Day tree planting, attended the Spring into Green, Art Now, and VTA Capitol Program Committee meeting.
- Council Member Rennie stated he has nothing to report.
- Mayor Hudes stated he attended the Creek Trail ribbon cutting, Los Gatos Police Academy graduation; attended Town Hall by Senator Liccardo and Penetta, West Valley Mayor and Managers meeting, the DEI Commission Special Meeting, and the Community Health and Senior Services Commission meeting.

### **Closed Session Report**

Gabrielle Whelan, Town Attorney, stated the Town Council will be going into Closed Session to discuss one item of existing litigation and two item of potential litigation in accordance with Government Code section 54956.9.

### **Town Manager Matters**

- No additional comments or reports were provided.

## **ADJOURNMENT**

The meeting adjourned at 11:27 p.m.

Respectfully Submitted:

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/s/ Keara Johnson, Deputy Town Clerk