



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

**Minutes of the Town Council Meeting
Tuesday, January 21, 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 7:00 P.M.

ROLL CALL

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

Absent: None.

PLEDGE OF ALLEGIANCE

Girl Scouts Diya, Nithyasmera, Sahara, and Sofia led the Pledge of Allegiance. The audience was invited to participate.

PRESENTATIONS

Mayor Hudes presented commendations to outgoing Commissioners.

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

1. Approve the Minutes of the December 10, 2024 Special Town Council Meeting.
2. Approve the Minutes of the December 16, 2024 Special Town Council Meeting.
3. Approve the Minutes of the December 17, 2024 Closed Session Town Council Meeting.
4. Approve the Minutes of the December 17, 2024 Town Council Meeting.
5. Receive the Monthly Financial and Investment Report for November 2024.
6. Adopt a Resolution Granting an Appeal of a Planning Commission Decision to Approve an Architecture and Site Application for Construction of a Single-Family Residence and Site Improvements Requiring a Grading Permit on Vacant Property Zoned R-1:8 and Remanding the Decision to the Planning Commission with Specific Direction. Located at 15411 National Avenue. APN 424-12-140. Architecture and Site Application S-23-033. Categorically Exempt Pursuant to CEQA Guidelines Section 15303: New Construction. Property Owners: Vyankatesh and Ramya Muddada. Applicant: Jose Rama. Appellant: Hellen Martinez. Project Planner: Erin Walters.
7. Adopt An Ordinance Amending Section 06.20.020 (Buildings and Building Regulations) to Add the Definition of Qualifying Alterations. **ORDINANCE 2369**
Ordinance Title: An Ordinance of the Town Council of the Town of Los Gatos Adding a Section 06.20.020, "Qualifying Alterations," to Article II, "Administration of Codes," of Chapter 6, "Buildings And Building Regulations," of the Town Code to Add a Definition for "Qualifying Alterations."

8. Accept Grant Funding From the Town's Citizens Option for Public Safety/Supplemental Law Enforcement Services Fund (COPS/SLESF) and Authorize Revenue and Expenditure Allocation to the Grant Program "4818" for Fiscal Year 2024/25.
9. Authorize the Town Manager to Execute a Second Amendment to the Agreement for Services with Sequoia Ecological Consulting Inc. to Increase the Contract Amount by \$6,440 for an Adjusted Contract Amount Not to Exceed \$237,795 for Vegetation Management – Townwide Open Spaces Project (CIP No. 832-4508).
10. Authorize the Town Manager to Execute a Third Amendment to the Agreement for Services with Traffic Management, Inc. to Extend the Contract Term to August 29, 2025.
11. Authorize the Town Manager to Execute a Pass-Through Agreement with CSG, Inc. for Review and Inspection of Encroachment Permit Applications Related to Comcast Infrastructure; and Authorize Revenue and Expenditure Budget Adjustments in the Amount of \$200,000 to Recognize the Comcast Deposit Revenue and Associated Expenditure for CSG Review Services.

Council Member Rennie stated he wanted to vote no on item number six. Gabrielle Whelan, Town Attorney, recommended item six be pulled from the consent calendar so it could be voted on separately.

The Mayor stated item six would be addressed at the end of the meeting.

Mayor Hudes opened public comment.

No one spoke.

Mayor Hudes closed public comment.

MOTION: Motion by Council Member Ristow to approve consent items one through five and seven through eleven. Seconded by Vice Mayor Moore.

VOTE: Motion passed unanimously.

VERBAL COMMUNICATIONS

Gus Who

- Commented on concerns with policies, water rate increases, recent events, and safety.

Heath Rocha, Los Gatos-Saratoga Union High School District

- Commented on the upcoming transition of the board's election process from at-large to by-trustee.

Catherine Somers, Centerpiece Flowers

- Commented on concerns with the dumpsters on Village Lane.

Rich Stevens

- Commented on concerns with zoning changes.

PUBLIC HEARINGS

12. Weed Abatement Public Hearing to Consider Objections to the Proposed Abatement of Hazardous Vegetation (Weeds) for Properties Listed on the 2025 Weed Abatement Program Commencement Report and Order the Abatement.

Meredith Johnston, Administrative Technician, presented the staff report.

Mayor Hudes opened public comment.

Majid Mohazzab

- Commented on the weed abatement on his properties and requested the Council remove his properties from the program.

Diane Egli

- Commented on the weed abatement on her property and requested the Council remove her property from the program.

Mayor Hudes closed public comment.

Council discussed the item.

MOTION: Motion by Council Member Ristow to retain all addresses on the Weed Abatement List and have the County move forward with the next steps, retain these properties for three years with the exception if [15839] Del Cerro changes the landscaping and meets the criteria, that property can be removed knowing there will not be a risk for the next two years; and the property 16220 Hardwood and 104 Almond Blossom remain on [the list] for three years until or unless landscaping is done and there is no risk of weeds growing up. **Seconded by Vice Mayor Moore.**

VOTE: Motion passed 4-1. Council Member Badame voted no.

13. Conduct a Public Hearing for Appeal of Administrative Citation VL-19-362 (16660 Cypress Way) for Violations of the Los Gatos Town Code Related to Grading and Building and Adopt a Resolution Upholding the Administrative Citation and Imposing Costs According to Proof.

Allen Meyer, Code Enforcement Officer, and Lance Bayer, Special Counsel, presented the staff report and gave a presentation on the reasons for the citation.

Council Member Ristow, Council Member Badame, Vice Mayor Moore, and Mayor Hudes disclosed they each viewed the property.

Richard Harris, Appellant Counsel, provided opening remarks and commented on concerns.

Council asked clarifying questions.

Mayor Hudes opened public comment.

Scott Watson

- Commented on disputes with the appellant, violation of property rights, and previous litigation.

Ivy Chang

- Commented on concerns with the unpermitted improvements the on the property, the retaining wall, and the length of time for the code violations.

Lance Bayer, Special Counsel, provided a rebuttal and closing comments.

Richard Harris, Appellant Counsel, provided a rebuttal and closing comments.

Mayor Hudes closed public comment.

Council asked questions and discussed the item.

Gabrielle Whelan, Town Attorney, recommended continuing the item to allow the Council to receive and review a letter submitted on behalf of the appellant. She further recommended that at the continued meeting, Council should allow each side to have five minutes to address the letter and allow an opportunity for comments only on the letter.

MOTION: Motion by Council Member Badame to continue the item to March 4 due to a procedural technicality. Seconded by Council Member Ristow.

VOTE: Motion passed unanimously.

Mayor Hudes called a recess at 9:40 p.m.

The meeting reconvened at 9:53 p.m.

14. Consider a Recommendation by the Planning Commission to Approve a Modification of Planned Development Ordinance 1412, Subdivision of One Lot into Two Lots, Construction of a Single-Family Residence, and Site Work Requiring a Grading Permit on Property Zoned O:PD; Adopt a Resolution Approving the Subdivision, and Architecture and Site Applications; and Introduce an Ordinance to Establishing Development Standards and Allowable Uses For Lots Within The Planned Development Overlay Zone. Located at 120 Oak Meadow Drive. APN 529-10-131. Subdivision Application M-20-011, Planned Development Application PD-20-002, Architecture and Site Application S-22-021. Categorically Exempt Pursuant to CEQA Guidelines Sections 15315: Minor Land Divisions; 15303: New Construction; and 15304:

Minor Alterations to Land. Property Owners: Marty and Penny McFarland. Applicant: Terence J. Szewczyk (M-20-011 and PD-20-002). Applicant: Jay Plett, Architect (S-22-021).

Project Planner: Sean Mullin. **RESOLUTION 2025-001**

Ordinance Title: An Ordinance of the Town Council of the Town of Los Gatos Repealing and Replacing Planned Development Ordinance 1412 Establishing Development Standards and Allowable Uses For Lots Within The Planned Development Overlay Zone.

Sean Mullin, Planning Manager, presented the staff report.

All Council Members disclosed they had visited the site.

Mayor Hudes opened public comment.

Jay Plett, Architect/Applicant and Terence J. Szewczyk, Applicant

- Commented on the project and requested approval of the item.

Desiree Hedberg, Affirming Relationship Therapy

- Commented on noise concerns and asked questions.

Mayor Hudes closed public comment.

Council asked questions and discussed the item.

MOTION: Motion by Council Member Badame to adopt a resolution approving the subdivision, architecture and site applications to allow subdivision from one lot to two lots and construction of a single-family residence; introduce an ordinance repealing and replacing Planned Development Ordinance 1412 establishing development standards and allowable uses for lots within the Planned Development Overlay Zone; and make the finding that the proposed project is categorically exempt pursuant to the adopted guidelines for the implementation of the California Environmental Quality Act Section 15315 – Minor Land Divisions as described in Attachment 2. **Seconded by Council Member Ristow.**

VOTE: Motion passed unanimously.

15. Introduce an Ordinance Amending Chapter 29 (Zoning Regulations) of the Town Code Regarding Considerations for an Architecture and Site Application, Findings for a Conditional Use Permit, Manufactured Housing, and Private Open Space and Community Recreation Space Requirements, Pursuant to Implementation Program AQ of the 2023- 2031 Housing Element. Adoption of this Ordinance is Exempt Pursuant to CEQA, Section 15061(b)(3) in That It Can be Seen with Certainty That It Will Not Impact the Environment. Town Code Amendment Application A-24-008. 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 to Amend Considerations for an Architecture and Site Application, Findings for a Conditional Use Permit, Manufactured Housing, and Private Open Space and Community Recreation Space Requirements.

Jocelyn Shoopman, Senior Planner, presented the staff report.

Mayor Hudes opened public comment.

Lee Quintana

- Commented on concerns with large private open spaces on multifamily dwellings, CUP findings, and the staff report.

Mayor Hudes closed public comment.

Council asked questions and discussed the item.

MOTION: Motion by Council Member Badame to introduce an ordinance in Attachment 5 amending Chapter 29 of the Zoning Regulations of the Town Code regarding considerations for an architecture and site application, findings for a conditional use permit, manufactured housing, and private open space and community recreation space requirements pursuant to Implementation Program AQ of the 2023-2031 Housing Element. **Seconded by Vice Mayor Moore.**

VOTE: Motion passed unanimously.

16. Introduce an Ordinance Amending Chapter 29 (Zoning Regulations) of the Town Code Regarding Parking Standards Pursuant to Implementation Program AA of the 2023-2031 Housing Element. Adoption of this Ordinance is Exempt Pursuant to CEQA, Section 15061(b)(3) in That It Can be Seen with Certainty That It Will Not Impact the Environment. Town Code Amendment Application A-24-009. 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 Regarding Parking Standards, Pursuant to Implementation Program AA of the 2023-2031 Housing Element.

Sean Mullin, Planning Manager, presented the staff report.

Mayor Hudes opened public comment.

No one spoke.

Mayor Hudes closed public comment.

Council asked questions and discussed the item.

MOTION: Motion by Council Member Ristow to introduce an ordinance amending Chapter 29 (Zoning Regulations) of the Town Code regarding Parking Standards pursuant to Implementation Program AA of the 2023-2031 Housing Element and find adoption of this ordinance is exempt pursuant to CEQA 15061(b)(3) in that it can be seen with certainty that it will not impact the environment. **Seconded by Vice Mayor Moore.**

VOTE: Motion passed unanimously.

OTHER BUSINESS

17. Receive the Information Provided in the Police Services Report: July – December 2024.

Jamie Field, Police Chief, provided a presentation on the Police Services Report.

Mayor Hudes opened public comment.

Diana Schnabel and Len Connolly, Jewish Silicon Valley

- Thanked the Police Department and commended its level of service.

Johnathan Knowles, Los Gatos-Monte Sereno Police Foundation

- Thanked the Police Department and commended its level of service.

Mayor Hudes closed public comment.

Council discussed the item and received the report.

18. Discussion, Consideration, and Approval to Add a Full-Time Emergency Manager (Classification: Division Manager) Position to the FY 2024-25 Budget and Approve an Expenditure Budget Adjustment of \$1,000,000 for Emergency Management Efforts from the Available Special/Capital Projects Reserve.

Chris Constantin, Town Manager, introduced Katy Nomura, Assistant Town Manager, and Dennis Lollie, Santa Clara County Deputy Fire Chief, and provided background on the recommended action.

Mayor Hudes opened public comment.

Rob Stump

- Commented on wildfire prevention measures and stated support for approval of this item.

Carin Yamamoto

- Commented in support of an Emergency Manager and stated concerns related to earthquakes.

Peter Hertan

- Commented on fire insurance costs and spoke about getting a Firewise community certification.

Susan Burnett

- Commented on updating the Hillside Development standards and guidelines.

Mayor Hudes closed public comment.

Council discussed the item.

MOTION: Motion by Council Member Badame to extend the time to 12:15 a.m. Seconded by Council Member Ristow.

VOTE: Motion passed unanimously.

MOTION: Motion by Council Member Ristow to add a full-time Emergency Manager position to Fiscal Year 24-25 Budget and approve an Expenditure Budget Adjustment of \$1,000,000 for Emergency Management Efforts from the available Special/Capital Projects Reserve. Seconded by Council Member Badame.

VOTE: Motion passed unanimously.

19. Resolution Declaring Town-Owned Property at 4 Tait to be Exempt Surplus Land Pursuant to the State Surplus Land Act [Gov. Code Section 54221(f)(1)(B)] and Authorizing Town Manager to Pursue Disposal of the Property and Make Recommendations to the Town Council.

Council Member Ristow recused herself from this item due to the location of her property and left the Council Chambers.

Gabrielle Whelan, Town Attorney, presented the staff report.

Mayor Hudes opened public comment.

Lee Quintana

- Commented on zoning concerns and inquired if the site was removed from the historic district.

MOTION: Motion by Vice Mayor Moore to extend the meeting until 12:20 a.m. Seconded by Council Member Badame.

VOTE: Motion passed 4-0-1. Council Member Ristow recused.

Lee Fagot

- Commented on the property and requested it be preserved as a community resource for non-profit groups.

Carin Yamamoto

- Commented on concerns about selling the property and requested it be preserved.

Mayor Hudes closed public comment.

Council discussed the item.

MOTION: Motion by Council Member Badame to adopt a resolution declaring Town-owned property at 4 Tait Avenue to be exempt surplus land pursuant to the State Surplus Land Act Government Code Section 54221(f)(1)(B) authorizing the Town Manager to pursue disposal of the property and make recommendations to the Town Council.
Seconded by Council Member Moore.

VOTE: Motion passed 4-0-1. Council Member Ristow recused.

Pulled Consent Items

6. Adopt a Resolution Granting an Appeal of a Planning Commission Decision to Approve an Architecture and Site Application for Construction of a Single-Family Residence and Site Improvements Requiring a Grading Permit on Vacant Property Zoned R-1:8 and Remanding the Decision to the Planning Commission with Specific Direction. Located at 15411 National Avenue. APN 424-12-140. Architecture and Site Application S-23-033. Categorically Exempt Pursuant to CEQA Guidelines Section 15303: New Construction. Property Owners: Vyankatesh and Ramya Muddada. Applicant: Jose Rama. Appellant: Hellen Martinez. Project Planner: Erin Walters.

Council discussed the item.

Mayor Hudes opened public comment.

MOTION: Motion by Vice Mayor Moore to extend the meeting to 12:25 a.m. **Seconded by Council Member Rennie.**

VOTE: Motion passed 4-0-1. Council Member Ristow recused.

Christian Urricariet

- Stated his inquiry was answered during Council's discussion.

Hellen

- Inquired if there was a technicality in the resolution or if something changed affected the appeal decision, but believed these questions were answered.

Mayor Hudes closed public comment.

Council discussed the item.

MOTION: Motion by Council Member Badame to adopt a resolution in Attachment 1 granting an appeal of a Planning Commission decision to approve an Architecture and Site Application for the construction of a single-family residence and site improvements requiring a Grading Permit on vacant property zoned R-1:8 and remanding the decision to the Planning Commission with specific direction. **Seconded by Vice Mayor Moore.**

VOTE: Motion passed 3-1. Council Member Rennie voted no. Council Member Ristow absent.

COUNCIL/TOWN MANAGER REPORTS

Council Matters

- Council Member Rennie stated he had nothing to report.
- Vice Mayor Moore stated he was appointed Chair of the West Valley Sanitation District Authority Board, appointed to the Valley Transportation Authority (VTA) Board of Directors; attended a VTA Board meeting, a Finance Commission meeting; met with residents and community leaders, Melissa Toren from KCAT, the Executive Director of the Youth Sciences Institute Pamela Bentley-Mills, the Chair of the DEI Commission Gordon Yamate, and the developer of the Meadows; attended the San Jose Spotlight Editors' Coffee, the Home First Homeless Memorial; held his Council Members community coffee and Young Leaders group.
- Council Member Badame stated she met with the development team of the Los Gatos Meadows rebuild, attended a Finance Commission meeting, and met with the Executive Director of KCAT.
- Mayor Hudes stated he met with residents concerning development and older adults.

Town Manager Matters

- Announced Mayor Hudes has reappointed Joe Rodgers to the Finance Commission and Council Member Ristow appointed Adam Fisher to the Finance Commission.

CLOSED SESSION REPORT

Gabrielle Whelan, Town Attorney, stated the Town Council met in closed session to conference with the Towns Labor Negotiators, to Conference with Real Property Negotiators, to discuss two matters of anticipated litigation, and one matter of existing litigation, and there is no reportable action.

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SUBJECT: Minutes of the Town Council Meeting of January 21, 2025

DATE: January 21, 2025

ADJOURNMENT

The meeting adjourned at 12:22 a.m.

Respectfully Submitted:

/s/Jenna De Long, Deputy Town Clerk