



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 1/17/2023

ITEM NO: 1

**DRAFT
Minutes of the Town Council
December 20, 2022**

The Town Council of the Town of Los Gatos conducted a regular meeting in-person and utilizing teleconferencing means on Tuesday, December 20, 2022 at 7:00 p.m.

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

ROLL CALL

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

Absent: None

PLEDGE OF ALLEGIANCE

Dominic Farwell led the Pledge of Allegiance. The audience was invited to participate.

COUNCIL / MANAGER MATTERS

Council Matters

- Council Member Hudes stated he attended the Senior Service Committee Roadmap subcommittee meetings, the Finance Commission meeting, and Senior Service Committee meetings.
- Council Member Rennie stated he attended the Bay Area Air Quality Management District (BAAQMD) Board meeting, the Valley Transportation Authority (VTA) Policy Advisory Committee meeting, Cities Association Holiday Party, the Swearing-In of Assembly Member Pellerin, the Silicon Valley Clean Energy Risk Oversight Committee meeting, the BAAQMD Legislative Committee meeting, the Finance Commission meeting, and the Silicon Valley Clean Energy Board meeting.
- Council Member Moore stated he attended the retirement celebration for Diane Fisher of the Jewish Community Relations Council.
- Vice Mayor Badame stated she attended the West Valley Sanitation District Authority Board meeting and observed the December 20th Finance Commission meeting which was cancelled due to lack of a quorum.
- Mayor Ristow stated she attended the Cities Association Holiday Party, the Silicon Valley Bike Coalition Open House and Members Party, the Safe Routes to School (SR2S) Volunteer Luncheon, the Azerbaijani Solidarity Concert, taught Bike Skills to 5th Graders, took a Horse Drawn Carriage Ride and thanked the Chamber of Commerce, and announced a Hannukah on Main event to be held on December 22nd at 5 p.m. on the Civic Center Lawn.

Manager Matters

- Announced free valet parking service is available through Saturday, December 24.
- Announced Town Administrative Offices will be closed Friday, December 23 and will re-open on Tuesday, January 3, 2023.
- Announced the Library will be closed December 23-26 and December 30, 2022 - January 2, 2023.
- Announced a new online business license module will be implemented soon, and additional information is available on the Town website.

CONSENT ITEMS

1. Approve Minutes of the December 6, 2022 Town Council Meeting.
2. Approve Minutes of the December 13, 2022 Town Council Special Meeting.
3. Approve Minutes of the December 13, 2022 Town Council Special Meeting Regarding Commission Interviews.
4. Adopt a Resolution Reaffirming Resolution 2021-044 and Making Findings Pursuant to Government Code Section 54953, as Amended by Assembly Bill 361, and, Due to Health and Safety Concerns for the Public, Authorizing the Use of Hybrid Meetings for the Town Council and the Continued Use of Virtual Meetings for Boards and Commissions While Town Staff Makes the Necessary Arrangements to Transition to Hybrid Meetings for All Town Boards, Commissions, and Committees. **RESOLUTION 2022-076**
5. Reaffirm the Town Council Code of Conduct Policy.
6. Adopt 2023 Council Committee Appointments.
7. Annual Comprehensive Financial Report (ACFR):
 - a. Receive the Annual Comprehensive Financial Report (ACFR) for the Fiscal Year Ended June 30, 2022, and
 - b. Adopt a Resolution Confirming June 30, 2022 Fund Balances in Accordance Fiscal Year 2021/22 Final Audit and Town Council General Fund Reserve Policy. **RESOLUTION 2022-077**
8. Approve a First Amendment to the Agreement with Turbo Data Systems, Inc. in the Amount of \$110,774 for a Total Amended Agreement Amount Not to Exceed \$206,041.54 for a Three-Year Extension of Parking Citation and Permit Parking Processing Services.
9. Authorize the Continuation of the Business License Late Fee Penalty Suspension into the 2023 Calendar Year.
10. Authorize the Town Manager to Execute an Assignment of Agreement with Bartel Associates, LLC to Assign the Agreement to Foster and Foster Consulting Actuaries, Inc.

Council Member Hudes pulled item #7.

Opened public comment.

No one spoke.

Closed public comment.

Consent Items – continued

MOTION: Motion by Council Member Rennie to approve items 1-10, exclusive of item 7.
Seconded by Vice Mayor Badame.

VOTE: Motion passes unanimously.

VERBAL COMMUNICATIONS

Chris Wiley

- Requested Council “bury the hatchet” by ripping up a piece of paper with a picture of a hatchet that was distributed to each Council Member.

LOC

- Commented on hate speech and how to express hurt feelings.

PUBLIC HEARING

11. Consider a Request for a Continuance for an Appeal of a Planning Commission Decision to Deny a Fence Height Exception Request for Construction of a Six-Foot Fence Located Within the Required Front Yard Setback and a Vehicular Gate Set Back Less than 18 Feet from the Edge of the Adjacent Street on Property Zoned R-1:10. APN 523-04-043. PROPERTY OWNER/APPELLANT: David and Ilana Kohanchi. APPLICANT: Nina Guralnic.

Jennifer Armer, Planning Manager, presented the staff report.

Opened public comment.

No one spoke.

Closed public comment.

Council discussed the item.

MOTION: Motion by Vice Mayor Badame continue an appeal of a Planning Commission decision to deny a Fence Height Exception request for construction of a Six-Foot Fence located within the required front yard setback and a vehicular gate set back less than 18 feet from the edge of the adjacent street on property zoned R-1:10. APN 523-04-043. PROPERTY OWNER/APPELLANT: David and Ilana Kohanchi. APPLICANT: Nina Guralnic to a date certain of January 17, 2023 per the appellant’s request. **Seconded by Council Member Moore.**

VOTE: Motion passed unanimously.

OTHER BUSINESS

12. Review and Approve the Town's Response to the 2022 Civil Grand Jury of Santa Clara County Report Entitled, "If You Only Read the Ballot, You're Being Duped."

Gabrielle Whelan, Town Attorney, provided the staff report.

Opened public comment.

No one spoke.

Closed public comment.

Council discussed the item.

MOTION: Motion by Council Member Hudes to revise the proposed response to the Grand Jury to accept recommendations 1b and 1c and leave the rest of the letter as is.

AMENDMENT: Revise the response to state the Town is planning to implement recommendation 1c if the County Counsel is open to doing the review, then the ballot question would be provided for a five-day review, and if no comment is received within five days, the Town would proceed with its proposed ballot question. Also, the response to the Grand Jury should include the reasons why the Town feels this recommendation is unnecessary and under these specific circumstances, the Town will submit the response. **Seconded by Vice Mayor Badame.**

VOTE: Motion passes unanimously.

13. Discuss the Housing Element Update and Provide Direction on Next Steps.

Jocelyn Shoopman, Associate Planner, provided the staff report.

Opened public comment.

No one spoke.

Closed public comment.

Council discussed the item.

Other Business Item #13 – continued

MOTION: Motion by Vice Mayor Badame to bring the Housing Element to the Council for consideration of adoption before January 31, 2023, and utilize the minimum density for calculating the residential capacity of the Site Inventory with the understanding that additional sites may need to be selected to comply with California Housing and Community Development Department (HCD) requirements. **Seconded by Council Member Rennie.**

VOTE: Motion passed unanimously.

Pulled Consent Item #7

7. Annual Comprehensive Financial Report (ACFR):

- a. Receive the Annual Comprehensive Financial Report (ACFR) for the Fiscal Year Ended June 30, 2022, and
- b. Adopt a Resolution Confirming June 30, 2022 Fund Balances in Accordance Fiscal Year 2021/22 Final Audit and Town Council General Fund Reserve Policy.

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

Opened public comment.

Ron Dickel

- Commented on the item and stated the Commissioners reviewed the report and were given opportunities to make comments.

Closed public comment.

Council discussed the item.

MOTION: Motion by Council Member Rennie to receive the Annual Comprehensive Financial Report (ACFR) for the fiscal year ended June 30, 2022, as recommended by the Finance Commission and adopt a resolution confirming June 30, 2022 Fund Balances in accordance with Fiscal Year 2021/22 Final Audit and Town Council General Fund Reserve Policy. **Seconded by Council Member Moore.**

VOTE: Motion passed 3-2. Vice Mayor Badame and Council Member Hudes voted no.

ADJOURNMENT

The meeting adjourned at 9:02 p.m.

Respectfully submitted:

Jenna De Long, Deputy Clerk