



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 11/19/2019

ITEM NO: 2

**DRAFT
Minutes of the Town Council Meeting
November 5, 2019**

The Town Council of the Town of Los Gatos conducted a Regular Meeting on Tuesday, November 5, 2019, at 7:00 p.m.

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

ROLL CALL

Present: Mayor Steven Leonardis, Vice Mayor Marcia Jensen, Council Member Rob Rennie, Council Member Marico Sayoc, Council Member Barbara Spector.

Absent: None

PLEDGE OF ALLEGIANCE

The Van Meter Elementary School Student Council led the Pledge of Allegiance. The audience was invited to participate.

PRESENTATIONS

Mayor Leonardis presented a commendation to the CERT (Community Emergency Response Team) volunteers.

BOARD/COMMISSION/COMMITTEE APPOINTMENTS

The Clerk announced the voting process, distributed, and collected the ballots. The meeting continued while the Clerk tallied the votes.

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

1. Approve Closed Session Meeting Minutes of October 15, 2019.
2. Approve Council Meeting Minutes of October 15, 2019.
3. Adopt an Ordinance to Amend Chapter 4 (Animals and Fowl) Article VI Sections 4.60.050 and 4.60.055 And Article VIII - Beekeeping of the Town Code. **ORDINANCE 2294**
4. Adopt Amendments to Chapter 11 (Garbage, Refuse and Weeds) of the Town Code regarding Weed Abatement regulations. **ORDINANCE 2293**
5. Adopt a Resolution Extending the Temporary Streamlining Resolutions until Code Amendments may be Adopted. **2019-051**
6. Authorize the Town Manager to Enter into an Agreement to Participate in the CalPERS California Employers' Pension Prefunding Trust (CEPPT) Program and Delegate Authority to the Town Manager to Request Disbursements.
7. Adopt a Resolution Authorizing the Town Manager to Apply for a Proposition 68 Per Capita Program Grant for Park Improvements. **2019-052**

Consent Items – continued

8. Adopt a Resolution to Authorize the Application for and Receipt of Planning Grants Program Funds. **2019-053**
9. Authorize the Town Manager to Execute a Certificate of Acceptance and Notice of Completion for the Work of Interstate Grading and Paving and Authorize Recording by the Town Clerk for PPW Job No. 18-811-9901 Annual Street Repair and Resurfacing Project (Arterial/Collector Overlay).
10. Shannon Road Complete Streets Project (CIP Project #813-0218):
 - a. Adopt a Resolution of Local Support Authorizing the Filing of an Application for One Bay Area Grant funding Assigned to the Metropolitan Transportation Commission, committing any Necessary Matching Funds, and Providing Assurance on Completion of the Shannon Road Complete Streets Project. **2019-054**
 - b. Authorize Revenue and Expenditure Budget Adjustments in the Amount of \$119,204 from Available Utility Undergrounding Fund Balance.
 - c. Authorize the Town Manager to Conduct a Request for Proposals and Negotiate and Execute a Consultant Agreement for the Shannon Road Complete Streets Project Design in an Amount not to Exceed \$200,000.

MOTION: Motion by Vice Mayor Jensen to approve the Consent Items. Seconded by Council Member Rennie.

VOTE: Motion passed unanimously.

VERBAL COMMUNICATIONS

Bruce Preville spoke about the environment and urged the Council to adopt Reach Codes.

Lisa Wade spoke about the environment and urged Council to commit to promoting a plant-based diet plan.

Tina Plautz spoke about the R Community software program.

John Shepardson provided comment on various topics.

Karla Albright urged the Council to adopt reach codes.

Mary Mackey of Green Monday urged the Council to adopt a Sustainability Action Plan that promotes a plant-based diet program.

Dashiell Leeds urged the Council to adopt reach codes.

BOARD/COMMISSION/COMMITTEE APPOINTMENTS

The Town Council appointed applicants for the vacant positions on Town Boards, Commissions, and Committees.

- Arts and Culture Commission
 - Maureen Cappon-Javey was re-appointed.
- Building Board of Appeals
 - No applications were received.
- Community and Senior Services Commission
 - Jeffrey Blum was appointed.
- Complete Streets and Transportation Commission
 - Doug Brent was not appointed.
 - Robert Buxton was appointed
 - Bill Ehlers was appointed.
 - Peter Hertan was appointed.
 - Maria Ristow was appointed.
 - Cheryl Ryan did not interview and was not appointed.
 - Jeff Thompson was appointed.
 - Gillian Verga was appointed.
- Council Finance Committee
 - Terry Duryea was re-appointed.
 - Rick Tinsley was re-appointed.
- General Plan Committee
 - Jeffrey Barnett was not appointed.
 - Jeffrey Blum was not appointed.
- Historic Preservation Committee
 - Steven Raspe was appointed.
- Library Board
 - Trish Goldfarb was re-appointed.
 - John Housley was re-appointed.
 - Gail Long was not appointed.
 - Cheryl Ryan did not interview and was not appointed.

Board/Commission/Committee Appointments – continued

- Parks Commission
 - Mike Buncic was re-appointed.
 - Sandy Gordon was re-appointed.
 - Alicia Shah did not interview and was not appointed.
 - Rob Stephenson was appointed.

- Personnel Board
 - No applications were received.

- Planning Commission
 - Jeffrey Barnett was appointed.
 - Matthew Hudes was re-appointed.
 - Phoebe Peasley was not appointed.

- Sales Tax Oversight Committee
 - No applications were received.

Council Matters

- Council Member Sayoc stated she attended the League of California Cities conference.
- Council Member Spector stated she attended the Council Policy Committee meeting.
- Mayor Leonardis stated he attended the following meetings and events: San Jose Water, West Valley Mayors and Managers meeting, Democracy Tent, ground breaking for The Club of Los Gatos, Los Gatos Union School District, and Elite Gym ribbon-cutting.
- Vice Mayor Jensen stated she attended the following meetings: the Council Policy Committee, Los Gatos Union School District, and Santa Clara Valley Water District.
- Council Member Rennie stated he attended the California Local Agency Formation Commission (LAFCO) Conference and the Housing and Committee Development Committee meeting.

Manager Matters

- There was no report.

PUBLIC HEARINGS

11. Town Code Application Amendment A-19-009. Project Location: Town Wide. Consider an ordinance repealing and replacing Chapter 6, Building Regulations, and Chapter 9, Fire Prevention and Protection, of the Town of Los Gatos Municipal Code with the New 2019 California Building and Fire Codes, as amended.

Robert Gray, Building Official, presented the staff report.

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SUBJECT: Draft Minutes of the Town Council Meeting of November 5, 2019

DATE: November 6, 2019

Public Hearing Item #11 – continued

Opened Public Comment.

Rob Stump provided comments regarding the proposed Ordinance amendments.

Closed Public Comment.

Council discussed the matter.

MOTION: Motion by to **Vice Mayor Jensen** to introduce an ordinance repealing and replacing Chapter 6, Building Regulations, and Chapter 9, Fire Prevention and Protection, of the Town of Los Gatos Municipal Code with the New 2019 California Building and Fire Codes as amended. **Seconded by Mayor Leonardis.**

VOTE: Motion failed 2/3. Council Members Rennie, Spector, and Sayoc voting no.

MOTION: Motion by to **Council Member Rennie** to continue this item to the December 3 Council Meeting and direct staff to include: (1) reach code language that is similar to the language approved by the City of San Jose that bans gas in new buildings, accessory dwelling units, and new residential low-rise building, except for gas cooking; and (2) language regarding 100-foot defensible space across property lines. **Seconded by Council Member Sayoc.**

VOTE: Motion passed 3/2. Mayor Leonardis and Vice Mayor Jensen voting no.

12. General Plan Amendment Application GP-19-001. Project Location: Town Wide. Applicant: Town of Los Gatos.

Approve proposed General Plan Amendments by Resolution to Language Specific to Highway 17 in Goal TRA-4 and Supporting Policies. **RESOLUTION 2019-055**

Matt Morley, Parks and Public Works Director, presented the staff report.

Opened Public Comment.

Jim Lord provided comments on the proposed amendments.

Closed Public Comment.

Council discussed the matter.

Public Hearing Item #12 – continued

MOTION: Motion by Council Member Rennie to approve the proposed General Plan Amendments by Resolution to language specific to Highway 17 in Goal TRA-4 and supporting policies. **Seconded by Council Member Sayoc.**

VOTE: Motion passed 3/2. Vice Mayor Jenson and Council Member Spector voting no.

13. Project Location: Town Wide. Applicant: Town of Los Gatos.

Consider Modifications to Chapter III (Site Planning), Chapter IV (Development Intensity), Chapter V (Architectural Design), Chapter VI (Site Elements), Chapter VIII (Subdivision and Planned Development Projects), Chapter IX (Project Review and Approval Process), and Chapter X (Glossary) of the Hillside Development Standards and Guidelines.

Jennifer Shoopman, Associate Planner, presented the staff report.

Opened Public Comment.

Noel Cross spoke in support of the amendments and urged Council to adopt reach codes.

Closed Public Comment.

Council discussed the matter.

MOTION: Motion by to Vice Mayor Jensen to adopt the recommendations of the Policy Committee. **Seconded by Mayor Leonardis.**

VOTE: Motion passed 4/1. Council Member Spector voting no.

MOTION: Motion by to Council Member Sayoc to bring the issue regarding Below Grade construction to the Policy Committee. **Seconded by Council Member Rennie.**

VOTE: Motion passed unanimously.

14. Town Code Amendment Application A-19-007. Project Location: Town Wide. Applicant: Town of Los Gatos.

Consider Amendments to Chapter 29 (Zoning Regulations) of the Town Code Regarding Demolition Regulations.

Jennifer Armer, Senior Planner, presented the staff report.

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Public Hearing Item #14 – continued

Opened Public Comment.

No Public Comment.

Closed Public Comment.

Council discussed the matter.

MOTION: Motion by to **Council Member Spector** to introduce an ordinance by title only effecting amendments to Chapter 29 (Zoning Regulations) of the Town Code regarding demolition regulations. **Seconded** by **Mayor Leonardis**.

VOTE: Motion passed unanimously.

The Town Clerk read the title of the ordinance.

15. Introduce an Ordinance by Title Only, Effecting Amendments to Chapter 23 (Streets and Sidewalks) of the Town Code Regarding Right of Way Dedication, Installation of Curbs, Gutters and Sidewalks and Undergrounding of Utilities.

Lisa Petersen, Parks and Public Works Assistant Director/Town Engineer, presented the staff report.

Opened Public Comment.

No Public Comment.

Closed Public Comment.

Council discussed the matter.

MOTION: Motion by to **Mayor Leonardis** to introduce an ordinance, by title only, effecting amendments to Chapter 23 (Streets and Sidewalks) of the Town Code regarding right of way dedication, installation of curbs, gutters and sidewalks and underground of utilities. **Seconded** by **Council Member Sayoc**.

VOTE: Motion passed unanimously.

The Town Clerk read the title of the ordinance.

16. First Reading and Introduction of An Ordinance of the Town of Los Gatos Amending Chapter 18, Article VI, Section 18.60.020 of the Los Gatos Town Entitled Permits for Retailers of Tobacco Products to Prohibit the Sale of Electronic Cigarettes.

Robert Schultz, Town Attorney, presented the staff report.

Opened Public Comment.

Sara Sink spoke in support of the amended ordinance.

Nicole Coxe with the Santa Clara County Public Health Department stated that the Santa Clara County Board of Supervisors' unanimously approved a County Ordinance that included the same changes brought forward by the Town.

David Weissman spoke in support of the amended ordinance.

Closed Public Comment.

Council discussed the matter.

MOTION: Motion by to Mayor Leonardis to introduce the Ordinance. Seconded by Council Member Sayoc.

VOTE: Motion passed unanimously.

The Town Clerk read the title of the ordinance.

OTHER BUSINESS

17. Acting as the Property Owner Representative for the Town's Parcels Included in the Proposed Property Business Improvement District (PBID), Discuss the Draft Service Plan for a PBID in Downtown Los Gatos, Provide Input on the Structure and Parameters of the Draft Plan, and Direct Staff on the Next Steps for Working with the PBID Steering Committee on Behalf of the Town.

Monica Renn, Economic Vitality Manager, presented the staff report.

Opened Public Comment.

Bobby Caya spoke in support of the proposed PBID.

Andrea Romano spoke in support of the proposed PBID.

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Other Business Item #17 – continued

Ginger Rowe spoke in support of the proposed PBID.

Catherine Somers spoke in support of the PBID.

Sue Farwell spoke in support of the PBID.

John Shepardson spoke in support of the PBID.

Sue Farwell spoke in support of the PBID.

Jim Foley spoke in support of the PBID.

Closed Public Comment.

Council discussed the matter.

ADJOURNMENT

The meeting adjourned at 10:41 p.m.

Attest:

Shelley Neis, Town Clerk