



**TOWN OF LOS GATOS  
COUNCIL AGENDA REPORT**

MEETING DATE: 04/02/2024

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**DRAFT  
Minutes of the Town Council Meeting  
Tuesday, March 19, 2024**

The Town Council of the Town of Los Gatos conducted a regular meeting in-person and utilizing teleconferencing means on Tuesday, March 19, 2024, at 7:00 p.m.

**MEETING CALLED TO ORDER AT 7:01 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**

Kyna Malhotra led the Pledge of Allegiance. The audience was invited to participate.

**PRESENTATIONS**

Mayor Badame presented a proclamation to American Red Cross volunteer Jim Yoke.

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

1. Approve Minutes of the March 5, 2024 Closed Session Town Council Meeting.
2. Approve Minutes of the March 5, 2024 Town Council Meeting.
3. Receive the Monthly Financial and Investment Report for January 2024.
4. Reschedule to April 2, 2024 the Consideration of the Adoption of a Resolution Modifying the Height Pole and Netting Policy for Additions and New Construction. The Proposed Modifications to Town Policy are Not Considered a Project Under the California Environmental Quality Act. Project Location: Town Wide. Applicant: Town of Los Gatos.
5. Accept the Annual Progress Report for General Plan and Housing Element Implementation.
6. Authorize the Town Manager to Negotiate and Execute a Sub-Lease with the United States Postal Service (USPS) for Parking Spaces Located at 15 Montebello Way.
7. Actions Related to Purchasing a Police Vehicle:
  - a. Authorize the Town Manager to Purchase One 2025 Ford Interceptor Pursuit Vehicle from Folsom Lake Ford in an Amount not to Exceed \$56,606; and
  - b. Authorize the Town Manager to Execute a Purchase Order with Lehr to Build Up One Police Vehicle in an Amount not to Exceed \$31,810; and
  - c. Authorize an Expenditure Budget Adjustment in an Amount of \$88,416 from the Available Equipment Replacement Fund.
8. Authorize the Town Manager to Execute a Contract Amendment to Contract for Legal Services with the Law Firm of Atchison, Barisone & Condotti to Increase Contract Amount in an Amount Not to Exceed \$150,000.

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Mayor Badame opened public comment.

No one spoke.

Mayor Badame closed public comment.

**MOTION: Motion by Council Member Rennie to approve consent items 1-8. Seconded by Council Member Ristow.**

**VOTE: Motion passed unanimously.**

### **VERBAL COMMUNICATIONS**

John Shepardson

- Commented on the Mirassou Elementary School fields and requested Council protect the open space.

### **OTHER BUSINESS**

9. Adopt a Resolution Suspending Resolution Nos. 2024-003, 2024-004, and 2024-005 Regarding the Transportation Impact Fee.

Gabrielle Whelan, Town Attorney, presented the staff report.

Council asked preliminary questions.

Mayor Badame opened public comment.

No one spoke.

Mayor Badame closed public comment.

Council discussed the item.

**MOTION: Motion by Council Member Ristow to continue the item to April 2. Seconded by Vice Mayor Hudes.**

**VOTE: Motion passed unanimously.**

**PUBLIC HEARINGS**

10. Introduce an Ordinance Titled “An Ordinance of the Town Council of the Town of Los Gatos Amending Chapter 29, ‘Zoning Regulations,’ of the Town Code Regarding Appeals from the Decision by the Planning Director, Appeals from the Decision of the Historic Preservation Committee, Assignment of Duties to the Planning Director, Assignment of Duties to the Planning Commission, Powers and Duties of Planning Commission, Powers and Duties of the Planning Director, and Powers and Duties of the Historic Preservation Committee” and Adopt a Resolution Titled “Resolution of the Town Council of the Town of Los Gatos Amending the Enabling Resolution of the Historic Preservation Committee and Rescinding Resolution 2021-043.” The Proposed Amendments to the Town Code are Not Considered a Project Under Section 15378 of the California Environmental Quality Act. Town Code Amendment Application A-24-001. Applicant: Town of Los Gatos. Project Planner: Sean Mullin. **RESOLUTION 2024-012**

Sean Mullin, Senior Planner, presented the staff report.

Council asked preliminary questions.

Mayor Badame opened public comment.

No one spoke.

Mayor Badame closed public comment.

Council discussed the item.

**MOTION:** Motion by Council Member Rennie to introduce an ordinance titled “An Ordinance of the Town Council of the Town of Los Gatos Amending Chapter 29, ‘Zoning Regulations,’ of the Town Code Regarding Appeals from the Decision by the Planning Director, Appeals from the Decision of the Historic Preservation Committee, Assignment of Duties to the Planning Director, Assignment of Duties to the Planning Commission, Powers and Duties of Planning Commission, Powers and Duties of the Planning Director, and Powers and Duties of the Historic Preservation Committee” and adopt a resolution titled “Resolution of the Town Council of the Town of Los Gatos Amending the Enabling Resolution of the Historic Preservation Committee and Rescinding Resolution 2021-043.” (Attachment 2). **AMENDMENT:** Make the findings that the environmental impacts of the proposed amendments to the Town Code are not considered a project under Section 15378 of the California Environmental Quality Act (Attachment 1, Section X); and make the required finding that the amendments to Chapter 29 of the Town Code in the draft Ordinance are consistent with the General Plan (Attachment 1, Section XI); **Seconded** by Council Member Ristow.

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

11. Introduce an Ordinance Titled, “An Ordinance of the Town Council of the Town of Los Gatos Amending Chapter 1, Article III, ‘Administrative Citations,’ Chapter 11, ‘Garbage, Refuse, and Weeds,’ and Chapter 16, ‘Noise’ of the Town Code.”

Marina Chislett, Environmental Services Manager, presented the staff report.

Council asked preliminary questions.

Mayor Badame opened public comment.

No one spoke.

Mayor Badame closed public comment.

Council discussed the item.

**MOTION: Motion by Council Member Moore** to “An Ordinance of the Town Council of the Town of Los Gatos Amending Chapter 1, Article III, ‘Administrative Citations,’ Chapter 11, ‘Garbage, Refuse, and Weeds,’ and Chapter 16, ‘Noise’ of the Town Code.” **Seconded by Vice Mayor Hudes.**

**VOTE: Motion passed unanimously.**

Recess 7:58 p.m.

Reconvene 8:11 p.m.

12. Introduce an Ordinance Titled “An Ordinance of the Town Council of the Town of Los Gatos Amending the Zoning from C-1 (Neighborhood Commercial) to RD (Residential Duplex) for Properties Located at 15025, 15026, 15039, 15040, 15053, 15054, 15066, 15067, 15080, and 15081 Downing Oak Court.” APNs 523-41-024, -033, -025, -032, -026, 031, -030, -027, -029, and -028. Exempt pursuant to CEQA Guidelines 15061 (b)(3): Review for Exemption. Zoning Amendment Application Z-24-002. Applicant: Town of Los Gatos. Project Planner: Sean Mullin.

Sean Mullin, Senior Planner, presented the staff report.

Council asked preliminary questions.

Mayor Badame opened public comment.

Lee Quintana

- Commented on the zoning and density in the areas surrounding the Downing Oak Court properties.

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Mayor Badame closed public comment.

Council discussed the item.

**MOTION: Motion by Mayor Badame** to introduce “An Ordinance of the Town Council of the Town of Los Gatos Amending the Zoning from C-1 (Neighborhood Commercial) to RD (Residential Duplex) for Properties Located at 15025, 15026, 15039, 15040, 15053, 15054, 15066, 15067, 15080, and 15081 Downing Oak Court.” **Seconded by Council Member Ristow.**

Town Attorney Whelan confirmed that implicit in the motion was to make the findings regarding CEQA and consistency with the General Plan.

Mayor Badame confirmed.

**VOTE: Motion passed unanimously.**

**MOTION: Motion by Vice Mayor Hudes** to consider future General Plan Land Use designation and Zoning amendments for medium density residential. **Seconded by Mayor Badame.**

**VOTE: Motion passed 3-2. Council Members Rennie and Ristow voted no.**

### **OTHER BUSINESS**

13. Approve Legislative Priorities with Regard to State, Federal, and Regional Legislation.

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

Mayor Badame opened public comment.

Jeff Suzuki

- Commented on concerns and spoke in opposition of endorsing more punitive measures of theft.

Cameron Peeters

- Commented on his experience with the Police Department.

Mayor Badame closed public comment.

Council discussed the item.

**MOTION: Motion by Council Member Rennie to monitor item 2 [AB 3109 (Muratsuchi) – Theft]. Seconded by Council Member Moore.**

Council Member Rennie clarified his motion is to keep the item on the active list.

**VOTE: Motion passed unanimously.**

**MOTION: Motion by Council Member Rennie to move item 4 (Clarifications regarding SB 9 related to High Fire Hazard Severity Zones) to the active list. Seconded by Mayor Badame.**

**VOTE: Motion passed unanimously.**

**MOTION: Motion by Council Member Rennie to add Assembly Member Pellerin’s bill related to election deep fakes and Artificial Intelligence (AI) to the passive list.**

**AMENDMENT:** Include SB 1228 from Senator Steve Padilla, AB 2839 from Assembly Member Gail Pellerin, and AB 2655 from Assembly Member Mark Burman.

**Seconded by Council Member Moore.**

**VOTE: Motion passed 4-1. Mayor Badame voted no.**

**MOTION: Motion by Vice Mayor Hudes to move items 8 (Fire Protection and Insurance) and 12 (Beach Traffic) to a higher priority on the passive list. AMENDMENT: move items 8 and 12 above the VLF [Protect Vehicle License Fee (VLF) and Educational Revenue Augmentation Fund (ERAF)] item. Seconded by Mayor Badame.**

**VOTE: Motion passed unanimously.**

14. Receive an Update on Unhoused Initiatives, Authorize Revenue and Expenditure Budget Adjustments in the Amount of \$1,417.50 to Recognize a Reimbursement, and Provide Any Direction.

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

Mayor Badame opened public comment.

Tim O’Rorke, Society of Saint Vincent de Paul at Saint Mary’s Church

- Commented in support of the recommendations and requested the Council consider funding a Case Manager.

Steve Hall, Society of Saint Vincent de Paul at Saint Mary's Church

- Commented on the positive impacts of unhoused services.

Jeff Suzuki, Los Gatos Anti-Racism Coalition

- Commented in support of allocating \$50,000 to continue funding unhoused services and requested Council consider adopting a case management system.

Dr. Beverley Bryant

- Commented in support of the recommendations.

Mayor Badame closed public comment.

Council discussed the item.

**MOTION: Motion by Council Member Rennie** to accept the staff recommendation to remove extreme heat factors from the program but leave in air quality as a factor and explore criteria options; authorize a revenue and expenditure budget adjustments in the amount of \$1,417.50 to recognize a reimbursement for the temporary restroom services, include \$60,000 in the upcoming budget for unhoused initiatives; and explore and bring back to Council options for case management. **Seconded by Council Member Moore.**

**VOTE: Motion passed unanimously.**

## **COUNCIL/TOWN MANAGER REPORTS**

### **Council Matters**

- Council Member Ristow stated she attended the Silicon Valley Clean Energy Authority (SVCEA) Board Meeting, Valley Transportation Authority (VTA) Policy Advisory Committee (PAC) meeting, Live Oak Day Service welcoming of the incoming Executive Director, Finance Commission meeting as an observer, Little League Opening Day; and met with local mayors, residents, the Chamber of Commerce Executive Director, and the North 40 developer.
- Council Member Moore stated he held his community coffee; stated appreciation for the Library staff; met with a variety of people including the North 40 developer; visited the Los Gatos United Methodist Shower Ministry; attended Cities Association Legislative Action Committee, attended Little League Opening Day and the Music in the Park St. Patrick's Day Celebration.
- Council Member Rennie stated he met with New Museum Los Gatos (NUMU) Executive Director; and participated in the Finance Commission meeting.
- Vice Mayor Hudes stated he attended the Foundation for Older Adults to Thrive meetings; announced the upcoming Foundation for Older Adults to Thrive Monday Matinee; met with residents concerning housing and the Housing Element; participated in the Finance Commission meeting; attended the Cities Association Board of Directors meeting; and met with NUMU Executive Director and Board Member.

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- Mayor Badame stated she met NUMU Executive Director and Board Member; attended the Finance Commission as an observer, Little League Opening Day, Pi Day Celebration at Mathnasium; and met with residents on various topics.

### **Manager Matters**

- Announced the Library will be closed on March 20, 2024.
- Announced the Spring into Green event will be on April 21, 2024.

### **CLOSED SESSION REPORT**

Gabrielle Whelan, Town Attorney, stated the Town Council met in closed session on March 15 to discuss public employee appointment pursuant to Government Code Section 54957 and met on March 19 to discuss real estate negotiations pursuant to Government Code 54956.8 and stated there was no reportable action out of either meeting.

### **ADJOURNMENT**

The meeting adjourned in memory of Ira Spector at 10:04 p.m.

Respectfully Submitted:

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Jenna De Long, Deputy Town Clerk