



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 8/18/2020

ITEM NO: 2

**DRAFT
Minutes of the Regular Town Council Meeting
August 4, 2020**

The Town Council of the Town of Los Gatos conducted a Regular Meeting via Teleconference, due to COVID-19 Shelter in Place guidelines, on Tuesday, August 4, 2020 at 7:00 p.m.

MEETING CALLED TO ORDER AT 7:01 P.M.

ROLL CALL

Present: Mayor Marcia Jensen, Vice Mayor Barbara Spector, Council Member Rob Rennie, Council Member Marico Sayoc. (All remote participants)

Absent: None

CLOSED SESSION REPORT

Robert Schultz, Town Attorney, stated Council met in Closed Session as duly noted on the agenda and there is no report.

COUNCIL/TOWN MANAGER REPORTS

Town Manager Matters

- Provided update on the Town's services available during the shelter in place.
- Announced the Library is exploring a pilot program to provide computer and internet access to the public during the shelter in place.
- Announced the Library has launched a "Represent Los Gatos Oral History Project" and encouraged Black, Indigenous, and people of color (BIPOC) to share their stories by visiting the Represent Los Gatos webpage.
- Announced community workshops are being organized to discuss racism and potential police reforms.

Council Matters

- Vice Mayor Spector stated she participated in the Santa Clara County COVID-19 remote public health calls, General Plan Advisory Committee meetings, Youth Commission interviews with Mayor Jensen, and the Council Policy Committee meeting.
- Council Member Rennie stated he participated in the Silicon Valley Clean Energy Authority (SVCEA) Risk Oversight Committee and the Emergency Operating Area Council (EOC) meetings.

Council Matters – Continued

- Council Member Sayoc stated she attended via teleconference the League of California Cities webinars on upcoming propositions and encouraged the Council Members to join, Cities Association teleconference meetings regarding COVID-19 testing and emergency operations, and local Black Lives Matter (BLM) and Me Too events.
- Mayor Jensen stated she attended the General Plan Advisory Committee (GPAC) meetings, Council Policy Committee meeting, Mayors Committee for Economic Recovery from COVID-19 meetings, and BLM and BIPOC protests to monitor and/or speak; and is working to implement community listening events.

CONSENT ITEMS

1. Approve Draft Minutes of the June 16, 2020 Closed Session Town Council Meeting.
2. Approve Draft Minutes of the June 16, 2020 Town Council Meeting.
3. Ratify the Town Council Selection Committee's Recommended Youth Commissioner Appointments.
4. Appoint Council Member Marico Sayoc as the Town's Voting Delegate and Council Member Rob Rennie as the Town's Alternate for the League of California Cities Annual Conference Scheduled for October 7-9, 2020.
5. Accept Report on Town Manager Approved Actions During the 2020 Town Council Legislative Recess.
6. Authorize the Town Manager to Execute Long Term Lease Agreements with Tait Firehouse LLC and Forbes Mill LLC for the Property Located at 4 Tait Avenue and 75 Church Ave, Los Gatos.
7. Adopt a Resolution Establishing the FY 2020/21 GANN Appropriations Limit for the Town of Los Gatos. **RESOLUTION 2020-034**
8. Adopt Amendments to Chapter 29 (Zoning Regulations) of the Town Code Regarding Vehicle Sales, Town Wide. Town Code Amendment Application A-20-003. Applicant: Town of Los Gatos. **ORDINANCE 2310**
9. Authorize the Town Manager to Amend an Agreement for Employee Safety Compliance and Training Consultant Services with BSI EHS Services and Solutions (West) Inc., in an Amount not to Exceed \$175,350.
10. Authorize the Town Manager to Execute a Certificate of Acceptance and Notice of Completion for the Work of Chrisp Company and Authorize Recording by the Town Clerk for PPW Job No. 18-813-0234 One-Way Downtown Street Pilot.
11. Authorize the Town Manager to Execute a Certificate of Acceptance and Notice of Completion for the Work of Rosas Brothers Construction and Authorize Recording by the Town Clerk for PPW Job No. 19-813-9921 Annual Curb, Gutter, and Sidewalk Maintenance Project.

Consent items – continued

12. Authorize the Town Manager to Execute a Fourth Amendment to the Agreement for Services with St. Francis Electric to Increase Compensation for Unforeseen Services in FY 2019/20 in an Amount of \$12,818 and Extend Services for Four Months in FY 2020/21 in an Amount Not to Exceed \$50,000.
13. Authorize the Following Actions for the Massol Intersection Improvements Project (19-813-0236):
 - a. Authorize the Town Manager to Award and Execute a Construction Agreement with Tennyson Electric in an Amount of \$328,792, and Authorize \$65,758 as a Construction Contingency for a Total Amount Not to Exceed \$394,550;
 - b. Authorize Staff to Execute Future Contract Change Orders in an Amount Not to Exceed Twenty Percent of the Agreement Amount;
 - c. Approve a Budget Transfer of \$57,148 in FY 2020/21 from the School Bus Pilot Program.

MOTION: Motion by Council Member Sayoc to approve the consent items. Seconded by Council Member Rennie.

VOTE: Motion passed unanimously with Council Member Sayoc recused from item #3.

VERBAL COMMUNICATIONS

Sasha Ryu

- Requested the Council consider a special meeting to discuss a high-level budget overview of the Los Gatos Monte Sereno Police Department (LGMSPD) and give residents the opportunity to address racism in the community. Thanked Mayor Jensen and Council Member Sayoc for attending the most recent BLM gathering.

Julie Anne Smith

- Requested the Town review the improvements occurring at 200 Prospect Avenue.

Lee Fagot

- Requested the Town agendaize and consider contracting professional mental health services as first responders to certain calls of service.

Bill Kraus

- Did not address the Council and the Mayor requested that he send an email to her to obtain his public comment.

Kristen Dryden

- Requested the Town review the improvements occurring at 200 Prospect Avenue.

Verbal Communications – continued

Casey Kamali

- Requested the Council consider reviewing a high-level budget overview of the LGMSPD and consider implementing a policy prohibiting the LGMSPD from hiring officers that have demonstrated use of excessive force.

Mairin Culwell

- Requested the Council review the 16% increase to the Los Gatos Monte Sereno Police Department (LGMSPD) budget during the overview.

Lani Harr

- Requested the Town review the permits for 200 Prospect Road.

Ali Miano

- Commended Council for allowing more affordable housing and asked to facilitate ways to make the Town more inclusive.

Jeffrey Suzuki, Los Gatos Anti-Racism Coalition

- Requested review of the Police Department budget and asked for more affordable housing in Town.

Emeric Bisbee

- Requested a review of the Police budget and practices, more affordable housing, and asked the Town consider citing persons who do not wear masks in public where social distancing is not feasible.

Barbara McInerney

- Requested the Town review the improvements occurring at 200 Prospect Road and expressed concerns regarding increased traffic.

Donya Behroozi

- Requested review of the Los Gatos Monte Sereno Police Department budget, decrease gentrification, increase affordable housing, welcome BIPOC businesses, and implement a zero tolerance for threats.

Dollas

- Did not speak and left the meeting.

PUBLIC HEARINGS

14. Open and Close a Public Hearing to Consider Objections to the 2020 Weed Abatement Program Assessment Report and Adopt a Resolution Confirming the Report and Authorizing Collection of the Assessment Charges. **RESOLUTION 2020-035**

Stefanie Hockemeyer, Executive Assistant, presented the staff report.

Mayor Jensen opened public comment.

Arvin Khosravi

- Opposed the assessment charges.

Mayor Jensen closed public comment.

Council discussed the item.

MOTION: Motion by Council Member Rennie to consider objections to the 2020 Weed Abatement Program Assessment Report, adopt a resolution confirming the report, and authorizing collection of the assessment charges. **Seconded by Vice Mayor Spector.**

VOTE: Motion passed unanimously.

15. Introduction by Title Only of an Ordinance of the Town of Los Gatos Amending Chapter 18, by Adding Article IX, Sections 18.90.010- 18.90.050 of the Los Gatos Town Code Entitled Drones and Unmanned Aircraft Systems.

Lynne Lampros, Deputy Town Attorney, presented the staff report.

Mayor Jensen opened public comment.

No one spoke.

Mayor Jensen closed public comment.

Council discussed the item.

MOTION: Motion by Mayor Jensen to continue the item to a date certain of August 18, 2020, with additional information on drone racing, sight distance, Police and emergency incidents and drone usage, and consideration of reasonable person's standard of harassment and annoyance. **Seconded by Council Member Rennie.**

Public Hearing Item #15 – continued

VOTE: Motion passed unanimously.

OTHER BUSINESS

16. Adopt a Resolution Authorizing the Town Manager to Execute the North 40 In Lieu Traffic Fee Credit Agreement, North 40 Transportation Demand Management Agreement (Bellterra), and North 40 Transportation Demand Management Agreement (Market Hall) for Phase 1 of the North 40 Development.

Mike Weisz, Senior Civil Engineer, presented the staff report.

Other Business item #16 – continued

Mayor Jensen opened public comment.

Matthew Hudes

- Commented on concerns regarding Transportation Demand Management (TDM) measures that will be paid by fees and requested Council consider the way traffic impacts are assessed.

Mayor Jensen closed the public hearing.

Council discussed the item.

MOTION: Motion by Vice Mayor Spector to continue the item to **August 18, 2020** with stronger language to protect the Town in the agreements and include the draft TDM plan for Council review. **Seconded by Mayor Jensen.**

VOTE: Motion passed unanimously.

17. Approve the Santa Clara County Fire District Emergency Route Recommendation for Alpine Avenue and Remove Parking on One Side of the Street.

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

Mayor Jensen opened public comment.

John Witty, spoke for 50 residents of Alpine Avenue

- Commented in opposition of the recommendation.

Other Business Item #17 – continued

Bret Knudsen

- Commented in opposition to the recommendation and requested the item be continued 30 days to allow the residents, Town, and Fire Department to discuss alternatives.

Jeff Gallinat

- Requested the item be delayed for 30 days to form a working group and expressed concerns regarding the potential for speeding.

Rob Stump

- Commented in support of the recommendation, due to Alpine Avenue being the primary wildfire evacuation route.

Peter Rehon

- Commented in opposition to the recommendation and the likely increase of speeding.

Ernie Boitano

- Commented in opposition and requested the item be continued to allow for additional time to consider solutions.

Dirk Franklin

- Commented in opposition to the recommendation and speeding being an issue on Alpine Avenue; requested Town consider a parking plan and enforce the parking; and requested Council continue the item for thirty (30) days to consider solutions.

L Roberts

- Commented in opposition to the recommendation and concerns of inadequate community outreach; and requested Council continue the item for thirty (30) days to consider solutions.

Anne Moelgaard

- Commented in opposition to the recommendation and requested continuance of the item.

Julie Gallinat

- Requested continuance of the item and a study of Alpine Avenue to ensure the best solution.

Cheryl Ryan

- Commented in opposition to the recommendation.

Other Business Item #17 – continued

Ann Atkinson

- Commented in opposition to the recommendation due to concerns about parking availability, speeding, and lack of parking enforcement; and requested current parking restrictions be enforced.

Ted Geredes

- Commented regarding pedestrian safety if cars are only parked on one side.

Mayor Jensen closed public comment.

Council discussed the item.

MOTION: Motion by Council Member Rennie to continue to date certain of September 1, 2020 and asked staff to work with the neighbors on options. **Motion failed for lack of a second.**

MOTION: Motion by Council Member Sayoc to approve the Santa Clara County Fire Department recommendation contained in the staff report and staff to remove parking on one side of Alpine Avenue. **Seconded by Mayor Jensen.**

VOTE: Motion failed 2/2. Vice Mayor Spector and Council Member Rennie voting no.

MOTION: Motion by Council Member Sayoc to implement the recommendation of the Santa Clara County Fire Department and asked staff to work in parallel with the Alpine neighborhood on traffic mitigation issues. **Seconded by Council Member Rennie.**

VOTE: Motion passed 3/1. Vice Mayor Spector voting no.

ADJOURNMENT

The meeting adjourned at 10:00 p.m.

Submitted by:

Jenna De Long, Deputy Clerk