



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 02/02/2021

ITEM NO: 2

**DRAFT
Minutes of the Town Council Meeting
January 19, 2021**

The Town Council of the Town of Los Gatos conducted a regular meeting via Teleconference via COVID-19 Shelter in Place Guidelines on January 19, 2021, at 7:00 p.m.

MEETING CALLED TO ORDER AT 7:03 P.M.

ROLL CALL

Present: Mayor Marico Sayoc, Vice Mayor Rob Rennie, Council Member Mary Badame, Council Member Matthew Hudes, Council Member Maria Ristow. (All participating remotely).

Absent: None

PRESENTATIONS

Mayor Sayoc thanked outgoing Board, Commission, and Committee members for their service.

BOARD/COMMISSION/COMMITTEE INTERVIEWS

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

- **Building Board of Appeals** (1 vacancy, 0 applicants)
- **Community Health and Senior Services Commission** (1 vacancy, 0 applicants)
- **Complete Streets and Transportation Committee** (1 vacancy, 2 applicants)
 - Kevin Jones was not appointed.
 - Rob Moore was appointed to a 2-year term.
- **Finance Commission** (5 vacancies, 10 applicants)
 - James Bertonis was not appointed.
 - Ron Dickel was appointed to a 1-year term by Council Member Rennie.
 - Terry Duryea was not appointed.
 - Loreen Huddleston was appointed to a 4-year term by Council Member Ristow.
 - Phil Koen was not appointed.
 - Stephen Lewis was not appointed.
 - Kyle Park was appointed to a 2-year term by Council Member Badame.
 - Rick Tinsley was appointed to a 4-year term by Council Member Hudes.
 - Jak Van Nada – Did not interview, withdrew application.
 - Deborah Weinstein was appointed to a 3-year term by Mayor Sayoc.

Board/Commission/Committee Interviews – continued

- **Personnel Board** (1 vacancy, 1 applicant)
 - Larry Maggio was appointed to a 4-year term.
- **Planning Commission** (2 vacancies, 8 applicants)
 - Gerard Abraham was not appointed.
 - Sandrine Chaumette was not appointed.
 - Rob Moore was not appointed.
 - Steve Raspe was not appointed.
 - Ryan Rosenberg was not appointed.
 - Jeffrey Siegel – Did not attend the interview.
 - Jeffrey Suzuki was appointed to a 1-year term.
 - Emily Thomas was appointed to a 3-year term.

COUNCIL/TOWN MANAGER REPORTS

Manager Matters

- Announced free COVID-19 testing will take place on January 29, 2021 at the Adult Recreation Center; appointments are strongly advised and will be available beginning January 20, 2021.
- Announced information regarding COVID-19 vaccine availability can be found on the Santa Clara County Public Health Department website and the Town's designated COVID-19 webpage.
- Announced masks are required in the Town of Los Gatos, the County of Santa Clara, and the State of California. The Town is working collaboratively with the County to address concerns within the Town, and stated all COVID-19 concerns should be directed to the County District Attorney's Office.

Council Matters

- Vice Mayor Rennie stated he attended the Bay Area Air Quality Management District (BAAQMD) Board meetings, Valley Water Public Trails meeting, Metropolitan Transportation Committee (MTC)/Association of Bay Area Government's (ABAG) Regional Housing Needs Allocation (RHNA) Methodology webinar, Senator Weiner's webinar addressing children's mental health care, Valley Transportation Authority (VTA) Board meeting, Silicon Valley Clean Energy Authority (SVCEA) Risk Oversight Committee and Board meetings, Cities Association Orientation, Town's Youth Commission meeting along with Mayor Sayoc, VTA Policy Advisory Committee meeting, and Cities Association Selection Committee meeting; and met with an El Camino Hospital Government Relations member via telephone and Rob Stump to discuss the wildfire mitigation measures,.

Council Matters – continued

- Council Member Badame stated she met with Rob Stump for an update on the wildfire mitigation measures; and attended the General Plan Committee (GPC) and the General Plan Update Advisory Committee (GPAC) meetings along with Council Member Ristow, the Conceptual Development Advisory Committee (CDAC) meeting along with Council Member Hudes, West Valley Waste Management, and a Black Lives Matter protest with Mayor Sayoc and Town Attorney Shultz.
- Council Member Hudes stated he attended the CDAC meeting and Cities Association Selection Committee meeting and was appointed to the Interoperability Committee; and met with a representative of El Camino Hospital, a Chamber of Commerce representative, the applicant for 110 Wood Road, and community members.
- Council Member Ristow stated she met with Rob Stump to discuss wildfire mitigation measures, she attended the West Valley Sanitation District (WVSD) Board meeting and was appointed to the Sewer Advisory Board, and had meetings with community members.
- Mayor Sayoc stated she attended the Cities Association of Santa Clara County in addition to the items about her attendance mentioned by other Council Members.

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

1. Approve Minutes of the December 15, 2020 Town Council Meeting.
2. Approve an Amendment to the Temporary Classification Plan to Comply with the California Minimum Wage Increase Effective January 1, 2021 and Add the Confidential Classification of Legal Administrative Assistant.
3. Authorize the Town Manager to Execute a Certificate of Acceptance and Notice of Completion for the Retaining Wall Repairs (PPW Job No. 19-815-9930) Completed by Granite Rock Company and Authorize the Town Clerk to File for Recordation.
4. Smart Signals Field Improvements (CIP No. 813-0227 Traffic Signal Modernization):
 - a. Approve the Plans and Specifications;
 - b. Authorize Advertising the Project for Bid;
 - c. Authorize the Town Manager to Award and Execute a Construction Agreement in an Amount Not to Exceed \$750,000, Including Contingencies and Change Orders; and
 - d. Authorize Staff to Execute Future Change Orders in an Amount not to Exceed Ten Percent of the Contract Award Amount.
5. Adopt a Resolution to Extend the Term of the General Plan Update Advisory Committee.
RESOLUTION 2021-001

MOTION: Motion by Council Member Badame to approve consent items 1-5. Seconded by Vice Mayor Rennie.

VOTE: Motion passed unanimously.

VERBAL COMMUNICATIONS

Amy Davis, New Museum Los Gatos (NUMU)

- Thanked the Town for the rent forgiveness during the pandemic and requested the Town continue rent forgiveness for Town-owned properties; commented that the Museum has several online exhibitions and ongoing free admission will be available for Los Gatos residents.

John Shepardson

- Requested the Town consider a resolution declaring racism a public health issue, address homelessness, better illuminate signage directing to downtown, display a historical windmill in Town, open the jogging tracks located at Fisher Middle School and Los Gatos High School in the afternoon, paint a mural on the Los Gatos Creek Trail large cement walls, and place reflectors on the crosswalk signs on N. Santa Cruz Avenue and Main St to increase visibility.

Amy (No last name given)

- Commented in support of posting mask wearing signage and enforcing mask wearing of Police Officers.

Jeff Suzuki

- Commented on incidents that had taken place during a Black Lives Matter protest and requested the Town take further action.

Ali Miano

- Commented her experience of Police action seems to be biased and commented in support of mask wearing signage.

Laurel Prevetti, Town Manager, commented on two incidents of potential hate speech/hate crimes that occurred in early January. One incident has been sent to the District Attorney's office for prosecution the other is still under investigation. Commented the Town does not tolerate hate or hate crime in any way and encouraged anyone who feels uncomfortable by an interaction to contact 911.

PUBLIC HEARINGS

6. Consider Objections to the Proposed Abatement of Hazardous Vegetation (Weeds) for Properties Listed on the 2021 Weed Abatement Program Commencement Report and Order the Abatement.

Stefanie Hockemeyer, Parks and Public Works Executive Assistant, presented the staff report.

Opened Public Hearing.

No one spoke.

Public Hearing Item #6 – continued

Closed Public Hearing.

Council discussed the item.

MOTION: Motion by Council Member Badame to order weed abatement for properties listed in the weed abatement commencement report (attachment 1) with the exception of item #55 which has been removed. **Seconded by Council Member Ristow.**

VOTE: Motion passed unanimously.

7. Consider a Request for an Exception to the Story Pole Policy to Allow an Alternative to Standard Story Pole Installation to Illustrate and Provide Notice of the Proposed Project on Property Zoned R:PD. Located at 110 Wood Road. APN 510-47-038. Applicant: Frank Rockwood. Property Owner: Covia Communities. Project Planner: Jocelyn Shoopman

Council Member Ristow recused herself due to proximity to the project and left the teleconference.

Council Members gave disclosures.

Jocelyn Shoopman, Associate Planner, presented the staff report.

Opened Public Comment.

Frank Rockwood, Mark Falgout, David Gates, Laura Worthington, applicant

- Commented on their proposal, explaining that some story poles behind the natural topography would not be visible.

Closed Public Comment.

Council discussed the item.

MOTION: Motion by Council Member Hudes to continue this item to a date certain of February 16, 2021, or later if documentation is not ready or the Town Council has time sensitive items on the same agenda, with the direction to provide better visualization and potentially providing closer to the required number of story poles, and consider using the orange netting so that it is visible from a distance. **Seconded by Council Member Badame.**

VOTE: Motion passed 4/1. Council Member Ristow recused.

Council Member Ristow rejoined the teleconference meeting.

OTHER BUSINESS

8. Discuss and Approve the Following Actions to Continue the Town's Support of Economic Recovery and Community Vitality in Response to the Ongoing COVID-19 Pandemic, Including:
 - a. Approve Continued Rent Forgiveness for Town-Owned Properties;
 - b. Approve Business License Forgiveness for Specific Commercial Sectors Unable to Operate Due to the Santa Clara county Public Health Order for the First Quarter of 2021 and the Second Quarter if the Orders Continue to Prohibit Those Sectors from Operating, and Suspend Late Fees on All Business Licenses through 2021;
 - c. Approve a Parklet Incentive Program for Semi-Permanent Parklets, Including:
 1. Approve a Maximum Grant of \$10,000 Per Business Who Would Like to Build a Semi-Permanent Parklet,
 2. Direct Staff to Work with Industry Professionals to Procure a Parklet Design or Set of Design Guidelines,
 3. Approve the Payment for the Town Pamphlet Application Fee from the Town Economic Recovery Fund for Any Semi-Permanent Parklet Application Received by June 30, 2021, with Construction Completed by March 31, 2022,
 4. Approve a Sunset Date of September 19, 2021 for the Temporary Krail Parklets to Further Incentivize the Construction of Semi-Permanent Parklets, and
 5. Continue the Grey's Lane Street Closure to Facilitate Placemaking and the Installation of Semi-Permanent Parklets in This Area; and
 - d. Approve Additional Process Streamlining and Community Vitality Opportunities, Including
 1. \$2,500 for Public Health Order Signage from the Town's Economic Recovery Fund,
 2. \$35,000 for Lighting Upgrades from the Town's Economic Recovery Fund,
 3. Continuing the Council's Previous Direction to Absorb 50% of Conditional Use Permit Fees through December 31, 2021,
 4. Providing New Direction that Removes the Limit of Ten Personal Service Businesses that May Open in the C-2 Zone Without a Conditional Use Permit Utilizing the Economic Recovery Agreement,
 5. Adopting a Revised Economic Recovery Resolution to Allow up to Five New Non-Restaurant Conditional Use Permits to be Approved at Development Review Committee,
 6. Convening a Joint Town Council/Planning Commission Study Session to Discuss Retail Trends with Local Experts, and
 7. Providing Direction on Other Ideas.

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

Other Business Item #8 – continued

Opened public comment.

Jim Foley, Chamber of Commerce Board of Directors

- Commended the Town for continuing to support the business community and emphasized the importance of the parklet program; requested the Town accelerate the General Plan update and engage with the Santa Clara County Board of Supervisors and Santa Clara County Public Health Department to identify ways to open businesses safely.

Sue Farwell

- Commented in support of the parklet grant item and requested the Council consider not excluding existing parklets from the program, expedite the building permitting process, and consider fee reductions.

Mark Millen

- Commented in opposition of the parklet program; expressed concerns regarding lack of parking spaces if K-rail parklets are sunsetted on an arbitrary date and businesses choose to build semi-permanent parklets; suggested the K-rail parklet program should end when the Santa Clara County Health orders increase indoor retail and dining occupancy to 100%.

Donna McCurrie, Chamber of Commerce

- Commented in support of the Town and the Chamber of Commerce working collaboratively to create a downtown events and enhance the lighting display for the next holiday season.

John Shepardson

- Requested the Town consider implementing reflective signage in downtown to emphasize safety, consider giving out free masks in pedestrian heavy areas, and explore less expensive water K-rails for parklets.

Randi Chen, Chamber of Commerce

- Commented Town residents are concerned about safety; requested Council consider a collaborative effort between the Chamber of Commerce and the Town regarding COVID-19 signage.

Catherine Somers, Chamber of Commerce, Executive Director

- Commented regarding a Chamber signage proposal, requested the Town engage with the Santa Clara County Board of Supervisors and Santa Clara County Public Health Department to identify ways to open businesses safely, and consider consulting an urban planning expert to address parklets.

Other Business Item #8 – continued

David MacGregor-Scholes, Redemption and Chamber of Commerce President

- Requested the Town support the Chamber's proposal in order to be ready when the Santa Clara County Public Health lifts restrictions, consider engaging with the Santa Clara County Board of Supervisors and Santa Clara County Public Health Department to identify ways to open businesses safely and remain aligned with the State's Public Health orders, and requested the Town consider ways to make the Town more inclusive.

Kevin Youkilis

- Commented in support of the parklet grant program, concerns that even with Federal PPP loans and the proposed Town grant program, businesses will need to refuse to build semi-permanent parklets due to the cost.

Closed public comment.

Council discussed the item.

MOTION: Motion by Council Member Badame to:

- a. Approve continued rent forgiveness for Town-owned properties, and
- b. Approve business license forgiveness for specific commercial sectors unable to operate due to the Santa Clara County Public Health Order for the first quarter of 2021 and the second quarter if the orders continue to prohibit those sectors from operating, and suspend late fees on all business licenses through 2021 contained in the staff report.

Seconded by Council Member Ristow.

VOTE: Motion passed unanimously.

MOTION: Motion by Council Member Ristow to:

- c. Approve a Parklet Incentive Program for Semi-Permanent Parklets, Including:
 1. Approve a Maximum Grant of \$10,000 Per Business Who Would Like to Build a Semi-Permanent Parklet,
 2. Direct Staff to Work with Industry Professionals to Procure a Parklet Design or Set of Design Guidelines,
 3. Approve the Payment for the Town Pamphlet Application Fee from the Town Economic Recovery Fund for Any Semi-Permanent Parklet Application Received by June 30, 2021, with Construction Completed by March 31, 2022,
 4. Approve a Sunset Date of September 19, 2021 for the Temporary Krail Parklets to Further Incentivize the Construction of Semi-Permanent Parklets, and

Other Business Item #8 – continued

5. Continue the Grey's Lane Street Closure to Facilitate Placemaking and the Installation of Semi-Permanent Parklets in This Area
With direction that Council reserves the right to extend and flexibility, update on semi-permanent parklets applications.

Seconded by Mayor Sayoc.

VOTE: Motion passed unanimously with encouragement for flexibility in implementation.

MOTION: Motion by Council Member Ristow to:

- d. Approve Additional Process Streamlining and Community Vitality Opportunities, Including
 1. \$2,500 for Public Health Order Signage from the Town's Economic Recovery Fund,
 2. \$35,000 for Lighting Upgrades from the Town's Economic Recovery Fund,
 3. Continuing the Council's Previous Direction to Absorb 50% of Conditional Use Permit Fees through December 31, 2021,
 4. Providing New Direction that Removes the Limit of Ten Personal Service Businesses that May Open in the C-2 Zone Without a Conditional Use Permit Utilizing the Economic Recovery Agreement,
 5. Adopting a Revised Economic Recovery Resolution to Allow up to Five New Non-Restaurant Conditional Use Permits to be Approved at Development Review Committee,
 6. Convening a Joint Town Council/Planning Commission Study Session to Discuss Retail Trends with Local Experts.

Seconded by Council Member Badame.

VOTE: Motion passed unanimously.

ADJOURNMENT

The meeting adjourned at 10:49 p.m.

Submitted by:

Jenna De Long, Deputy Clerk