



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 10/01/2024

ITEM NO: 2

**DRAFT
Minutes of the Town Council Meeting
Tuesday, September 17, 2024**

The Town Council of the Town of Los Gatos conducted a regular meeting in-person and utilizing teleconferencing means on Tuesday, September 17, 2024, at 7:00 p.m.

MEETING CALLED TO ORDER AT 7:04 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

Elise Greenstreet and Alyssa Ackalloor led the Pledge of Allegiance. The audience was invited to participate.

Gabrielle Whelan, Town Attorney, requested the Council make a motion to authorize staff to pull item #11 from the agenda and re-notice the item for a future meeting.

11. Consider Adoption of a Resolution of Necessity to Authorize Acquisition of Private Property Through Eminent Domain for the Shannon Road Capital Improvement Project (CIP No. 811-0008).

MOTION: Motion by Vice Mayor Hudes to continue this item to another meeting. Seconded by Council Member Rennie.

VOTE: Motion passed unanimously.

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

1. Approve the September 3, 2024 Closed Session Meeting Minutes.
2. Approve the September 3, 2024 Study Session Meeting Minutes.
3. Approve the September 3, 2024 Regular Session Meeting Minutes.
4. Receive the Monthly Financial and Investment Report for July 2024.
5. Authorize the Interim Town Manager to Execute an Agreement with Rotary Club of Los Gatos for Acceptance of a Gift of an "Oak Grove" at Live Oak Manor Park.
6. Appoint Mayor Mary Badame as the Town's "Director" Representative to the Silicon Valley Animal Control Authority (SVACA) Joint Powers Authority Board; and Appoint Councilmember Rob Moore as the Town's "Alternate Director" Director Representative.

7. Authorize the Interim Town Manager to Execute the Third Amendment to the Consultant Services Agreement with Mott MacDonald Group Inc. to Provide Additional Construction Support Services in an Amount Not to Exceed \$49,901, For a Total Contract Not to Exceed Amount of \$833,019, for the Los Gatos Creek Trail to Highway 9 Trailhead Connector Project (CIP No. 832-4505), Federal Project No. CML-5067(021).
8. Authorize the Interim Town Manager to Execute an Agreement with Kimley-Horn and Associates, Inc. in the Amount of \$37,135 to Assess and Evaluate Artificial Turf and Natural Grass at Creekside Sports Park (CIP Project 831-4404).
9. Receive Interim Community Center Improvement Cost Estimates and Implementation Update.
10. Adopt a Resolution Approving the Town of Los Gatos Local Hazard Mitigation Plan (LHMP) Annex to the County of Santa Clara Multi-Jurisdictional Hazard Mitigation Plan (MJHMP).

RESOLUTION 2024-047

Vice Mayor Hudes pulled item 9.

Council Member Moore stated he submitted comments on item five.

Council Member Rennie and Council Member Ristow stated they submitted comments on item eight.

Mayor Badame opened public comment.

Cynthia Fan

- Requested Council postpone approving the agreement and commented on concerns.

Carin Yamamoto

- Commented on concerns with the artificial turf fillers.

Susan Hinton, Sierra Club Loma Prieta Chapter

- Commented on concerns with artificial turf.

Pam Bond

- Commented on concerns with artificial turf.

Gus

- Commented on using natural grass and artificial turf fields.

Mayor Badame closed public comment.

Vice Mayor Hudes pulled item 8.

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SUBJECT: Draft Minutes of the Town Council Meeting of September 17, 2024

DATE: September 17, 2024

**MOTION: Motion by Vice Mayor Hudes to approve consent item 1-10, except items 8 and 9.
Seconded by Council Member Ristow.**

VOTE: Motion passed unanimously.

VERBAL COMMUNICATIONS

Melissa Toren, KCAT TV, and Joanne Talesfore, Chair of Oktoberfest

- Commented on KCAT programs and events and announced the upcoming Oktoberfest event.

Nancy Cole, Midpeninsula Regional Open Space and Bear Creek Redwood Preserve

- Commented on a potential Midpeninsula Open Space project in the Bear Creek Redwood Preserve.

Vibhas Simha

- Commented on having a requirement for new municipal buildings to utilize renewable energy.

Carin Yamamoto

- Commented on concerns with proposed developments.

Gus Who

- Read a passage from a book, commented on political representation, and stated concerns with the cost of a water bill.

OTHER BUSINESS

12. Receive an Update on the Downtown Restroom Feasibility Study (CIP No. 821-2011) and Provide Direction to Town Staff.

Marina Chislett, Environmental Program Specialist, presented the staff report.

Mayor Badame opened public comment.

No one spoke.

Mayor Badame closed public comment.

Council discussed the item.

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SUBJECT: Draft Minutes of the Town Council Meeting of September 17, 2024

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MOTION: Motion by Council Member Ristow to make this a capital project, direct staff to move forward with the design, and put this on the CIP (Capital Improvement Program) for next year. **Seconded by Council Member Moore.**

Council Member Ristow clarified her motion was for the location at the Town Plaza next to the bus stop which was listed in the staff report as Site One Option Two.

VOTE: Motion failed 2-3. Council Member Rennie, Vice Mayor Hudes, Mayor Badame voted no.

MOTION: Motion by Vice Mayor Hudes to proceed to next stage of the study, put [the project] into the Capital Improvement Program, evaluate an Automated Public Toilet (APT), and if space permits consider placing it in [Site] Four [Option] One which is in the median across the street [from Town Plaza Park]. **Seconded by Mayor Badame.**

Vice Mayor Hudes clarified that his motion included continuing to explore Site One Option Two.

VOTE: Motion passed unanimously.

13. Provide Direction on a Potential Senior Services Coordinator, Approve an Expenditure and Revenue Budget Adjustment in the Amount of \$74,135 to Allocate Fiscal Year 2023/24 Carryforward Grant Funding, and Approve Any Other Necessary Expenditure Budget Adjustments.

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

Mayor Badame opened public comment.

Elenor Yick, Community Health and Senior Services Commission (CHSSC) Chair

- Clarified the CHSSC's discussion regarding a Senior Services Coordinator.

Mayor Badame closed public comment.

Council discussed the item.

MOTION: Motion by Vice Mayor Hudes to approve a Community [Senior] Services Coordinator position at 0.75 FTE with the dollar amount not to exceed \$140,000; [utilize] funds from the Capital Reserve Account and [request] the County allow the Town to use grant [funds]. **Seconded by Mayor Badame.**

VOTE: Motion failed 2-3. Council Members Rennie, Ristow, and Moore voted no.

MOTION: Motion by Council Member Moore to proceed with an RFP (Request for Proposal) for a Senior Services Coordinator not to exceed \$75,000 and to contact the county about the possibility of using existing grant money for this position, with the intention of this being a two-year position, but only budgeting the \$75,000 for this first year. **AMENDMENT:** Direct staff to work with CHSSC to prioritize the recommended duties. **Seconded by Council Member Ristow.**

VOTE: Motion passed unanimously.

MOTION: Motion by Council Member Moore to make expenditure and revenue budget adjustments in the amount of \$74,135 for the remaining grant funding to expend it in this year and an expenditure budget adjustment in the amount of \$75,000 from the Capital/Special Projects Reserve. **Seconded by Council Member Ristow.**

VOTE: Motion passed unanimously.

14. Adopt a Commission Events Policy and Revised Town Council Policy 5-03 "Commission Budgets." **POLICY 5-03** and **POLICY 5-04**

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

Mayor Badame opened public comment.

No one spoke.

Mayor Badame closed public comment.

Council discussed the item.

MOTION: Motion by Council Member Ristow to adopt the Commission Events Policy in attachment one and the revised Town Council Policy 5-03 Commission Budgets in attachment two. **Seconded by Council Member Moore.**

VOTE: Motion passed unanimously.

PUBLIC HEARING

15. Adopt a Resolution to Renew an Ordinance Approving a Military Equipment Funding, Acquisition, and Use Policy Pursuant to Assembly Bill 481. **RESOLUTION 2024-048**

Rebecca Albin, Police Captain, presented the staff report.

Mayor Badame opened public comment.

No one spoke.

Mayor Badame closed public comment.

Council discussed the item.

MOTION: Motion by Council Member Ristow to adopt a resolution in attachment five to renew an ordinance approving a Military Equipment Funding, Acquisition, and Use Policy pursuant to Assembly Bill 481. **Seconded by Council Member Moore.**

VOTE: Motion passed unanimously.

Mayor Badame called a recess at 8:56 p.m.

The meeting was reconvened at 9:05 p.m.

Pulled Consent Items

8. Authorize the Interim Town Manager to Execute an Agreement with Kimley-Horn and Associates, Inc. in the Amount of \$37,135 to Assess and Evaluate Artificial Turf and Natural Grass at Creekside Sports Park (CIP Project 831-4404).

Nicolle Burnham, Parks and Public Works Director, presented the staff report.

Mayor Badame opened public comment.

Cynthia Fan

- Commented on concerns.

Leanne

- Requested the scope of services be refined.

Susan Hinton

- Commented on concerns.

Mayor Badame closed public comment.

Council discussed the item.

MOTION: Motion by Vice Mayor Hudes to authorize the Interim Town Manager to execute an agreement with Kimley-Horn and Associates, Inc. in attachment one in the Amount of \$37,135 to Assess and Evaluate Artificial Turf and Natural Grass at Creekside Sports Park (CIP Project 831-4404). **Seconded by Council Member Ristow.**

VOTE: Motion passed unanimously.

9. Receive Interim Community Center Improvement Cost Estimates and Implementation Update.

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

Mayor Badame opened public comment.

Elenor Yick, CHSSC Chair

- Appreciated the actions taken and suggested that the Council purchase an additional cart (hybrid meeting equipment system).

Lee Fagot

- Commented on meeting spaces for community groups and concerns with rental fees.

Mayor Badame closed public comment.

Council discussed the item.

MOTION: Motion by Vice Mayor Hudes to move forward with purchasing the equipment and to have discussions with Los Gatos-Saratoga Recreation about the room charges being cost recovery and provisions in the lease. **Seconded by Council Member Ristow.**

VOTE: Motion passed unanimously.

COUNCIL/TOWN MANAGER REPORTS

Council Matters

- Council Member Ristow stated she attended the 9/11 Veterans Memorial and Support Foundation Rise event; Silicon Valley Clean Energy Authority (SVCEA) Board of Directors meeting; met with a developer for New Town, a representative from Citi Ventures; attended Assemblymember Gail Pellerin's Care Fair; Taste of Los Gatos; met with grant recipients from St. Vincent de Paul; attended the Los Gatos Anti-Racism Coalition potluck; met with residents of Benedict Lane; and met with residents on Blossom Hill Road to discuss safety concerns.
- Council Member Moore stated he attended the Democratic National Convention (DNC) as an elected delegate; spoke to West Valley College students at their National Voter Registration Day event; presented to West Valley College and Mission College student leaders; met with West Valley and Mission College students regarding assistance for the homeless; attended the Bay Area Municipal Elections Committee (BAYMEC) brunch; Los Gatos-Monte Sereno Police Department (LGMSPD) swearing-in and promotion ceremony; participated in the Street Dog Coalition podcast; was a guest on the KPCR Radio Show; attended the Election Official Roundtable with Silicon Valley at Home (SV@Home); Democratic Victory Dinner; Assemblymember Gail Pellerin's Care Fair; Antiracism coalition potluck, and the West Valley Sanitation District (WVSD) Board Meeting

- Council Member Rennie stated he met with representatives for Citi Ventures regarding a development on Los Gatos Boulevard.
- Vice Mayor Hudes stated he met with two developers; Paul Gunsky the operator of the movie theatre; attended several meetings with the Los Gatos Thrives Foundation Executive Committee and Community Center Development group; announced Los Gatos Thrives Foundation will host a design workshop for a community center; met with residents located next to two developments; participated in the Sourcewise Advisory Committee meeting; participated in a Finance Commission meeting; attended the LGMSPD swearing-in and promotion ceremony; the 9/11 Veterans Memorial and Support Foundation event; and met with individuals interested in use of the Museum on Tait Avenue.
- Mayor Badame stated she participated in the West Valley Clean Water Authority (WVCWA) Board meeting; West Valley Solid Waste Management Authority (WVSWMA) Board meeting; Finance Commission meeting; LGMSPD swearing-in and promotion ceremony; participated in the 9/11 Veterans Memorial and Support Foundation event; and attended the Salvation Army Silicon Valley Women Leaders Social Hour.

Town Manager Matters

- Interim Town Manager Nomura announced Screen on the Green will take place on Friday, September 20 at 6:15 p.m. and invited all to attend.

CLOSED SESSION REPORT

- Gabrielle Whelan, Town Attorney, stated the Town Council met in closed session to discuss real property negotiations for 4 Tait Avenue in accordance with Government Code Section 54956.8 and there is no reportable action. The Town Council also met to discuss anticipated litigation and potential initiation of litigation in accordance with Government Code 54956.9 and there was no reportable action.

ADJOURNMENT

The meeting adjourned at 9:57 p.m.

Respectfully Submitted:

Jenna De Long, Deputy Town Clerk