



**TOWN OF LOS GATOS  
COUNCIL AGENDA REPORT**

MEETING DATE: 11/15/2022

ITEM NO: 2

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**DRAFT  
Minutes of the Town Council  
November 1, 2022**

The Town Council of the Town of Los Gatos conducted a regular meeting in-person and utilizing teleconferencing means on Tuesday, November 1, 2022 at 7:00 p.m.

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

**ROLL CALL**

Present: Mayor Rob Rennie, Vice Mayor Maria Ristow, Council Member Mary Badame, Council Member Matthew Hudes, Council Member Marico Sayoc.

Absent: None

**PLEDGE OF ALLEGIANCE**

Ryan Idemoto led the Pledge of Allegiance. The audience was invited to participate.

**CLOSED SESSION REPORT**

Gabrielle Whelan, Town Attorney, stated Council met as duly noted on the November 1, 2022 Closed Session agenda and stated there is no reportable action.

**COUNCIL / MANAGER MATTERS**

**Council Matters**

- Council Member Hudes stated he met with the Senior Service Roadmap Sub-Committee and attended the Senior Service Committee meeting.
- Vice Mayor Ristow stated she attended Senior Service Committee meeting; met with residents on numerous topics; filled in for the Mayor to assist with a lesson on Government at Lexington School; attended a fentanyl awareness event at Los Gatos High School; attended the Housing Element Advisory Board meeting; attended the Citizen's Police Academy graduation; attended the Santa Clara Valley Water Commission meeting; announced the First Fridays Senior Service Committee event at the Palms for community members 55 and older will take place on Friday.
- Council Member Badame stated she met with a member of KCAT regarding "The Producers Network"; toured The Club in Los Gatos; attended the West Valley Waste Management Authority Board meeting; attended the Democracy Tent community meeting; and attended the Almond Grove Halloween festivities.
- Council Member Sayoc commented on the fentanyl awareness event and stated several more events will be taking place sponsored by the local high schools in Santa Clara County; and attended the Hate Prevention and Inclusion Task Force meeting.

Council Matters – continued

- Mayor Rennie stated he met with KCAT representative to discuss “The Producers Network”; met with representatives from The Club of Los Gatos; toured Google’s new building; attended a Silicon Valley Leadership Group forum; attended with the Town Manager an update on United Against Hate efforts; attended the West Valley Mayors and Managers meeting; and performed a ribbon cutting the Dry Bar and Design on Trend.

**Manager Matters**

- Announced free COVID testing will take place at the Adult Recreation Center on November 8, 2022. Appointments are now available.
- Announced that Board, Commission, and Committee recruitment is underway, applications are due on December 2, at 4:00 p.m. and more information can be found on the Clerk webpage.
- Announced a Community Emergency Response Team (CERT) drill will take place on Saturday, November 5, 2022.

**CONSENT ITEMS**

1. Approve Draft Minutes of the October 18, 2022 Closed Session Town Council Meeting.
2. Approve Minutes of the October 18, 2022 Town Council Meeting.
3. Adopt a Resolution Reaffirming Resolution 2021-044 and Making Findings Pursuant to Government Code Section 54953, as Amended by Assembly Bill 361, and, Due to Health and Safety Concerns for the Public, Authorizing the Use of Hybrid Meetings for the Town Council and the Continued Use of Virtual Meetings for Boards and Commissions While Town Staff Makes the Necessary Arrangements to Transition to Hybrid Meetings for All Town Boards, Commissions, and Committees. **RESOLUTION 2022-068**
4. Authorize the Town Manager to Execute a Two-Year Agreement with Los Gatos Saratoga Union High School District and Los Gatos Union Elementary School District for School Resource Officer Services for the Period October 1, 2022 through June 30, 2024, and Approve a Revenue Budget Increase in the Amount of \$46,738.75 to Match the Proposed Agreement Term and Agreement Amount.
5. Adopt a Resolution to Designate the Director of Parks and Public Works, Nicolle Burnham, to the Board of Directors of the Los Gatos-Monte Sereno Safe Routes to School Organization. **RESOLUTION 2022-069**
6. Authorize Revenue and Expenditure Budget Adjustments to the Roadside Fire Fuel Reduction Project (CIP No. 812-0130) in the Amount of \$750,000 to Recognize Receipt and Expenditure of Federal Financial Assistance, and Acceptance of Match Requirements.

Opened public comment.

No one spoke.

Closed public comment.

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SUBJECT: Draft Minutes of the Town Council Meeting of November 1, 2022

DATE: November 1, 2022

Consent Items – continued

**MOTION:** Motion by Council Member Badame to approve items 1-6. **Seconded by Vice Mayor Ristow.**

**VOTE:** Motion passes unanimously.

### VERBAL COMMUNICATIONS

Mimi Kearns

- Commented on Narcan and inquired how residents could obtain it.

### PUBLIC HEARING

7. Introduce an Ordinance, By Title Only, to Amend Town Code Section 1.10.075, “Official Town Holidays – Designated; Exceptions,” to Add the Juneteenth Holiday.

Gabrielle Whelan, Town Attorney, presented the staff report.

Opened Public Comment.

No one spoke.

Closed Public Comment.

**MOTION:** Motion by Council Member Badame to introduce an ordinance, by title only, to amend Town Code Section 1.10.075, “Official Town Holidays – Designated; Exceptions,” to add the Juneteenth Holiday. **Seconded by Council Member Hudes.**

**VOTE:** Motion passes unanimously.

Town Clerk Wood read the title of the ordinance.

### OTHER BUSINESS

8. Discuss the Water Service Interruption Associated with the San Jose Water Company Villa Avenue Improvements.

Laurel Prevetti, Town Manager, presented the staff report.

John Tang, San Jose Water, presented additional information.

Opened Public Comment.

Other Business Item #8 – continued

Mimi Kearns

- Commented on the cause of the water leak, inquired how San Jose Water will prevent leaks like these in the future, and asked how to submit a reimbursement request to San Jose Water.

Pat Kearns

- Commented on the water rupture, requested Council consider convening a task force, and consider having an independent group adjudicate the cost and reimbursement to the customers.

Closed Public Comment.

John Tang, San Jose Water, responded to comments.

Council discussed the item and provided feedback to San Jose Water representative John Tang.

**PUBLIC HEARING**

9. 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 O. Located at 15860-15894 Winchester Boulevard and 17484 Shelburne Way. APN 529-11-013, -038, -039, and -040. Applicant/Property Owner: Green Valley Corp. d.b.a. Swenson. Project Planner: Jennifer Armer.

Jennifer Armer, Planning Manager, presented the staff report.

Opened Public Comment.

Richard Kananen

- Commented in opposition of the story pole exception.

Applicant Jessie Bristow, Swanson Builders, provided information to support the request for an exception to the Story Pole Policy.

Closed Public Comment.

Council discussed the item.

Public Hearing Item #9 - continued

**MOTION:** Motion by Vice Mayor Ristow to grant a request for an exception to allow an alternative to the standard story pole installation with the requirement that double flagging must be used where the netting would be used. **Seconded by Council Member Hudes.**

**VOTE:** Motion passes 4-1, Council Member Badame voted no.

### **OTHER BUSINESS**

10. Receive the Design Update and Provide Feedback Regarding the Proposed Improvements to the Oak Meadow Park Bandstand (CIP Project No. 831-4007).

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

Opened Public Comment.

Margaret Smith

- Requested improvements to the restrooms at Oak Meadow Park.

Closed Public Comment.

Council discussed the item and received the update.

Recess 8:53 p.m.

Reconvene 9:03 p.m.

### **PUBLIC HEARING**

11. Introduce an Ordinance, by Title Only, Amending Chapter 29 (Zoning Regulations) of the Town Code to Regulate Urban Lot Splits and Two-Unit Housing Developments in Compliance with Senate Bill 9. Town Code Amendment Application A-22-002. Location: Town-wide. Applicant: Town of Los Gatos.

Ryan Safty, Associate Planner, presented the staff report.

Opened Public Comment.

Scott Watson

- Referenced material he submitted for the record and commented on requirements in Section 7 titled Cut and Fill and Section 8 titled Building Sites.

Public Hearing Item #11 - continued

Ivy

- Commented on concerns with slope restrictions; height limitation; 1,200 sq. ft. limitation for the first SB9 unit; and standard zoning setbacks.

David Hutchinson

- Commented on concerns with the 30% slope restriction and setback privacy restrictions.

Russ Knister

- Commented on the Floor Area Ratio (FAR) rules for split lots and suggested increasing the FAR.

Christopher Bajorek

- Commented on concerns with the subdivision of a lots and enforcement of the intent to occupy.

Eric Wade

- Commented in support of fewer restrictions on SB9 lots.

Tony Jeans

- Commented on flag lot setbacks from the rear property line; commented on stepback requirements for the second floor; and stated support for an 18-foot height limit on hillsides.

Lee Quintana

- Commented on having a separate section of the ordinance specific to hillside properties; calculations to determine the FAR; flag lot setbacks; supported an 18-foot height limit on hillsides; and stated concerns with the using objective and discretionary standards.

Closed Public Comment.

Council discussed the item.

Public Hearing Item #11 - continued

**MOTION:** Motion by Council Member Hudes to introduce the Ordinance, by title only, as recommended by the Planning Commission with the following modifications: no required front setbacks on flag lots; 18-foot driveway; an occupancy affidavit modeled after the ones used by the Town of Atherton and Santa Clara County which also includes language that says applicants for an urban lot split under SB9 will sign and record a deed restriction that they will use one of the units as their primary residence for a minimum of three years; bring back in three months options to address Fire Hazard Area and affordability models by looking at what other municipalities have done; include standard notifications used for minor residential development with a QR code; and amend the ordinance to change the five-foot step-back to be interior and rear only. **Seconded by Council Member Badame.**

**VOTE:** Motion passes unanimously.

Town Clerk Wood read the title of the ordinance.

12. Introduce an Ordinance, by Title Only, Effecting Amendments 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 2022 California Building and Fire Codes, as Amended, Including Reach Codes. Town Code Amendment Application A-22-003. Project Location: Town Wide. Applicant: Town of Los Gatos.

Robert Gray, Chief Building Official, presented the staff report.

Opened Public Comment.

Kristel Wickham, Sierra Club Loma Prieta Chapter

- Commented in support of the proposed draft ordinance.

Closed Public Comment.

The Council discussed the item.

**MOTION:** Motion by Council Member Sayoc to introduce an ordinance, by title only, effecting amendments 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 2022 California Building and Fire Codes, as amended, including reach codes. **Seconded by Vice Mayor Ristow.**

**VOTE:** Motion passes unanimously.

Public Hearing Item #12 - continued

Town Clerk Wood read the title of the ordinance.

**OTHER BUSINESS**

13. Provide Direction on the Approach to the Plant-Based Diet Education Implementation Program in the 2040 General Plan (Environment and Sustainability Element Program CC).

Laurel Prevetti, Town Manager, presented the staff report. Library Director Ryan Baker provided additional information.

Opened Public Comment.

Lisa Wade

- Commented in support of plant-based education program funding and advertising.

Karen Aidi

- Commented in support of a plant-based education program.

Richard Kananen

- Commented in support of a low-cost, plant-based education program.

Closed Public Comment.

Council discussed the item and provided direction to staff.

**ADJOURNMENT**

The meeting adjourned at 11:38 p.m.

Respectfully submitted:

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Jenna De Long, Deputy Clerk