



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 09/03/2024

ITEM NO: 3

**DRAFT
Minutes of the Town Council Meeting
Tuesday, August 20, 2024**

The Town Council of the Town of Los Gatos conducted a regular meeting in-person and utilizing teleconferencing means on Tuesday, August 20, 2024, at 7:00 p.m.

MEETING CALLED TO ORDER AT 7:00 P.M.

ROLL CALL

Present: Mayor Mary Badame, Vice Mayor Matthew Hudes, Council Member Rob Moore (remote), Council Member Rob Rennie, Council Member Maria Ristow.

Absent: None

PLEDGE OF ALLEGIANCE

Mayor Badame led the Pledge of Allegiance. The audience was invited to participate.

PRESENTATIONS

The Friends of the Library presented a donation to the Town of Los Gatos Library.

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

1. Approve Minutes of the August 6, 2024 Town Council Meeting.
2. Approve Minutes of the August 7, 2024 Closed Session Town Council Meeting.
3. Receive the Monthly Financial and Investment Report for June 2024.
4. Adopt a Revised Resolution Rescinding Resolution 2024-041 and Making Determinations and Approving the Reorganization of an Uninhabited Area Designated as El Gato Lane No. 06, Approximately 0.563 Acres Pre-Zoned R-1:8. APN 523-22-007. Annexation Application AN24-001. Project Location: 15575 El Gato Lane. Property Owner: Sai Kiran Garimella and Renu Sushma Kolli. Applicant: Barzin Keyhankhadiv. **RESOLUTION 2024-044**
5. Authorize the Town Manager to Execute an Agreement for Services with Air Systems Inc. for Heating Ventilation and Air Conditioning (HVAC) Unanticipated Repair Services for a Total Agreement Amount of \$3,481.
6. Approve Purchase Orders with Baker and Taylor for Up to \$135,000 for Fiscal Year (FY) 2024/25 and for Payment of Remaining Invoices that Exceed Previously Established Purchase Order Amounts for FY 2023/24.
7. Authorize the Town Manager to Execute a Three-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 August 21, 2024, through June 30, 2027, and Approve a FY 2024/25 Revenue Budget Increase in the Amount of \$4,974.90 to Match the Proposed Agreement Term and Agreement Amount.

8. Authorize the Town Manager to Execute a Third Amendment to the Agreement with Tyler Technologies to Increase Compensation by \$25,930 for a Total Contract Amount Not to Exceed \$1,320,991.
9. Approve Second Amendment to The Agreement for Services with Traffic Management, Inc., Increasing the Allocated Amount for Services by \$43,793 to include the 2024 Road Closure and Traffic Control Services for Halloween and the Annual Children's Holiday Parade; and Approve an Expenditure Budget Adjustment in the Amount of \$18,793 from the General Fund Capital/Special Projects Reserve to Cover the Estimated Expenses for 2024 Road Closure and Traffic Control Services for These Events.
10. Approve and Authorize the Town Manager to Execute a Side Letter of Agreement between the Town of Los Gatos and the Town Employees' Association (TEA) for Alternative 12-hour Dispatch Schedules.
11. Approve and Authorize the Town Manager to Execute an Extension of a Side Letter Agreement Between the Town of Los Gatos and the Town Employee Association (TEA) for the Dispatcher Retention and Recruitment Bonus Through the Pay Period Starting July 21, 2024.
12. Approve and Authorize the Town Manager to Execute a Side Letter of Agreement between the Town of Los Gatos and the Police Officers' Association (POA) for Patrol 12- Hour Shift Schedules.
13. Approve the Revised Town Employees Association (TEA) Salary Schedule for FY 2024/25.
14. Approve the Revised Salary Schedules for Management, Confidential, and Temporary Employees for Fiscal Year (FY) 2024/24, FY 2025/26, and FY 2026/27; and Authorize an Expenditure Budget Adjustment in the Amount of \$740,961 from the Available Capital/Special Projects Reserve.

Mayor Badame opened public comment.

No one spoke.

Mayor Badame closed public comment.

MOTION: Motion by Council Member Ristow to approve consent items 1-14. Seconded by Council Member Rennie.

VOTE: Motion passed unanimously by roll call vote.

VERBAL COMMUNICATIONS

Tevis Ignacio

- Commended outgoing Town Manager Prevetti for her service.

Nancy Cole, Midpeninsula Regional Open Space District

- Commented on Bear Creek Redwood Preserve and the Friends of Bear Creek Stables nonprofit organization's efforts to develop an informal rural educational ranch.

Rich Stevens

- Commented on concerns with potential builder's remedy and SB 330 projects.

Amy Despars

- Commented on concerns, and requested story poles continue to be used on large sites but not homes and additional information and education for the community.

Joe Enz, Friends of the Los Gatos Creek

- Commented on the Police Department staff, the Friends of the Library, Library staff, and creek cleanup efforts.

Linda Swenberg

- Commented on concerns regarding the Diversity, Equity, and Inclusion (DEI) Commission's handling of public comments, the structure of Commission meetings, the roles of an advisory Commission, and the quality of the audio recording of the Commission meeting.

Johanes Swenberg

- Commented on an advisory body and asked about the deliverables and objectives for the DEI Commission and stated concerns with State housing requirements.

Carin Yamamoto

- Commented on concerns with the meeting audio on Zoom.

Vibhas

- Commented on safety concerns and requested lights or reflective road marks be added to Quito Road.

OTHER BUSINESS

15. Approve the Employment Agreement Between the Town of Los Gatos and Chris Constantin for Appointment to Town Manager, Authorize the Mayor to Execute the Agreement, Modify the Management Salary Schedule to Reflect the New Salary for the Town Manager, and Approve a Budget Expenditure Adjustment in the Amount of \$61,188.

Cheryl Parkman, Human Resources Director, presented the staff report.

Mayor Badame opened public comment.

No one spoke.

Mayor Badame closed public comment.

Council welcomed Chris Constantin as the new Town Manager.

MOTION: Motion by Mayor Badame to approve the employment agreement in Attachment 1 between the Town of Los Gatos and Chris Constantin for appointment to Town Manager effective November 4, 2024; authorize the Mayor to execute the agreement, modify the start date as required, modify the Management Salary Schedule to reflect the new salary for the Town Manager in Attachment 3, and approve a Budget Expenditure Adjustment in the amount of \$61,188. **Seconded by Vice Mayor Hudes.**

VOTE: Motion passed unanimously by roll call vote.

16. Adopt a Resolution Appointing the Nominated Candidates to the Town Council and Cancelling the November 5, 2024, General Municipal Election. **RESOLUTION 2024-045**

Wendy Wood, Town Clerk, presented the staff report.

Mayor Badame opened public comment.

Vibha

- Commented in support of cancelling the election.

Peter Hertan

- Commented in support of cancelling the election.

Mayor Badame closed public comment.

Council discussed the item.

MOTION: Motion by Council Member Rennie to adopt a resolution in Attachment 1 appointing the nominated candidates Matthew K. Hudes and Maria L. Ristow to the Town Council and cancelling the November 5, 2024, General Municipal Election. **Seconded by Council Member Moore.**

VOTE: Motion passed 4-0-1. Vice Mayor Hudes abstained.

17. Receive the Information Provided in the Police Services Report: January – June 2024.

Jamie Field, Police Chief, presented the staff report and gave a presentation.

Mayor Badame opened public comment.

No one spoke.

Mayor Badame closed public comment.

Council discussed the item and received the Police Services Report.

18. Discuss and Provide Direction on Modifications to Noticing for Senate Bill (SB) 330 and Builder's Remedy Projects.

Joel Paulson, Community Development Director, presented the staff report.

Mayor Badame opened public comment.

Rich Stevens

- Commented on concerns regarding story poles, notice cards, and new development building signage.

Carin Yamamoto

- Commented on concern regarding communication, notice cards, and the size of potential proposed developments.

Amy Despars

- Commented on concerns regarding communication and digital renderings.

EO (Ellen)

- Commented on providing notices and signage for community members with special needs.

Mayor Badame closed public comment.

Council discussed the item and provided general feedback.

Mayor Badame called a recess at 9:37 p.m.

The meeting reconvened at 9:47 p.m.

19. Authorize The Town Manager to Reissue a Request for Proposal (RFP) for the Preparation of the Annual Comprehensive Financial Report (ACFR) with a Modification to Start the ACFR Preparation Services for the FY 2024/25 ACFR.

Gitta Ungvari, Finance Director, presented the staff report.

Mayor Badame opened public comment.

EO (Ellen)

- Commented on Zoom meeting audio quality and an outside auditor.

Mayor Badame closed public comment.

Council discussed the item.

MOTION: Motion by Vice Mayor Hudes to utilize Chavan & Associates for financial report preparation in the amount of \$3,000 for the [fiscal year] 23/24 ACFR and to make best efforts to use the new financial system and staff to prepare financial statements for [fiscal year] 24/25. **Seconded by Mayor Badame.**

VOTE: Motion passed unanimously by roll call vote.

20. Introduce an Ordinance Titled: “An Ordinance of the Town Council of the Town of Los Gatos Amending Town Code Section 1.10.075, ‘Official Town Holidays – Designated; Exceptions’ to Add Veterans Day as a Town Holiday.”

Gabrieille Whelan, Town Attorney, presented the staff report.

Mayor Badame opened public comment.

No one spoke.

Mayor Badame closed public comment.

Council discussed the item.

MOTION: Motion by Mayor Badame to introduce an ordinance by title only to amend Town Code Section 1.10.075, “Official Town Holidays – Designated; Exceptions” to add the Veterans Day holiday to the list of official Town holidays. **Seconded by Council Member Ristow.**

VOTE: Motion passed unanimously by roll call vote.

COUNCIL/TOWN MANAGER REPORTS

Council Matters

- Council Member Moore stated he spoke to West Valley students; hosted a Council Member coffee; met with residents regarding development projects; and stated he is attending the Democratic National Convention (DNC).
- Council Member Ristow stated she met with John Tang, Vice President of Regulatory Affairs and Public Relations for San Jose Water Company; attended the Valley Transportation Authority (VTA) Policy Advisory Committee meeting and met with VTA General Manager Carolyn Gonot; attended the Silicon Valley Clean Energy Authority (SVCEA) Study Session on Utility Affordability and Board of Directors meeting; met with employees that work near Los Gatos High School regarding parking challenges; attended the St. Luke’s Arts and Crafts Fair; met with residents regarding traffic, development, and e-bikes; and stated she was elected to the Citizens Advisory Board at the Terraces of Los Gatos.

- Council Member Rennie stated he has nothing to report.
- Vice Mayor Hudes stated he met with Monte Sereno Council Member Brian Mekechuk and VTA leadership to view traffic chokepoints and patterns throughout the jurisdictions; attended the Los Gatos Foundation for Older Adults to Thrive Executive Committee and the Community Center Planning Committee meetings, and announced they will be giving a presentation to the Community Health and Senior Services Commission (CHSSC) and will host a future workshop; attended a Santa Clara Cities Association Board of Directors meeting; met with Community Health and Senior Service Commissioners; and met with developers regarding the area behind the Post Office.
- Mayor Badame stated she participated in a Ride and Taste Los Gatos event for seniors, a Ribbon Cutting for Priscilla Danielle Designs, and a meeting of Santa Clara County Mayors at San Jose City Hall including a round table discussion.

Town Manager Matters

- Announced Leadership Los Gatos applications are due Friday, August 23, 2024. More information can be found at LosGatosCA.gov/LeadershipLG.

CLOSED SESSION REPORT

Gabriele Whelan, Town Attorney, stated the Town Council met in closed session to discuss real property negotiations pursuant to Government Code §54956.8 and conference with legal counsel regarding anticipated litigation pursuant to Government Code §54956.9(e)(3) there was no reportable action for either item.

ADJOURNMENT

The meeting adjourned at 10:30 p.m.

Respectfully Submitted:

Jenna De Long, Deputy Town Clerk