



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 12/17/2024

ITEM NO: 2

**DRAFT
Minutes of the Town Council Meeting
Tuesday, December 3, 2024
7:00 P.M.**

The Town Council of the Town of Los Gatos conducted a regular meeting in-person and via teleconference.

MEETING CALLED TO ORDER AT 7:00 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

Girl Scouts Pari, Sahara, and Myra led the Pledge of Allegiance. The audience was invited to participate.

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

1. Approve the November 19, 2024, Town Council Closed Session Meeting Minutes.
2. Approve the November 19, 2024, Town Council Study Session Meeting Minutes.
3. Approve the November 19, 2024, Town Council Meeting Minutes.
4. Receive an Annual Report Regarding the Independent Police Auditor Function.
5. Adopt a Resolution Declaring Certain Hazardous Vegetation Growing in the Town of Los Gatos to be a Public Nuisance, Ordering Abatement, and Setting a Public Hearing Date of January 21, 2025, to Consider Objections for the Proposed Abatement. **RESOLUTION 2024-051**
6. Adopt an Ordinance Amending Section 15.30.235 of the Town Code to Reduce the Speed Limit on Blossom Hill Road between Santa Cruz Avenue/Winchester Boulevard and Camino del Cerro. **ORDINANCE 2362**
Ordinance Title: An Ordinance of the Town Council of the Town of Los Gatos Amending Section 15.30.235, "Establishing Speed Limits on Certain Streets," of the Town Code Establishing Speed Limits.
7. Adopt an Ordinance to Amend Chapter 14 of the Town Code to Rescind the Existing Pushcart Ordinance and Replace It with a New Sidewalk Vending Ordinance in Compliance with State Law and Amend the Existing Peddler and Solicitor Ordinance to Exclude Sidewalk Vendors From its Provisions. **ORDINANCE 2363**
Ordinance Title: "An Ordinance of The Town Council of The Town of Los Gatos Amending Sections 14.40.010, 'Definitions,' and 14.40.015, 'Nonapplicability,' of Article IV, 'Peddlers and Solicitors,' of Chapter 14, 'Licenses and Miscellaneous Business Regulations,' of the

Town Code and Replacing Article VII, 'Pushcarts,' of Chapter 14, 'Licenses and Miscellaneous Business Regulations,' with a New Article VII, 'Sidewalk Vending.'"

8. Adopt an Ordinance to Amend Chapter 29 of the Town Code to Adjust the Permitted Size of Signs at Intersections, Clarify Regulations Applicable to Temporary Signs on Private Property, and Prohibit Temporary Signage on Public Property. **ORDINANCE 2364**
Ordinance Title: An Ordinance of the Town Council of the Town of Los Gatos Amending Chapter 29, "Zoning Regulations," Article I, "In General," Division 3, "Signs."
9. Authorize the Town Manager to Execute the Second Amendment to the Consulting Services Agreement with Nichols Consulting Engineers for an Extension of Time for the Shannon Road Repair Project (CIP No. 811-0008).
10. Approve an Amendment to the Joint Powers Agreement of the West Valley Clean Water Program Authority to Support the Authority's Proposed Name Change.
11. Authorize The Town Manager to Execute a Certificate of Acceptance and Notice of Completion for the 2024 Annual Curb, Gutter, and Sidewalk Maintenance Project (CIP No. 813-9921), Completed by Villalobos and Associates Inc., and Authorize the Town Clerk to File for Recordation.
12. Authorize the Town Manager to Execute a Third Amendment to the Agreement for Consultant Services with Disability Access Consultants, LLC to Extend the Term of the Agreement from December 31, 2024, to June 30, 2025, for the Annual ADA Compliance Work Project (CIP No. 812-2013).
13. Authorize the Town Manager to Execute a Second Amendment to the Contract for Legal Services with the Law Firm of Atchison, Barisone & Condotti to Increase the Contract Amount by \$100,000 in an Amount Not to Exceed \$250,000 until December 31, 2025.
14. Authorize the Town Manager to Execute a Contract Amendment to the Contract for Legal Services with the Law Firm of Goldfarb & Lipman to Increase the Contract Amount in an Amount Not to Exceed \$165,000.
15. Direct Staff to Exercise the Option to Purchase the Below Market Rate (BMR) Unit at 653 Blossom Hill Road and Take Necessary Steps.

Mayor Badame opened public comment.

No one spoke.

Mayor Badame closed public comment.

MOTION: Motion by Council Member Ristow to approve consent items one through fifteen. Seconded by Council Member Moore.

VOTE: Motion passed unanimously.

VERBAL COMMUNICATIONS

Rob Stump

- Commented on pursuing a second point of public access for Los Gatos High School through the Los Gatos Lodge property.

Rich Stevens

- Commented concerns on the New Town development and asked clarifying questions.

Jeff Lochridge

- Commented on concerns with proposed projects and the accessibility of related information and asked clarifying questions.

Gus

- Read a passage from a book and commented on concerns with the presidential election and Lynne Avenue.

Lee Quintana

- Commented on Item 18 and requested clarification regarding the attached map; and stated concerns with the resolution in Item 19.

PUBLIC HEARINGS

16. Introduce An Ordinance to Repeal Town Code Sections 6.120.060, 6.120.070, and 6.120.080 (All Electric Construction Requirements).

Ordinance Title: An Ordinance of the Town Council of the Town of Los Gatos Repealing Section 6.120.060, "All Electric Construction Definitions," Section 6.120.070, "Residential All Electric Construction," and Section 6.120.080, "Nonresidential All Electric Construction" of the Town Code.

Gabrielle Whelan, Town Attorney, presented the staff report.

Mayor Badame opened public comment.

Lynley

- Commented on the ability to choose and encouraged the Council to remove the requirements.

Mayor Badame closed public comment.

Council discussed the item.

MOTION: Motion by Vice Mayor Hudes to introduce an ordinance to repeal Town Code Sections 6.120.060, 6.120.070, and 6.120.080 which codify all-electric construction requirements. **Seconded by Council Member Ristow.**

VOTE: Motion passed unanimously.

17. Introduce an Ordinance Amending Chapter 29 (Zoning Regulations) of the Town Code Regarding State Mandated Density Bonuses, Pursuant to Implementation Program R of the 2023-2031 Housing Element. Adoption of This Ordinance is Exempt Pursuant to CEQA, Section 15061(b)(3) in That It Can be Seen with Certainty That It Will Not Impact the Environment, Because the Town is Already Subject to Government Code Sections 65915 and Following. Town Code Amendment Application A-24-005. Project Location: Town Wide. Applicant: Town of Los Gatos.
Ordinance Title: An Ordinance of the Town Council of the Town of Los Gatos Amending Chapter 29, "Zoning," of the Town Code to Update the Town's Density Bonus Ordinance to Reflect Changes Made in State Law.

Gabrielle 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 Council Member Ristow to introduce an ordinance amending Chapter 29 (Zoning Regulations) of the Town Code regarding state mandated density bonuses, pursuant to Implementation Program R of the 2023-2031 Housing Element.
Seconded by Council Member Moore.

VOTE: Motion passed unanimously.

18. Introduce an Ordinance Amending Chapter 29 (Zoning Regulations) of the Town Code to Add Low Barrier Navigation Centers as a By-Right Use in Mixed-Use and Nonresidential Zones, Pursuant to Implementation Program AD of the 2023-2031 Housing Element. Adoption of this Ordinance is Exempt Pursuant to CEQA, Section 15061(b)(3) in That It Can be Seen with Certainty That It Will Not Impact the Environment, Because the Town is Already Subject to Government Code Sections 65660 - 65668. Town Code Amendment Application A-24-006. Project Location: Town Wide. Applicant: Town of Los Gatos.
Ordinance Title: An Ordinance of the Town Council of the Town of Los Gatos to Add Division 11, "Low Barrier Navigation Centers," to Article I, "General" of Chapter 29, "Zoning Regulations," of the Town Code.

Gabrielle Whelan, Town Attorney, presented the staff report.

Mayor Badame opened public comment.

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SUBJECT: Draft Minutes of the Town Council Meeting of December 3, 2024

DATE: December 3, 2024

No one spoke.

Mayor Badame closed public comment.

Council discussed the item.

MOTION: Motion by Council Member Moore to introduce an ordinance amending Chapter 29 (Zoning Regulations) of the Town Code to add Low Barrier Navigation Centers as a By-Right Use in Mixed-Use and Nonresidential Zones, where multi-family uses are permitted, pursuant to Implementation Program AD of the Housing Element **AMENDMENT:** and Include a Section 7 be inserted [in the ordinance] to read: Sunset Clause. This ordinance will sunset on January 1, 2027, when Government Code Sections 66650-66658 are repealed or upon any earlier date if repealed earlier. **Seconded by Council Member Ristow.**

The Town Attorney stated the Planning Commission had recommended adding a sunset clause so that the ordinance sunsets when the State Law requiring it sunsets and proposed that a section seven be inserted [in the ordinance] to read: Sunset Clause. This ordinance will sunset on January 1, 2027, when Government Code Sections 65660-65688 are repealed or upon any earlier date if repealed earlier.

VOTE: Motion passed 4-1. Vice Mayor Hudes voted no.

19. Introduce a Replacement Units Ordinance and Adopt a Resolution Adopting Replacement Units Guidelines, Pursuant to Implementation Program AU of the 2023-2031 Housing Element. Adoption of this Ordinance is Exempt Pursuant to CEQA, Section 15061(b)(3) in That It Can be Seen with Certainty That It Will Not Impact the Environment, Because the Town is Already Subject to State Law. Town Code Amendment Application A-24-007. Project Location: Town Wide. Applicant: Town of Los Gatos. **RESOLUTION 2024-052**
Ordinance Title: An Ordinance of the Town Council of the Town of Los Gatos Amending Chapter 29, "Zoning," of the Town Code, to Add Division 12, "Replacement Housing Units," to Article I, "General."

Gabrielle Whelan, Town Attorney, presented the staff report.

Mayor Badame opened public comment.

Carin Yamatoto

- Asked for clarification on the impact this item would have on the community.

Mayor Badame closed public comment.

Council discussed the item.

MOTION: Motion by Council Member Moore to introduce a replacement units ordinance and adopt a resolution adopting replacement units guidelines, pursuant to Implementation Program AU of the 2023-2031 Housing Element. **Seconded** by Council Member Ristow.

VOTE: Motion passed unanimously.

Mayor Badame called a recess 8:02 p.m.

Mayor Badame reconvened the meeting at 8:10 p.m.

The Mayor stated she was going to reopen Item 18.

OTHER BUSINESS

20. Receive the Los Gatos-Monte Sereno Police Department Organizational Assessment Report Completed by Meliora Public Safety Consulting.

Jamie Field, Police Chief, presented the staff report.

Mayor Badame opened public comment.

Lynley

- Provided appreciative comments for the responsiveness of the Police Department.

Mayor Badame closed public comment.

Council discussed the item.

COUNCIL/TOWN MANAGER REPORTS

Council Matters

- Council Member Ristow stated she attended the Live Oak Thanksgiving Feast, the Interfaith Thanksgiving Service; met with SummerHill representatives regarding the Los Gatos Lodge site; attended a Council Policy Committee meeting, a Finance Commission meeting as an observer; met with residents regarding a number of topics; and is looking forward to the upcoming Winter Celebration and Los Gatos Children's Parade.
- Council Member Moore stated he is starting a Young Leaders Group; attended a Rank Choice Voting Pros and Cons meeting; attended an AI (Artificial Intelligence) Luncheon sponsored by Joint Venture; attended a Los Gatos CERT (Community Emergency Response Team) meet and greet and training; and taped an episode of PodCats.
- Council Member Rennie stated he met with representatives of SummerHill regarding the Los Gatos Lodge site; and attended a Silicon Valley Clean Energy Authority (SVCEA) Risk Oversight Committee meeting, and a Finance Commission meeting.

- Vice Mayor Hudes stated he met with Supervisor Simitian and Deputy County Executive Hernandez; attended a Finance Commission meeting, participated in the Los Gatos Thrives Foundation meetings; and stated he had a great Thanksgiving with his family.
- Mayor Badame stated she participated in a Silicon Valley Animal Control Authority (SVACA) Board meeting; met with Supervisor Simitian; participated in a ribbon cutting for Pedro's; and attended a quarterly meeting with the Executive Director of the Chamber of Commerce.

Town Manager Matters

- Announced the Town is recruiting for Boards, Commissions, and Committees and the deadline to apply is 4:00 p.m. on December 9.
- Announced the Annual Winter Celebration will be held in Town Plaza Park on Friday, December 6 from 5:00 p.m. to 7:00 p.m.
- Announced a portion of North Santa Cruz Avenue will be closed from 8:45 a.m. to 3:00 p.m. for the Los Gatos Children's Christmas Parade on Saturday, December 7.

CLOSED SESSION REPORT

Gabrielle Whelan, Town Attorney, stated the Town Council met in closed session to discuss two items of anticipated litigation and one item of existing litigation. With regard to the existing litigation, the Town Council authorized the defense of two council members who have been sued by Lynley Hogan alleging a variety of violations, primarily civil rights violations.

ADJOURNMENT

The meeting adjourned at 10:10 p.m.

Respectfully Submitted:

Jenna De Long, Deputy Town Clerk