



**TOWN OF LOS GATOS  
COUNCIL AGENDA REPORT**

MEETING DATE: 01/19/2020

ITEM NO: 1

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**DRAFT  
Minutes of the Town Council Meeting  
December 15, 2020**

The Town Council of the Town of Los Gatos conducted a regular meeting via Teleconference via COVID-19 Shelter in Place Guidelines on December 15, 2020, at 7:00 p.m.

**MEETING CALLED TO ORDER AT 7:00 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

**COUNCIL/TOWN MANAGER REPORTS**

**Council Matters**

- Vice Mayor Rennie stated he attended the Valley Transportation Authority (VTA) Governance and Audit Committee and Board meetings, Silicon Valley Clean Energy Authority (SVCEA) virtual holiday event, Santa Clara County Cities Association virtual holiday event, SCVEA Risk Oversight Committee, Town Council Finance Committee, Los Gatos Meadows developer meeting, Conceptual Development Advisory Committee (CDAC), West Valley Sanitation District Board of Directors meeting, and SVCEA Board meeting.
- Council Member Badame stated she attended the Santa Clara County Cities Association virtual holiday event and has met with community members.
- Council Member Hudes stated he attended the Santa Clara County Cities Association virtual holiday event and met with constituents.
- Council Member Ristow met with community members.
- Mayor Sayoc stated she attended the Town Council Finance Committee, CDAC, and Mayor and County Elected Officials meeting regarding COVID-19 matters and that information is available to the public on the County dashboard and the Town website.

**Manager Matters**

- Announced Town Offices will be closed beginning December 24, 2020 and will re-open January 4, 2021.
- Announced the permit portal will be closing end-of-day December 23, 2020 through January 3, 2021.
- Announced adult Commissioner recruitments continue, and the application period ends at 4:00 p.m. on January 8, 2021.
- Announced free COVID-19 testing will take place on December 30 at the Adult Recreation Center; appointments are strongly advised and will be available beginning December 23.

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

1. Approve Minutes of the December 8, 2020 Special Town Council Meeting.
2. Reaffirm Town Council Code of Conduct Policy. **POLICY 2-04**
3. Adopt Council Committee Appointments Effective January 1, 2021.
4. Authorize the Issuance of the Request for Qualifications for On-Call Materials Testing and Special Inspection Services and Authorize the Town Manager to Negotiate and Execute a Consultant Services Agreement in an Amount Not-to-Exceed \$180,000 for the Services.
5. Approve the Street List for the Fiscal Year 2020/21 Street Repair and Resurfacing Project (CIP Number 811-9901).
6. Authorize the Town Manager to Amend an Agreement for Employee Safety Compliance and Training Consultant Services with BSI EHS Services and Solutions (West) Inc. (Attachment 1) to:
  - a. Extend the Term of the Agreement through June 2021,
  - b. Increase the Contract Amount by \$22,000 for a Total Amount not to Exceed \$197,350, and
  - c. Approve an Expenditure Budget Adjustment in the Amount of \$59,750 from Available Workers' Compensation Fund.
7. Authorize Revenue and Expenditure Budget Adjustments in the Amount of \$5,000 to Recognize Receipt and Expenditure of California State Library Grant Funds.

**MOTION: Motion by Council Member Hudes to approve Consent Items 1-7. Seconded by Council Member Badame.**

**VOTE: Motion passed unanimously.**

**VERBAL COMMUNICATIONS**

David Weissman

- Requested the Town revise the fee schedule pertaining to illegal tree removal fees and increase protection of trees within hillside developments.

**PUBLIC HEARINGS**

8. Deny an Appeal of a Planning Commission Decision Approving a Request for a Zoning Consistency Determination and a Conditional Use Permit (U-20-009) for a Bank (Charles Schwab Community Banking and Investment Services) on Property Zoned C-2:LHP:PD Located at 35 University Avenue. APN 529-02-044. Property Owner: SRI Old Town, LLC. Applicant: Amber DeMaglio. Project Planner: Sean Mullin. **RESOLUTION 2020-050**

Sean Mullin, Associate Planner, presented the staff report.

Council Member Badame stated she spoke with Jim Foley and Catherine Somers.

Vice Mayor Rennie stated he spoke with Jim Foley and Catherine Somers.

Public Hearing Item #8 - continued

Council Member Hudes stated he spoke with Jim Foley and Catherine Somers and received an email from Federal Realty but did not speak with them.

Council Member Ristow stated she spoke with Federal Realty, business owners, and residents in the area.

Mayor Sayoc stated she spoke with Jim Foley and Federal Realty.

Opened public comment.

Catherine Somers, Executive Director of the Chamber of Commerce, and Jim Foley, Chamber of Commerce Board Member, Appellants

- Commented on the reasons for their appeal.

Jeff Kreshek and Michael Digeronimo, Federal Realty and Richard Zak, Charles Schwab, Applicants

- Commented on the application.

Randi Chen, Chamber of Commerce

- Commented in opposition of the recommendation due to location and requested the Town direct Charles Schwab to find another location that is not retail ground-floor space in downtown.

Rod Teague

- Commented in opposition of the recommendation due to location.

Jim and Kerry

- Commented in opposition of the recommendation due to location.

Jay Farwell

- Commented in opposition of the recommendation due to location.

Mark Millen

- Commented in opposition of the recommendation due to location.

Public Hearing Item #8 - continued

Michael Digeronimo and Jeff Kreshek, Federal Realty, Applicant

- Addressed comments.

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SUBJECT: Draft Minutes of the Town Council Meeting of December 15, 2020

DATE: December 15, 2020

Public Hearing Item #8 - continued

Jim Foley and Catherine Somers, Chamber of Commerce, Appellant

- Addressed comments.

Closed public comment.

Council discussed the item.

**MOTION: Motion by Vice Mayor Rennie** to adopt a resolution (Attachment 7) granting an appeal of the decision of the Planning Commission and denying the request for a zoning consistency determination and a Conditional Use Permit (U-20-009) for a Bank (Charles Schwab Community Banking and Investment Services) on property zoned C-2:LHP:PD located at 35 University Avenue. **Seconded by Council Member Badame.**

**VOTE: Motion passed unanimously.**

#### **OTHER BUSINESS**

9. Comprehensive Annual Financial Report (CAFR):

- a. Receive the Comprehensive Annual Financial Report (CAFR) for the Fiscal Year Ended June 30, 2020, and
- b. Adopt a Resolution Confirming June 30, 2020 Fund Balances in Accordance with Fiscal Year 2019/20 Final Audit and Town Council General Fund Reserve Policy. **RESOLUTION 2020-051**

Steve Conway, Director of Finance, presented the staff report.

Opened public comment.

No one spoke.

Closed public comment.

Council discussed the item.

Public Hearing Item #9 - continued

**MOTION: Motion by Vice Mayor Rennie to**

- Receive the Comprehensive Annual Financial Report (CAFR) for the fiscal year ended June 30, 2020, in Attachment 1; and
- Adopt a resolution confirming June 30, 2020 fund balances in accordance with fiscal year 2019/20 final audit and Town Council General Fund Reserve Policy.

**Seconded by Council Member Ristow.**

**VOTE: Motion passed unanimously.**

10. Receive a Fiscal Year (FY) 2020/21 Revenue and Expense Update.

Arn Andrews, Assistant Town Manager, presented the staff report.

Opened public comment.

Kerri (no last name provided)

- Inquired what the Town is doing to support local businesses, and requested the Town consider temporarily waiving business license fees.

Catherine Somers, Chamber of Commerce

- Requested the Town consider waiving business license fees for brick and mortar small businesses.

Closed public comment.

Council discussed the item.

Council received the Fiscal Year (FY) 2020/21 revenue and expense update.

**ADJOURNMENT**

The meeting adjourned at 10:40 p.m.

Submitted by:

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Jenna De Long, Deputy Clerk