



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 6/04/2024

**DRAFT
Minutes of the Town Council Meeting
Tuesday, May 21, 2024**

The Town Council of the Town of Los Gatos conducted a regular meeting in-person and utilizing teleconferencing means on Tuesday, May 7, 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, Council Member Rob Rennie, Council Member Maria Ristow.

Absent: None

PLEDGE OF ALLEGIANCE

Arnav Mana led the Pledge of Allegiance. The audience was invited to participate.

PRESENTATIONS

The Mayor presented proclamations for National Police Week, Municipal Clerks Week, Public Works Week, Affordable Housing Month, Historic Preservation Month, and Building Safety Month.

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

1. Approve Minutes of the May 7, 2024 Closed Session Town Council Meeting.
2. Approve Minutes of the May 7, 2024 Town Council Meeting.
3. Adopt an Ordinance Titled, "An Ordinance of the Town Council of the Town of Los Gatos Amending Chapter 29, 'Zoning Regulations,' Article I, 'In General,' Division 3 'Signs,' of the Town Code Regarding Sign Regulations" as Introduced by the Town Council. The proposed amendments to the Town Code are not a project subject to CEQA [CEQA Guidelines Section 15061(b)(3)]. Town Code Amendment Application A-24-002. Project Location: Town Wide. Applicant: Town of Los Gatos. **ORDINANCE 2358**
4. Adopt an Ordinance Titled "An Ordinance of the Town Council of the Town of Los Gatos Amending Chapter 29, 'Zoning Regulations,' of the Town Code Regarding Senate Bill (SB) 9 For Modified Design Review Standards and Other Clarifying Revisions." The Proposed Amendments to the Town Code are Not Considered a Project Under Section 15378 of the California Environmental Quality Act, and in Accordance with Government Code Section 66411.7(n) and 66452.21(g), SB 9 Ordinances are Not a Project Subject to the California Environmental Quality Act. Town Code Amendment Application A-24-003. Project Location: Town Wide. Applicant: Town of Los Gatos. **ORDINANCE 2359**
5. Receive the Monthly Financial and Investment Report for March 2024.

6. Staff Recommends that the Town Council:
 - a. Adopt a Resolution Approving the Engineer's Report for all Landscape and Lighting Districts for FY 2024/25. **RESOLUTION 2024-019**
 - b. Adopt a Resolution of Intention to Order the Levy and Collection of Assessments for Landscape and Lighting District No. 1-Blackwell Drive Benefit Zone. **RESOLUTION 2024-020**
 - c. Adopt a Resolution of Intention to Order the Levy and Collection of Assessments for Landscape and Lighting District No. 1-Kennedy Meadows Benefit Zone. **RESOLUTION 2024-021**
 - d. Adopt a Resolution of Intention to Order the Levy and Collection of Assessments for Landscape and Lighting District No. 1-Santa Rosa Heights Benefit Zone. **RESOLUTION 2024-022**
 - e. Adopt a Resolution of Intention to Order the Levy and Collection of Assessments for Landscape and Lighting District No. 1-Vasona Heights Benefit Zone. **RESOLUTION 2024-023**
 - f. Adopt a Resolution of Intention to Order the Levy and Collection of Assessments for Landscape and Lighting District No. 1-Hillbrook Drive Benefit Zone. **RESOLUTION 2024-024**
 - g. Adopt a Resolution of Intention to Order the Levy and Collection of Assessments for Landscape and Lighting District No. 2-Gemini Court Benefit Zone. **RESOLUTION 2024-025**
 - h. Set June 18, 2024 as the Date for the Public Hearing for the Levy and Collection of Assessments.
7. Authorize the Town Manager to Execute a Second Amendment with Dillingham Associates for Preliminary Design Services for the Pinehurst Community Garden (CIP No. 831-4610) and Lynn Avenue Pedestrian Path Design (CIP No. 832-4510) to Reduce the Scope of Services, Extend the Term, and Reduce the Contract Amount for a Total Amount Not to Exceed \$109,856.
8. Use Agreement with Los Gatos-Saratoga Community Education and Recreation:
 - a. Authorize the Town Manager to Execute a First Amendment to Use Agreement with Los Gatos-Saratoga Community Education and Recreation for an Additional One-Year Period from July 1, 2024 to June 30, 2025; and
 - b. Authorize the Town Manager to Execute any Forthcoming Amendments During the Duration of this Agreement.
9. Receive a Report on the State Route 17 Corridor Congestion Relief Capital Project (CIP No. 813-0237); and Authorize the Town Manager to Execute an Amendment to an Existing Agreement with the Santa Clara Valley Transportation Authority to Extend the End Date to December 31, 2027 and Increase the Town's Funding Contribution to \$1,470,000.
10. Adopt a Resolution to Designate the Town's Agents by Title to Obtain Federal and/or State Financial Assistance through the California Governor's Office of Emergency Services (Cal OES). **RESOLUTION 2024-026**

Mayor Badame opened public comment.

Lee Fagot

- Commented on the Use Agreement listed as Item 8 and expressed concerns with a request to negotiate the lease agreement for the Adult and Youth Recreation Centers.

Mayor Badame closed public comment.

MOTION: Motion by Vice Mayor Hudes to approve consent items 1-10. Seconded by Council Member Ristow.

VOTE: Motion passed unanimously.

VERBAL COMMUNICATIONS

Chris Wiley

- Commented on concerns with a utility outage and requested information on whom to contact if the utility company does not provide service.

Joe Enz

- Commented on his experience with certain businesses and Police Officers.

Ali Miano

- Requested Council work with Valley Transportation Authority (VTA) to procure a rail line from Union Pacific to bring light rail to Los Gatos.

Lynley

- Commented on religious viewpoints and concerns with articles in the Los Gatan newspaper.

Emily Ann Ramos, SV@Home

- Commented on the Affordable Housing Month theme "For Us, For You, For All" and an upcoming Bay Area ballot measure regarding affordable housing.

PUBLIC HEARINGS

11. Conduct a Public Hearing on the Town of Los Gatos Proposed Operating and Capital Budget for Fiscal Year (FY) 2024/25 and on the Proposed Capital Improvement Program for FY 2024/25 – FY 2028/29:

- a. Consider the Recommendations of the Finance Commission;
- b. Provide Direction on the Proposed Operating Budget;
- c. Provide Direction on the Proposed Capital Budget;
- d. Approve the FY 2024/25 List of Potential Donations Consistent with the Town's Donation Policy; and
- e. Review and Approve the Town Investment Policy.

Laurel Prevetti, Town Manager, and Nicolle Burnham, Parks and Public Works Director, presented the staff report.

Mayor Badame opened public comment.

Tim ORourke, St. Vincent de Paul

- Requested Council increase emergency rental assistance funding and commented on the work St. Vincent de Paul does to assist individuals.

Sue Ahmadian, St. Vincent de Paul

- Requested Council budget \$30,000 for rental assistance and commented on the work St. Vincent de Paul does to assist individuals on the verge of homelessness.

Autumn Albers

- Requested Council increase the budget for rental assistance for the next fiscal year.

Miles Tasker, Los Gatos Anti-Racism Coalition

- Commented on low-income families and requested Council increase contributions for rental assistance by \$15,000.

Ed Lozowicki, St. Vincent de Paul

- Commented on the work St. Vincent de Paul does to assist individuals and requested Council increase emergency rental assistance funding by \$15,000.

Julie Micalle, New Museum Los Gatos (NUMU)

- Requested Council consider NUMU's funding proposal and signage.

Ali Miano, Los Gatos Anti-Racism Coalition

- Requested Council increase the funding for rental assistance from \$15,000 to \$30,000.

Kimberly Snyder, New Museum Los Gatos (NUMU)

- Requested Council consider NUMU's funding proposal and request for a monument sign.

Jeff Suzuki

- Requested Council increase funding for rental assistance by \$15,000 for the next fiscal year and commented on services the funding would provide.

Kylie Clark

- Requested Council increase rental assistance funding and commented on services the funding would provide.

Richard Kananen

- Commented on a letter received from the American Civil Liberties Union and requested Council reinstate discussion groups as part of the 55+ program with Los Gatos-Saratoga Recreation before signing an extension of the lease.

Kinsey Lee, Los Gatos Anti Racism Coalition

- Commented on the need for eviction prevention and supports the proposal to increase rental assistance funding to \$30,000.

Mayor Badame closed public comment.

Council discussed the item.

MOTION: Motion by Council Member Moore to approve the donation list. **Seconded by Mayor Badame.**

VOTE: Motion passed unanimously.

MOTION: Motion by Mayor Badame to approve the Town Investment Policy (Attachment 9) with no changes. **Seconded by Council Member Ristow.**

VOTE: Motion passed unanimously.

MOTION: Motion by Council Member Moore to take \$150,000 from the Downtown Streetscape Program and reallocate \$100,000 of that to the general Community Grants Program, \$25,000 of that to rental assistance and \$25,000 of that to nutrition services. **Seconded by Council Member Hudes.**

Council Member Moore clarified the \$22,000 sustaining grant for Live Oak Nutrition would remain, and the annual \$15,000 to West Valley Community Services for contractual services would remain. The motion is to allocate an additional \$25,000 for rental assistance and an additional \$25,000 for nutrition services [through the Town's community grant program].

VOTE: Motion passed unanimously.

MOTION: Motion by Vice Mayor Hudes for the Town Manager and two Council Members to meet with the County Supervisor and County Management to explain the needs of these programs with the intention of getting more funding from the County in the future. **AMENDMENT: Have the Council Members appointed by the Mayor. Seconded by Council Member Ristow.**

VOTE: Motion passed unanimously.

Mayor Badame called a recess at 9:27 p.m.

The meeting reconvened at 9:39 p.m.

MOTION: Motion by **Mayor Badame** as recommended by the Finance Commission to transfer \$1,000,000 from Educational Revenue Augmentations Fund (ERAF) reserve funds to unfunded pension liabilities. **AMENDMENT:** to transfer \$1,000,000 from ERAF reserve funds to Town Pension/OPEB Reserve [pending future discussion by the Finance Commission for additional pension funding and recommendation to the Town Council]. **Seconded by Vice Mayor Hudes.**

VOTE: Motion passed unanimously.

MOTION: Motion by **Vice Mayor Hudes** to set a date of no later than December of 2025 to have a sign for the Museum. **Seconded by Council Member Ristow.**

VOTE: Motion passed unanimously.

MOTION: Motion by **Council Member Moore** to move \$50,000 from the Downtown Streetscape Program to the Wayfinding Program for signage for the Town of Los Gatos Civic Center and the NUMU Museum. **Seconded by Council Member Ristow.**

VOTE: Motion passed unanimously.

MOTION: Motion by **Council Member Moore** to move \$100,000 from the Downtown Streetscape Program to fund NUMU's history project. **Seconded by Vice Mayor Hudes.**

VOTE: Motion passed unanimously.

MOTION: Motion by **Vice Mayor Hudes** to allocate 0.2 FTE [full time equivalent of an employee] to coordinate older adult services. **AMENDMENT:** 0.4 FTE instead of 0.2 FTE. **Seconded by Mayor Badame.**

Vice Mayor Hudes confirmed his motion is to ask staff to come back with a solution to either add staff or contract [the services].

VOTE: Motion passed unanimously.

MOTION: Motion by Council Member Moore to restore funding to the Pinehurst Community Garden and the Lynne Avenue Walkway Projects of \$50,000 each project. **Seconded** by Council Member Ristow.

VOTE: Motion passed 4-1. Mayor Badame voted no.

MOTION: Motion by Council Member Rennie to take \$100,000 from the Downtown Streetscape Program to fund pickleball repaving. **Seconded** by Council Member Moore.

VOTE: Motion passed unanimously.

MOTION: Motion by Council Member Moore to use \$50,000 from the Downtown Streetscape for the Montebello Way Bollards Project. **Seconded** by Mayor Badame.

VOTE: Motion passed unanimously.

OTHER BUSINESS

12. Review Polling Results, Authorize the Town Manager to Execute an Amendment to the NBS Agreement to Include Phase 2 in the Scope of Services to Prepare a 1/8th Cent Sales Tax Measure for the November 2024 Ballot and Increase the Not to Exceed Amount to \$105,000, and Authorize an Expenditure Budget Adjustment in an Amount of \$60,400 from the Available General Fund Capital/Special Projects Reserve.

Katy Nomura, Assistant 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 Mayor Badame to support a ballot measure with a specific tax. **Seconded** by Council Member Ristow.

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

MOTION: Motion by **Council Member Rennie** to use three categories including something about police; something about improving traffic flow and mobility; and programs for protecting against wildfires and maintaining emergency services. **AMENDMENT:** to combine tree trimming program with vegetation management under an umbrella of mitigating hazards such as storms and wildfires. **Seconded by Council Member Ristow.**

VOTE: Motion passed unanimously.

MOTION: Motion by **Mayor Badame** to authorize the Town Manager to execute an amendment to the NBS agreement to include Phase 2 in the Scope of Services to prepare a 1/8th cent sales tax measure for the November 2024 ballot and increase the not to exceed amount to \$105,000 (Attachment 1), and authorize an expenditure budget adjustment in an amount of \$60,400 from the available General Fund Capital/Special Projects Reserve. **Seconded by Council Member Ristow.**

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

COUNCIL/TOWN MANAGER REPORTS

Council Matters

- Council Member Ristow stated she attended a Silicon Valley Clean Energy Authority Board Meeting as an alternate; Valley Transportation Authority (VTA) Policy Advisory Board meeting; participated in the Complete Streets and Transportation Commission “Bike the Town” event; attended the West Valley Service Providers quarterly meeting, the Los Gatos All-Employee quarterly meeting, the Kiwanis Turnaround Scholarship award luncheon, the Los Gatos-Monte Sereno Police Department Swearing-in and Promotion Ceremony, and the Special Olympics of Northern California Bocce Bash; and met with several residents to discuss a variety of topics.
- Council Member Moore stated he attended the Los Gatos All-Employee quarterly meeting and the Kiwanis Turnaround Scholarship award luncheon; helped kick-off the Leigh Stampede 5K; attended two events celebrating Congresswoman Anna Eshoo, the Los Gatos Recreation resource fair, the Special Olympics Northern California Bocce Bash, the South Bay Labor Council brunch, the Cities Association Legislative Action Committee, and the West Valley Sanitation District Authority (WVSDA) Board meeting; and stated he will attend an upcoming Disaster Aid Response Team (DART) meeting.
- Council Member Rennie stated he met with an individual to discuss concerns with the Town property used for teacher housing and met with a homeless community member to discuss concerns.
- Vice Mayor Hudes stated he met with residents on Benedict Lane to discuss a proposed new development; attended the Los Gatos All-Employee quarterly meeting; participated in the Kiwanis Turn-around Scholarship award awards luncheon; attended the Community

Center Planning Group meeting which will host a community workshop on June 20; participated in the Cities Association Board of Directors meeting; met with a representative from the Chamber of Commerce; attended the Los Gatos-Monte Sereno Police Department Swearing-in and Promotion Ceremony; participated in the Youth Commission Interviews; attended the Service Providers Fair; and participated in the Complete Streets and Transportation Commission "Bike the Town" event.

- Mayor Badame stated she attended Kiwanis Turn-around Scholarship award awards luncheon and the Finance Commission meeting as an observer; conducted Youth Commission interviews; and participated the Los Gatos-Monte Sereno Police Department Swearing-in and Promotion Ceremony, and the Girls on the Run 5K event.

Manager Matters

- Announced the Planning Commission will consider the Housing Element at its meeting on May 22.
- Announced June 1 starts the summer reading program which will run through July 31, and the theme this year is "Adventure Begins at your Library."

CLOSED SESSION REPORT

Mayor Mary Badame reported that at the request of the Town Council, Town Manager Laurel Prevetti has agreed to extend her end date to at least through August 2, 2024 to accommodate the anticipated Town Manager recruitment timeline.

Gabrielle Whelan, Town Attorney, stated in addition to the Interim Town Manager appointment, the Town Council met in closed session to consider existing litigation pursuant to California Government Code Section 54956.9 and labor negotiations pursuant to California Government Code Section 54957.6 and there is no reportable action for either of the items.

ADJOURNMENT

The meeting adjourned at 11:34 p.m.

Respectfully Submitted:

Jenna De Long, Deputy Town Clerk