



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 11/19/2024

ITEM NO: 1

**DRAFT
Minutes of the Town Council Meeting
Tuesday, October 15, 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 7:11 P.M.

ROLL CALL

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

Absent: None

PLEDGE OF ALLEGIANCE

Aleksandra Rombakh led the Pledge of Allegiance. The audience was invited to participate.

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

1. Approve Closed Session Council Meeting Minutes of October 1, 2024.
2. Approve Council Meeting Minutes of October 1, 2024.
3. Receive the Monthly Financial and Investment Report for August 2024.
4. Vegetation Management – Townwide Open Spaces Project (CIP No. 832-4508):
 - a. Award and Authorize the Town Manager to Execute a Contract with Anvil Builders Inc. dba Sonoma Tree Surgery in an Amount Not to Exceed \$1,513,712.00; and
 - b. Authorize Staff to Issue Change Orders in an Amount Not to Exceed 20% of the Contract Value.
5. Approve the Following Actions Related to Civic Center Improvements:
 - a. Authorize the Town Manager to Award and Execute a Contract with Alex Kushner General Inc., for the Americans with Disabilities Act (ADA) Restrooms and HR Offices Project (CIP No. 821-2117) in an Amount of \$450,000;
 - b. Authorize Staff to Execute Change Orders in an Amount Not to Exceed Twenty Percent (20%) of the Contract Award Amount; and
 - c. Approve the Project Construction Plans with Addenda.
6. Authorize the Town Manager to Execute a First Amendment to the Agreement for Services with Sequoia Ecological Consulting Inc. for an Adjusted Contract Amount of \$231,355 for Vegetation Management – Townwide Open Spaces Project (CIP No. 832-4508).
7. Authorize an Expenditure Budget Adjustment in the Amount of \$59,621 in Fiscal Year 2024/2025 from the Available General Fund Capital/Special Project Reserve to Recognize the Silicon Valley Animal Control Authority (SVACA) Joint Powers Authority Agreement One-Time Participating Agency Capital Costs.

8. Approve and Authorize the Town Manager to Execute a Side Letter Agreement with the Los Gatos Police Officers' Association to Increase Holiday in Lieu Compensation, Add Veterans Day as a Holiday, and Authorize an Expenditure Budget Adjustment in the Amount of \$35,000 from the Available General Fund Capital/Special Projects Reserve.

Council Member Ristow pulled item five.

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 four and six through eight. Seconded by Vice Mayor Hudes.

VOTE: Motion passed unanimously by roll call vote.

VERBAL COMMUNICATIONS

Gus

- Read a passage from a book and commented on the World Cup.

Lynley

- Commented on qualities of a good leader.

Rick K

- Commented on concerns with the electoral process, and requested the Council consider adopting the resolution prepared by United Sovereign Americans.

Jean R

- Read the first portion of the resolution prepared by the United Sovereign Americans.

Dee

- Read the second portion of the resolution prepared by the United Sovereign Americans.

Alicia Schoolcraft

- Read the last portion of the resolution prepared by the United Sovereign Americans.

Teresa

- Requested the Council adopt the resolution prepared by United Sovereign Americans.

Sue

- Commented concerns with the election process, and requested the Council consider adopting the resolution prepared by the United Sovereign Americans.

Linda Swenberg

- Commented on concerns with congestion on Blossom Hill Road and the Complete Streets and Transportation Commission.

Brian Bertacini

- Commented on concerns with issues in the election process.

Dennis Jamison, Election Integrity Project California

- Commented on concerns with issues in the election process and requested the Council support the resolution prepared by United Sovereign Americans.

Joe Enz, Friends of the Los Gatos Creek

- Commented on safety concerns and his experience as a library patron.

Rich Stevens

- Thanked the Council for hearing his concerns.

Carin Yamamoto

- Commented on an error with a map on the Town website.

OTHER BUSINESS

9. Authorize the Town Manager to Execute a License Agreement with Flock Safety to Retain Privately Funded Cameras Installed in the Town of Los Gatos Right-of-Way.

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

Mayor Badame opened public comment.

Fred Faltersack

- Spoke about the intent of the camera installation; and commented on a concern with the proposed license agreement.

Mayor Badame closed public comment.

Council discussed the item.

MOTION: Motion by Council Member Ristow to authorize the Town Manager to negotiate and execute a License Agreement with Flock Safety to retain privately funded cameras installed in the Town of Los Gatos right-of-way in attachment one with the addition the condition that all data gathered from any cameras on [the] public right-of-way be shared with the Town and with the Police Department. **Seconded by Vice Mayor Hudes.**

VOTE: Motion passed unanimously by roll call vote.

10. Receive a Report and Provide Direction to Staff on Potential Reach Code Modifications.

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

Mayor Badame opened public comment.

Johanes Swenberg

- Spoke in support of option one [Repeal Existing Reach Code and Without Adopting Alternative Requirements] and commented on concerns.

Linda Swenberg

- Spoke in support of option one [Repeal Existing Reach Code and Without Adopting Alternative Requirements] and commented on concerns.

Mayor Badame closed public comment.

Council discussed the item.

MOTION: Motion by Council Member Moore to direct staff to proceed with Option three which repeals portions of the existing Reach Code and sets NOx (nitrogen oxide) emission appliance thresholds that regulate air quality. **Seconded by Council Member Ristow.**

VOTE: Motion passed 3-2 by roll call vote. Vice Mayor Hudes and Mayor Badame voted no.

Mayor Badame called a recess at 9:04 p.m.

The meeting reconvened at 9:14 p.m.

11. Consider the Following Related to the Town's Fleet and Equipment:

- Receive a Report Entitled "Town of Los Gatos Fleet Management Analysis"; and
- Adopt a Resolution to Modify Town Council Policy 4-05 "Town Vehicle and Equipment Acquisition and Replacement Policy." **RESOLUTION 2024-049**

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

Mayor Badame opened public comment.

No one spoke.

Mayor Badame closed public comment.

Council discussed the item.

MOTION: Motion by **Vice Mayor Hudes** to receive the report entitled “Town of Los Gatos Fleet Management Analysis” (Attachment 1) and adopt a resolution to modify Town Council Policy 4-05: “Town Vehicle and Equipment Acquisition and Replacement Policy” (Attachment 3). **Seconded by Council Member Ristow.**

VOTE: Motion passed unanimously by roll call vote.

Pulled Consent Items

5. Approve the Following Actions Related to Civic Center Improvements:
 - a. Authorize the Town Manager to Award and Execute a Contract with Alex Kushner General Inc., for the Americans with Disabilities Act (ADA) Restrooms and HR Offices Project (CIP No. 821-2117) in an Amount of \$450,000;
 - b. Authorize Staff to Execute Change Orders in an Amount Not to Exceed Twenty Percent (20%) of the Contract Award Amount; and
 - c. Approve the Project Construction Plans with Addenda.

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

Mayor Badame opened public comment.

Kimberly Snyder, New Museum Los Gatos (NUMU) Executive Director

- Commented on concerns with the impacts of the project and requested a one-time mitigation fee.

Julie Micallef, NUMU Board President

- Commented on concerns with the impacts of the project and requested \$50,000.

Joanne Rodgers

- Commented on concerns with the projected cost of construction.

Lee Quintana

- Commented on concerns with the project process.

Mayor Badame closed public comment.

Council discussed the item.

MOTION: Motion by Council Member Ristow to authorize the Town Manager to award and execute a contract with Alex Kushner General Inc., for the Americans with Disabilities Act (ADA) Restrooms and HR Offices Project (CIP No. 821-2117) in an amount of \$450,000 as detailed in attachment one; authorize staff to execute change orders in an amount not to exceed twenty percent (20%) of the contract award amount; and approve the project construction plans with addenda. **Seconded by Council Member Moore.**

VOTE: Motion passed 3-2 by roll call vote. Vice Mayor Hudes and Mayor Badame voted no.

COUNCIL/TOWN MANAGER REPORTS

Council Matters

- Council Member Ristow stated she met with the NUMU Executive Director and Board Members; property owners; developers; president of the Chamber of Commerce; and residents; attended the League of Women Voters Pros and Cons event; St. Mary's Country Fair; the one year celebration for Domas; Rinconada Water Treatment Plant Reliability Project public meeting; the Unhoused People Environment Summit by Valley Water; and the Arts and Culture Commission Master Arts Plan public input station at the Library.
- Council Member Moore stated he held his Council Member Community Coffee at Gardenia; met with the Union School District Superintendent Dr. Carrie Andrews; the Chamber of Commerce Executive Director, Jennifer Lin; attended a Youth Commission meeting; met with residents on a variety of topics; and encouraged everyone to register and vote in the upcoming election.
- Council Member Rennie stated he attended the Silicon Valley Clean Energy Oversight Authority (SVCEA) Board meeting and a closed session to review the SVCEA CEO.
- Vice Mayor Hudes stated he attended a Los Gatos Thrives Foundation Executive Committee meeting; the Los Gatos Thrives Foundation Monday Movie; the Los Gatos Thrives Foundation Community Center Design Workshop; the Sourcewise Commission meeting; observed a Diversity Equity and Inclusion (DEI) Commission meeting; and participated in the Cities Association of Santa Clara County Board meeting.
- Mayor Badame stated she participated in Leadership Los Gatos; met with Jim Foley of Pennant Properties; participated in a ribbon cutting for the 25th anniversary of Kiss & Makeup Los Gatos; and attended Saratoga's annual State of the City event; participated in a ribbon cutting for the 15 year anniversary of Therapy Works; and National School Lunch Week at Blossom Hill Elementary School handing out lunches with Paul Johnson the Superintendent of the Los Gatos Union School District.

Town Manager Matters

- Invited the community to give their input on the Public Arts Master Plan at the Los Gatos Library through Friday.
- Announced the November 5 Council Meeting has been cancelled and Council meetings will resume on November 19 with the new Town Manager, Chris Constantin.

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SUBJECT: Draft Minutes of the Town Council Meeting of October 15, 2024

DATE: October 15, 2024

ADJOURNMENT

The meeting adjourned at 10:57 p.m.

Respectfully Submitted:

Jenna De Long, Deputy Town Clerk