



**TOWN OF LOS GATOS  
COUNCIL AGENDA REPORT**

MEETING DATE: 01/21/2020

ITEM NO: 2

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**DRAFT  
Minutes of the Town Council Meeting  
December 17, 2019**

The Town Council of the Town of Los Gatos conducted a Regular Meeting on Tuesday, December 17, 2019, at 7:00 p.m.

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

**ROLL CALL**

Present: Mayor Marcia Jensen, Vice Mayor Barbara Spector, Council Member Steve Leonardis, Council Member Rob Rennie, Council Member Marico Sayoc.

Absent: None

**PLEDGE OF ALLEGIANCE**

Kelli Keady led the Pledge of Allegiance. The audience was invited to participate.

**PRPRESENTATION**

Mayor Jensen and Council Members recognized and thanked Council Member Steve Leonardis for his years of service as a Council Member as he assumes his new position as City Manager for the City of Monte Sereno.

Council Member Leonardis expressed his gratitude and pleasure serving and working with the Council Members, previous Council Members, Town staff, Commissioners, and the citizens of the Town.

Council Member Leonardis left the meeting at 7:12 p.m.

**COUNCIL/TOWN MANAGER REPORTS**

**Council Matters**

- Council Member Rennie attended the Local Area Formation Commission (LAFCO) meeting and was elected Vice Chair; and he attended the Valley Transportation Authority (VTA) Board and Silicon Valley Clean Energy Authority (SVCEA) Risk Oversight, and the City of Saratoga mayoral change meetings, the tree lighting, and parade.
- Vice Mayor Spector attended the Council Finance Committee, Council Policy Committee, Conceptual Development Advisory Committee (CDAC), and General Plan Advisory Committee (GPAC) meetings; and she attended the tree lighting, and parade, and performed a ribbon cutting for Elements Salon.

### **Manager Matters**

- Town Administrative offices will be closed December 23, 2019 through January 1, 2020 and the Library will be closed December 23 through December 25, 2019 and December 30, 2019 through January 1, 2020.

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

1. Approve Council Meeting Minutes of December 3, 2019.
2. Adopt the proposed Green Monday Resolution. **RESOLUTION 2019-062**
3. Approve Revisions to the Town Council Code of Conduct Policy. **POLICY 2-04**
4. Adopt Council Committee Appointments Effective January 1, 2020.
5. Adopt an Ordinance Amending Chapter 29 (Zoning Regulations) of the Town Code Regarding the Land Use Appeal Process. **ORDINANCE 2298**  
Town Code Amendment Application A-19-008. Project Location: Town Wide. Applicant: Town of Los Gatos.
6. 2019 California Building, Fire, and Reach Codes  
Adopt an ordinance repealing and replacing Chapter 6, Building Regulations, and Chapter 9, Fire Prevention and Protection, of the Town of Los Gatos Municipal Code with the new 2019 California Building and Fire Codes, as amended, including reach codes. (Town Code Amendment Application A-19-009. Project Location: Town Wide.) **ORDINANCE 2299**
7. Winchester Boulevard Complete Streets Improvements:
  - a. Authorize the Town Manager to Negotiate and Execute an Agreement for Consultant Services with Kimley-Horn and Associates, Inc. in an Amount Not to Exceed \$250,000 for Engineering Design
  - b. Authorize an Expenditure Budget Transfer of \$280,000 from the Bicycle and Pedestrian Improvement Project Budget (411-813-0231) to a New Project of Winchester Boulevard Complete Streets Improvements (411-813-0238).
8. Authorize the Town Manager to Issue Procurement Documents for the Los Gatos Smart Signals Project (Project #813-0227 Traffic Signal Modernization).
9. Adopt a resolution authorizing the continued use of Supplemental Local Law Enforcement Services Funds (SLESF) to provide funding for two full-time Police Officers assigned as motorcycle traffic officers. **RESOLUTION 2019-063**
10. Authorize the Town Manager to Execute a Memorandum of Understanding (MOU) with the County of Santa Clara Office of the District Attorney Crime Laboratory for Major Case Work.
11. Receive Report on Senate Bill (SB) 1383 and impacts on the Town's Garbage and Recycling Program.
12. Receive the Report on the Permanent Installation of Traffic Calming Devices for College Avenue Between Jones Road and Pageant Way.
13. Authorize the Town Manager to Execute a Five-Year Agreement for Services with Air Systems, Inc. for Routine Heating, Ventilation, and Air Conditioning (HVAC) Services in Town Facilities in an Amount Not to Exceed \$29,183 for Year 1 and \$50,028 Annually Thereafter, Plus an Additional \$30,000 Annually for Unanticipated Repairs for a Total Agreement Amount Not to Exceed \$379,295.

Consent Item – continued

14. Authorize the Town Manager to Negotiate and Execute a Five-Year Agreement for Services with Cartegraph, Inc. for Enterprise Asset Management System Services Effective January 1, 2020 Through December 31, 2024 in an Amount Not to Exceed \$37,283 Annually Plus a Three Percent Annual Escalation, and a Total Agreement Amount Not to Exceed \$197,803, With Three Five-Year Options Thereafter.
  15. Approve an Amendment to the Classification Plan to Comply with the California Minimum Wage Increase Effective January 1, 2020 and to Adjust the Police Officer Reserve and Police Officer Temporary Rate of Pay.
  16. Authorize the Town Manager to Execute a First Amendment to the Agreement for Services with KCAT-TV to Add Live Streaming Services.
  17. Comprehensive Annual Financial Report (CAFR):
    - a. Receive the Comprehensive Annual Financial Report (CAFR) for the Fiscal Year Ended June 30, 2019, and
    - b. Adopt a Resolution Confirming June 30, 2019 Fund Balances in Accordance Fiscal Year 2018/19 Final Audit and Town Council General Fund Reserve Policy.
- RESOLUTION 2019-064**

Items 6 and 17 were pulled by members of the public.

**MOTION: Motion by Council Member Sayoc to approve the Consent Items exclusive of Items 6 and 17. Seconded by Council Member Rennie.**

**VOTE: Motion passed unanimously.**

**VERBAL COMMUNICATIONS**

Lynn Kennedy

- Commented on notifications to residents and property owners for issues that pertain to them and recommended that the Town mail all property and business owners once a year as to how they can sign up for notifications.

Catherine Somers, Los Gatos Chamber of Commerce Executive Director

- Announced the awards celebration Hometown Heroes on February 6; requested that the fountain in Plaza Park be turned off in the winter, the music that is played at the tree lighting be played all December, and the Town consider purchasing a trolley for the downtown area; and commented on the parking spots at the high school.

Dan Neault

- Commented on the Mills Act ,a made suggestions as to how the Town can adopt the Mills Act and tailor it specifically to the Town, and requested the discussion be placed on a future agenda.

Verbal Communications – continued

John Shepardson

- Thanked Council Member Leonardis for his service, mentioned his support for a trolley, suggested a citizen of the year recognition, and commented on Woodside's fire protection program.

Jeff Seigel

- Commented on the Mills Act program of Marin, mentioned how wildfire protection can be incorporated, and requested the item be placed on a future agenda.

Michael Burke

- Commented on the lack of input from stakeholders because of time constraints to review material before the meeting.

Bill Lister

- Commented on the Mills Acts as a realtor in the Town, stated that he doesn't understand why the Town doesn't adopt the Act, and requested it be placed on a future agenda.

**Pulled Consent Item #6**

6. 2019 California Building, Fire, and Reach Codes

Adopt an ordinance repealing and replacing Chapter 6, Building Regulations, and Chapter 9, Fire Prevention and Protection, of the Town of Los Gatos Municipal Code with the new 2019 California Building and Fire Codes, as amended, including reach codes. (Town Code Amendment Application A-19-009. Project Location: Town Wide.) **ORDINANCE 2299**

Robert Gray, Building Official, presented the staff report.

Opened Public Comment.

Robert Lipp

- Requested Council delay implementation of the Reach Codes until staff has time to do research.

Closed Public Comment.

Council discussed the matter.

Pulled Consent Item #6 – continued

**MOTION:** Motion by **Mayor Jensen** to adopt an ordinance (Attachment 1), effecting amendments repealing and replacing Chapter 6, Building Regulations, and Chapter 9, Fire Prevention and Protection, of the Town of Los Gatos Municipal Code with the new 2019 California Building and Fire Codes, as amended, including reach codes.  
**Seconded** by **Council Member Sayoc**.

**VOTE:** Motion passed unanimously.

**Pulled Consent Item #17**

17. Comprehensive Annual Financial Report (CAFR):

- a. Receive the Comprehensive Annual Financial Report (CAFR) for the Fiscal Year Ended June 30, 2019, and
- b. Adopt a Resolution Confirming June 30, 2019 Fund Balances in Accordance Fiscal Year 2018/19 Final Audit and Town Council General Fund Reserve Policy.

**RESOLUTION 2019-064**

Laurel Prevetti, Town Manager, and Steve Conway, Finance Director, presented the staff report.

Opened Public Comment.

Lee Fagot

- Commented on the process and timeline for the review of the CAFR and suggested the Finance Committee meet more often and be allowed more input to the review and preparation of the report.

John Shepardson

- Inquired about the present total unfunded pension liability, the Other Post Employment Benefits (OPEB) unfunded liability, current annual payments for the unfunded liabilities, the long term costs of road maintenance, and the effects a wildfire could have on the Town's finances and reserves.

Closed Public Comment.

Council discussed the matter.

Pulled Consent Item #17 – continued

**MOTION:** Motion by Council Member Sayoc to receive the Comprehensive Annual Financial Report (CAFR) for the Fiscal Year Ended June 30, 2019 (Attachment 1), and adopt a resolution confirming June 30, 2019 Fund Balances in accordance Fiscal Year 2018/19 Final Audit and Town Council General Fund Reserve Policy. **Seconded** by Council Member Rennie.

**VOTE:** Motion passed unanimously.

### **PUBLIC HEARINGS**

18. First Reading and Introduction of an Ordinance of the Town of Los Gatos Amending Chapter 16, Article II, Section 16.020.035 of the Town Code Entitled Construction.

Lynne Lampros, Deputy Town Attorney, presented the staff report.

Opened and Closed Public Comment.

Council discussed the matter.

**MOTION:** Motion by Council Member Rennie to move for the introduction and first reading of an Ordinance, by title only, amending Chapter 16, Article II, Section 16.020.035 Entitled Construction. (Attachment 1) with the following modifications to Section 16.020.035 (b) (1): add “personally” after “A homeowner or tenant may.... and remove “as long as the work being performed does not require a permit from the Town.” **Seconded** by Council Member Sayoc.

**VOTE:** Motion passed unanimously.

The Town Clerk read the title of the ordinance.

### **OTHER BUSINESS**

19. Receive the Comprehensive Downtown Parking Report – “Parking Roadmap” and Provide Direction for Next Steps.

Matt Morley, Parks and Public Works Director, introduced Julie Dixon, Dixon Resources Unlimited, who presented the staff report.

Opened Public Comment.

Michael Burke

- Commented on the report.

Other Business Item #19 – continued

Robert Lipp

- Commented on the report.

John Shepardon

- Commented on the report.

Lynn Kennedy

- Commented on the report.

Closed Public Comment.

Recessed at 9:00 p.m.

Reconvened at 9:10 p.m.

Council discussed the matter and provided input to staff on the next steps.

20. Receive an Update on the Parklet Pilot Program and Provide Direction on:

- a. Parking Space Usage for Specific Parklet Applications Along W. Main Street and Montebello Avenue, and E. Main Street;
- b. Maximum Number of Spaces Allotted Per Business Parklet and the Related Maximum Number of Parking Spaces Removed from the Parking Inventory;
- c. Future Parklet Applications; and
- d. Any Additional Pilot Program Input.

Monica Renn, Economic Vitality Manager, presented the staff report.

Opened Public Comment.

Sue Farwell

- Commented in support of the program.

Rich Kelso

- Commented on the impact of the proposed parklet at Montebello and Main.

Doug Hayden, California Farmers Market President

- Commented on how the proposed parklet at Montebello and Main will affect the Farmers Market.

Claire Wilson

- Commented on the impact of the proposed parklet at Montebello and Main.

Other Business Item #20 – continued

Jim Foley

- Commented in support of the program.

Katelin Sufer

- Commented in support of the program and on the proposed parklet at Montebello and Main.

Lee Quintana

- Commented on the review process for proposed parklets.

Closed Public Comment.

Council discussed the matter and directed staff to continue to work with property owners and other stakeholders on the implementation of the program as originally approved by the Town Council.

21. Acting as the Property Owner Representative for the Town's Parcels Included in the Proposed Property Business Improvement District (PBID), Discuss the Revised Draft Service Plan for a PBID in Downtown Los Gatos, Provide Input on the Structure and Parameters of the Draft Plan, Including the Three Fee Structure Options, and Direct Staff on the Next Steps for Working with the PBID Steering Committee on Behalf of the Town.

Monica Renn, Economic Vitality Manager, presented the staff report.

Opened Public Comment.

Jim Foley, PBID Steering Committee

- Commented on the revised Draft Service Plan.

Catherine Somers, Los Gatos Chamber of Commerce Executive Director

- Commented on the process for forming the PBID.

Closed Public Comment.

Council discussed the matter, stating as a property owner nonbinding interest in scenario 2 or 3 pending the results of the Engineer's Report.

## **ADJOURNMENT**

The meeting adjourned at 10:40 p.m.



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SUBJECT: Draft Minutes of the Town Council Meeting of December 17, 2019

DATE: December 18, 2019

Attest:

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Shelley Neis, Town Clerk