



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 12/17/2019

ITEM NO: 1

**DRAFT
Minutes of the Town Council Meeting
December 3, 2019**

The Town Council of the Town of Los Gatos conducted a Regular Meeting on Tuesday, December 3, 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

Saaj Shah led the Pledge of Allegiance. The audience was invited to participate.

COUNCIL/TOWN MANAGER REPORTS

Council Matters

- Council Member Rennie attended the Santa Clara County Emergency Operating Area Council, Valley Transportation Authority (VTA) Board, VTA Congestion Management Sub-Committee, and the VTA Capital Projects Sub-Committee meetings; and participated in the Silicon Valley Bicycle Coalition (SVBC) bicycle infrastructure ride in Los Gatos and the Van Meter Elementary School STEAM Lab with Council Member Sayoc.
- Council Member Sayoc stated that the Cities Association is monitoring a potential November 2020 Faster Bay Area transportation ballot measure.
- Vice Mayor Spector attended the West Valley Clean Water Program (WVCWP) and West Valley Solid Waste Board meetings, the LGBTQ Forum, and the Policy Committee meeting.

Manager Matters

- Announced the Annual Tree Lighting is Friday, December 6 at 6 p.m. rain or shine.
- Announced the Children's Parade is Saturday, December 7 at 11:00 a.m. rain or shine.

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

1. Approve Closed Session Meeting Minutes of November 19, 2019.
2. Approve Council Meeting Minutes of November 19, 2019.
3. Authorize the Town Manager to Enter into a Five-Year Agreement with ECS Imaging, Inc. for Software Maintenance and Support Not to Exceed \$350,000.

Consent Items – continued

4. Authorize the Town Manager to Execute an Agreement for Services with LWP Claims Solutions to Provide Workers' Compensation Third-Party Administration Services Effective January 1, 2020 Through December 31, 2022 for a Total Amount Not to Exceed \$171,357.
5. Adopt a Resolution for the California Public Employees' Retirement System Health Plan to Update the Region Name from Bay Area to Region 1. **RESOLUTION 2019- 058**
6. Approve an Amendment to the Classification Plan to Create a Flexibly Staffed Engineering Technician Job Series.
7. Adopt a Resolution Approving the Council Policy Committee Recommendations for the Modification of the Traffic Impact Policy. **RESOLUTION 2019-059**
8. Adopt a Resolution Declaring Weeds to be a Public Nuisance and Set Hearing Date of January 21, 2020 to Consider Objections for Proposed Removal. **RESOLUTION 2019-060**
9. 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 \$34,165 Annually, and a Total Agreement Amount Not to Exceed \$181,263, With Three Five-Year Options Thereafter.
10. Receive Information on Transportation Grant Activity.
11. Receive the First Quarter Investment Report (July through September 2019) for Fiscal Year 2019/20.
12. Accept Fiscal Year (FY) 2018/19 Status Report on Receipt and Use of Development Impact Fees.
13. Approve Revisions to the Town Agenda Format and Rules Policy. **POLICY 2-01**

MOTION: Motion by Council Member Sayoc to approve the Consent Items. Seconded by Council Member Rennie.

VOTE: Motion passed unanimously.

VERBAL COMMUNICATIONS

John Shepardson

- Recognized and thanked Los Gatos citizen Maddie Sanflippo who served in the Navy during World War II.

Catherine Somers, Los Gatos Chamber of Commerce Executive Director

- Announced the Chamber has new co-presidents Dustin David and David McGregor-Sholes, upcoming events for the holiday season, and the Hometown Heroes event in February.

Andrea Romano

- Commented on the plant-based menu options available at her restaurant Cin Cin and encouraged the Council to consider a Green Monday proclamation.

OTHER BUSINESS

14. Approve an Amendment to the Employment Agreement Between the Town of Los Gatos and the Town Manager and Authorize Salary and Benefits Budget Adjustments in the Amount of \$15,267 from Estimates Available FY 2019/20 Operating Revenues.
15. Approve an Amendment to the Employment Agreement Between the Town of Los Gatos and the Town Attorney and Authorize Salary and Benefits Budget Adjustments in the Amount of \$7,402 from Estimates Available FY 2019/20 Operating Revenues.

Lisa Velasco, Human Resources Director, presented the staff report for Items #14 and #15.

Opened and closed Public Comment.

Council discussed the matter.

MOTION: Motion by Council Member Sayoc to approve the recommendations contained in the staff reports for items #14 and #15. **Seconded by Council Member Rennie.**

VOTE: Motion passed unanimously.

PUBLIC HEARINGS

16. First Reading and Introduction of an Ordinance of the Town of Los Gatos Amending Chapter 29 (Zoning Regulations) of the Town Code Regarding the Land Use Appeal Process. Town Code Amendment Application A-19-008. Project Location: Town Wide. Applicant: Town of Los Gatos.

Sally Zarnowitz, Planning Manager, presented the staff report.

Opened Public Comment.

John Shepardson

- Suggested that another option would be to have a separate process that allows the elected officials to allow new information when there is good cause justification and it has a separate vote.

Closed Public Comment.

Council discussed the matter.

Public Hearing Item #16 – continued

MOTION: Motion by Council Member Leonardis to introduce the ordinance (Attachment 12) by title only, amending Chapter 29 (Zoning Regulations) regarding the land use appeal process with option two. **Seconded by Vice Mayor Spector.**

VOTE: Motion passed 3/2. Mayor Jensen and Council Member Rennie voting no.

The Town Clerk read the title of the ordinance.

OTHER BUSINESS

17. Provide Direction on the Elements of the Music in the Park Request for Proposals.

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

Opened Public Comment.

Catherine Somers, Los Gatos Chamber of Commerce Executive Director

- Commented that the Town should decide if they want to have multiple events, or one or two signature summer events.

Closed Public Comment.

Council discussed the matter.

MOTION: Motion by Mayor Jensen that the following be included in the RFP: 1) waive park fees; 2) continue to provide in kind services as listed in the chart on page 4 in the staff report; 3) not impose costs of Town staff who may volunteer with a private organizer; and 4) the organizer would pay for one Police Officer and the Town would pay for a second Officer if required. **Seconded by Council Member Rennie.**

VOTE: Motion passed unanimously.

PUBLIC HEARINGS

18. 2019 California Building, Fire, and Reach Codes

1. Introduce 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.**)
2. Adopt a resolution making findings for modifying the 2019 California Building and Fire Codes. **2019-061**

Public Hearings Item #18 – continued

Robert Gray, Building Official, presented the staff report.

Opened Public Comment.

Robert Lipp

- Commented in opposition of the Town adopting Reach Codes at this time.

Dashiell Leeds, Sierra Club Loma Prieta Chapter

- Commented on the benefits of all electric homes and the issues with gas; requested that cooking and fireplaces be included in the list of all electric appliances; and asked to remove the exemption for residential gas cooking.

Rachel Londer

- Commented in support of adopting the Reach Codes.

Suzanne Emerson

- Commented in favor of adopting the Reach Codes.

John Shepardson

- Commented in favor of adopting the Reach Codes.

Brian Mekechuk

- Suggested requiring wiring for batteries, add receptacles outside for EV charging, allow gas outside for firepits and pools, and exclude gas inside the house.

Closed Public Comment.

Council discussed the matter.

MOTION: Motion by Council Member Sayoc to adopt the recommendations in the staff report inclusive of Attachment 6, with the modifications to include a ban of all gas for residential, require wiring for batteries, and install receptacles outside. Seconded by Vice Mayor Spector.

VOTE: Motion passed unanimously.

The Town Clerk read the title of the ordinance.

Recessed at 9:14 p.m.

Reconvene at 9:22 p.m.

OTHER BUSINESS

19. Approve the “El Gato” Design by Artist Matt Babcock for the Pilot Los Gatos Gateway Marker as Recommended by the Arts and Culture Commission.

Ryan Baker, Library Director, presented the staff report.

Opened Public Comment.

John Shepardson

- Commented in favor of a gateway marker and encouraged the Council to reach out to the schools to encourage more public art by the youth.

Ellis Wecker, Arts and Culture Commission Chair

- Thanked the Council and staff for their support during the process.

Lee Fagot

- Commented on the style of the mountain lion and suggested it be made more engaging, welcoming, and friendly.

Closed Public Comment.

Council discussed the matter.

MOTION: Motion by Council Member Sayoc to approve the Arts and Culture Commission’s recommendation for the El Gato design. **Seconded by Council Member Rennie.**

VOTE: Motion passed 4/1. Mayor Jensen voting no.

ADJOURNMENT

The meeting adjourned at 9:51 p.m.

Attest:

Shelley Neis, Town Clerk