



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 11/16/2021

ITEM NO: 3

**DRAFT
Minutes of the Town Council Meeting
Tuesday, November 2, 2021**

The Town Council of the Town of Los Gatos conducted a regular meeting utilizing teleconference and electronic means consistent with Government Code Section 54953, as Amended by Assembly Bill 361, in response to the state of emergency relating to COVID-19 and enabling teleconferencing accommodations by suspending or waiving specified provisions in the Ralph M. Brown Act (Government Code § 54950 et seq.) and Town of Los Gatos Resolution 2021-044 on Tuesday, November 2, 2021, at 7:00 p.m.

MEETING CALLED TO ORDER AT 7:03 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

CLOSED SESSION REPORT

Robert Schultz, Town Attorney, stated Council met in Closed Session as duly noted on the agenda and there is no report.

COUNCIL/TOWN MANAGER REPORTS

Council Matters

- Council Member Ristow stated she attended the Policy Committee, Democracy Tent, and Housing Element Advisory Board (HEAB) meetings; the West Valley Muslim Association (WVMA) family event; and met with residents and business owners.
- Council Member Badame stated she attended the HEAB meeting; observed the Community Health and Senior Services Commission (CHSSC); and met with the Outreach Manager for West Valley Collection and Recycling, the appellants of the 17200 Los Robles Way appeal, and residents.
- Council Member Hudes stated he attended a webinar by the developer regarding the North 40 (N40) Phase II development, Senior Services Committee meeting, Santa Clara Valley Water District (SCCVWD) meeting, and met with residents in the vicinity of 17200 Los Robles Way.
- Vice Mayor Rennie stated he attended Bay Area Air Quality Management District (BAAQMD) Special Board meeting, BAAQMD Mobile Source Committee, Senior Services Committee, and CHHSC meetings; Special Olympics dinner with Mayor Sayoc, Silicon Valley Bocce Bash with Mayor Sayoc, Belgatos Park for Parks Event, and Boy Scouts Citizenship class.

Council Matters – continued

- Mayor Sayoc, in addition to the meetings already stated, attended the West Valley Mayors and Managers meeting and met with Cambrian School District representatives with Manager Prevetti.

Manager Matters

- Announced Board, Commission, and Committee recruitment is underway; the application period closes 4:00 p.m. on December 3.
- Announced a Community Meeting will be held on November 9, at 6:30 p.m. via teleconference to seek input from the community regarding the Police Chief recruitment.
- Announced a United Against Hate Walk will be held November 14 at 2 p.m., more information can be found on the Town website.

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

1. Approve Closed Session Meeting Minutes of October 19, 2021.
2. Approve Meeting Minutes of October 19, 2021.
3. Adopt a Resolution Reaffirming Resolution 2021-044 Regarding Brown Act Compliance and Teleconferencing and Making Findings Pursuant to Government Code Section 54953, as Amended by Assembly Bill 361, During the COVID -19 Pandemic. **RESOLUTION 2021-045**
4. Adopt a Resolution to Set a Date for Consideration of the Reorganization of an Uninhabited Area Designated as Winterbrook No. 7, Approximately 0.95 Acres on Property Pre-Zoned R-1:8. APN 523-26-017. Annexation Application AN21-002. Project Location: **16010 Winterbrook Road**. Property Owner/Applicant: Drew and Kari Brown. **RESOLUTION 2021-046**
5. Authorize the Town Manager to Execute a Cooperative Agreement with the California Department of Transportation for the Development of a Project Initiation Document for the Highway 17 Bicycle and Pedestrian Overcrossing Project (CIP No. 818-0803) in an Amount Not to Exceed \$135,000, and Authorize the Town Manager to Execute Future Cooperative Agreements with Caltrans as Necessary for Future Project Phases.
6. Authorize the Town Manager to Execute a Second Amendment to Agreement for Consultant Services with Cuschieri Horton Architects for Additional Architectural and Engineering Design Services for PPW Project 821-2302, in an Amount of \$53,100, for a Total Agreement Not to Exceed \$218,450.
7. Authorize the Town Manager to Execute a Certificate of Acceptance and Notice of Completion for the Waterproofing Town-Wide Project (20-821-2010), Completed by California Roofing Company for a Roof Replacement on the Engineering Building and Authorize the Town Clerk to File for Recordation.

Opened public comment.

No one spoke.

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SUBJECT: Draft Minutes of the Town Council Meeting of November 2, 2021

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Consent Items – continued

Closed public comment.

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

VOTE: Motion passed unanimously.

VERBAL COMMUNICATIONS

Kylie Clark, Public Policy Coordinator, West Valley Community Services (WVCS)

- Commented in support of the Mayor and Town Council.

Rob Moore

- Commented in support of the United Against Hate March and encouraged all to obtain a United against Hate poster at the Los Gatos Chamber of Commerce offices.

Pat Kearns, RATES

- Commented that the Public Utilities Commission (PUC) has a publication that addresses their new directive on equity, equality, and opportunity of water and electric allocation.

John Shepardson

- Read a speech by Abraham Lincoln regarding the increasing disregard for law.

David Mineta, California Asian & Pacific Islander (API) Legislative Caucus

- Read a letter on behalf of API and other DEI groups in support of the Mayor and Town Council.

Stephanie

- Commented in support of the Mayor and Town Council.

Debbie Lowe

- Commented in support of the Mayor and Town Council.

Kjirste Morrell

- Commented in support of the Mayor and Town Council and Inquired if solar panels and batteries could be installed on Town properties to provide power to residents in the event of a disaster.

Craig Gleason

- Requested the Town adopt a Native American Land Acknowledgement as part of the diversity, equity, and inclusion efforts.

OTHER BUSINESS

8. Approve Updates to Council Policy 2-01: Town Agenda Format and Rules and Council Policy 2.04: Town Council Code of Conduct as Recommended by the Council Policy Committee and Adopt a Resolution to Rescind Resolutions 2009-002 and 2006-111. **RESOLUTION 2021-047**

Laurel Prevetti, Town Manager, presented the staff report.

Opened public comment.

No one spoke.

Closed public comment.

Council discussed the item.

MOTION: Motion by Council Member Badame to approve updates to Council Policy 2-01: Town Agenda Format and Rules and Council Policy 2.04: Town Council Code of Conduct as recommended by the Council Policy Committee (Attachment 2) and adopt a resolution (Attachment 6) to rescind Resolutions 2009-002 and 2006-111. AMENDED: to add the language "Speakers at public meetings will be asked to provide their full name and to state whether they are a resident of the Town of Los Gatos. This information is optional but not required." **Seconded by Council Member Hudes.**

VOTE: Motion passed 4/1, Vice Mayor Rennie opposed.

PUBLIC HEARINGS

9. Introduction and First Reading of an Ordinance Amending the Los Gatos Town Code Section 18.50.100 to Prohibit Targeted Residential Picketing. **ORDINANCE 2323**

Robert Schultz, Town Attorney, and Laurel Prevetti, Town Manager, presented the staff report.

Opened Public Comment.

Ali Miano

- Commented in support of the item.

Closed Public Comment.

Council discussed the item.

Public Hearings Items #9 – continued

MOTION: Motion by Council Member Badame to introduce an Ordinance, by title only, amending the Los Gatos Town Code section 18.50.100 to prohibit targeted residential picketing. **Seconded** by Council Member Hudes.

VOTE: Motion passed unanimously.

The Town Clerk read the title of the ordinance.

OTHER BUSINESS

10. Provide Direction to Strengthen the Town’s Social Host Ordinance and Update the Youth Party Guidelines.

Laurel Prevetti, Town Manager, presented the staff report.

Los Gatos Saratoga Union High School District (LGSUHSD) representatives Board Vice President Peter Herten, Superintendent Dr. Michael Grove, Assistant Superintendent Heath Rocha, Assistant Principal Kristi Gratsy, Assistant Principal Amy Drollett, and Assistant Principal Allison Stits gave a presentation on underage drinking and substance use.

Opened Public Comment.

Chris Miller, Community Against Substance Abuse (CASA)

- Commented in support of strengthening the Social Host ordinance and inquired if social norms can be addressed in the ordinance.

Louis Rich, Los Gatos High School Guidance Counselor

- Commented in support of strengthening the Social Host ordinance.

Theresa Bond, LGSUHSD Governing Board Member

- Commented in support of strengthening the Social Host ordinance and encouraged the Town to reassess fines for violations of the Social Host ordinance.

Closed Public Comment.

Council discussed the item.

The Town Council provided direction to staff to:

- Continue the partnership with LGSUHSD on education and community awareness
- Work with the Youth Commission to update the youth party guidelines
- Add this item to the Town Council Strategic Priorities discussion
- Place the ordinance on the Town Attorney’s list for future review

11. Provide Direction on the Proposed Pilot Employee Parking Program.

Greg Borromeo, Interim Police Captain, presented the staff report.

Opened Public Comment.

Randi Chen, Chamber of Commerce

- Commented in support of the proposed Pilot Employee Parking Program.

Catherine Somers

- Commented in support of the proposed Pilot Employee Parking Program.

Closed Public Comment.

Council discussed the item.

The Town Council provided direction to move forward with the proposed Pilot Employee Parking Program as stated in the staff report with the request to explore offering free Olive Zone permits to employees during the pilot period.

Recessed at 9:06 p.m.

Reconvened at 9:12 p.m.

PUBLIC HEARINGS

12. Consider an Appeal of a Planning Commission Decision Approving a Lot Line Adjustment Between Three Adjacent Lots on Properties Zoned R-1:20. Located at 17200 Los Robles Way. Subdivision Application M-20-012. APNS 532-36-075, -076, -077. Property Owners: Daran Goodsell, Trustree and Mark Von Kaenel. Applicant: Tony Jeans. Appellant: Alison and David Steer.

Ryan Safety, Associate Planner, presented the staff report.

Council Members stated their disclosures.

Alison Steer, appellant, gave first remarks.

Tony Jeans, applicant, gave first remarks.

Opened Public Comment.

Gdefeo

- Commented on concerns of future development on the proposed lots.

Public Hearing Item #12 – continued

Terry Rinehart

- Commented on concerns of impacts to downhill neighbors.

Nancy Neipp

- Commented in opposition of the lot line adjustment due to potential hazards.

Renee Stratulate

- Commented on concerns of future development on the proposed lots.

Marcus Thordal

- Commented on concerns of potentially increasing housing.

Bill Bentinck

- Requested additional consideration of this item.

Tony Jeans, applicant, provided rebuttals.

Alison Steer, appellant, provided rebuttals.

Closed Public Comment.

Council discussed the item.

MOTION: Motion by Council Member Badame to adopt a resolution granting the appeal and denying the application based on being unable to make the affirmative findings at the subdivision map act and that it's consistent with all elements of the General Plan. **Motion failed for lack of a second.**

MOTION: Motion by Council Member Hudes to continue the item to a date certain of December 7, 2021 to obtain more information about the conceptual placement and nature of the structures, seismic safety area, increased density, wildland interface urban area, and the degree to which it complies with the Town's General Plan. **Seconded by Council Member Badame.**

VOTE: Motion passed unanimously.

Recessed at 11:00 p.m.

Reconvened at 11:05 p.m.

13. Introduction and First Reading of an Ordinance Amending the Los Gatos Town Code Chapter 11 Regarding Garbage, Refuse, and Weeds to Include Organic Waste Disposal Reduction and Amending Sections Conflicting with Ordinance Definitions and Requirements. **ORDINANCE 2324**

Marina Chislett, Environmental Programs Specialist, presented the staff report.

Opened Public Comment.

No one spoke.

Closed Public Comment.

Council discussed the item.

MOTION: Motion by **Vice Mayor Rennie** to introduce an ordinance, by title only, amending the Los Gatos Town Code Chapter 11 regarding garbage, refuse, and weeds to include organic waste disposal reduction and amending sections conflicting with ordinance definitions and requirements. **Seconded** by **Council Member Ristow**.

VOTE: Motion passed unanimously.

The Town Clerk read the title of the ordinance.

OTHER BUSINESS

14. Discuss and Provide Direction Regarding Shared Mobility Devices.

Matt Morley, Parks and Public Works Director, presented the staff report.

Opened Public Comment.

No one spoke.

Closed Public Comment.

Council discussed the item.

Council provided direction to forward the item to the Complete Streets and Transportation Commission (CSTC).

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SUBJECT: Draft Minutes of the Town Council Meeting of November 2, 2021

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ADJOURNMENT

The meeting adjourned at 11:24 p.m.

Respectfully submitted:

Jenna De Long, Deputy Clerk