



**TOWN OF LOS GATOS
COUNCIL MEETING AGENDA
AUGUST 17, 2021
110 EAST MAIN STREET
LOS GATOS, CA**

*Marico Sayoc, Mayor
Rob Rennie, Vice Mayor
Mary Badame, Council Member
Matthew Hudes, Council Member
Marie Ristow, Council Member*

PARTICIPATION IN THE PUBLIC PROCESS

How to participate: The Town of Los Gatos strongly encourages your active participation in the public process, which is the cornerstone of democracy. If you wish to speak to an item on the agenda, please follow the participation instructions on page 2 of this agenda. If you wish to speak to an item NOT on the agenda, you may do so during the “Verbal Communications” period, by following the participation instructions on page 2 of this agenda. The time allocated to speakers may change to better facilitate the Town Council meeting.

Effective Proceedings: The purpose of the Town Council meeting is to conduct the business of the community in an effective and efficient manner. For the benefit of the community, the Town of Los Gatos asks that you follow the Town’s meeting guidelines while attending Town Council meetings and treat everyone with respect and dignity. This is done by following meeting guidelines set forth in State law and in the Town Code. Disruptive conduct is not tolerated, including but not limited to: addressing the Town Council without first being recognized; interrupting speakers, Town Council or Town staff; continuing to speak after the allotted time has expired; failing to relinquish the podium when directed to do so; and repetitiously addressing the same subject.

Deadlines for Public Comment and Presentations are as follows:

- Persons wishing to make an audio/visual presentation on any agenda item must submit the presentation electronically, either in person or via email, to the Clerk’s Office no later than 3:00 p.m. on the day of the Council meeting.
- Persons wishing to submit written comments to be included in the materials provided to Town Council must provide the comments as follows:
 - For inclusion in the regular packet: by 11:00 a.m. the Thursday before the Council meeting
 - For inclusion in any Addendum: by 11:00 a.m. the Monday before the Council meeting
 - For inclusion in any Desk Item: by 11:00 a.m. on the day of the Council Meeting

***Town Council Meetings Broadcast Live on KCAT, Channel 15 (on Comcast) on the 1st and 3rd Tuesdays at 7:00 p.m.
Rebroadcast of Town Council Meetings on the 2nd and 4th Mondays at 7:00 p.m.
Live & Archived Council Meetings can be viewed by going to:
www.LosGatosCA.gov/TownYouTube***

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, PLEASE CONTACT THE CLERK DEPARTMENT AT (408) 354-6834. NOTIFICATION 48 HOURS BEFORE THE MEETING WILL ENABLE THE TOWN TO MAKE REASONABLE ARRANGEMENTS TO ENSURE ACCESSIBILITY TO THIS MEETING [28 CFR §35.102-35.104]

**TOWN OF LOS GATOS
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AUGUST 17, 2021
7:00 PM**

IMPORTANT NOTICE REGARDING THE AUGUST 17, 2021 MEETING

This meeting is being conducted utilizing teleconferencing and electronic means consistent with State of California Executive Order N-29- 20 dated March 17, 2020, regarding the COVID- 19 pandemic. Members of the public can participate in the meeting by attending in person in the Council Chamber at 110 E. Main Street or by joining the Zoom webinar (log in information provided below). Due to the provisions of the Santa Clara County Health Officer to take action to minimize the spread of COVID-19 **social distancing and mask requirements will be observed** for all attending in person.

PARTICIPATION

Public comments can be made live during the Town Council meeting via Zoom or in person from the Council Chamber. If you are not interested in providing oral comments in real-time during the meeting, you can view the live stream of the meeting on television (Comcast Channel 15) and/or online at www.LosGatosCA.gov/TownYouTube.

To provide oral comments in real-time during the meeting:

- **In person:** Provide your name and the item number you would like to speak on with the Town Clerk or Deputy Clerk.
- **Zoom webinar:** Join from a PC, Mac, iPad, iPhone or Android device: click this link <https://us02web.zoom.us/j/81498399112?pwd=MW1LR29BU2xySjhtR243NlFyck0wZz09> Password: 903526. You can also type in 814 9839 9112 in the “Join a Meeting” page on the Zoom website at <https://zoom.us/join>.
 - When the Chair announces the item for which you wish to speak, click the “raise hand” feature in Zoom. If you are participating by phone on the Zoom app, press *9 on your telephone keypad to raise your hand. If you are participating by calling in, press #2 on your telephone keypad to raise your hand.
- **Join by telephone:** Dial: 877-336-1839. Conference code: 969184

When called to speak, please limit your comments to three (3) minutes, or such other time as the Mayor may decide, consistent with the time limit for speakers at a Council meeting. If you wish to speak to an item or items on the Consent Calendar, please state which item number(s) you are commenting on at the beginning of your time.

If you are unable to participate in real-time, you may email to PublicComment@losgatosca.gov the subject line “Public Comment Item #__” (insert the item number relevant to your comment) or “Verbal Communications – Non Agenda Item.” Comments received by 11:00 a.m. the day of the meeting will be reviewed and distributed before the meeting. All comments received will become part of the record.

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MEETING CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

COUNCIL / MANAGER MATTERS

CONSENT ITEMS *(Items appearing on the Consent Items are considered routine and may be approved by one motion. Any member of the Council or public may request to have an item removed from the Consent Items for comment and action. A member of the public may request to pull an item from Consent by following the Participation Instructions contained on Page 2 of this agenda. If an item is pulled, the Mayor has the sole discretion to determine when the item will be heard. Unless there are separate discussions and/or actions requested by Council, staff, or a member of the public, it is requested that items under the Consent Items be acted on simultaneously.)*

1. Approve Closed Session Minutes of the August 3, 2021 Town Council Meeting.
2. Approve Minutes of the August 3, 2021 Town Council Meeting.
3. Receive the Fourth Quarter Investment Report (April through June 2021) for Fiscal Year 2020/21.
4. Appoint Mayor Marico Sayoc as the Town's Voting Delegate and Vice Mayor Rob Rennie as the Town's Alternate for the League of California Cities Annual Conference Scheduled for September 20 - 24, 2021 in Sacramento.
5. Annexation Application AN21-001. Project Location: 16030 Winterbrook Road. Property Owner/Applicant: Alireza Zarrabi.
Adopt a resolution to set a date for consideration of the reorganization of an uninhabited area designated as Winterbrook No. 6, approximately 0.319 Acres on property pre-zoned R-1:8. APN 523-26-013.
6. Authorize the Town Manager to Execute an Agreement for Consultant Services with O'Brien Code Consulting, Inc. for Building Division Plan Check Consultant Services.
7. Authorize the Town Manager to execute an Agreement for Consultant Services with Interwest Consulting Group for Supplemental Building Division Plan Check Consultant Services.
8. Authorize the Town Manager to execute a Second Amendment for a time extension only for an Agreement for Consultant Services with Mintier Harnish for Preparation of the General Plan update and Environmental Impact Report.
9. Authorize the Town Manager to Execute the First Amendment to the Consultant Services Agreement with Mott MacDonald Group, Inc. for the Los Gatos Creek Trail to Highway 9 Trailhead Connector Project (CIP No. 832-4505) in an Amount Not to Exceed \$90,000 for a Total Contract Amount of \$576,747.

VERBAL COMMUNICATIONS *(Members of the public are welcome to address the Town Council on any matter that is not listed on the agenda consistent with the Participation Instructions contained on Page 2 of this agenda. To ensure all agenda items are heard and unless additional time is authorized by the Mayor, this portion of the agenda is limited to 30 minutes and no more than three (3) minutes per speaker. In the event additional speakers were not able to be heard during the initial Verbal Communications portion of the agenda, an additional Verbal Communications will be opened prior to adjournment.)*

OTHER BUSINESS *(Up to three minutes may be allotted to each speaker on any of the following items consistent with the Participation Instructions contained on Page 2 of this agenda.)*

10. Approve Addendum to the American Federation of State, County and Municipal Employees Memorandum of Understanding.
11. Discuss and Provide Direction on the Following Actions to Continue the Town's Support of Economic Recovery and Community Vitality in Response to the Ongoing COVID-19 Pandemic, Including:
 - a. Temporary Krail Parklets:
 1. Extend Sunset Date for Dining Establishments until January 31, 2022 and Approve a Budget Adjustment of \$40,000 from American Rescue Plan (ARPA);
 2. Provide Direction on Temporary Tents and Other Weather Protection Structures, Including Enforcement;
 - b. Semi-Permanent Parklets:
 1. Allocate Additional Funding of \$680,000 from the Town's ARPA Allocation to Meet the Response of Businesses to the Subsidized Parklet and Grant Application Process; and
 - c. Debrief the Chamber of Commerce's Thursday Night Promenade Events in which the Town Provided Financial Support.
12. Review the Fiscal Year 2021/22 – 2025/26 Capital Improvement Program Budget and Determine Any Additional Investments Based on Additional Funding Allocated for Capital Purposes.
13. Authorize the Town Manager to Execute Agreements for Justice, Equity, Diversity, and Inclusion (JEDI) Consultant Services:
 - a. American Leadership Forum Silicon Valley Insights (ALF) for External Community Efforts with an Expenditure Budget Adjustment in the Amount of \$54,000 from the General Fund Capital/Special Projects Reserve and
 - b. ReadySet for Internal Town Organizational Work with an Expenditure Budget Adjustment in the Amount of \$50,000 from the General Fund Capital/Special Projects Reserve.

PUBLIC HEARINGS *(Applicants/Appellants, their representative, and members of the public may address the Council on any public hearing item consistent with the Participation Instructions contained on Page 2 of this agenda. Applicants/Appellants and their representatives may be allotted up to a total of five minutes maximum for opening statements. Members of the public may be allotted up to three minutes to comment on any public hearing item. Applicants/Appellants and their representatives may be allotted up to a total of three minutes maximum for closing statements. Items requested/recommended for continuance are subject to Council's consent at the meeting.)*

14. Introduction and First Reading of an Ordinance Amending the Los Gatos Town Code to Include Gender-Neutral Pronouns by Eliminating any Gender Preference Language Within the Los Gatos Town Code and Amending Sections Regarding Grammatical Interpretation to Indicate that Whenever a Gender-Neutral Personal Pronoun is Used, it Shall be Deemed to Include the Feminine and Masculine Also.

ADJOURNMENT *(Council policy is to adjourn no later than midnight unless a majority of Council votes for an extension of time.)*

Writings related to an item on the Town Council meeting agenda distributed to members of the Council within 72 hours of the meeting are available for public inspection at the front desk of the Los Gatos Town Library, located at 100 Villa Avenue, and are also available for review on the official Town of Los Gatos website. Copies of desk items distributed to members of the Council at the meeting are available for review in the Town Council Chambers.

Note: The Town of Los Gatos has adopted the provisions of Code of Civil Procedure §1094.6; litigation challenging a decision of the Town Council must be brought within 90 days after the decision is announced unless a shorter time is required by State or Federal law.