



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 03/17/2020

ITEM NO: 1

**Minutes of the Town Council Meeting
March 3, 2020**

The Town Council of the Town of Los Gatos conducted a Regular Meeting on Tuesday, March 3, 2020, 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 Rob Rennie, Council Member Marico Sayoc.

Absent: None

PLEDGE OF ALLEGIANCE

Adam Moore led the Pledge of Allegiance. The audience was invited to participate.

PRESENTATIONS

Mayor Jensen presented a Community Champion proclamation to the American Red Cross. Executive Director Ken Toren and volunteers Sherry Oliver, Denise Ramon-Herrera, and Brad Gordon, accepted on behalf of the Red Cross and thanked the Town for their support.

COUNCIL/TOWN MANAGER REPORTS

Council Matters

- Council Member Rennie stated he met with the staff liaison of the Valley Transportation Authority (VTA) Congestion Management Committee.
- Vice Mayor Spector stated she participated in a conference call regarding the Coronavirus (COVID-19) with the County of Santa Clara and individuals on the State and Federal level; she attended the West Valley Mayors and Managers meeting; she performed a ribbon cutting at Office Revolution; and she met with the staff of the West Valley Sanitation District (WVSD).

Manager Matters

- Outlined the precautions the Town is taking to protect the community against the Coronavirus.
- Announced the Annual Youth Commissioner and Mid-Year Adult Commissioner recruitment is underway. Adult Commissioner applications are due May 8 and Youth Commissioner applications are due May 1.

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

1. Approve Closed Session Meeting Minutes of February 18, 2020.
2. Approve Council Meeting Minutes of February 18, 2020.
3. Adopt a resolution making determinations and approving the reorganization of an uninhabited area designated as El Gato Lane No. 4, approximately 0.49 acres, located at 15765 El Gato Lane (APN 523-27-040). Annexation Application AN19-004. Property Owner/Applicant: Ed Pearson. **RESOLUTION 2020-004**
4. Approve the Preliminary Design and Authorize Preparation of the Final Design for the Los Gatos Creek Trail to Highway 9 Trailhead Connector Project 18-832-4505.
5. Highway 17 Bicycle and Pedestrian Overcrossing Feasibility Study
 - a. Approve the Project Purpose and Need
 - b. Authorize Staff to Proceed with Design Alternatives for a Separate Bicycle and Pedestrian Overcrossing.

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

VOTE: Motion passed unanimously.

PUBLIC HEARINGS

6. Consider an appeal of a Planning Commission decision approving a request for construction of a new single-family residence and removal of large protected trees on a vacant property zoned HR-2 1/2:PD. APN 527-09-036. Architecture and Site Application S-18-052. Project Location: 15365 Santella Court. Property Owner: Christian and Hellen Olgaard. Applicant: Hari Sripadanna. Appellant: David Weissman. **RESOLUTION 2020-005**

Erin Walters, Associate Planner, presented the staff report.

Opened Public Comment.

David Weissman, appellant

- Commented on his reasons for appealing the project.

Hari Sripadanna and David Fox, applicant

- Commented on the project.

David Weissman

- Responded to the applicant's comments.

Hari Sripadanna and David Fox

- Responded to the appellant's comments.

Public Hearing Item #6 – continued

Closed Public Comment.

Council discussed the matter.

MOTION: Motion by Council Member Rennie to adopt a resolution denying the appeal of the Planning Commission decision and approving the application with the required findings and considerations (Attachment 9, Exhibit A), conditions of approval (Attachment 9, Exhibit B), and development plans (Attachment 13). **Seconded by Council Member Sayoc.**

VOTE: Motion passed unanimously.

MOTION: Motion by Council Member Sayoc to ask the Policy Committee to review and determine if the definition of elevation contained in the Hillside Development Standards and Guidelines should be revised. **Seconded by Council Member Rennie.**

VOTE: Motion passed unanimously.

OTHER BUSINESS

7. Staff Recommends that the Town Council Conclude the School Bus Pilot Program at the End of Fiscal Year 2019/20.

Ying Smith, Transportation and Mobility Manager, presented the staff report.

Opened Public Comment.

Dorice Piraino

- Commented in opposition of discontinuing the program.

Moshe Shaham

- Commented in opposition of discontinuing the program and inquired if there were any other options or compromises that could be explored.

Chetan Jog

- Commented in opposition of discontinuing the program and inquired if there were any other options or compromises that could be explored.

Other Business Item #7 – continued

Kristen Linden

- Commented in opposition of discontinuing the program and inquired if there were any other options or compromises that could be explored.

Maria Ristow

- Commented in support of discontinuing the program.

Sashi Balasingam

- Commented in opposition of discontinuing the program and inquired if there were any other options or compromises that could be explored.

Leif Linden

- Commented in opposition of discontinuing the program and inquired if there were any other options or compromises that could be explored.

Closed Public Comment.

Council discussed the matter.

MOTION: Motion by Mayor Jensen to conclude the School Bus Pilot Program. Motion failed for lack of a second.

MOTION: Motion by Vice Mayor Spector to continue the School Bus Pilot Program with the current budget funding, to direct staff and the community to do further analysis and to come back to Council with transportation options to and from the our schools, to consider funding options that may include the use of Measure G funds, and not be limited by Measure B congestion relief metrics or any other specified type of financing. Seconded by Mayor Jenson.

VOTE: Motion passed unanimously.

Recess at 9:31 p.m.

Reconvene at 9:42 p.m.

8. Approve the Connect Los Gatos Program and Community Engagement Plan.

Lisa Petersen, Town Engineer/Assistant Parks and Public Works Director, presented the staff report.

Other Business Item #8 – continued

Opened Public Comment.

No one spoke.

Closed Public Comment.

Council discussed the matter.

MOTION: Motion by Council Member Sayoc to approve the Connect Los Gatos Program and Community Engagement. **Seconded by Council Member Rennie.**

VOTE: Motion passed unanimously.

9. Term Limits Initiative

- a. Accept Elections Official's Certification of the Sufficiency of the Term Limits Initiative Petition,
- b. Adopt a Resolution Calling the Election, and **RESOLUTION 2020-006**
- c. Direct the Inclusion of the Preliminary Estimated Cost of the Election for the Term Limits Initiative of \$54,200 in the Town Manager's Proposed Operating Budget for Fiscal Year (FY) 2020/21.

Shelley Neis, Town Clerk, presented the staff report.

Opened Public Comment.

No one spoke.

Closed Public Comment.

Council discussed the matter.

MOTION: Motion by Council Member Sayoc to accept the Elections Official's certification of the sufficiency of the Term Limits Initiative Petition, adopt a resolution calling the election (Attachment 3), and direct the inclusion of the preliminary estimated cost of the election for the Term Limits Initiative of \$54,200 in the Town Manager's Proposed Operating Budget for Fiscal Year (FY) 2020/21. **Seconded by Mayor Jensen.**

VOTE: Motion passed unanimously.

10. Finance Commission Initiative

- a. Accept Elections Official's Certification of the Sufficiency of the Finance Commission Initiative Petition.
- b. Adopt a Resolution Calling the Election and Direct the Inclusion of the Preliminary Estimated Cost of the Election for the Finance Commission Initiative of \$54,200 in the Town Manager's Proposed Operating Budget for Fiscal Year 2020/21; or **RESOLUTION 2020-007**
- c. Order Report Pursuant to California Elections Code Section 9212.

Robert Schultz, Town Attorney, presented the staff report.

Opened Public Comment.

Lee Fagot

- Commented in support of Council adopting the initiative as an Ordinance without alteration.

Jak Van Nada, proponent of the initiative

- Commented on the reasons for the initiative petition.

Catherine Somers, Los Gatos Chamber of Commerce Executive Director

- Commented in support of Council adopting the initiative as an Ordinance without alteration.

Closed Public Comment.

Council discussed the matter.

MOTION: Motion by Council Member Rennie to accept the Elections Official's Certification of the Sufficiency of the Finance Commission Initiative Petition and order report pursuant to California Elections Code Section 9212. **Seconded by Mayor Jensen.**

VOTE: Motion failed 1/3. Mayor Jensen, Vice Mayor Spector, and Council Member Sayoc voting no.

MOTION: Motion by Council Member Sayoc to accept the Elections Official's Certification of the Sufficiency of the Finance Commission Initiative Petition. **Seconded by Vice Mayor Spector.**

VOTE: Motion passed unanimously.

Other Business Item #10 – continued

MOTION: Motion by Mayor Jensen to adopt a resolution (Attachment 4) calling an election to be consolidated with the Santa Clara County General Election occurring on November 3, 2020 and direct the Town Attorney to prepare an impartial analysis of the initiative pursuant to California Elections Code Section 9280 and direct the inclusion of the preliminary estimated cost of the election for the Finance Commission Initiative of \$54,200 in the Town Manager’s Proposed Operating Budget for Fiscal Year 2020/21. **Seconded by Vice Mayor Spector.**

VOTE: Motion passed 3/1. Council Member Rennie voting no.

MOTION: Motion by Council Member Sayoc to direct the Town Attorney to work on a compromise and hope that the proponents would withdraw the initiative. **Seconded by Council Member Rennie.**

VOTE: Motion failed 2/2. Mayor Jensen and Vice Mayor Spector voting no.

11. Authorize the Town Manager to Prepare and Execute an Agreement for the Production of Music in the Park 2020, Including Any Council Direction.

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

Opened Public Comment.

Mark Secchia

- Commented on his proposal.

Closed Public Comment.

Council discussed the matter.

MOTION: Motion by Council Member Sayoc to approve the recommendation contained in the staff report. **Seconded by Vice Mayor Spector.**

VOTE: Motion passed unanimously.

VERBAL COMMUNICATIONS

Susan Bassi

- Commented on lack of access to public records and a documentary she is doing.

Ed Turner did not come forward.

Robert Lipp did not come forward.

Theodore Chin

- Commented in opposition to the parklet going in at Montebello and Main.

Claire Wilson

- Commented in opposition to the parklet going in at Montebello and Main.

Joanne Justis

- Commented on the traffic issues on Blossom Hill Road and requested changes be made for pedestrian safety.

Richard Kelso

- Commented in opposition to the parklet going in at Montebello and Main and inquired how to stop the parklet from going in.

Gerald Scott did not come forward.

John Eichinger

- Commented in opposition of the parklets and Santa Clara Valley Water District putting fluoride in the water.

ADJOURNMENT

The meeting adjourned at 11:44 p.m.

Attest:

/s/ Shelley Neis, Town Clerk