



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 12/08/2020

ITEM NO: 1

**Minutes of the Town Council Meeting
December 1, 2020**

The Town Council of the Town of Los Gatos conducted a regular meeting via Teleconference via COVID-19 Shelter in Place Guidelines on December 1, 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. (All participating remotely).

Absent: None

COUNCIL/TOWN MANAGER REPORTS

Council Matters

- Vice Mayor Spector stated she attended the West Valley Sanitation District (WVSD) Board of Directors and the Town General Plan Advisory Committee (GPAC) meetings.
- Council Member Sayoc stated she attended the County and Cities meeting to discuss the new COVID-19 restrictions.
- Council Member Rennie stated he participated in the Bay Area Air Quality Management District (BAAQMD) Board meeting as a member of the public, he chaired the Valley Transportation Authority (VTA) Congestion Management Program Committee and Silicon Valley Clean Energy Authority (SVCEA) Finance and Administration Committee meetings, and he listened to the Santa Clara County COVID-19 Health Department Conference Call.
- Mayor Jensen stated she attended the West Valley Mayor's and Managers meeting and the GPAC meeting.

Manager Matters

- Announced applications are now being accepted for the new Finance Commission, the openings on the Planning Commission and Complete Streets and Transportation Commission as a result of the November 3 election, and additional vacancies on Town Boards, Commissions, and Committees. Information is available on the Town Clerk website and due by 4:00 p.m. January 8, 2021.
- Announced the holiday lighting throughout Town, including a lit tree in Plaza Park.

CLOSED SESSION

Robert Shultz, Town Attorney, stated Council met in closed session as duly noted on the agenda, there is no reportable action, and the proposed settlement is on this agenda for discussion and review.

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

1. Approve Draft Minutes of the November 17, 2020 Closed Session Town Council Meeting.
2. Approve Draft Minutes of the November 17, 2020 Boards, Commissions, and Committees Interviews Town Council Meeting.
3. Approve Draft Minutes of the November 17, 2020 Regular Town Council Meeting.
4. Approve Draft Minutes of the November 24, 2020 Closed Session Town Council Meeting.
5. Adopt a Resolution Declaring Certain Hazardous Vegetation Growing in the Town of Los Gatos to be a Public Nuisance, Describing Properties Where Such Nuisance Exists, and Setting a Public Hearing Date of January 19, 2021 to Consider Objections for Proposed Abatement. **RESOLUTION 2020-046**
6. Authorize the Town Manager to execute an Agreement for Consultant Services with Facility Engineering Associates P.C. for Building Condition Assessment Services in an Amount Not to Exceed \$79,435 Including Contingencies.
7. Adopt a Resolution Approving the Parcel Map for 15630 Los Gatos-Almaden Road and Accepting Dedications. **RESOLUTION 2020-047**
8. Accept Fiscal Year (FY) 2019/20 Status Report on Receipt and Use of Development Impact Fees.
9. Approve Modifications to the Town Facility Use Policy to Allow for Private Use of Locations Within Oak Meadow Park. **POLICY 1-04**
10. Adopt a Resolution for the California Public Employees' Retirement System Health Plan Fixing the Employer Contribution at an Equal Amount for Employees and Annuitants. **RESOLUTION 2020-048**

MOTION: Motion by Council Member Sayoc to approve Consent Items 1-10. **Seconded** by Vice Mayor Spector.

VOTE: Motion passed unanimously.

VERBAL COMMUNICATIONS

No one spoke.

OTHER BUSINESS

11. Accept the Ad Hoc Wildfire Committee Report and Direct Staff to Return to Council in One Year with an Action Item Progress Update.

Rob Stump, Ad Hoc Wildfire Committee Chair, presented the staff report.

Opened public comment.

Bill Elhers inquired if the Town is considering requirements to harden structures.

Closed public comment.

Other Business Item #11 – continued

Council discussed the item.

MOTION: Motion by Council Member Rennie to accept the Ad Hoc Wildfire Committee Report and direct staff to return to Council in one year with an action item progress update.
Seconded by Council Member Sayoc.

VOTE: Motion passed unanimously.

12. Highway 17 Bicycle and Pedestrian Overcrossing (Project 818-0803):

- a. Authorize the Town Manager to Negotiate and Execute a Measure B Funding Agreement with the Santa Clara Valley Transportation Authority (Attachment 1) to Accept a Measure B Grant in the Amount of \$2,754,990 for the Highway 17 Bicycle and Pedestrian Overcrossing Project Final Design Phase;
- b. Authorize Revenue and Expenditure Budget Increases in the Total Amount of \$3,701,200 (\$2,754,990 in Grant Fund and \$946,210 in General Fund Appropriated Reserve) in the Fiscal Year 2020/21 – 2024/25 Capital Improvement Program (CIP) Budget for the Highway 17 Bicycle and Pedestrian Overcrossing Project to Recognize the Receipt of Grant Funds in FY 2020/21;
- c. Authorize the Release of a Request for Proposals (Attachment 2) for the Highway 17 Bicycle and Pedestrian Overcrossing Design Project;
- d. Authorize the Town Manager to Negotiate and Execute a Consultant Agreement with the Highest Ranked Firm in an Amount Not to Exceed \$3,000,000; and
- e. Approve the Highway 17 Bicycle and Pedestrian Overcrossing Community Engagement Plan (Attachment 3).

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

Opened public comment.

Sheldon Gilbert, Former Complete Streets and Transportation Commission (CSTC) Commissioner

- Commented in support of the project, highlighting the need for a bicycle and pedestrian bridge that connects east and west Los Gatos.

Jeff Thompson, CSTC Commissioner

- Commented in support of the proposed project.

Ray Brizgys

- Commented in opposition of the proposed project due to the preferred location of the overcrossing and requested the Town consider more options for the overcrossing placement.

Other Business Item #12 – continued

Michael Strahs

- Commented in support of the proposed project and shared concerns regarding retaining the Blossom Hill retaining wall and requested the Town emphasize community outreach.

Bill Elhers, CSTC Commissioner

- Commented in support of the proposed project.

Robert Buxton, CSTC Chair

- Commented in support of the proposed project.

Jacob Schroeder

- Commented in opposition of the proposed project and in favor of a safety improvement.

John Smart

- Commented regarding the timing of the California Environmental Quality Act (CEQA) review.

Gillian Verga, Complete Streets and Transportation CSTC Commissioner

- Commented in support of the proposed project.

Amit Shetty

- Commented in support of the proposed project.

Brian Royston

- Commented in support of the proposed project.

Closed public comment.

Council discussed the item.

MOTION: Motion by Council Member Rennie to:

- Authorize the Town Manager to negotiate and execute a Measure B funding agreement with the Santa Clara Valley Transportation Authority (Attachment 1) to accept a Measure B grant in the amount of \$2,754,990 for the Highway 17 Bicycle and Pedestrian Overcrossing Project final design phase;

Other Business Item #12 – continued

- Authorize revenue and expenditure budget increases in the total amount of \$3,701,200 (\$2,754,990 in Grant Fund and \$946,210 in General Fund Appropriated Reserve) in the fiscal year 2020/21 – 2024/25 Capital Improvement Program (CIP) Budget for the Highway 17 Bicycle and Pedestrian Overcrossing Project to recognize the receipt of grant funds in FY 2020/21;
- Authorize the release of a request for proposals (Attachment 2) for the Highway 17 Bicycle and Pedestrian Overcrossing Design Project;
- Authorize the Town Manager to negotiate and execute a consultant agreement with the highest ranked firm in an amount not to exceed \$3,000,000; and
- Approve the Highway 17 Bicycle and Pedestrian Overcrossing Community Engagement Plan (Attachment 3).

Seconded by **Council Member Sayoc**.

VOTE: **Motion passed unanimously.**

PUBLIC HEARINGS

13. Approval of Proposed Settlement Agreement between the Town of Los Gatos and SummerHill Homes LLC to Resolve the Damage Claim filed By SummerHill Regarding the Denial of SummerHill’s Application to Remove Underground Parking from the North 40 Phase 1 Construction of the Market Hall.

Robert Schultz, Town Attorney, presented the staff report.

Opened public comment.

Lee Fagot

- Thanked staff for drafting the agreement and commented in support of the item.

Closed public comment.

Council discussed the matter.

MOTION: **Motion** by **Council Member Sayoc** to approve the proposed settlement agreement between the Town of Los Gatos and SummerHill Homes LLC to resolve the damage claim filed by SummerHill regarding the denial of SummerHill’s application to remove underground parking from the North 40 Phase 1 construction of the market hall. **Seconded** by **Mayor Jensen**.

VOTE: **Motion passed unanimously.**

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SUBJECT: Minutes of the Town Council Meeting of December 1, 2020

DATE: December 2, 2020

ADJOURNMENT

The meeting adjourned at 8:31 p.m.

Submitted by:

/s/ Jenna De Long, Deputy Clerk