



**TOWN OF LOS GATOS  
COUNCIL AGENDA REPORT**

MEETING DATE: 12/21/2021

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**Minutes of the Town Council Meeting  
December 7, 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, December 7, 2021, at 7:00 p.m.

**MEETING CALLED TO ORDER AT 7:05 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 on December 2<sup>nd</sup> as duly noted on the agenda and that there is no reportable action.

**COUNCIL/TOWN MANAGER REPORTS**

**Council Matters**

- Vice Mayor Rennie stated he attended two Bay Area Air Quality Management District (BAAQMD) Board meetings, BAAQMD Mobile Source Committee; Silicon Valley Clean Energy Authority (SVCEA) Confab, Finance and Administrative Committee, Risk Oversight Committee; Community Health and Senior Services (CHSSC); Senior Services Committee with Council Member Hudes; Finance Committee meeting with Council Member Hudes; Seamless Transit Team meetings; Los Gatos Interfaith Service; City of Saratoga Reorganization; Houser's Winter Social Event; Silicon Valley Bike Coalition Open House; League of Women Voters Holiday Party; Chamber of Commerce Holiday Promenade; and volunteered with West Valley Community Services.
- Council Member Badame stated she met with Chamber of Commerce representatives; Los Robles Way applicant; and attended the Town Tree Lighting Ceremony and Holiday Promenade.
- Council Member Hudes stated he attended the Finance Commission special meeting; two meetings of the Senior Services Committee Workplan Subcommittee; Santa Clara County Emergency Operations Area Council meeting; Town Tree Lighting Ceremony; Chamber of Commerce Holiday Promenade; and Democracy Tent community meeting.

Council Matters – continued

- Council Member Ristow stated she attended the Los Gatos Interfaith Service; met with Terri Black representative and Los Robles Way applicants; attended the Council Policy Committee meeting with Mayor Sayoc; Democracy Tent community meeting; met with residents regarding the Draft 2040 General Plan; attended the City of Saratoga Reorganization; Town Tree Lighting Ceremony; Chamber of Commerce Holiday Promenade; Finance Commission and Parks Commission meetings as an observer.
- Mayor Sayoc stated she attended a Town Council Study Session; Cal Cities Retreat; and the Town Tree Lighting Ceremony.

**Manager Matters**

- Announced free Holiday Valet Parking will be offered every Friday and Saturday through December 25.
- Announced the Library will be open until 8 p.m. on December 13 and 14 to support students taking finals.
- Announced Town administrative offices will be closed beginning December 23 and will reopen January 3, 2022.
- Announced the Housing Element Advisory Board (HEAB) will meet virtually on December 16, at 7 p.m.
- Announced the pilot employee parking program registration will begin the week of December 13; encouraged all to refer to Town social media updates for more information.

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

1. Approve Minutes of the November 16 Town Council Meeting.
2. 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 2021-054**
3. Approve an Amendment to the Classification Plan for the Temporary Unit to Provide a Salary Increase, Add the Classification of Project Manager, Align the Temporary Police Officer Classification Salary Step with the Top Step of the Police Officer Classification Represented by the Police Officers Association, and Comply with the California Minimum Wage Increase Effective January 1, 2022.
4. Adopt a Resolution to Set a Date for Consideration of the Reorganization of an Uninhabited Area Designated as El Gato Lane No. 5, Approximately 0.789 Acres on Property Pre-Zoned R-1:8. APN 523-22-010. Annexation Application AN21-003. Project Location: 15605 El Gato Lane. Property Owner/Applicant: Natasha Malisic. **RESOLUTION 2021-055**
5. Adoption of an Ordinance of the Town Council of the Town of Los Gatos, by Title Only, Amending Chapter 2 (Administration), Article V, Division 2 of the Town Code Regarding Purchasing. **ORDINANCE 2325**
6. Adopt a Resolution in Support of Seamless Transit Principles. **RESOLUTION 2021-056**

Consent Items – continued

7. Accept Fiscal Year (FY) 2020/21 Status Report on Receipt and Use of Development Impact Fees.
8. 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 18, 2022 to Consider Objections for Proposed Abatement. **RESOLUTION 2021-057**
9. Roadside Fire Fuel Reduction (Project 812-0130) and Tree Maintenance:
  - a. Authorize the Town Manager to Negotiate and Execute Two Agreements for Wildfire Vegetation Management and Tree Maintenance with West Coast Arborists; and
  - b. Authorize a Revenue and Expenditure Budget Adjustments in the Amount of \$100,000 from Available Tree Replacement Deposit Account (5999-48621) for Supplemental Tree Maintenance Services to Operating Budget 5401-62364.

Opened public comment.

No one spoke.

Closed public comment.

**MOTION: Motion by Council Member Ristow to approve consent items 1-9. Seconded by Vice Mayor Rennie.**

**VOTE: Motion passed unanimously.**

**VERBAL COMMUNICATIONS**

Michael Burke

- Commented on excessive noise and lack of parking enforcement during the Holiday Promenade.

David Weissman

- Inquired if proposed code enforcement changes to further hillside tree protections can be expedited.

**OTHER BUSINESS**

10. Staff Recommends the Following Actions:

- a. Authorize the Town Manager to Execute Amendments to the Agreements with West Valley Community Services and Live Oak Senior Nutrition for Additional \$25,000 American Rescue Plan Act (ARPA) Grants for a total of \$50,0000; and
- b. Authorize an Expenditure Budget Adjustment in the Amount of \$50,000 from Eligible ARPA Proceeds.

Other Business item #10 – continued

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

Opened public comment.

No one spoke.

Closed public comment.

Council discussed the item.

**MOTION: Motion by Council Member Hudes** to authorize the Town Manager to execute amendments to the agreements with West Valley Community Services and Live Oak Senior Nutrition for additional \$25,000 American Rescue Plan Act (ARPA) Grants for a total of \$50,000; and authorize an expenditure budget adjustment in the amount of \$50,000 from eligible ARPA proceeds. **Seconded by Vice Mayor Rennie.**

**VOTE: Motion passed unanimously.**

11. Approve Modifications to the Town Council Policy 2-11: Commission Appointments as Recommended by the Council Policy Committee.

Town Manager, Laurel Prevetti, presented the staff report.

Opened public comment.

Closed public comment.

Council discussed the item.

**MOTION: Motion by Council Member Badame** to approve modifications to the Town Council Policy 2-11: Commission Appointments as recommended by the Council Policy Committee. **Seconded by Vice Mayor Rennie.**

**VOTE: Motion passed 4/1; Council Member Hudes abstained.**

12. Approve the Recommendations of the Council Policy Committee to:

- a. Review and Adopt the Transportation Impact Policy;
- b. Authorize the Release of a Request for Proposals for the Preparation of a Study to Guide the Update of the Transportation Impact Fee Program; and
- c. Authorize the Town Manager to Negotiate and Execute a Consultant Agreement with the Highest Scored Proposer in an Amount Not to Exceed \$175,000.

Other Business item #12 – continued

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

Opened public comment.

Don Capobres, Harmonie Park Development North 40

- Inquired if certain sections of the policy could be clarified.

Closed public comment.

Council discussed the item.

**MOTION:** Motion by Council Member Badame to adopt the Transportation Impact Policy; authorize the release of a Request for Proposals for the preparation of a study to guide the update of the Transportation Impact Fee Program; and authorize the Town Manager to negotiate and execute a consultant agreement with the highest scored proposer in an amount not to exceed \$175,000. **Seconded by Council Member Hudes.**

**VOTE:** Motion passed unanimously.

Recess at 8:05 p.m.

Convened 8:13 p.m.

## **PUBLIC HEARINGS**

13. 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.

Opened public comment.

Alison Steer, Appellant

- Commented on the reasons for the appeal.

Jerry Callaway

- Commented on concerns regarding fire hazard and stability of the hillside.

Public Hearing Item #13 – continued

Tony Jeans, Applicant

- Commented on the application.

Gdefeo

- Commented in support of the appellant.

Gary Gysin

- Commented in support of the appellant.

Terry Rinehart

- Commented in support of the appellant.

Nancy Neipp

- Commented in support of the appellant.

Closed public comment.

Council discussed the item.

**MOTION:** Motion by **Council Member Ristow** to uphold the decision of the Planning Commission and adopt a resolution (Attachment 6) denying the appeal and approving the application with the required findings (Attachment 6, Exhibit A), conditions of approval (Attachment 6, Exhibit B), and development plans (Attachment 1, Exhibit 13). **Seconded** by **Vice Mayor Rennie**.

**VOTE:** Motion passed 3/2 Council Members Badame and Hudes voting no.

## **ADJOURNMENT**

The meeting adjourned at 9:11 p.m.

Respectfully submitted:

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/s/ Jenna De Long, Deputy Clerk