



**TOWN OF LOS GATOS
COUNCIL MEETING AGENDA
DECEMBER 01, 2020
110 EAST MAIN STREET
LOS GATOS, CA**

*Marcia Jensen, Mayor
Barbara Spector, Vice Mayor
Rob Rennie, Council Member
Marico Sayoc, Council Member
Vacant, 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/Councilvideos***

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
COUNCIL MEETING AGENDA
DECEMBER 01, 2020
7:00 PM**

IMPORTANT NOTICE REGARDING THE DECEMBER 1, 2020 TOWN COUNCIL 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. The live stream of the meeting may be viewed on television and/or online at www.losgatosca.gov/AgendasAndVideos. **In accordance with Executive Order N-29- 20, the public may only view the meeting on television and/or online and not in the Council Chamber.**

PARTICIPATION

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.

If you are interested in providing oral comments real-time during the meeting, you must join the Zoom webinar:

- Join from a PC, Mac, iPad, iPhone or Android device: click this link <https://us02web.zoom.us/j/99629271648?pwd=OWdGYUhOdzFscEg2cEZUSHZrQTJ2UT09>. Password: 738122. You can also type in 99629271648 in the “Join a Meeting” page on the Zoom website at <https://zoom.us/join>.
- Join by telephone: (636) 651-0008 US Toll or (877) 336-1839 US Toll-free. Conference code: 969184.

During the meeting:

- 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.
- When called to speak, please limit your comments to three (3) minutes, or such other time as the Chair may decide, consistent with the time limit for speakers at a Council meeting.

If you are unable to participate in real-time, you may email to PublicComment@losgatosca.gov with the subject line “Public Comment Item #__” (insert the item number relevant to your comment) or “Verbal Communications – Non Agenda Item.” Comments will be reviewed and distributed before the meeting if received by 5:00 p.m. on the day of the meeting. All comments received will become part of the record. The Mayor has the option to modify this action on items based on comments received.

REMOTE LOCATION PARTICIPANTS

The following Council Members are listed to allow them to appear electronically at the Town Council Meeting: MAYOR MARCIA JENSEN, VICE MAYOR BARBARA SPECTOR, COUNCIL MEMBER ROB RENNIE, COUNCIL MEMBER MARICO SAYOC. All votes during the teleconferencing session will be conducted by roll call vote.

MEETING CALLED TO ORDER

ROLL CALL

COUNCIL / MANAGER MATTERS

CLOSED SESSION REPORT

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 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.
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.
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.
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.

VERBAL COMMUNICATIONS *(Members of the public are welcome to address the Town Council on any matter that is not listed on the agenda by following the Participation Instructions 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 by following the Participation Instructions on page 2 of this agenda.)*

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

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

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.*