



**TOWN OF LOS GATOS
COUNCIL MEETING AGENDA
JUNE 01, 2021
TELECONFERENCE
7:00 PM**

*Marico Sayoc, Mayor
Rob Rennie, Vice Mayor
Mary Badame, Council Member
Matthew Hudes, Council Member
Maria 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/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]

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IMPORTANT NOTICE REGARDING THE JUNE 1, 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. 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/82335338308?pwd=TXlPeUFqNzFmQTlxSVpGOFVOYnB4QT09>. Password: 522235. You can also type in 823 3533 8308 in the “Join a Meeting” page on the Zoom website at <https://zoom.us/join>.
- Join by telephone: Dial: 877 336 1839. Conference code: 969184

During the meeting:

- When the Mayor 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 Mayor 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 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.

REMOTE LOCATION PARTICIPANTS

The following Council Members are listed to permit them to appear electronically or telephonically at the Town Council meeting: MAYOR MARICO SAYOC, VICE MAYOR ROB RENNIE, COUNCIL MEMBER MARY BADAME, COUNCIL MEMBER MATTHEW HUDES, and COUNCIL MEMBER MARIA RISTOW. All votes during the teleconferencing session will be conducted by roll call vote.

**TOWN OF LOS GATOS
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MEETING CALL TO ORDER

ROLL CALL

PRESENTATIONS

- i. Youth Commissioner End of Term Commendations
- ii. Youth Friendly Business of the Year - Posh Bagel
- iii. Youth Friendly Green Business of the Year - Trader Joe's

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 remove an item from Consent by following the Participation Instructions contained on Page 2 of this agenda. If an item is removed, 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 May 18, 2021 Town Council Meeting.
2. Ratify the Town Council Selection Committee's Recommended Youth Commissioner Appointments.
3. Approve Town Council Meeting Schedule for 2021/2022 Fiscal Year.
4. Operating and Capital Budgets
 - a. Adopt a Resolution Approving the Town of Los Gatos Fiscal Year (FY) 2021/22 Operating Budget and FY 2021/22 – 2025/26 Capital Improvement Program (CIP), New Appropriations, other Council Actions on May 18, 2021, Minor Corrections, and Carry-Forward Appropriations
 - b. Adopt a Resolution Approving Commitment of Fund Balances under GASB 54.
 - c. Approve FY 2020/21 Budget Adjustments:
 - a. Major Revenue Adjustments to Match Year-End Estimated Revenues as Directed by the Town Council on May 18, 2021 and as Determined from Updated Information:
 - i. Anticipated American Recovery Plan Act (ARPA) revenue increase in the amount of \$2,884,315,
 - ii. Property Tax revenue Increase in the Amount of \$703,202,
 - iii. Sales Tax Revenue Decrease in the Amount of \$444,400,
 - iv. Measure G District Tax Revenue Decrease in the Amount of 83,369, and
 - v. Business License Tax Revenue Increase in the Amount of \$200,000.
 - b. Expenditure Increases to Reflect Past Actions:

- i. In the Amount of \$408,807 to Match Actual Transfer to CalPERS from the CEPPT Trust (\$406,988) and from the Town General Fund (\$1,819) for Additional Discretionary Payment Based on the Town Pension and OPEB Trusts Oversight Committee March 30, 2021 Action and
 - ii. In the Amount of \$55,000 to the Chamber of Commerce for Development of Destination Marketing from the Anticipated ARPA Proceeds.
- 5. Authorize Town Manager to Execute a Two-Year Lease Agreement with Flock Safety Group for the Installation and Maintenance of 15 Stationary Automated License Plate Readers (ALPR) throughout the Town of Los Gatos in the Amount of \$78,750.
- 6. Authorize the Town Manager to Purchase Microsoft Software Licensing from SoftwareONE in an Amount Not to Exceed \$73,724.17.
- 7. Approve Increasing Construction Contingency to \$308,000 for the Guardrail Replacement Project (CIP No. 812-0120/Federal No. HSIPL-5067-022) and Authorize Staff to Execute Future Change Orders up to the Approved Amount to Expend the Federal Grant Funds.
- 8. Approve Temporary Changes to the Community Grant Program to Assist Community Organizations with Post-Pandemic Recovery.
- 9. Request for Authorization to Enter into a Legal Services Agreement with the Law Firm of Liebert Cassidy Whitmore for Litigation Defense in the Matter of Jonathon Silva v. Town of Los Gatos for a Total Contract Not-To-Exceed Amount of \$50,000.

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.)*

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.)*

- 10. Brush Abatement Program Public Hearing to Consider Objections to the Proposed Removal of Brush on Parcels Listed on the 2021 Wildland Urban Interface (WUI) Area Non-Compliant Parcel List and Order Abatement of the Public Nuisance and Potential Fire Hazard Pursuant to the Town of Los Gatos Municipal Code (Chapter 9) Regarding Defensible Space.

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.)*

11. Adopt the Proposed Modifications to the Agenda Format and Rules Policy as Recommended by the Council Policy Committee.
12. Adopt the Proposed Modifications to the Commission Appointment Policy as Recommended by the Council Policy Committee.

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 on the official Town of Los Gatos website.

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.