



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 04/18/2017

ITEM NO: 2

**MINUTES OF THE TOWN COUNCIL MEETING
APRIL 4, 2017**

The Town Council of the Town of Los Gatos conducted a Regular Meeting on Tuesday, April 4, 2017, at 7:00 p.m.

MEETING CALLED TO ORDER AT 7:00 P.M.

ROLL CALL

Present: Mayor Marico Sayoc, Vice Mayor Rob Rennie, Council Member Steve Leonardis, Council Member Barbara Spector.

Absent: Council Member Marcia Jensen

PLEDGE OF ALLEGIANCE

Yilian Yan led the Pledge of Allegiance. The audience was invited to participate.

PRESENTATIONS

Mayor Sayoc presented a proclamation to the Town's Poet Laureate, Stan Garber, for poetry month. Mr. Garber read one of his poems.

CLOSED SESSION REPORT

Robert Schultz, Town Attorney, stated Council met in Closed Session as duly noted on the agenda and there is no report.

COUNCIL/TOWN MANAGER REPORTS

Council Matters

- Council Member Steve Leonardis stated he attended the Council Finance Committee meeting.
- Mayor Marico Sayoc state she attended the West Valley Mayors and Managers meeting, the ribbon cutting for Cycle Bar, the Highway 17 and Highway 9 interchange clean up, met with the Lexington school 5th graders to talk about the Town's five sister cities, and attended the Silicon Valley Clean Energy Authority (SVCEA) kick-off event.
- Vice Mayor Rob Rennie stated he attended the Council Finance Committee meeting, the elected round table discussion sponsored by Silicon Valley Home with the Mayor, the SVCEA Executive Committee meeting, the SVCEA kick-off event, lunch with SVCEA Chief Executive Officer, and as a LAFCO Commissioner met with citizens regarding annexation.
- Council Member Barbara Spector stated she met with members of Los Gatos development and commercial real estate communities, and the Council Parking and Infrastructure Ad Hoc Committee meeting.

Manager Matters

- Invited the community to attend the Spring into Green Festival and State of the Town to be held on April 23.
- Announced recruitment is still underway for Youth Commissioners and the deadline to submit applications is April 28, 5:00 p.m.

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

1. Approve Closed Session minutes of March 21, 2017.
2. Approve Special Meeting minutes of March 21, 2017.
3. Approve Council minutes of March 21, 2017.
4. Approve an amendment to the classification plan adding the new classification of Transportation and Mobility Manager.
5. West Valley Clean Water Program Budget and National Pollutant Discharge Elimination System Permit Update.
 - a. Approve the FY 2016/17 West Valley Clean Water Program Budget and authorize the West Valley Sanitation District to collect program related fees on behalf of the Town of Los Gatos.
 - b. Accept the staff report on the National Pollutant Discharge Elimination System (NPDES) Permit update.
6. Adopt a resolution accepting the dedications and approving the parcel map for 15565 Camino Del Cerro. **RESOLUTION 2017-012**

MOTION: **Motion by Council Member Barbara Spector to approve Consent Items 1 through 6. Seconded by Vice Mayor Rob Rennie.**

VOTE: **Motion passed unanimously. Council Member Marcia Jensen absent.**

VERBAL COMMUNICATIONS

Angelia Doerner

- Commented on the annual street repaving and sidewalk projects' budgetary amounts, the PCI date, and engineer's estimate.

OTHER BUSINESS

7. Approve an amendment to the Employment Agreement between the Town of Los Gatos and the Town Manager.

Lisa Velasco, Human Resources Director, presented the staff report.

Opened and closed Public Comment.

Other Business Item #7 – continued

Council discussed the matter.

MOTION: **Motion by Council Member Steve Leonardis to approve the amendment to the Employment Agreement between the Town of Los Gatos and the Town Manager. Seconded by Vice Mayor Rob Rennie.**

VOTE: **Motion passed unanimously. Council Member Marcia Jensen absent.**

8. Review, discuss, and consider recommended strategies by the Council Finance Committee to address the California Public Employees Retirement System pension and other post-employment benefits unfunded liabilities for the Town of Los Gatos:
 - a. Issue a request for proposal to begin a procedure to establish a Section 115 IRS Pension Trust.
 - b. Authorize an additional discretionary payment (lump sum) in the amount of \$1,000,000 to be deposited into the Town’s existing OPEB Prefunding Trust account.

Steve Conway, Finance Director, presented the staff report.

Opened and closed Public Comment.

Council discussed the matter.

MOTION: **Motion by Council Member Steve Leonardis to issue a request for proposal to begin a procedure to establish a Section 115 IRS Pension Trust and authorize an additional discretionary payment (lump sum) in the amount of \$1,000,000 to be deposited into the Town’s existing OPEB Prefunding Trust account. Seconded by Council Member Barbara Spector.**

VOTE: **Motion passed unanimously. Council Member Marcia Jensen absent.**

PUBLIC HEARINGS

9. 91 and 101 W. Main Street - Conditional Use Permit Application U-16-008. Property Owner: Vermont Building, LLC. Applicant: Teri Hope. Consider a request for approval of a modification of an existing conditional use permit (Los Gatos Coffee Roasting Company) to allow on-site and off-site beer and wine.

Public Hearing Item #9 – continued

MOTION: **Motion by Council Member Barbara Spector** to continue the item to April 17, 2017. **Seconded by Mayor Marico Sayoc.**

VOTE: **Motion passed unanimously. Council Member Marcia Jensen absent.**

10. 15215 Shannon Road - Planned Development Application PD-15-001, Mitigated Negative Declaration ND-15-001. Property Owner/Applicant Fred Sahadi. APN 537-25-002.

(continued from 3/21/17 at which time the public testimony portion was completed)

- a. Consider adoption of a Mitigated Negative Declaration and adoption of a Mitigation Monitoring and Reporting program.
- b. Consider a request for a Planned Development to rezone a property pre-zoned HR-5 to HR-2 1/2:PD, to allow for subdivision of one lot into five lots, construction of four new single-family homes, and removal of large protected trees.

Jennifer Armer, Associate Planner, presented the staff report.

Council discussed the matter.

MOTION: **Motion by Council Member Barbara Spector** to adopt a Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program; approve a Planned Development rezoning of the property from HR-5 to HR-21/2:PD to allow for subdivision of one lot into five lots, construction of four new single-family homes and removal of some trees; make all the required findings contained in Attachment 9; adopt the ordinance contained in Attachment 7 with a modification to paragraph 5 to mandate that the buildings be no higher/taller than 18 feet, that the Architecture & Site applications be reviewed by the Planning Commission, that the fewest trees as possible be removed for all lots, and especially for lot #1, and that the access road be from Santella. **AMENDMENT:** that all development construction traffic be assessed by staff and that the developer be required to comply with staff determination. **Seconded by Vice Mayor Rob Rennie.**

VOTE: **Motion passed unanimously. Council Member Marcia Jensen absent.**

OTHER BUSINESS

11. PPW JOB 16-813-0229 – Cut Through Traffic Project

- a. Approve the plans and specifications for the Summer 2017 Cut-Through Traffic Mitigation Project including installation of a temporary traffic circle and road closure at Santa Cruz Avenue and Wood Road and authorize the Town Manager to advertise the project for bid.
- b. Authorize the appropriation of \$300,000 from the General Fund Reserve for Strategic Planning to the Town's GFAR Fund Public Works Project 813-0229 Cut-Through Traffic Mitigation in advance of Fiscal Year 2017/18 Capital Improvement Budget to allow the project to begin before the start of the fiscal year.
- c. Authorize the Town Manager to award and execute all necessary agreements for Cut-Through Traffic in an amount not to exceed \$200,000.

Matt Morley, Director of Parks and Public Works, presented the staff report.

Opened Public Comment.

Christy Niemeyer

- Requested clarity of the hours of the closure.

Jim Fuller

- Commented that not closing the Massol and Tait would create problems.

Pamela Pridemore

- Inquired if any statistics had been gathered before and after the prior closures to determine if there was any change either way.

Closed Public Comment.

Council discussed the matter.

MOTION: **Motion by Council Member Steve Leonardis to approve the staff recommendations contained in the staff report on page one. **Seconded** by Council Member Barbara Spector.**

VOTE: **Motion passed unanimously. Council Member Marcia Jensen absent.**

12. Reconsider the Council's March 7, 2017 decision to:

- a. Discontinue the Neighborhood Parking Plan process,
- b. Maintain all existing parking permit areas,
- c. Expand and rename the Eastside parking permit area to the High School Zone, and
- d. Absorb the current preferential parking pilots along Alpine and Whitney Avenues into the High School Zone with 90-minute parking restrictions during the school year.

Lieutenant JR Langer presented the staff report.

Opened Public Comment.

Bruce Mitchell

- Commented in support of the current parking permit program for Alpine Avenue.

Linda Swenberg

- Commented that limiting parking for the high school will increase the amount of car trips at least twice a day, and inquired why the high school community was not notified of the meetings.

Jacob Swenberg

- Commented on the surveys that were given to the students, questioned if the restrictions will increase the problem in other areas, and inquired if the school was consulted.

Gwen Dawkins

- Requested Council reconsider the decision to modify the permit parking on Alpine.

Dirk Franklin

- Requested Council reconsider the decision to modify the permit parking on Alpine.

John Thompson

- Commented on the safety concerns and the narrowness of Alpine.

Jeff Gallinat

- Commented in support of the current permit parking program and requested Council reconsider their decision to modify the program.

Henry Richards

- Commented in support of the current permit parking program and requested Council reconsider their decision to modify the program.

Other Business Item #12 – continued

Julie Gallinat

- Commented in support of the current permit parking program and requested Council reconsider their decision to modify the program.

Steve Piasecki

- Suggested Council look for other ideas to help solve the parking problem and is not in favor of the 25% opt out condition.

Mark Bisbee

- Inquired who would be able to purchase the permits, how much they cost, and if the streets could extend the hours and make it year round; suggested permit parking be implemented at the high school.

Lisa Roberts

- Commented in support of the current permit parking program and requested Council reconsider their decision to modify the program.

Kathryn Knudsen

- Commented that the parking from the employees and clients from Parlor 308 has been an ongoing problem on Alpine.

Pamela Nerney

- Commented that the Parlor 308 parking was a part of the petition and year round permit parking is needed on Alpine.

Closed Public Comment.

Recess at 9:49 p.m.

Reconvened at 9:59 p.m.

Council discussed the matter.

MOTION: **Motion by Council Member Steve Leonardis to repeal Council's motion from March 7, 2017. Seconded by Vice Mayor Rob Rennie.**

VOTE: **Motion passed unanimously. Council Member Marcia Jensen absent.**

Other Business Item #12 – continued

MOTION: **Motion by Council Member Steve Leonardis to continue the existing parking program in its entirety for Alpine Avenue. Seconded by Council Member Barbara Spector.**

VOTE: **Motion passed unanimously. Council Member Marcia Jensen absent.**

MOTION: **Motion by Mayor Marico Sayoc to make permanent the Whitney Avenue permit program: 90 minutes from 7 a.m. to 4 p.m., and Monday through Friday during the academic year. Seconded by Vice Mayor Rob Rennie.**

VOTE: **Motion passed unanimously. Council Member Marcia Jensen absent.**

MOTION: **Motion by Council Steve Leonardis to place a freeze on the Neighborhood Parking Permit Program until the next priority setting session. Seconded by Mayor Marico Sayoc.**

VOTE: **Motion passed 3/1. Council Member Barbara Spector voting no and Council Member Marcia Jensen absent.**

ADJOURNMENT

The meeting adjourned at 10:51 p.m.

Attest:

/s/ Shelley Neis, Clerk Administrator