



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 12/01/2020

ITEM NO: 9

DATE: November 24, 2020
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Approve Modifications to the Town Facility Use Policy to Allow for Private Use of Locations Within Oak Meadow Park

RECOMMENDATION:

Approve modifications to the Town Facility Use Policy (Attachment 3) to allow for private use of locations within Oak Meadow Park.

BACKGROUND:

Section F of the Town's Facility Use Policy (Attachment 1) identifies appropriate uses for Oak Meadow Park. Included within the Policy is the following language:

"...Oak Meadow Park ... shall be used as a location for free gatherings that are open to the public."

"4. Private events (outside of Town designated reservable spaces) and fee for entrance events are not allowed. "

When the Facility Use Policy was last revised, the Council identified the bandstand as a location that would remain free and open to the public.

DISCUSSION:

The Oak Meadow bandstand typically remains unprogrammed for much of the year. Although the bandstand is an iconic feature of the park, the space around the bandstand does not lend itself to programming and the language in the Facility Use Policy further limits the use.

PREPARED BY: Matt Morley
Parks and Public Works Director

Reviewed by: Town Manager, Assistant Town Manager, and Town Attorney

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DISCUSSION (continued):

In 2018, a team from the Los Gatos Community Foundation and local architect Cuschieri Horton (working pro bono), with oversight of Parks and Public Works staff, developed a plan (Attachment 2) for future improvements to the bandstand to improve the Town's ability to program the space. The plan has not been advanced due to the cost of the project, estimated at \$215,000 in 2018, and competing funding priorities.

In 2018, California voters passed Proposition 68, which allocated funds for park improvements statewide. Included in the measure were formulaic appropriations to each jurisdiction for improvements to parks focused on construction of new amenities. The Town's formulaic appropriation is \$177,952. In addition, there may be an opportunity to partner with Monte Sereno with an allocation equal to the Town's amount.

Applications for the Proposition 68 grant program are due between now and December 2021, with construction completion required by December 2023. This aligns with planning for the FY 2021/22 Capital Improvement Program (CIP) Budgeting process and coordination with the State for project eligibility.

The bandstand improvement project could create a venue for ongoing programming, including small cultural gatherings, weddings, music performances, and other events. Depending on the success of the program, this could bring additional revenue to the Town. Comparable outdoor venue rent runs between \$300 and \$1,000 for a two-hour reservation, often with discounts for residents. Staff envisions issuing simple Park Use Permits for the space in most situations. These permits would allow for rentals similar to the current process for reserving picnic spaces.

The recommended modifications of the Policy would allow for reserved use of the bandstand, memorialize other allowed reservable spaces, and allow the Parks and Public Works Director discretion in adjusting designated areas in the future (see Attachment 3).

The Parks Commission reviewed the potential bandstand project at its October 1, 2020 meeting and supported the idea.

The Policy Committee reviewed the proposed Policy concept changes at its meeting on October 27, 2020 and recommended moving the item forward to the Town Council for consideration with the issues identified by the Policy Committee addressed in the report to Council. Below is a description of the issues and the staff responses.

The Policy Committee explored several concerns regarding how a privately rented space might function in an active park. An example used was what happens if a soccer ball is kicked into a wedding ceremony. Staff believes that these concerns can be addressed through the rental agreement and park rules and regulations so that those reserving the space have a full understanding of the potential surrounding activities.

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DISCUSSION (continued):

Another concern focused on ensuring that park space outside of the reserved area remain free and open to the public. The Town's Park Service Officer would ensure that the rules are being followed as is now done for reservations of picnic areas.

CONCLUSION:

With approval of the staff recommendation, the Facilities Use Policy would be updated, and staff would advance the proposed bandstand project in the Town's annual CIP process and pursue grant funding for the construction of this project.

FISCAL IMPACT:

There is not a fiscal impact associated with modifying the Policy. A future Capital Improvement Project would seek grant funding. Once the improvements are made, the Town may receive net revenues from the reservations.

ENVIRONMENTAL ASSESSMENT:

This is not a project defined under CEQA, and no further action is required.

Attachments:

1. Facility Use Policy (existing).
2. Bandstand Improvement Project Conceptual Plan.
3. Facility Use Policy (redline).