

**From:** Phil Koen

**Sent:** Saturday, July 31, 2021 1:20 PM

**To:** Matthew Hudes; Mary Badame; Maria Ristow; Marico Sayoc; Rob Rennie

**Cc:** Laurel Prevetti; Robert Schultz; Lee Fagot; Catherine Somers;

**Subject:** Agenda item #5

Dear Town Council members,

I respectfully request that Agenda item #5 be pulled from the consent calendar so the Council can openly and publicly discuss the merit of the Staff proposal on appointing the extremely important and critical Housing Element Advisory Board. There are several troubling aspects to the Staff's proposal.

First, the Staff is recommending that the Committee be appointed through a "consent process", thereby denying the public the right to observe the Council's collective deliberation and measure the rigor of each Council member's thought process. The Staff is recommending a process that some might view as "self-serving" since the Town Manager has "preselected" the Committee members and the Council is being asked to "rubber stamp" the appointees without any public discussion. This is not a healthy deliberation process and should be rejected.

Secondly, the process denies qualified residents the ability to apply and be considered to serve on this very important and powerful Committee. I can not recall a time when Committee members were "preselected" by staff. This process effectively by passes the long standing and proven process of public advertisement, sign up and Council interview for committees which give the public the opportunity to serve the Town. To this very point, the current proposal does not bring new voices to the Housing Element Advisory Board. The Staff proposals guarantees that the proposed members of the Housing Element Advisory Board will be the same members currently serving on the General Plan Update Advisory Committee. There is 100% overlap with no new members being appointed

Further to this point, the State has published recommendations (see attachment) which specifically discuss the make up of an advisory board involved in a general plan update. The State recommends that an advisory board include multiple voices from the community and represent the varied interests that a public engagement process should capture. By having the same individuals who served on the General Plan Update Advisory Committee continue to serve on the Housing Element Advisory Board, there will be no fresh thinking nor expansion of public engagement. The Staff memo clearly stated that the HCD requires communities to maximize public outreach and community involvement during the update of the housing element. The current proposal fails to maximize public outreach.

One last point is the concept of independence. Structurally the proposed Housing Element Advisory Board would be comprised of 2 members of the Town Council and 3 members of the Planning Commission. Both the Planning Commission and the Town Council are part of the approval process for amending a general plan. By having these members serve on the Housing Element Advisory Board, they would be essentially making recommendations to themselves. The central point of having a Housing Element Advisory Board is to have qualified residents that represent varying interests, expand the public engagement process and are independent of the decision makers. Having 50% of the voting Housing Element Advisory Board members on either the Planning Commission or the Town Council reduces the public engagement process and diminishes the ability to have independent public input at a committee level.

I would recommend an alternative construct which embraces the State's recommendations, expands public outreach, and ensures continuity with the General Plan Update Advisory Committee. The total number of Board members should be set at 11 with 9 voting members and 2 non-voting Council members. Of the 9 voting members, the Town Council may, but is not required to, appoint up to 4 resident members from the current General Plan Update Advisory Committee. There are currently 7 resident members on the General Plan Update Advisory Committee, so this will allow choice as well as provide continuity. Of the remaining 5 voting members, 2 voting members should be appointed from the Planning Commission (preferably new members and not the same ones who served on the GPUAC) and 3 new members from the public at large who are not currently serving on the GPUAC or the General Plan Committee.

This structure will isolate the Town Council members from voting (just like the Finance Commission) but will allow the Council members to help inform the Housing Element Advisory Board. The 9 voting members will bring a fresh perspective while providing continuity with the GPUAC and most importantly expand public outreach.

In closing, the current Staff proposal is deeply flawed and has the potential to appear "self-serving". I respectfully request that the Council consider and discuss my recommendation. I will not be attending the Council meeting, so please accept this memo as my public comment on the agenda item.

Thank you.

Phil Koen

**From:** David Goldberg

**Sent:** Sunday, August 1, 2021 5:13 PM

**To:** PublicComment <[PublicComment@losgatosca.gov](mailto:PublicComment@losgatosca.gov)>

**Subject:** Public Comment Agenda Item #5 - Housing Element - Town Council Meeting August 3rd -

Please see my comments for this Tuesday's Town Council meeting at 7pm on Item 5 - Housing Element. Thanks in advance. David Goldberg

## **Town of Los Gatos 2040 General Plan – Housing Element**

Proposed changes to 2040 General Plan – Housing Element significantly intensify the density of Los Gatos to meet the never-ending demands from the State of California for more housing units

The residents of Los Gatos are in consensus in their opposition to these proposals. They are just divided in the best way to fully mitigate or prevent them from taking place.

The real repercussions from such a change will be:

- Impact to the Environment
  - More noise, traffic, pollution, and waste
  - Blocks views of the surrounding Sierra Azules
  - Brings big city problems
- Impact to the current Grid Lock
  - Residents can't back out of their driveways now on weekends
  - Residents are stuck now in traffic during weekday commute hours
  - Trade services hesitant to do business in Los Gatos because of traffic
- Impact to the Infrastructure
  - All utilities to the Town will have to be upgraded substantially
    - Taxes will be raised to pay for these upgrades
- Impact to the Schools
  - The current school enrollment is already over capacity
    - Taxes will be raised to pay to upgrade capacity
  - The North 40 impact has not even kicked in yet

### **Potential Solutions**

- Appeal the State's RHNA Unit Allocation at each and every cycle
  - Don't give up without trying even for marginal improvement
  - Be proactive in stopping the "manhattanization" of Los Gatos
- Don't change the General Plan's housing element
  - You would be giving the State control of property rights right upfront
  - We have a responsibility and duty to preserve the natural beauty of our Town
- Help promote housing units in lower cost locales
  - Where it is already naturally and truly affordable for home buyers
    - These locales want more units and welcome it to uplift their own economy
  - Demand for housing is insatiable In Los Gatos and California
- Help promote an integrated and comprehensive transit solution for the South Bay
  - Create a regional solution to traffic first
- Put the proposed changes to the 2040 General Plan – Housing Element on the Ballot Box

Let the residents decide (democracy) before the Town is transformed!

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