

DRAFT

**TOWN OF LOS GATOS
CALIFORNIA
TOWN COUNCIL/PARKING AUTHORITY
JOINT REDEVELOPMENT AGENCY
September 6, 2005/MINUTES
Los Gatos Civic Center
110 E. Main Street
Los Gatos, CA 95030**

Council/Agency Meeting
Date: 09/19/2005

Item# 9

TIME	ITEM	ACTION ON ITEM
5:45 PM	BOARDS, COMMISSIONS, & COMMITTEES INTERVIEWS	PLANNING COMMISSION APPLICANTS: <ul style="list-style-type: none">• John Bourgeois• Susan Gomez• Leigh Curtis• Richard Minert• Henry Redmond• Stephen Rice <p>All applicants were present for tonight's interview process. Appointment to the Planning Commission will take place at the September 19, 2005 Town Council Meeting.</p>
7:00 PM	TOWN COUNCIL	The Town Council/Parking Authority/Redevelopment Agency of the Town of Los Gatos met in the Council Chambers of the Town of Hall, 110 East Main Street, at 7:00 PM, September 6, 2005, in a joint regular session.
7:01 PM	ROLL CALL	Present: Steve Glickman, Diane McNutt, Joe Pirzynski, Barbara Spector, and Mayor/Chairman Mike Wasserman Absent: None
7:02 PM	PLEDGE OF ALLEGIANCE	The audience was invited to participate in the Pledge of Allegiance.
	MOMENT OF SILENCE FOR THE VICTIMS OF HURRICANE KATRINA	Mayor Wasserman asked for a moment of silence in honor of the victims of Hurricane Katrina. He also announced that the American Red Cross will have a booth set-up at the next three "Jazz on the Plazz" events.

7:03 PM	CLOSED SESSION	<p>CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8)</p> <p>Property: Town of Los Gatos Wastewater System Assets Negotiating Parties: Town of Los Gatos (Negotiator: Orry Korb, Town Attorney) West Valley Sanitation District (Negotiator: Robert Reid, General Manager) Under Negotiation: Price and terms of payment.</p> <p>Mr. Korb stated that Council gave direction.</p> <p>CONFERENCE WITH LABOR NEGOTIATOR (Government Code Section 54957.6) Town Negotiator (Lead): Debra J. Figone, Town Manager Title: Management Compensation Plan</p> <p>Mr. Korb stated that Council gave direction.</p> <p>PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957) Title: Town Attorney</p> <p>Mr. Korb stated that action was taken and will be agendized for the September 19, 2005 Town Council Meeting.</p>
7:06 PM	CONSENT ITEMS #1-14 ITEM #7 and #13 WERE PULLED	<p><u>TOWN COUNCIL</u></p> <ol style="list-style-type: none">1. Schedule of Public Hearings. (1-28)2. <u>Accept staff recommendations on County Referrals:</u> (2-37)<ol style="list-style-type: none">a. Projects outside Urban Service Area: Noneb. Projects inside Urban Service Area: 14180 Shannon Roadc. Status of previous applications: None.3. Approve Council Study Session Minutes of August 15, 2005. (3-V)4. Approve addition of "Bersano Lane" to official Town list of historic street names. (4-V).5. Appoint Mayor Wasserman as the primary voting delegate and Council Member Barbara Spector as the alternate voting delegate for the League of California cities Annual Conference scheduled for October 5-8, 2005 in San Francisco. (5-28)

CONSENT ITEMS

#1-14

Continued

6. Adopt resolution joining the Silicon Valley High Speed Rail Coalition. **RESOLUTION 2005-93** (6-41)
8. Project 04-64 – Installation of Equipment for the Chiller/Cooling Tower Replacement improvements.
 - a. Adopt resolution to reject bids for the installation of equipment for the Chiller/Cooler Replacement and authorize staff to re-bid the project. **RESOLUTION 2005-95** (8-24)
9. Adopt resolution rescinding Resolution 2004-3 and amending the Parks Commission enabling resolution.
RESOLUTION 2005-96 (9-12)
10. Adopt ordinance amending the Town Code Section 29.10.020 regarding the definition of formula retail business.
ORDINANCE 2144 (10-37)
11. Adopt ordinance amending chapter 6 of the Town of Los Gatos Municipal Code, adopting the 2002 National Electrical Code with 2004 California amendments deleting outdated amendments and adopting minor corrections. **ORDINANCE 2145** (11-37)

REDEVELOPMENT AGENCY

12. Project 04-39 – Fiscal Year 2004-05 CDBG Funded ADA Improvements: (13-37)
 - a. Adopt resolution accepting work of J.J. R. Construction, Inc. and authorizing the Town Manager to execute Certificate of Acceptance and Notice of Completion for recording by the Secretary of the Redevelopment Agency.
RESOLUTION 2005-97

TOWN COUNCIL/REDEVELOPMENT

14. Project 04-65 – Alley Improvement (14-15)
 - a. Adopt resolution accepting work of Duran and Venables, incorporated and authorizing the Town Manager/Executive Director to execute Certificate of Acceptance and Notice of Completion for recording by the Clerk Administrator/Secretary of the Redevelopment Agency.
RESOLUTION 2005-98

**Motion by Mr. Pirzynski to approve Consent Items #1-6, #8-12, and #14.
Seconded by Mr. Glickman.**

7:07 PM	<p>CONSENT ITEMS #1-14 MAYOR CALLED THE QUESTION</p>	<p>Carried unanimously.</p>
	<p>CONSENT ITEMS #1-14 Continued</p> <p>PULLED ITEMS #7 and #13</p>	<p>7. <u>Project 05-18 – 25 Fiesta Way Annex Americans with disabilities Act (ADA) Improvements</u> RESOLUTION 2005-94 (7-37)</p> <p>a. Adopt resolution approving plans and specifications for ADA improvements for multiple use facility and authorizing staff to advertise the project for bids.</p> <p>Mr. Davis</p> <ul style="list-style-type: none"> Commented on the condition of the sidewalks in the vicinity of 25 Fiesta Way, and suggested ADA improvements to this area. <p>Mr. Curtis clarified that the sidewalks at the property are up to standard, and the Town is adding a ramp from the facility to the sidewalks as one of the ADA improvements</p> <p>Motion by Mr. Glickman to approve Consent Items #7 and #13. Seconded by Mrs. McNutt.</p>
7:12 PM	<p>MAYOR CALLED THE QUESTION</p>	<p>Carried unanimously.</p>
7:14 PM	<p>OPEN VERBAL COMMUNICATION</p>	<p>Mr. Schindler</p> <ul style="list-style-type: none"> Submitted a formal letter to Council regarding Chief Seaman. <p>Ms. Steele</p> <ul style="list-style-type: none"> Commented on the annexation process which was held in August, relating to the area known as “the Manor.” Commented on the lack of information and facts relating to that annexation. Stated that she felt that the last annexation process was forced on the neighbors. <p>Mr. Davis</p> <ul style="list-style-type: none"> Commented on the memorandum written by the Town Manager regarding the Planning Commission seats. Commented on a 19 lot subdivision which is being proposed and suggested that Park Dedication Fees should be considered as part of the approval process.
7:24 PM	<p>CLOSE VERBAL COMMUNICATION</p>	

7:24 PM	PUBLIC HEARINGS	None.
7:24 PM	OTHER BUSINESS ITEM #15 DIRECTION REGARDING COUNTY ANNEXATION	<u>ITEM #15</u> Provide direction to staff regarding proceeding with the County Island annexation. Staff report made by Pamela Jacobs .
7:31 PM	COUNCIL COMMENT	<ul style="list-style-type: none"> • Clarification on the estimated process cost of \$82,000 to \$143,000 for the annexations. • Clarification that Blossom Hill Manor is not included in this annexation process. • Commented that the County has initiated the annexations and has stated that they would be willing to absorb the fees and fix roads as part of the process. • Questioned the wording for a resolution of intent from the County. • Questioned the time frame for alignment of the Development Standards between the Town and the County. • Clarification on what the County is willing to provide to the Town and residents with this proposed annexation process.
7:39 PM	OPEN PUBLIC COMMENT	<p>Ms. Hernandez</p> <ul style="list-style-type: none"> • Questioned why these annexation processes keep coming up. • She is not in favor of the annexation. <p>Mr. Boscher</p> <ul style="list-style-type: none"> • Commented that he is not in favor of annexation. <p>Mr. Grams</p> <ul style="list-style-type: none"> • Commented that he is not in favor of annexation. <p>Mr. Hartigan</p> <ul style="list-style-type: none"> • Commented that the resolution presented by the County is very hollow and would like to see the Town align their Development Standards and fees with the County's rather than the other way around. • Would like to see a voting process to determine how many residents are for or against annexation.

	<p>PUBLIC COMMENT Continued</p> <p>ITEM # 15</p> <p>DIRECTION REGARDING COUNTY ANNEXATION</p>	<p>Mr. Davis</p> <ul style="list-style-type: none"> • Commented regarding the use of chip seal on the roads which the County had offered to fix. • Commented on Land Use Entitlements and the Developmental Review Committee. <p>Ms. Steele</p> <ul style="list-style-type: none"> • Commented on having a binding vote for the annexation process. • Commented on the Town's desire to annex, and suggested that the County contract with the Los Gatos-Monte Sereno Police Department to service the County pockets. <p>Ms. Geary</p> <ul style="list-style-type: none"> • Commented that she is not in favor of annexation. • Commented on her independence as a County resident. <p>Mr. Housman</p> <ul style="list-style-type: none"> • Commented that he is not in favor of annexation. • Commented on the price of fees and permits imposed by the Town. • Would like to see a vote to determine how many are for or against the annexations. <p>Mr. Miller</p> <ul style="list-style-type: none"> • Commented that he is not in favor of annexation. • Questioned why the Town wants these pockets to be annexed.
8:07 PM	CLOSE PUBLIC COMMENT	
8:07 PM	<p>COUNCIL DISCUSSION</p> <p>ITEM #15</p> <p>DIRECTION REGARDING COUNTY ANNEXATION</p>	<ul style="list-style-type: none"> • Stated that the County has initiated the annexation process. • Suggested some kind of poll to determine the wishes of residents located within the 15 County pockets. • Suggested option #2 of the staff report with direction and parameters. • Commented on the need for clarity relating to the County's intent regarding Development Standards and how they would align with the Town's standards. • Commented on postponing the annexation process until the County's commitment has been reviewed. • Commented on the County meeting on October 4, 2005 and would like to see results from that meeting before moving forward with any process. • Would like to see the public educated regarding the differences with this annexation process.

	<p>ITEM #15 Continued</p> <p>DIRECTION REGARDING COUNTY ANNEXATION</p> <p>COUNCIL DISCUSSION</p>	<p>Motion by Mrs. McNutt to table further discussion until the Council Meeting on October 17, 2005.</p>
8:39 PM	MAYOR CALLED THE QUESTION	Carried unanimously.
8:40 PM	<p>ITEM #16</p> <p>YOUTH COMMISSION PLANS FOR FY 2005-06</p>	<p>ITEM #16</p> <p>Update on first year of Youth Commission and plans for FY 2005-06.</p> <p>Staff report made by Chief Scott Seaman.</p>
8:54 PM	COUNCIL COMMENT	<ul style="list-style-type: none"> • Commented on the results of the youth survey. • Suggested that the Youth Commissioners should introduce themselves to their classmates and let them know that they are a "go-to-person" for youth needs in the community. • Consideration of involving the Youth Commission with the "Safe Ride" Program as one of their 2006 projects. • Would like to see more outreach to other schools in the Los Gatos Area. • Commented on the positive experience gained relating to the Government process. • Suggested mitigating the demands of staff. • Commented on the enthusiasm of the Youth Commission. • Commented on Monte Sereno forming a Youth Commission. • Commended the Chief and his staff for all the guidance and work they have expended to ensure the success of the Youth Commission.
9:08 PM	OPEN/CLOSE PUBLIC COMMENT	
9:09 PM	COUNCIL DISCUSSION	Consensus to accept the report.

9:10 PM	ITEM #17 DISCUSSION ON SERVICE INVENTORY FORMAT	<u>ITEM #17</u> Discussion on service inventory format, criteria and process for planning service priorities. Staff report made by Debra Figone and Pamela Jacobs .
9:24 PM	COUNCIL COMMENT	<ul style="list-style-type: none"> • Commented on the document format. • Would like to see this stay with staff and used as a tool at budget time. • Commented that the criteria seems too complex, and should be simplified. • Commented on the previous survey, and would not like to see the money spent on another survey. • Would rather see a survey done for long range strategic planning. • Commented that the inventory would be extremely helpful to staff. • Would like to see a "Cliff notes" version of the inventory format.
9:41 PM	OPEN/CLOSE PUBLIC COMMENT	
9:42 PM	ITEM #17 COUNCIL DISCUSSION	<p>Direction was given to:</p> <ul style="list-style-type: none"> • Not to schedule a December study session • Continue to proceed with inventory for use by the management team. • Not proceed with a survey.
9:43 Pm	ITEM #18 COUNCIL MATTERS	<u>ITEM #18</u> Mrs. McNutt <ul style="list-style-type: none"> • Commented on developing "best practices" relating to time limits at Council Meetings. • Suggested having some kind of consistency for public speaking such as those practiced by the Planning Commission. • Suggested a 2 minute time limit for all public speakers, 5 minute time limit for appeals and 3 minute rebuttal. • Commented on announcing the time limits at the beginning of each meeting.

	ITEM #18 Continued COUNCIL MATTERS	Mr. Wasserman <ul style="list-style-type: none">• Commented that he felt that the 10 minute time limit for appeals was satisfactory.• Suggested leaving the decision up to the chair. Mr. Pirzynski <ul style="list-style-type: none">• Commented that a 2 minute limit is a good idea, and Council has the option to extend the time limit.• Suggested that this issue is not something that could be finalized at this time.• Commented that Council should practice working from motions and the discussion that should follow after the motion is moved and seconded motions.• Asked Council to consider a 2 minute time limit for public comment, and asked the Mayor to discuss the issue with staff. Mrs. Spector <ul style="list-style-type: none">• Commented that she is not prepared to make any decisions on the issue tonight.• Suggested consistency, and commented that she would not like to see a reduction in time limits for the public. Mr. Glickman <ul style="list-style-type: none">• Commented that less Council speaking may save time, but he would not like to see time limits shortened for Public hearings.• Commented on a standard time of 2 minutes for public comment.
10:00 PM	ITEM #19 MANAGER MATTERS	<u>ITEM #19</u> None.
10:00 PM	MEETING ADJOURNED	

Submitted by:

Jackie D. Rose, Deputy Clerk

Attest:

MarLyn J. Rasmussen, Clerk Administrator
Secretary to the Redevelopment Agency