

DRAFT

**TOWN OF LOS GATOS
CALIFORNIA
TOWN COUNCIL/PARKING AUTHORITY
JOINT REDEVELOPMENT AGENCY
October 3, 2005/MINUTES
Los Gatos Civic Center
110 E. Main Street
Los Gatos, CA 95030**

**Council/Agency Meeting
Date: 10/17/2005**

Item#

9a

TIME	ITEM	ACTION ON ITEM
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, October 03, 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.
7:03 PM	CLOSED SESSION	CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8) Property: Vasona Property Negotiating parties: Town of Los Gatos (Negotiator: Debra Figone, Town Manager) County of Santa Clara (Negotiator: Pete Kutras, County Executive) Under Negotiation: Price and terms of payment Mr. Korb stated that direction was given and no action was taken.
7:04 PM	COMMENDATIONS	Shannon Weich and Family were presented with a commendation for fund raising to purchase Auto Pulse Machines for fire stations in Los Gatos. Music in the Park commendations were presented to the business sponsors. Mr. Wasserman extended a thank you on behalf of the Town.

7:13 PM	<p>CONSENT ITEMS #1-10</p> <p>ITEMS #4 AND #9 WERE PULLED</p>	<p><u>TOWN COUNCIL</u></p> <ol style="list-style-type: none">1. Accept Fiscal Year 2004-05 Annual Report. (1-9)2. Accept Treasurer's Report for August, 2005 (2-2)3. Approve amended Town Council/Redevelopment Agency Meeting Schedule for Fiscal Year 2005-06. (3-28)5. Adopt resolution adopting a code of conduct for the Collection Franchise Procurement Process. RESOLUTION 2005-104 (5-40)6. <u>Agreement for Underground Utility Locating Services</u> Adopt resolution authorizing the Town Manager to enter an agreement with Republic Electric for marking underground electric and traffic lines in Los Gatos RESOLUTION 2005-105 (6-41)7. Adopt resolution authorizing the Town Manager to execute and amendment to the agreement for purchase and installation of equipment with XYBIX Systems, Incorporated. RESOLUTION 2005-106 (7-36)8. <u>Base repairs and patching for FY 04-05 Cape Seal Project 04-16A (Sub-project of street repair and resurfacing projects 400 & 480-0352)</u> (8-24)<ol style="list-style-type: none">a. Adopt resolution accepting work of Joseph J. Albanese, Incorporated and authorizing the Town Manager to execute Certificate of Acceptance and Notice of Completion for recording with the Clerk Administrator. RESOLUTION 2005-107b. Authorize an increase in the contingency amount from \$5,000 to \$7,330.35. <p><u>TOWN COUNCIL/REDEVELOPMENT AGENCY</u></p> <ol style="list-style-type: none">10. <u>Approve Council/Agency minutes of:</u> (8-V)<ol style="list-style-type: none">a. September 19, 2005b. September 23, 2005 <p>Motion by Mrs. Spector to approve Consent Items #1-3, #5-8, and Item #10 with corrections noted by staff. Seconded by Mr. Pirzynski.</p>
7:15 PM	<p>MAYOR CALLED THE QUESTION</p>	<p>Carried unanimously.</p>

7:16 PM	CONSENT ITEMS #1-10 Continued PULLED ITEMS #4 and #9	<p>4. Approve the 2005 Council/Commission Retreat Matrix. (4-12).</p> <p>9. Adopt resolution denying an appeal of a Planning Commission decision approving the construction of a new single family residence with a dedicated structure over 450 square feet in an area with a reduced setback on property zoned R-1:10. APN 532-13-069. Architecture and Site Application S-05-072. Property location: 119 Isabelle Court. Property owner: Mr. Koupal & Ms. Abrams. Appellant: Ray Davis. RESOLUTION 2005- 108 (9-15)</p> <p>Mr. Davis</p> <ul style="list-style-type: none">• Commented on the Council Retreat Matrix concerning soccer fields in the community.• Commented on using Park Dedication Fees for soccer fields, and mentioned City of Saratoga's policy relating to park dedication fees.• Commented on Item #9 regarding 119 Isabelle Court relating to preservation of the mountain sides and the Hillside Standards Guidelines for Los Gatos. <p>Motion by Mr. Glickman to approve Consent Item s#4 and #9. Seconded by Mrs. McNutt.</p>
7:20 PM	MAYOR CALLED THE QUESTION	Carried unanimously.
7:22 PM	OPEN VERBAL COMMUNICATION	<p>Mr. Chambers</p> <ul style="list-style-type: none">• Commented on policy regarding "story poles" on new structures in the Town.• Commented on accessory structure being built by his neighbor. <p>Mr. Davis</p> <ul style="list-style-type: none">• Commented on the ADA improvements at 25 Fiesta Way.• Commented on a survey done by the real estate association relating to the Town's Residential Standards Policy. <p>Mr. Miller</p> <ul style="list-style-type: none">• Thanked the Parks and Public Works Department for keeping the Town parks clean and beautiful.

7:30 PM	CLOSE VERBAL COMMUNICATION	
7:30 PM	PUBLIC HEARINGS	None.
7:31 PM	OTHER BUSINESS ITEM #11 PARKING MANAGEMENT PROGRAM	<u>ITEM #11</u> <u>Parking Management Program</u> <ul style="list-style-type: none"> a. Accept status report on the transition in the parking division of the Police Department. b. Provide direction on the concept of a downtown employee parking permit program. Staff report made by Alana Forest .
7:35 PM	COUNCIL COMMENT	<ul style="list-style-type: none"> • Clarification regarding the location of employee parking spaces. • Commented on prohibiting permits for prime spaces located adjacent to the stores. • Commented on the specifics regarding employee parking spaces outlined in the Kaku parking study. • Questioned if the program could be changed to meet the needs of the merchants throughout the implementation. • Clarification on businesses that have private lots which meet their customers needs, and if employees would be able to park in front of these businesses. • Commented that North Santa Cruz Avenue would not be an option for employee permit parking. • Recommended staff to re-visit the Kaku Study for strategic use of employee parking permits.
7:49 PM	OPEN/CLOSE PUBLIC COMMENT	None.

7:49 PM	<p>ITEM #11 Continued</p> <p>PARKING MANAGEMENT PROGRAM</p> <p>COUNCIL DISCUSSION</p>	<p>Motion by Mr. Pirzynski to not proceed with the downtown employee parking program at this time, and direct staff to monitor the parking program during the holiday season, and re-visit the Parking Management Plan in the spring. Seconded by Mrs. Spector.</p> <ul style="list-style-type: none"> • Suggested that an in-depth study of the parking program would not be practical at this time.
7:52 PM	MAYOR CALLED THE QUESTION	Carried unanimously.
7:53 PM	<p>ITEM #12</p> <p>COUNCIL MATTERS</p> <p>DISCUSS MORATORIUM ON THE DEATH PENALTY</p>	<p><u>ITEM #12</u></p> <p><u>Council Matters</u> Discuss and consider a request to support a resolution to place a moratorium on the death penalty.</p> <p>Staff report made by Debra Figone.</p>
	COUNCIL COMMENT	<ul style="list-style-type: none"> • Questioned publicizing an expanded public hearing for the moratorium. • Clarification regarding the limits relating to taking any formal action on this item due to the fact that it was agendized under "Council Matters."
8:00 PM	OPEN PUBLIC COMMENT	<p>Ms. Kreitzberg</p> <ul style="list-style-type: none"> • Commented on allocation of resources within the community that is being spent on executions. • Commented that application of the death penalty is racially-biased. • Asked that Council support the moratorium on the death penalty.

	<p>ITEM #12 Continued</p> <p>PUBLIC COMMENT</p> <p>DISCUSS MORATORIUM ON THE DEATH PENALTY</p>	<p>Ms. Silver-Taube</p> <ul style="list-style-type: none"> • Asked that Council support the moratorium on the death penalty. • Commented on the cost of an execution. • Commented that studies have shown there is bias relating to race and/or locality of a crime. <p>Mr. Mc Caffrey</p> <ul style="list-style-type: none"> • Commented on the cost of an execution. • Commented on the issue of innocence. • Stated that the moratorium should be a local issue. • Commented on other cities who have supported the moratorium. <p>Ms. Morales</p> <ul style="list-style-type: none"> • Asked that Council support the moratorium. • Commented that a study needs to be conducted relating to releasing criminals into society. <p>Mr. Miller</p> <ul style="list-style-type: none"> • Asked that Council support the moratorium. • Commented on other cities that have supported the moratorium. <p>Mr. Davis</p> <ul style="list-style-type: none"> • Commented that the Commission for the Fair Administration for Justice consists of 14 members, 12 of whom are democrats and 2 are republicans. He stated that this is not bipartisan. • Commented that community input is needed.
8:17 PM	CLOSED PUBLIC COMMENT	
8:17 PM	COUNCIL DISCUSSION	<ul style="list-style-type: none"> • Commented on taking a position on non local issues. • Commented on outreach to determine the best interest of the community. • Questioned whether or not the Town of Los Gatos is ready to take an action on this issue. • Commented that a moratorium would create space and time to study the issues.

	ITEM #12 Continued COUNCIL DISCUSSION DISCUSS MORATORIUM ON THE DEATH PENALTY	<ul style="list-style-type: none">• Would like to have input from the community regarding the moratorium.• Commented that the Town is not being asked to take a pro or con on the death penalty, but to support a moratorium to study the topic. <p>Motion by Mrs. McNutt to consider a resolution and to include proper notification, outreach, and input from the community. Seconded by Mr. Glickman.</p>
8:41 PM	MAYOR CALLED THE QUESTION	Carried 4/1 Mr. Pirzynski voting no.
8:42 PM	ITEM #13 MANAGER MATTERS	<u>ITEM #13</u> <u>Manager Matters</u> None.
8:43 PM	MEETING ADJOURNED	

Submitted by:

Attest:

Jackie D. Rose, Deputy Clerk

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