

DRAFT

**TOWN OF LOS GATOS  
CALIFORNIA  
TOWN COUNCIL/PARKING AUTHORITY  
JOINT REDEVELOPMENT AGENCY  
November 7, 2005/MINUTES**

Los Gatos Civic Center  
110 E. Main Street  
Los Gatos, CA 95030

Council/Agency Meeting  
Date: 11/21/2005

Item#

8

TIME	ITEM	ACTION ON ITEM
	<b>TOWN COUNCIL</b>	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 <b>6:30 PM, November 7, 2005, in a special meeting relating to interviews for Building Board of Appeals and Planning Commission. Council met at 7:00 PM in a joint regular session.</b>
6:30 P	<b>INTERVIEWS</b>	Additional interviews were held for the Planning Commission and Building Board of Appeals for applicants who were unable to attend the October 24, 2005 interview process.
7:01 PM	<b>ROLL CALL</b>	Present: Steve Glickman, Diane McNutt, Joe Pirzynski, Barbara Spector, and Mayor/Chairman Mike Wasserman  Absent: None
7:02 PM	<b>PLEDGE OF ALLEGIANCE</b>	The audience was invited to participate in the Pledge of Allegiance.
7:03 PM	<b>CLOSED SESSION</b>	<b>CONFERENCE WITH LABOR NEGOTIATOR</b> (Government Code Section 54957.6) Town Lead: Rumi Portillo, Human Resources Director Employee Organization: Police Officer's Association  <b>Mr. Korb</b> stated that direction was given and no action was taken.  <b>CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION</b> Government Code Section 54956.9 [a] (two cases) <ul style="list-style-type: none"><li>• Patricia J. Smedt v. Town of Los Gatos, et al.</li><li>• Seaman v. Lin</li></ul> <b>Mr. Korb</b> stated that direction was given and no action was taken.

7:04 PM	<b>COMMENDATIONS And PROCLAMATIONS</b>	<p><u>Commendations</u></p> <ul style="list-style-type: none"><li>• Karl Pearson, Library Board</li></ul> <p>Charles Pearson accepted the commendation on behalf of his father Karl Pearson.</p> <ul style="list-style-type: none"><li>• Pastor Jon Olson, Calvary Church for "Stash the Trash"</li></ul> <p>Mr. Olson accepted the commendation for "Stash the Trash" on behalf of the Calvary Church.</p> <p><u>Proclamation</u></p> <ul style="list-style-type: none"><li>• World Town Planning Day</li></ul> <p>Mr. Lortz, Director of Community Development accepted the proclamation for World Town Planning Day on behalf of the Community Development Department and the Town of Los Gatos.</p>
7:10 PM	<b>APPOINTMENTS  BOARDS, COMMISSIONS, AND COMMITTEES</b>	<p>Appointments were made to the following Boards, Commissions, and Committees:</p> <ul style="list-style-type: none"><li>• <b>Art Selection Panel</b><ol style="list-style-type: none"><li>1. Sol Carson</li><li>2. Teri Hope</li></ol></li><li>• <b>Arts Commission</b><ol style="list-style-type: none"><li>1. Steven Beasley</li><li>2. Ken Benjamin</li><li>3. Nicki Huber</li><li>4. David Stonesifer</li><li>5. Elisabeth Tinor</li></ol></li><li>• <b>Building Board of Appeals</b><ol style="list-style-type: none"><li>1. Tom Dodge</li><li>2. Tom Kane</li><li>3. Salvatore Leonardi</li></ol></li><li>• <b>Community Services Commission</b><ol style="list-style-type: none"><li>1. Libby Lane</li></ol></li><li>• <b>General Plan Committee</b><ol style="list-style-type: none"><li>1. Marcia Jensen</li></ol></li></ul>

	<p><b>APPOINTMENTS BOARDS, COMMISSIONS, AND COMMITTEES</b></p> <p><b>Continued</b></p>	<ul style="list-style-type: none"><li>• <b>Library Board</b><ol style="list-style-type: none"><li>1. Rita Baum</li><li>2. Deborah Behrman</li><li>3. Mary King</li></ol></li><li>• <b>Parks Commission</b><ol style="list-style-type: none"><li>1. Sandy Gordon</li><li>2. Jim Sugai</li></ol></li><li>• <b>Planning Commission</b><ol style="list-style-type: none"><li>1. John Bourgeois</li><li>2. Steven Rice</li></ol></li><li>• <b>Rent Advisory Committee</b><ol style="list-style-type: none"><li>1. William Kraus</li><li>2. Salvatore Leonardi</li><li>3. Gerry Mirassou</li></ol></li></ul> <p>Clerk Administrator was instructed to re-advertise vacancies.</p>
7:18 PM	<p><b>CONSENT ITEMS #1-7</b></p> <p><b>ITEMS # 7A WAS PULLED</b></p>	<p><b><u>TOWN COUNCIL</u></b></p> <ol style="list-style-type: none"><li>1. Schedule of Public Hearings. (1-28)</li><li>2. Accept Treasurer's Report for September, 2005. (2-2)</li><li>3. <u>Accept Staff Recommendations on County Referrals.</u> (3-37)<ol style="list-style-type: none"><li>a. Projects outside urban service area: None.</li><li>b. Projects inside urban service area: 16516 Shannon Road.</li><li>c. Status of previous applications: None.</li></ol></li><li>4. <u>Project 04-26 – Fiscal Year 2004-05 Retaining Wall Replacement</u> Adopt resolution accepting work of Anderson Pacific Engineering Construction, Inc. and authorizing the Town Manager to execute Certificate of Acceptance and Notice of Completion for recording by Clerk Administrator. <b>RESOLUTION 2005-114</b> (4-24)</li><li>5. Adopt resolution authorizing the Town Manager to execute the Fiscal Year 2005-06 Community Development Block Grant City-County contract with the County of Santa Clara. <b>RESOLUTION 2005-115</b> (5-24)</li></ol>

	<p><b>CONSENT ITEMS #1-7 Continued</b></p>	<p>6. Adopt resolution authorizing the Town Manager to execute an amendment to the lease agreement between Town of Los Gatos and Santa Clara Valley Water District for recreational uses along Los Gatos Creek. <b>RESOLUTION 2005-116</b> (6-33)</p> <p><b><u>TOWN COUNCIL/REDEVELOPMENT AGENCY</u></b></p> <p>7. <u>Approve Council/Agency minutes of:</u> (7-V) b. October 24, 2005</p> <p><b>Motion by Mr. Glickman to approve Consent Items #1-6 and 7B . Seconded by Mr. Pirzynski.</b></p>
7:19 PM	<p><b>MAYOR CALLED THE QUESTION</b></p>	<p><b>Carried unanimously.</b></p>
7:20 PM	<p><b>CONSENT ITEMS #1-7 Continued</b></p> <p><b>PULLED ITEMS</b></p> <p><b>ITEM # 7A</b></p>	<p>7. <u>Approve Council/Agency minutes of:</u> a. October 17, 2005</p> <p><b>Mr. Davis</b></p> <ul style="list-style-type: none"> <li>• Stated he felt that the minutes from October 17, 2005 regarding Tasers did not reflect his comments accurately.</li> </ul> <p><b>Motion by Mr. Pirzynski to accept Consent Item #7A. Seconded by Mr. Glickman.</b></p>
7:24 PM	<p><b>MAYOR CALLED THE QUESTION</b></p>	<p><b>Carried unanimously.</b></p>
7:25 PM	<p><b>OPEN VERBAL COMMUNICATION</b></p>	<p><b>Mrs. Cosgrove</b></p> <ul style="list-style-type: none"> <li>• Thanked staff for sending her the packet in a timely fashion.</li> <li>• Commented on the responsibilities of the Elected Clerk and public records access.</li> </ul> <p><b>Mr. Davis</b></p> <ul style="list-style-type: none"> <li>• Commented on the sidewalks on Blossom Hill Road between Roberts Road and University Avenue.</li> </ul>

7:31 PM	<b>CLOSED VERBAL COMMUNICATION</b>	
7:31 PM	<b>PUBLIC HEARINGS</b>	None.
7:32 PM	<b>OTHER BUSINESS</b>  <b>ITEM # 8</b>  <b>LOS GATOS CREEK OFF- LEASH DOG PARK</b>	<b>ITEM # 8</b> Accept informational report concerning the status of the Los Gatos Creek Off-Leash Dog Park Facility.  Staff report made by <b>Mr. Curtis</b> .
7:34 PM	<b>COUNCIL COMMENT</b>	<ul style="list-style-type: none"> <li>• Questioned where the available parking is located.</li> <li>• Questioned if the park can be accessed from the Los Gatos Creek Trail.</li> </ul>
7:36 PM	<b>OPEN/CLOSE PUBLIC COMMENT</b>	None.
7:36 PM	<b>COUNCIL ACTION</b>	Council accepted report concerning the status of the Off-Leash Dog Park facility.
7:37 PM	<b>ITEM #9</b>  <b>AMENDMENT TO BELOW MARKET HOUSING PROGRAM RESOLUTION</b>	<b>ITEM #9</b> Adopt resolution adopting revised Below Market Price Housing Program Guidelines and rescinding Resolution 2003-117. <b>RESOLUTION 2005-117 (9-39)</b>  Staff report made by <b>Regina Falkner</b> .

7:39 PM	<b>COUNCIL COMMENT</b>	<ul style="list-style-type: none"> <li>• Questioned changing the point system for single family heads of households from the 5 point category to the 6 point category.</li> <li>• Questioned guidelines for below market housing from other municipalities.</li> </ul>
7:42 PM	<b>OPEN/CLOSE PUBLIC COMMENT</b>	
7:43 PM	<b>COUNCIL DISCUSSION</b>	<p><b>Motion by Mrs. McNutt</b> to adopt resolution revising the Below Market Price Housing Program Guidelines and rescinding Resolution 2003-117. <b>Seconded by Mr. Pirzynski.</b></p> <ul style="list-style-type: none"> <li>• Commented on concerns regarding changing the process for one category and not for others.</li> <li>• Commented on single heads of households and asked the maker of the motion to amend the point category to six (6) points for single heads of household.</li> </ul> <p><b>Motion by Mrs. Spector</b> to amend the point category to six (6) points for single heads of household.</p>
7:46 PM	<b>MAYOR CALLED FOR A VOTE TO AMEND THE MOTION</b>	<b>Carried 4/1 Mrs. McNutt voting no.</b>
		<b>Motion amended</b> to add the point category to six (6) points for single heads of household.
7:47 PM	<b>MAYOR CALLED THE QUESTION</b>	<b>Carried unanimously.</b>

7:48 PM	<b>ITEM #10</b>  <b>SOBRATO COMMUNITY BENEFIT AGREEMENT MODIFICATION (Light Rail shuttle)</b>	<b>ITEM #10</b> <u>Sobrato Community Benefit Agreement.</u> Adopt resolution authorizing Town manager to execute modified Community Benefit Agreement to the Los Gatos Gateway Planned Development (Light Rail Shuttle) <b>RESOLUTION 2005-118</b> (10-24)  Staff report made by <b>Bud Lortz</b> .
7:53 PM	<b>COUNCIL COMMENT</b>	<ul style="list-style-type: none"> <li>• Clarification on obtaining land from the Santa Clara Valley Water District.</li> <li>• Clarification on a bus shelter installation and maintenance.</li> <li>• Clarification regarding fulfillment of obligations pertaining to Section 1 in the Community Benefit Agreement.</li> <li>• Clarification regarding General Plan Policy referring to zoning change and Vasona Light Rail funding relating to the Sobrato Project.</li> <li>• Clarification on the language of Section 1 regarding the Community Bus Program.</li> <li>• Questioned agreement between the Town and Sobrato Properties.</li> </ul>
7:58 PM	<b>OPEN PUBLIC COMMENT</b>	<b>Mr. Davis</b> <ul style="list-style-type: none"> <li>• Commented on the word "express" relating to the shuttle service.</li> <li>• Questioned parking for the general public when using the VTA line.</li> <li>• Commented on State Laws requirements relating to Zone and General Plan changes within a ½ mile radius from these types of stations.</li> </ul>
8:01 PM	<b>CLOSE PUBLIC COMMENT</b>	
8:01 PM	<b>COUNCIL DISCUSSION</b>	<ul style="list-style-type: none"> <li>• Commented on the available parking at the Campbell Light Rail Station.</li> <li>• Commented that the word "express" does not show up anywhere in the signed agreement between the Town and Sobrato Properties.</li> <li>• Clarification regarding the availability for an eco-pass.</li> <li>• Questioned providing eco-passes for residents as well as employees at the Sobrato property.</li> </ul>

	<p><b>ITEM #10</b> <b>Continued</b></p> <p><b>COUNCIL DISCUSSION</b></p>	<ul style="list-style-type: none"> <li>• Questioned the community benefits discussed between the Town and Sobrato Properties.</li> <li>• Questioned whether the “donations/suggestions” listed in the staff report are not offers, but discussion points at this time.</li> <li>• Commented on willingness between the applicant and the Town of Los Gatos to discuss “donations/suggestions” at another time.</li> <li>• Commented that the actions listed under Section 1 of the Community Benefits Agreement have been met.</li> </ul> <p><b>Mr. Shenk, Vice President, Sobrato Properties</b> provided clarification regarding the Community Benefits Agreement with Sobrato Properties.</p> <p><b>Motion</b> by <b>Mrs. McNutt</b> to Adopt resolution authorizing Town manager to execute modified Community Benefit Agreement to the Los Gatos Gateway Planned Development (Light Rail Shuttle) with the an amendment to offer eco-passes to the residents during initial lease-up period.</p> <p><b>Seconded</b> by <b>Mr. Glickman</b>.</p>
8:48 PM	<b>MAYOR CALLED THE QUESTION</b>	<b>Carried unanimously.</b>
8:49 PM	<p><b>ITEM #11</b></p> <p><b>COUNCIL MATTERS</b></p> <p><b>DIRECTION COUNCIL POLICY COMMITTEE</b></p>	<p><b>ITEM #11</b> <b>COUNCIL MATTERS</b></p> <p>Discuss Council Policy Committee recommendations and provide direction on policy development work plan for the Council Policy Committee.</p> <p>Staff report made by <b>Debra Figone</b>.</p>
8:50 PM	<b>OPEN/CLOSE PUBLIC COMMENT</b>	



8:50 PM	<b>ITEM #11</b> <b>Continued</b>  <b>COUNCIL</b> <b>MATTERS</b>  <b>DIRECTION</b> <b>COUNCIL POLICY</b> <b>COMMITTEE</b>  <b>COUNCIL</b> <b>DISCUSSION</b>	<ul style="list-style-type: none"><li>Requested to move forward with Item #3 regarding process for providing feedback to commissions and boards as soon as possible.</li></ul> <b>Motion by Mr. Pirzynski</b> to accept recommendations of the Policy Committee and to move forward with Item #3. <b>Seconded by Mr. Glickman.</b>
8:52 PM	<b>MAYOR CALLED</b> <b>THE QUESTION</b>	<b>Carried unanimously.</b>
8:53 PM	<b>COUNCIL</b> <b>COMMENT</b> <b>Continued</b>	<b>Mr. Wasserman</b> <ul style="list-style-type: none"><li>Gave update relating to the local citizen's Emergency Preparedness Committee meeting regarding families who have re-located to the bay area from the Gulf Coast.</li></ul> <b>Mr. Pirzynski</b> <ul style="list-style-type: none"><li>Gave update on the Cities Association-sponsored Ethics Forum.</li></ul>
8:55 PM	<b>ITEM #12</b>  <b>MANAGER</b> <b>MATTERS</b>	<b><u>ITEM #12</u></b> <b><u>MANAGER MATTERS</u></b> None.
8:56 PM	<b>MEETING</b> <b>ADJOURNED</b>	

Submitted by:

Attest:

Jackie D. Rose, Deputy Clerk

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