



MEETING DATE: 10/16/2006

ITEM NO: 7

DESK ITEM

### COUNCIL AGENDA REPORT

DATE: October 16, 2006

TO: MAYOR AND TOWN COUNCIL

FROM: DEBRA J. FIGONE, TOWN MANAGER

A handwritten signature in black ink, appearing to be "Debra J. Figone", written over the "FROM" line.

SUBJECT: PPW JOB NO. 05-17 HIGHWAY 9 SAFETY IMPROVEMENT PROJECT  
ADOPT RESOLUTION AUTHORIZING THE TOWN MANAGER TO  
EXECUTE A PROFESSIONAL CONSULTANT SERVICES AGREEMENT  
WITH BKF ENGINEERS FOR PREPARATION OF CONSTRUCTION  
DOCUMENTS AND CALTRANS ENCROACHMENT PERMIT

Attached is a series of e-mails received which are not directly related to the specific action regarding this agenda item. Although only Mr. Wallerstein requested that his comments be entered into the record, all e-mails received are included for the record.

Attachment: E-mails dated 10/14-16 from Jerry and JoAnne Peth, Linda Carter, and Larry Wallerstein

PREPARED BY: **DEBRA J. FIGONE**  
Town Manager

N:\MGR\AdminWorkFiles\2006 Council Reports\10-16 Highway 9 Desk Item.doc

Reviewed by: PS Assistant Town Manager \_\_\_\_\_ Town Attorney  
\_\_\_\_\_ Clerk Administrator \_\_\_\_\_ Finance \_\_\_\_\_ Community Development

**From:** "Larry Wallerstein" <LWallerstein@TateDevelopment.com>  
**To:** "Mike Wasserman" <mwasserman@losgatosca.gov>, <ACWright00@aol.com>, <AnneNg@aol.com>, <kline@caspr.com>, <j.peth@comcast.net>, <katey.kennedy@comcast.net>, <nstreit@cpa-online.com>, <lindacarter00@hotmail.com>, <michel@icann.org>, "Barbara Spector" <BSpector@losgatosca.gov>, "Debra Figone" <DFigone@losgatosca.gov>, "Diane McNutt" <DMcNutt@losgatosca.gov>, "Town Engineering (External)" <Engineering@losgatosca.gov>, "Joe Pirzynski" <jpirzynski@losgatosca.gov>, "Town PPW (External)" <PPW@losgatosca.gov>, "Steve Glickman" <SGlickman@losgatosca.gov>, "Town Manager (External)" <Town.Manager@losgatosca.gov>, <asanquini@mac.com>, <bloventhal@montesereno.org>, <bnesbet@montesereno.org>, <Cityhall@montesereno.org>, <cwright@montesereno.org>, <dbaxter@montesereno.org>, <egartner@montesereno.org>, <gordon@montesereno.org>, <mbrodsky@montesereno.org>, <akao@saratoga.ca.us>, <awaltonsmith@saratoga.ca.us>, <davea@saratoga.ca.us>, <jcherbone@saratoga.ca.us>, <kk2king@saratoga.ca.us>, <denisemichel@sbcglobal.net>, <cguardino@svmg.org>, <lmcarter@WealthPLAN.com>  
**Date:** 10/16/2006 1:47:24 PM  
**Subject:** RE: Highway 9

I am in Utah and will not be able to attend tonight. Will you please enter my written comments into the record?

Larry I. Wallerstein  
Executive Vice President  
Tate Diversified Development, Inc.  
22 South Santa Cruz Ave. Second Floor  
Los Gatos, CA. 95030  
(408) 399-4950  
(408) 313-7203 (cell)  
(408) 399-4960 (fax)  
LWallerstein@Tatedevelopment.com

**Patsy Garcia - RE: Highway 9**

**From:** "Linda Carter" <lindacarter00@hotmail.com>  
**To:** "Larry Wallerstein" <LWallerstein@TateDevelopment.com>, "Jerry and JoAnne Peth" <j.peth@comcast.net>, <dmcnutt@losgatosca.gov>, <AnneNg@aol.com>, <lmcarter@WealthPLAN.com>, <katey.kennedy@comcast.net>, "gordon seibert" <gordon@montesereno.org>, "Denise Michel" <denisemichel@sbcglobal.net>, "Debra Figone" <DFigone@losgatosca.gov>, "ICANN At-Large" <michel@icann.org>, "brian loventhal" <bloventhal@montesereno.org>, <cguardino@svmg.org>, <ACWright00@aol.com>, "anne sanquini" <asanquini@mac.com>, <davea@saratoga.ca.us>, "John Cherbone" <jcherbone@saratoga.ca.us>, <nstreit@cpa-online.com>, <kk2king@saratoga.ca.us>, <awaltonsmith@saratoga.ca.us>, <akao@saratoga.ca.us>, <kline@caspr.com>, <Cityhall@montesereno.org>, <egartner@montesereno.org>, <bnesbet@montesereno.org>, <cwright@montesereno.org>, <dbaxter@montesereno.org>, <mbrodsky@montesereno.org>, <engineering@losgatosca.gov>, <publicworks@losgatosca.gov>, <manager@losgatosca.gov>, <sglickman@losgatosca.gov>, <jpirzynski@losgatosca.gov>, <bspector@losgatosca.gov>, <mwasserman@losgatosca.gov>  
**Date:** 10/16/2006 9:09:46 AM  
**Subject:** RE: Highway 9  
**CC:** "lana" <lanaletters@comcast.net>

While I appreciate some movement on making Highway 9 safer, restriping is not the answer. A brighter white line will not slow down the drivers who CONSTANTLY SPEED along the Highway despite the signs that tell them they are going 55 in a 35 mile an hour speed zone. A white line will not keep a motorist who is not paying attention from straying over the line and hitting whoever happens to be on the other side of the white line. Drivers need to slow down and pay attention. The space for bicylists, pedestrians, dog walkers and the like is just way too narrow. Perhaps the installation of speed bumps to get the attention of the drivers, or something along those lines until a more permanent solution can be developed, like widening the area for pedestrians, etc., as my husband Larry Wallerstein has suggested.

Linda Carter  
 18036 Saratoga-Los Gatos Road  
 Monte Sereno

**From:** Larry Wallerstein [mailto:LWallerstein@TateDevelopment.com]  
**Sent:** Saturday, October 14, 2006 5:44 PM  
**To:** Jerry and JoAnne Peth; dmcnutt@losgatosca.gov; AnneNg@aol.com; lmcarter@WealthPLAN.com; katey.kennedy@comcast.net; LindaCarter00@hotmail.com; gordon seibert; Denise Michel; Debra Figone; ICANN At-Large; brian loventhal; cguardino@svmg.org; ACWright00@aol.com; anne sanquini; davea@saratoga.ca.us; John Cherbone; nstreit@cpa-online.com; kk2king@saratoga.ca.us; awaltonsmith@saratoga.ca.us; akao@saratoga.ca.us; kline@caspr.com; Cityhall@montesereno.org; egartner@montesereno.org; bnesbet@montesereno.org; cwright@montesereno.org; dbaxter@montesereno.org; mbrodsky@montesereno.org; engineering@losgatosca.gov; publicworks@losgatosca.gov; manager@losgatosca.gov; sglickman@losgatosca.gov; jpirzynski@losgatosca.gov; bspector@losgatosca.gov; mwasserman@losgatosca.gov  
**Cc:** lana  
**Subject:** RE: Highway 9

More people are going to die, particularly bicyclists, but also individuals and their loved animals. As some of you know, we lost our Labrador Retriever on Highway 9, and we are afraid to walk our Golden Retriever as the distance from the white line to the end of the walking area is less than a standard leash in length. Our home shares a side yard property line on Highway 9, and I believe our builder granted a 10

yard wide easement for widening the pedestrian safety area. The Goetz's offered to cut back their vegetation on 9 during the time they were requesting their home remodel permit, and the Varni's have room to cut back vegetation as well. There could be a safe corridor down our street into Los Gatos, that could stretch from Saratoga to Los Gatos, but painting a bicycle lane line isn't going to do it. For those of us who run, or bicycle, and I know some of you above do, we need a much safer solution.

Larry I. Wallerstein  
Executive Vice President  
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22 South Santa Cruz Ave. Second Floor  
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(408) 399-4960 (fax)  
LWallerstein@Tatedevelopment.com

**From:** Jerry and JoAnne Peth [mailto:j.peth@comcast.net]

**Sent:** Saturday, October 14, 2006 10:57 AM

**To:** dmcnuttt@losgatosca.gov; AnneNg@aol.com; lmcarter@WealthPLAN.com; Larry Wallerstein; katey.kennedy@comcast.net; gordon seibert; Denise Michel; Debra Figone; ICANN At-Large; brian loventhal; cguardino@svmg.org; ACWright00@aol.com; anne sanquini; davea@saratoga.ca.us; John Cherbone; nstreit@cpa-online.com; kk2king@saratoga.ca.us; awaltonsmith@saratoga.ca.us; akao@saratoga.ca.us; kline@caspr.com; Cityhall@montesereno.org; egarner@montesereno.org; bnesbet@montesereno.org; cwright@montesereno.org; dbaxter@montesereno.org; mbrotsky@montesereno.org; engineering@losgatosca.gov; publicworks@losgatosca.gov; manager@losgatosca.gov; sglickman@losgatosca.gov; jpirzynski@losgatosca.gov; bspector@losgatosca.gov; mwasserman@losgatosca.gov

**Cc:** lana

**Subject:** Highway 9

Hi all,

While checking the Council agendas for the agencies involved in the Highway 9 project, I found this attachment for the Monday night council meeting in Los Gatos, Consent item #7. This item is attached (20 pages long) and I would like your feedback/comments on it.

I am very concerned about the plan, particularly that most of the dollars will be spent on restriping a bike lane. When a bicycle rider is riding down Highway 9, will this basic restriping project really save lives? Is minor shoulder widening and striping of a roadway that has been allowed to fall into disrepair really how this funding should be spent? If striping is going to cost \$1 million, don't we need to know what the whole project will be so we can commit to finding monies to really make this roadway safer? I don't understand what our vision for this project is and I see this step as a small and expensive "band aid". To start this project without a comprehensive and cohesive plan does not make sense to me.

The Citizens for Highway 9 Safety Group would also like to be kept in this loop and be able to be represent the community in this project. Is there someone (anyone) who can arrange this or at least keep us abreast on what is happening with the project?

Lana Malloy and I will be at the Los Gatos Council meeting on Monday. Please email us with your comments, suggestions and ideas.

Thank you for your time and attention to this project.

JoAnne Peth

[j.peth@comcast.net](mailto:j.peth@comcast.net)

[Lanaletters@comcast.net](mailto:Lanaletters@comcast.net)

Of particular concern to me:

- Page 2 where the contract suggests two separate projects, a bicycle signing and restriping phase that this document covers, spending \$216,000 for the consultant and \$1 million for the project (limit), and a second phase to address pedestrian safety where the cities will need to find their own sources of funding.
- Page 12 states "provide bike lanes via striping and minor shoulder widening"
- Page 10 has "No more than three design exceptions will be prepared and processed and No vehicle bicyclist or pedestrian counts?"