

**MINUTES OF THE TOWN COUNCIL/PARKING
AUTHORITY/REDEVELOPMENT AGENCY STUDY SESSION
OCTOBER 1, 2007**

The Town Council of the Town of Los Gatos conducted a Study Session on Monday, October 1, 2007 at 6:00 P.M.

STUDY SESSION CALLED TO ORDER

ROLL CALL

Present: Mayor Joe Pirzynski, Vice Mayor Barbara Spector, Council Member Steve Glickman, Council Member Diane McNutt, and Council Member Mike Wasserman.

Absent: None.

VERBAL COMMUNICATIONS

Ms. Hopkins

- Commented that the Town policy on donations should not have one set of rules that apply to all programs.
- Suggested dividing the policy into parts that address each type of program.
- Requested consideration from Council to exclude the Arts Commission from the proposed policy.

Mr. Kane

- Suggested that Elected Officials and Planning Commissioners should be held to the same standards relating to "no direct solicitation" in the proposed policy.

Mr. Hopkins

- Commented that the Town should design the policy to fit all aspects of fundraising for all types of affairs.
- Supports the concept that the Arts Commission should be able to raise funds for ongoing services such as Music in the Park.

Mr. Davis

- Supports the findings of the Policy Committee relating to the proposed Solicitation and Donation Policy.
- Suggested that the Arts Commission should form an ad-hoc committee that would allow them to fundraise for Music in the Park.

Closed Verbal Communications

DISCUSSION OF PROPOSED SOLICITATION AND DONATION POLICY

Council Discussion - *Discussion on the Direct Solicitation Section of the Policy.*

- Commented on the history of the Arts Commission and that the Music in the Park Committee has been treated as a separate entity.
- Suggested two options relating to the Music in the Park component of the policy. One option would be to carve Music in the Park out of the policy and the second would be to make a commitment to have the Town fund the Music in the Park event at the level of quality of the current Music in the Park.
- Suggested coming up with a policy that doesn't allow for exceptions.
- Commented that the Town's commissions should be able to raise funds as long as the reasons for raising funds and fund raising efforts are clear.
- Commented that there has not been much public interest regarding the solicitation and donation policy.
- Expressed interest in volunteers to continue to raise funds and suggested that the Town make up the difference if there is a shortfall of funds for Music in the Park.
- Commented that it is inappropriate for Town Council and Planning Commission members to ask for donations.
- Commented on the length of time it took the committee to develop the draft and the thought process it took to come up with the policy.
- Commented that the Town should fund the Music in the Park since it is a Town sponsored event.
- Clarification of the Community Service Commission's role relating to solicitation and donations.
- Commented that any commission allowed to raise funds could be subject to ethical concerns.
- Commented on the impacts to community programs if the policy were to restrict all government bodies from fund raising participation.
- Direction to staff to determine and recommend to the Council which commissions or committees hold actual decision-making power.
- Suggested to have an approval process before commissions or committees begin a fund raising project.
- **Consensus** to re-write the section of the policy on direct solicitation to allow members of appointed commissions and committees, excluding Council, Planning Commission, and any others with decision making authority, to solicit funds for programs or events within the community with prior approval by the Council.

Study Session Council Discussion - Continued

Council Discussion - *Discussion on the Naming Rights Section of the Policy*

- Requested that the Policy Committee give feedback on the reasons for prohibiting naming rights for large donors.
- Commented on the differences between naming buildings for historical purposes as opposed to selling naming rights.
- Commented on the importance of the wording in the General Plan which refers to the Town as having "small Town character and charm" and commented on creating a policy that is consistent with the Town's General Plan.
- Disagreed with the section of the policy referring to naming rights.
- Commented that many of the streets in Town are named after people who built the streets.
- Suggested to add guidelines to allow naming rights on a case-by-case basis.
- Commented that the current policy would limit private investors from sponsoring the proposed skate park.
- Commented on being in favor of donor recognition guidelines.
- Suggested that the naming rights could be approved by Council on a case-by-case basis.
- Suggested that the Council be very cautious about naming anything in the Town for any individual unless that person has been a very significant contributor to the overall well being of the community.
- Supported the concept of providing a provision to the policy that allows for special circumstances relating to naming rights.
- Suggested changing the wording to allow naming rights upon Council approval.
- Suggested that the wording could be changed to state that Council has the discretion to reserve the right to name facilities on a case-by-case basis.
- Expressed concerns about the naming rights being tied to donor recognition and stated that existing Council policy allows naming if the person has historical significance associated with the history of the location.

Study Session Council Discussion – Continued

- Commented that the language is appropriate, but the statement should be with a caveat that the Council may for special circumstance consider naming because of contribution, and the contribution as stated in the previous policy should be a contribution to the community over the course of time.
- Suggested that the word contribution needs to be defined.
- Commented that the statement should read that "Town facilities by policy will not be named, however there may be exceptions to the policy based on specific circumstances as approved by the Council."
- **Majority** to direct staff to come up with language as directed by Council.

ADJOURNMENT

Attest:

Jackie D. Rose, Clerk Administrator