

**MINUTES OF THE JOINT PLANNING COMMISSION AND TOWN COUNCIL STUDY
SESSION AND TOWN COUNCIL/SUCCESSOR AGENCY MEETING
OCTOBER 15, 2012**

The Town Council of the Town of Los Gatos conducted a Joint Planning Commission/Town Council Study Session and a Town Council/Successor Agency Meeting on Monday, October 15, 2012.

JOINT STUDY SESSION CALLED TO ORDER AT 5:30 P.M.

All members of the Town Council were present as were all Planning Commissioners except Thomas O'Donnell and Thomas O'Donnell.

DISCUSSION TOPIC

Discuss and provide feedback regarding the affordable housing overlay zone (AHOZ), including development standards and design and site guidelines for five properties at various locations in Los Gatos generally located at: the corner of Capri and Knowles; one property east of Winchester and Knowles; the west side of Oka Road; and two on the east side of Oka Road. The assessor's parcel numbers are: 406-28-032, 424-32-069, 424-08-074, 424-08-057 and 424-08-021.

Wendie Rooney, Director of Community Development, presented the staff report.

Town Council and Planning Commission Discussion

- Commented on the staff and General Plan Committee's hard work throughout the process.
- Questioned the sites and whether they are vacant land.
- Questioned the impacts of development on the school districts, such as increased student projections.
- Questioned the process for public education and outreach.
- Questioned the relationship between the state density bonus program and the AHOZ.
- Questioned the process for project approval under the AHOZ.
- Commented on application fees and stated they should not come from the General Fund.
- Commented on the tough situation that will result during the first project because of "by right" provisions regarding density, set-backs, parking, etc.

Study Session Continued

Ms. Rooney

- Commented that some of the sites are vacant and others have structures.
- Commented that the Town communicated the proposals with the school districts, but did not receive much feedback.
- Commented that some sites would be within Campbell School District and other sites would be within Los Gatos School District.
- Commented that student projections are in the General Plan Environmental Impact Report.
- Commented that developing the Affordable Housing Overlay Zones and adopting the Housing Element required many public meetings, which is all part of the public outreach process.
- Commented that the ordinances for each AHOZ site would preclude a developer from using the state density bonus program in conjunction with the AHOZ.
- Commented that typically Planning Commission would handle Architecture and Site approval, but Council can request review in the ordinance.
- Commented that BMP funds can be used for fees.
- Commented that developers can build quality products within the guidelines set forth in the AHOZ.

Open the public hearing.

Mr. Tersini

- Commented that KT Properties is in the process of buying the courthouse property, and the company is working with neighbors regarding the requirements of the overlay zone.

Ms. Bryant

- Commented that senior housing will be part of the KT Homes project.

Closed the public hearing.

BUSINESS MEETING CALLED TO ORDER - 7:00 P.M.

ROLL CALL

Present: Mayor Steve Rice, Vice Mayor Barbara Spector, Council Member Steven Leonardis, Council Member Diane McNutt, and Council Member Joe Pirzynski.

Absent: None

PLEDGE OF ALLEGIANCE

Ava Currie, Fisher Middle School

PRESENTATIONS

Mayor Rice presented commendations to Jade Bradbury and Anne Lamborn for their contributions to the Los Gatos Community Jubilee Art Experience.

CLOSED SESSION REPORT

There was no closed session for this meeting.

COUNCIL/TOWN MANAGER REPORTS

Council Matters

Manager Matters

Greg Larson, Town Manager

- Commented on the successes of the Oversight Board and the distribution of former Redevelopment Agency funds to various agencies, including Los Gatos schools and fire.
- Commented that Los Gatos has the highest credit rating of any municipality of its size.
- Commented that "Poets Canyon" will take place on Tuesday, October 16, 2012.

Did You Know??

Monica Renn, Environmental Services Coordinator

- Commented on the opening of the Creekside Sports Park on October 27, 2012 at 10 a.m. with activities and games all weekend.

CONSENT ITEMS (TO BE ACTED UPON BY A SINGLE MOTION)

1. Approve Council minutes of October 1, 2012
2. Accept Fiscal Year 2011-2012 Annual Report

MOTION: **Motion by Council Member Joe Pirzynski to approve Consent Items #1-2.**

Seconded by Council Member Steven Leonardis

VOTE: **Motion passed unanimously.**

VERBAL COMMUNICATIONS (Three-minute time limit)

Mr. Lucas, Mr. Davis, and Ms. Grey

- Commented on the new leadership at West Valley Mission Community College District.

Mr. Miller

- Commented that the Youth Commission should be consulted for decisions affecting youth in the community.

Mr. Larson

- Commented that the Youth Commission has a strong resolution that provides the scope of duties for the advisory body.

OTHER BUSINESS

3. PPW Job No. 11-07 - Downtown Tree Light Replacement Project 411-821-2007

- a. Authorize the Town Manager to execute a construction contract with Siemens Industry, Inc. in an amount not to exceed \$97,500
- b. Authorize staff to execute future change orders to the construction contract as necessary in an amount up to \$10,000
- c. Authorize a General Fund transfer to the General Fund Appropriated Reserve (GFAR) to fund a budget adjustment for expenditures (82405) in the amount of \$107,500 (including contingency)

Todd Capurso, Director of Parks and Public Works, presented the staff report.

Council Questions

- Questioned whether the trees will remain lit all year and whether they will be harmed by the wrapping.
- Questioned the funding source during the previous relationship with the Community Foundation.

Item #3 – Continued

Mr. Capurso

- Commented that the trees will remain lit all year.
- Commented that manual inspection of the trees would need to take place periodically and some re-wrapping may be needed.
- Commented that for the Christmas tree project, the labor was supplied by the Town, but nearly 100% of the materials funds came from the Community Foundation; the tree-wrapping project is similarly funded.

Mr. Larson

- Commented that PG&E provided a one-time grant in 2008 that went through the Community Foundation.
- Commented that the Community Foundation is raising funds for this project as well.

Opened and closed the Public Hearing

MOTION: **Motion by Council Member Joe Pirzynski** to authorize the Town Manager to execute a construction contract with Siemens Industry, Inc. in an amount not to exceed \$97,500; to authorize staff to executive future change orders to the construction contract as necessary in an amount up to \$100,000; and to authorize a General Fund transfer to the General Fund Appropriated Reserve (GFAR) to fund a budget adjustment for expenditures (82405) in the amount of \$107,500 (including contingency).
Seconded by Council Member Diane McNutt.

VOTE: **Motion passed unanimously.**

The following discussion occurred prior to the vote:

- Commented this project will contribute to the downtown's economic vitality, which is extremely important and that Main Street has been more challenging than North Santa Cruz.
 - Clarified that the lights will go on trees on Main Street and North Santa Cruz.
4. Sustainability Plan. Applicant: Town of Los Gatos Consider approval of a Sustainability Plan to serve as the Town's Greenhouse Gas (GHG) Emissions Reduction Plan and satisfy 2020 General Plan Action ENV-13.1. No significant environmental impacts have been identified as a result of this project and an addendum to the 2020 General Plan EIR is recommended

Item #4 – Continued

Jennifer Savage, Associate Planner, presented the staff report.

Council Discussion

- Commented on staff communication regarding implementation of the Sustainability Plan
- Commented that a Sustainability Coordinator is recommended within the communitywide measures, but at this point, no specific designation of a staff member should be made.
- Commented that several people are concerned about the leaf blower issue, so Council should move forward on the issue before 2015, but not commit to any action on the issue.

Ms. Savage

- Commented that Council can change implementation schedules and stated that staff capacity issues may be unknown until feasibility studies are completed for WW-1 and WW-2.
- Commented that a leaf blower ordinance to address noise may come before the Town Council and/or Planning Commission before the implementation date in the Sustainability Plan.

Mr. Larson

- Commented that some of the measures are voluntary in nature and emissions reductions will depend on how they are worded (i.e. “encourage,” “support,” or “implement”) and how much voluntary participation in each measure occurs.

Opened and Closed the Public Hearing

Item #4 – Continued

Council Consensus:

- TR-6: Change “implement” to “encourage”
- TR-8: change the implementation schedule to 2012-2015
- GB-5: change the implementation schedule to 2012-2020
- RE-4: Change to “Consider adopting an ordinance to restrict or ban the use of 2 stroke leaf blowers” and change the implementation schedule to 2012-2015.
- WW-1: change the implementation schedule to 2012-2020
- WW-2: change the implementation schedule to 2012-2020
- WW-5: change the implementation schedule to 2012-2015
- WW-6: Change to “(a) Encourage residential rainwater collection. (b) Consider zoning and other code amendments to encourage residential rainwater collection.” Change the implementation schedule for WW-6(a) to 2012-2015. Change the implementation schedule for WW-6(b) to 2015-2020.

MOTION: **Motion by Council Member Steven Leonardis** to adopt the Addendum to the 2020 General Plan Environmental Impact Report (EIR) (Attachment 5) and to approve the Sustainability Plan, with noted changes (Attachment 5).
Seconded by Council Member Diane McNutt

VOTE: **Motion passed unanimously.**

The following discussion occurred prior to the vote:

- Commented that regarding WW-6 (residential rainwater collection), the feasibility of the earlier implementation schedule is unknown.
- Clarified with staff that there is no current zoning code regarding rainwater collection
- Commented that regarding SW-8 (plastic bag ban), Los Gatos should wait to see what action the State of California takes.
- Commented that several people are concerned about the leaf blower issue.

ADJOURNMENT

The meeting adjourned at 8:19 p.m.

Attest:

/s/Mazarin A. Vakharia
Clerk Administrator