



## SPECIAL MEETING

### TOWN OF LOS GATOS TOWN COUNCIL POLICY COMMITTEE

*Council Policy Committee – (2016)*

*Marico Sayoc, Vice Mayor  
Marcia Jensen, Council Member*

AGENDA  
TOWN COUNCIL CHAMBERS  
110 EAST MAIN STREET  
OCTOBER 13, 2016 – 10:00 A.M.

### **MEETING CALLED TO ORDER**

### **ROLL CALL**

### **VERBAL COMMUNICATIONS** *(Three minute time limit)*

### **AGENDA ITEMS**

*(The reports for each item are provided in the order of the agenda)*

1. Approval of the September 29, 2016 Council Policy Committee Draft Minutes
2. Review and discuss the Commission Appointment Policy
3. Review and discuss potential amendments to Council Policy 1-04: Town Facilities Policy regarding Oak Meadow Park

### **ADJOURNMENT**

cc: Post *(also posted on Town Web)*  
Town Council

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Town Manager's Office at (408) 354-6834. Notification 48 hours before the meeting will enable the Town to make reasonable arrangements to ensure accessibility to this meeting [28 CFR §35.102-35.104]

DRAFT

TOWN OF LOS GATOS COUNCIL POLICY COMMITTEE  
September 29, 2016 10:00 a.m.

110 E. Main Street  
Town Council Chambers  
Los Gatos, California

**DRAFT ACTION MINUTES**

**Call to Order**

The Council Policy Committee meeting was called to order at 10:00 a.m.

**Members and Staff present:**

Vice Mayor Marico Sayoc  
Councilmember Marcia Jensen  
Town Manager, Laurel Prevetti  
Town Attorney, Robert Schultz  
Shelley Neis, Town Clerk  
Shelayne Hammack, Management Analyst  
Joel Paulson, Community Development Director  
Matt Morley, Parks and Public Works Director  
Matt Frisby, Chief of Police  
Jackie Rose, Community Outreach Coordinator

**Verbal Communications**

None

**Agenda Items**

**1. Approval of September 29, 2016 Council Policy Committee Meeting Minutes**  
**Committee Action:**

The Committee unanimously approved the draft minutes with no changes.

**2. Review and discuss the Commission Appointment Policy**

The Committee discussed the proposed changes to each Commission, listening to public testimony and staff input. The Committee's recommendations are summarized below.

- Arts and Culture Commission
  - Add a Youth Commissioner and reduce the total number of Commissioners to seven
  - Not in favor of the suggestion that one-third of the members must be art professionals

- Bicycle and Pedestrian Advisory Commission (BPAC)
  - Maria Ristow (member of BPAC) and Jeff Loughridge (member of BPAC) provided testimony.
  - Replace co-Commissioners with members appointed at large as with other Commissions
  - Add language for synergy and collaboration between Commissions
- Building Board of Appeals
  - No change
- Community and Senior Services Commission (CSSC)
  - Reduce the Commission to seven members
  - Eliminate the two direct youth appointments and allow the Youth Commission to select the Youth Commissioner to participate on CSSC
- General Plan Committee
  - Susan Susick provided testimony on unincorporated residents unable to participate on Commissions
  - Require all members to be residents because the GPC interprets Town policies that affect property owners in Los Gatos.
  - Remove the requirement for a business owner or manager and a Community and Senior Services Commissioner to be on the General Plan Committee
  - Keep the total number at nine
- Library Board
  - Have a total of six adults and one Youth Commissioner
- Parks Commission
  - Remove option for a Monte Sereno resident since that City does not fund Los Gatos parks
  - Reduce to seven members with one Youth Commissioner
- Transportation and Parking Commission
  - Maria Ristow provided testimony
  - Commissions should determine when they are going to meet, as long as people are aware
  - Full membership of seven with one Youth Commissioner
- Youth Commission
  - The Youth Commission would determine appointments to other Commissions as voting member. There would be a designated alternate for each Commission
  - Change to have a total of 26 Commissioners
  - Discussion of how this Commission is different than other Town Commissions because it does not interpret policy that affects other residents. Therefore, the Youth Commissioners may be residents of Santa Clara County unincorporated areas.
  - Remove the school requirement.
- Other Comments
  - Not in favor of creating a Public Safety Advisory Commission

- Jak VanNada provided testimony requesting the addition of residents to the Town Council Finance Committee
- The Committee requested more information .
- The Committee would like to see all the modifications one more time before they go to Council

**3. Review and discuss potential amendments to Council Policy 1-04: Town Facilities Policy regarding Oak Meadow Park**

The Committee discussed the proposed modifications and Eric Drew provided testimony. The Committee discussed that public land should remain accessible to all the public. Event organizers should be allowed to sell items in a certain area and should not close down the parking lot. No event can shut down the entire park. The Committee requested staff brings back proposed policy language reflecting the discussion.

The Committee decided to meet next on October 13, 2016.

The meeting was adjourned at 11:35 a.m.



MEETING DATE: 10/13/16

ITEM NO: 2

## COUNCIL POLICY COMMITTEE REPORT

DATE: OCTOBER 5, 2016

TO: COUNCIL POLICY COMMITTEE

FROM: LAUREL PREVETTI, TOWN MANAGER

SUBJECT: REVIEW AND DISCUSS STAFF RECOMMENDATIONS TO AMEND COUNCIL POLICY 2-11 ENTITLED COMMISSION APPOINTMENTS

### RECOMMENDATION:

Review and discuss proposed amendments to Council Policy 2-11 entitled Commission Appointments; the enabling Resolutions for Boards, Commissions, and Committees; and rescinding Resolution 2004-042 entitled Establishing Residency Requirements for Specified Boards and Commissions, Resolution 2011-012 entitled Amending Attendance Requirements for Members of all Town Commissions, Committees, and Boards, and Resolution 2014-041 entitled Establishing the Requirements for a Quorum at Town Boards, Commissions, and Committees Meetings.

### BACKGROUND:

At its September 29, 2016 meeting, the Committee reviewed and discussed the comments received from the staff liaisons and Commissioners regarding the proposed amendments to the Policy and Resolutions, based on the Committee's recommendations from their August 25, 2016, and June 23, 2016 Policy Committee meetings.

After discussion, the consensus of the Committee is that the number of members should be seven for the Arts and Culture Commission, Bicycle and Pedestrian Advisory Commission, Community and Senior Services Commission, Library Board, Parks Commission, and Transportation and Parking Commission; incorporate the attendance and quorum requirements into the Policy; and include general language in all enabling resolutions to encourage collaboration amongst all Boards, Commissions, and Committees on work items.

The recommendations specific to each Board, Commission, and Committee are below.

#### Arts and Culture Commission (ACC)

The Committee's proposed change for the Arts and Culture Commission is to have a Youth Commissioner appointed by the Youth Commission. With the addition of a Youth Commissioner and to

PREPARED BY: SHELLEY NEIS  
Clerk Administrator

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Reviewed by: \_\_\_\_\_ Assistant Town Manager \_\_\_\_\_ Town Attorney NA Finance

POLICY COMMITTEE

SUBJECT: REVIEW AND DISCUSS STAFF RECOMMENDATIONS TO AMEND COUNCIL  
POLICY MANUAL 2-11 ENTITLED COMMISSION APPOINTMENTS

OCTOBER 5, 2016

keep the total membership at an uneven number for voting purposes, the adult membership will be reduced by one, for a total membership of seven.

Bicycle and Pedestrian Advisory Commission (BPAC)

Based on public input, the Committee recommends modifying the membership to change the co-commissioner appointments to the typical appointments by Council, with the exception of the Youth Commissioner. The total voting membership would be seven, six adults and one Youth Commissioner, with encouragement that the Transportation and Parking Commission, Parks Commission, and Safe Routes to School Coalition would continue to appoint liaisons that are non-voting members.

To implement the change, the Committee could consider the following options:

1. Modify the current recruitment to say that BPAC may need up to four Commissioners; or
2. Have this recommendation go into effect January 2018; or
3. Phase in the recommendation by recruiting two members this year and three next year. To do this, the Town would advertise one additional opening for this recruitment to replace the Parks Commissioner (since we have been unsuccessful appointing one) and keep the T&P and Safe Routes to School (SR2S) representatives for one more year.

Staff did not presume the Committee's preference and the enabling resolution will be modified after the Committee's decision.

Building Board of Appeals (BOA)

The Committee's proposed change would require all members to be residents in the incorporated limits of the Town and the Board would meet only as necessary.

Community and Senior Services Commission (CSSC)

CSSC currently has two appointed Student Commissioners. The Committee's proposed change would mean there would not be directly appointed Student Commissioners to the Commission, instead the Youth Commission would appoint one Youth Commissioner and the adult membership would be reduced by two, to reduce the total membership to the recommended seven.

General Plan Committee (GP)

The Committee's proposed change would require all members to be residents in the incorporated limits of the Town, and to change the "Property Owner/Manager" designation to "Resident."

Library Board (LIB)

The Library Board currently has two appointed Student Commissioners. The Committee's proposed change would mean there would not be directly appointed Student Commissioners to the Commission. Instead, the Youth Commission would appoint a Youth Commissioner and an additional adult member would be appointed by Council to keep the total members at seven. No comments were received from Board members.

Parks Commission (Parks)

The Committee's proposed changes for the Parks Commission are to eliminate the option for a Monte Sereno resident and require all Commissioners to be residents in the incorporated limits of the Town.

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This brings consistency to the residency requirement for all Town Commissions, except Youth as discussed below. There would not be directly appointed Student Commissioners to the Commission. Instead the Youth Commission would appoint one Youth Commissioner. The adult membership would be reduced by two, to bring the total membership to the recommended seven members.

Transportation and Parking Commission (T&P)

The Committee's proposed change for the Transportation and Parking Commission is to have a Youth Commissioner appointed by the Youth Commission. With the addition of a Youth Commissioner, the adult membership would be reduced by one to keep the total members at seven. The Committee also recommended having the Youth Commissioner appointed now and reduce the current adult commissioner recruitment to one instead of two.

Youth Commission/Student Commissioners

The Committee's proposed changes are to increase the membership to 26; eliminate the title of Alternate; appoint all Student Commissioners as Youth Commissioners; eliminate the direct student appointments to CSSC, Library Board, and Parks Commission; have the Youth Commission appoint one primary Commissioner and one alternate Commissioner to each of the following: ACC, BPAC, CSSC, LIB, Parks, and T&P; and to revise the residency requirement in the enabling resolution to remove the school requirement. Residents with a Los Gatos address in the unincorporated portions of Santa Clara County would remain eligible for the Youth Commission.

Other Comments

The Committee chose not to pursue the suggestion of creating a Public Safety Advisory Committee at this time.

In response to public requests to add two resident members to the Council Finance Committee, the Committee requested additional information regarding several questions. The questions and the requested information are provided below.

- What is the difference between a Council Committee and a Commission?

A Council Committee is a subset of the Council. As such, only two Councilmembers are appointed to the Committee in compliance with the Brown Act. A Council Committee reviews matters in detail and makes recommendations to the full Council. For example, every year the Council Finance Committee considers the draft Comprehensive Annual Financial Report (CAFR). The Town Manager, Finance Director, and the Town's independent auditor answer questions and address issues raised by the Council Committee. This level of review and recommendation allows for detailed exploration of the information prior to the full Council considering the CAFR.

A Commission is advisory to the Town Council. A Commission consists of residents appointed by the Council. Commissions typically consider emerging issues and make recommendations on new ordinances, studies/plans, or programs. For example, the Youth Commission worked with the Town Attorney on the recently enacted smoking ordinance; the BPAC is assisting with the preparation of the Bicycle Pedestrian Master Plan; and T&P is exploring potential Vision Zero measures.

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- What are the implications of adding residents to a Council Committee?

Most cities have Council Committees (some are called Council Subcommittees) that do not have residents. This is important because it allows for Council members interested in a topic to develop expertise and fully examine issues prior to consideration by the full Council. The Council Committee recommendation reflects a subset of the elected body which is directly accountable to the voters. All meetings are public and residents are welcome to provide comments and participate in the Committee meetings.

Adding residents to a Council Committee would mean that it is no longer a Council Committee. It becomes a different kind of advisory body, such as the Conceptual Development Advisory Committee or General Plan Committee with a mix of appointed residents and elected officials. If one resident is added, the Council members would be a majority of the Committee. Adding two resident members is not practical as the Committee may end up with tie votes; however, adding three would result in a majority of resident members.

As provided to the Council Policy Committee at its last meeting, in 2015, the City of Newport Beach modified the membership of its Finance Committee to add four citizens appointed by the full Council to a Committee that historically (since 1994) had three Councilmembers. The Mayor appoints the chair subject to confirmation by the full Council. Based on a scan of other jurisdictions in California, this is a very unique situation. Typically, if a jurisdiction has a need for citizen advice, it would create a Commission.

- What are the implications of adding a new Commission?

If the Town were to create a Finance Commission, the Council would need to adopt an enabling resolution and clearly articulate the purpose and area of responsibility for the new Commission. For example, the City of Los Altos has a Financial Commission which provides advice on the City's investment policies that are ultimately considered and adopted by its Council.

A Finance Commission in Los Gatos would be supported and staffed by the Finance Department with the associated expenses of preparing agendas, writing action minutes, researching and preparing Commission reports, attending meetings, and completing other tasks. If the Council Policy Committee is interested in this option, it should be raised at the Council's next priority setting session intended for early 2017. Staff would then determine the budget implications and any staffing augmentations that might be needed to support the new work associated with a new Commission.

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CONCLUSION AND NEXT STEPS:

The Committee should review and discuss the proposed amendments. Based on the discussion, the Committee should identify any new changes to the proposed updated Council Policy 2-11 (Attachments 1 and 2), draft Resolution to Rescind Resolutions 2004-042 Establish Residency Requirements 2011-012 Attendance Requirements, and 2014-041 Establish a Quorum at Board, Commission, and Committee meetings (Attachment 3), and redlined enabling resolutions (Attachment (4), and draft revised Enabling Resolutions (5). The Committee's recommendations on these documents will be forwarded to the Town Council for its review and consideration (tentatively scheduled for October 18, 2016).

COORDINATION:

The preparation of this report was coordinated with the Town Manager's Office, the Town Attorney, and applicable Town Departments.

Attachments:

1. Redline changes to Policy 2-11
2. Revised Policy 2-11
3. Draft Resolution to Rescind Resolutions 2004-042 ,2011-012, and 2014-041
4. Redlined Enabling Resolutions
5. Draft Revised Enabling Resolutions
6. Public Comment



TOWN OF  
**LOS GATOS**  
CALIFORNIA

## COUNCIL POLICY MANUAL

*Small Town Service    Community Stewardship    Future Focus*

**Title:** Commission Appointments, Residency and Attendance Requirements, and Establishing a Quorum

**Policy Number:** 2-11

**Effective Date:** 2/28/90

**Pages:** 5 4

**Enabling Actions:**

**Revised Date:** 6/13/94; 6/16/14; 4/7/15

**Approved:**

### PURPOSE

To establish a policy to encourage participation by the Town's residents on Town Boards, Commissions and Committees (hereinafter referred to as "Commissions"). The Town will encourage residents to participate on Commissions by advertising vacancies on Commissions for at least 30 days, preparing easily understood applications, maintaining clear descriptions of the role of each Commission and Commissioners/Committee and Board Members (Commission members), providing current meeting schedules, and conducting public interviews of all Commission applicants, except as provided for in this Policy.

### SCOPE

This Policy applies to all applicants to Town Boards, Commissions and Committees.

### POLICY

The Town Council encourages public participation in all decision making and to be successful, residents must be assured that the participation is meaningful and that their input will be valued. The widest representation from the community can only be achieved if vacancies are well advertised so that anyone interested will have the opportunity to apply. Public interviewing of the applicants by the Town Council demonstrates that the Council values these appointments and that everyone has an equal opportunity to be appointed.

**Deleted:** in achieving public participation,

To ensure the greatest possible participation by the public, it is the Town's policy that no person shall be appointed to more than one Commission except in those cases where they are ex-officio members of other Boards, Commissions and Committees. This Policy does not apply to Commission members serving as representatives of their Commission who have been appointed by the Town Council. (Revised on 4/07/15)

## **RESIDENCY REQUIREMENTS**

Residency within the incorporated municipal limits of the Town of Los Gatos, California is required for appointment and continued membership on all Town of Los Gatos Boards and Commissions with the exception of the Youth Commission.

### Youth Commission:

The members shall be students who are entering grades 8 through 12. Membership for the students requires either residency in the incorporated limits of the Town of Los Gatos or residency in the unincorporated areas of the County of Santa Clara, which have a Los Gatos mailing address.

## **ATTENDANCE REQUIREMENTS**

1. All members of all appointive Town Advisory Bodies should attend all regular and special meetings of said Advisory Bodies.
2. Any member of an appointive Town Advisory Body who is absent from the number of regular meetings listed below appropriate to his or her Advisory Body shall, as a result, surrender his or her office on the Advisory Body and the office shall be considered vacant.
  - a. For an Advisory Body which holds six (6) or more regular meetings per a consecutive twelve (12) month period: three (3) regular meetings.
  - b. For an Advisory Body which holds five (5) or fewer regular meetings per a consecutive twelve (12) month period: two (2) regular meetings.
  - c. For an Advisory Body which holds sixteen (16) or more regular meetings per a consecutive twelve (12) month period: eight (8) regular meetings.
3. The vacant position shall be filled by appointment by a majority vote of the Town Council, for a term equal to the unexpired portion of the office vacated. Any member removed from office due to non-attendance may re-apply to serve on a Town Advisory Body.
4. An Advisory Body member may be removed from the Advisory Body prior to the end of his or her term by a four-fifths (4/5) vote of the Town Council.

## **QUORUM REQUIREMENTS**

The number of members needed to constitute a quorum on any Town Advisory Body shall be a majority of the total number of filled seats.

## **PROCEDURES**

The following procedures will be followed by the applicant, the Town Clerk Administrator and the Town Council for the appointment of applicants to Town Commissions:

### **Responsibility and Actions: Town Clerk Administrator**

#### **A. Annual Recruitments**

Adult Commission members' terms begin on January 1 and end December 31; with the ~~exception of the Student Commissioners'~~ whose terms follow the academic year and begin on ~~September~~ August 1 and end on June 30. The Town Clerk Administrator shall perform the following duties in conducting an annual recruitment for Commission members:

1. Notify Town Council of vacancies on Commissions by indicating the names of the Commissions, the number of terms expiring or being vacated, names of individual(s) with expiring terms or vacating seats, advertising periods (at least 30 days) and the ~~recommended~~ date of interview.
2. Advertise the vacancies, including the application deadline and the interview date, which shall be set for no later than the second Town Council meeting in December for Adult Commissioners, and the fourth Wednesday in May, no earlier than 4:00 p.m., for Student Commissioners.
3. Prepare and maintain easily understood applications for appointment to Commissions. Applications shall include the following policy information:
  - a. Prior to initial appointment to any Commission, non-incumbent applicants must be interviewed by the Town Council. The applications of those not appearing will be held for the next recruitment.
  - b. If an incumbent is requesting reappointment to a the same Town Commission, the incumbent will be re-interviewed, or must submit a letter for distribution to the Council prior to the interviews, describing the reason why the applicant cannot be present for an interview and why the applicant should be reappointed to the Commission. Incumbent interviews by telephone may be considered under extraordinary circumstances.
  - c. Submissions deadlines are mandatory; no exceptions are permitted.
  - d. ~~Applicants may apply to multiple Commissions, and will only be considered for those Commissions to which they apply. Applicants applying for more than one Commission will only be interviewed once.~~
4. Applications:
  - a. *For adult applicants* — Accept applications, verify eligibility, and distribute copies of the applications of eligible applicants to the Town Council prior to the interviews for appointment.
  - b. *For student applicants* — Accept applications, verify eligibility, and distribute copies of the applications of eligible applicants to the Town Council Selection Committee prior to the interviews for appointment.

5. Notify the applicant by letter or email as to the date and time of the interview.
6. Facilitate the Council voting process set forth below by informing Council as to how many votes are possible on each Commission, calling out applicants' names, and identifying the applicants receiving sufficient votes for appointment. This process does not apply to student applicants.
7. Applicants
  - a. *For adult applicants* — After the interviews and Council vote are completed, notify all applicants of the Council's action, and explain Town policy of keeping application active for one year with notification of subsequent openings on that Commission to the interested applicants.
  - b. *For student applicants* — After the interviews are completed, notify all applicants of the Council Committee's action, and prepare a staff report for the Town Council to ratify the Committee's appointment at ~~an official~~ the first Town Council meeting in June.

### Balloting Process

Moved (insertion) [1]

Unless determined otherwise, the Town Council shall conduct a ballot vote for the appointment of individuals to fill the vacancy(ies) on Town Commissions. Such ballot vote may be conducted at either a regular, adjourned or special meeting of the Town Council. The ballot vote process shall be conducted as follows:

1. The Town Clerk Administrator shall provide a ballot to each Town Council member listing the names of all applicants for a respective Commission. Prior to the vote, the Town Clerk Administrator shall publicly announce the position vacancy and all applicant names that are listed on the ballot;
2. Each Town Council member may vote for the same number of applicants as there are current vacancies on the respective Town Commission. In no case, can a Council Member cast more votes than there are vacancies; or vote for the same candidate more than once on each ballot (i.e. cumulative voting -- e.g. where there are three vacancies, a Town Council member may not give all three votes to the same candidate).
3. The Town Clerk Administrator shall collect all ballots and shall publicly announce the name of each Town Council member and how that Town Council member cast their respective vote.
4. Applicants receiving a majority number of votes shall be deemed appointed to the Commission. In the event of a tie, a run-off ballot shall be conducted of only the applicants receiving the highest number of votes from the previous round. This shall

continue until a majority consensus on an applicant(s) is reached for the number of vacancies to be filled. In the event of an unbreakable tie, the City Council may determine an alternative method for selecting the appointee(s).

5. If the number of applicants seeking appointment to a specific board, commission and/or Committee is equal to the number of available seats on said boards, commissions and committee, the City Council may dispense with the formal balloting procedure to appoint representatives to fill expiring vacancies.

### B. Mid-Term Recruitments

During the year, Commissions may experience vacancies that drop the number of filled seats to a number of members that is not sufficient to conduct Commission business. The Commission may request the Town to conduct a mid-term recruitment to fill seats. To the extent possible, the Town Clerk Administrator will consolidate mid-term recruitments to minimize the number of recruitments occurring though the year. In the event of a vacancy on the Planning Commission, the Town will automatically conduct a mid-term recruitment. Mid-term recruitments will not be conducted for student commissioners. The Town Clerk Administrator shall advertise mid-term vacancies on Commissions for at least 15 days.

#### Responsibility and Action: Applicant

1. Read the Commission Appointment and Residency Requirements Policy, Attendance Resolution. Complete and submit to the Town Clerk Administrator the application for appointment to a Town Commission by the advertised deadline date and time.
- For adult applicants:* Attend the Council meeting to be interviewed for Commission appointment.  
*For student applicants:* Attend the Council Selection Committee interview session.
- If a Commission member is requesting reappointment to a the same Town Commission and cannot be present for the interview, submit a letter to the Town Clerk Administrator by Friday prior to the interview, describing why applicant cannot be present for the interview and why the applicant should be reappointed to the Commission.
- If appointed, prior to starting the Commission term, see Town Clerk Administrator to take "Oath of Office" and file any documents required by the Fair Political Practices Commission.
- Attend Commission meetings once term begins.
- Read the Commissioner Handbook.

#### Moved up [1]: Balloting Process

Unless determined otherwise, the Town Council shall conduct a ballot vote for the appointment of individuals to fill the vacancy(ies) on Town Commissions. Such ballot vote may be conducted at either a regular, adjourned or special meeting of the Town Council. The ballot vote process shall be conducted as follows:

<#>The Town Clerk Administrator shall provide a ballot to each Town Council member listing the names of all applicants for a respective Commission. Prior to the vote, the Town Clerk Administrator shall publicly announce the position vacancy and all applicant names that are listed on the ballot.

<#>Each Town Council member may vote for the same number of applicants as there are current vacancies on the respective Town Commission. In no case, can a Council Member cast more votes than there are vacancies; or vote for the same candidate more than once on each ballot (i.e. cumulative voting -- e.g. where there are three vacancies, a Town Council member may not give all three votes to the same candidate).

<#>The Town Clerk Administrator shall collect all ballots and shall publicly announce the name of each Town Council member and how that Town Council member cast their respective vote.

<#>Applicants receiving a majority number of votes shall be deemed appointed to the Commission. In the event of a tie, a run-off ballot shall be conducted of only the applicants receiving the highest number of votes from the previous round. This shall continue until a majority consensus on an applicant(s) is reached for the number of vacancies to be filled. In the event of an unbreakable tie, the City Council may determine an alternative method for selecting the appointee(s).

<#>If the number of applicants seeking appointment to a specific board, commission and/or Committee is equal to the number of available seats on said boards, commissions and committee, the City Council may dispense with the formal balloting procedure to appoint representatives to fill expiring vacancies.

<b>Title:</b> Commission Appointments, <u>Residency and Attendance Requirements, and Establishing a Quorum</u>	<b>Page:</b> 6 of 6	<b>Policy Number:</b> 2-11
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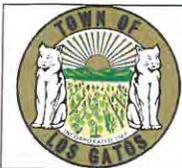
**Responsibility and Action: Town Council**

1. Review applications.
2. *For adult applicants* – Interview applicants at a public meeting.  
*For student applicants* – Town Council Selection Committee interviews applicants.
3. Determine if the incumbents not in attendance and having submitted a letter pursuant to this Policy should be considered for reappointment.
4. If there are limited applications for any vacancy to a Town Commission, the Mayor, on behalf of the Council, may request that the Town Clerk Administrator re-advertise the vacancy, reschedule the interviews, and notify all applicants of the new interview date.

APPROVED AS TO FORM:

\_\_\_\_\_  
Robert Schultz, Town Attorney

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**Title:** Commission Appointments, Residency and Attendance Requirements, and Establishing a Quorum

**Policy Number:** 2-11

**Effective Date:** 2/28/90

**Pages:** 6

**Enabling Actions:**

**Revised Date:** 6/13/94; 6/16/14; 4/7/15

**Approved:**

### **PURPOSE**

To establish a policy to encourage participation by the Town's residents on Town Boards, Commissions and Committees (hereinafter referred to as "Commissions"). The Town will encourage residents to participate on Commissions by advertising vacancies on Commissions for at least 30 days, preparing easily understood applications, maintaining clear descriptions of the role of each Commission and Commissioners/Committee and Board Members (Commission members), providing current meeting schedules, and conducting public interviews of all Commission applicants, except as provided for in this Policy.

### **SCOPE**

This Policy applies to all applicants to Town Boards, Commissions and Committees.

### **POLICY**

The Town Council encourages public participation in all decision making and to be successful residents must be assured that the participation is meaningful and that their input will be valued. The widest representation from the community can only be achieved if vacancies are well advertised so that anyone interested will have the opportunity to apply. Public interviewing of the applicants by the Town Council demonstrates that the Council values these appointments and that everyone has an equal opportunity to be appointed.

To ensure the greatest possible participation by the public, it is the Town's policy that no person shall be appointed to more than one Commission except in those cases where they are ex-officio members of other Boards, Commissions and Committees. This Policy does not apply to Commission members serving as representatives of their Commission who have been appointed by the Town Council. (Revised on 4/07/15)

## **RESIDENCY REQUIREMENTS**

Residency within the incorporated municipal limits of the Town of Los Gatos, California is required for appointment and continued membership on all Town of Los Gatos Boards and Commissions with the exception of the Youth Commission.

Youth Commission:

The members shall be students who are entering grades 8 through 12. Membership for the students requires either residency in the incorporated limits of the Town of Los Gatos or residency in the unincorporated areas of the County of Santa Clara, which have a Los Gatos mailing address.

## **ATTENDANCE REQUIREMENTS**

1. All members of all appointive Town Advisory Bodies should attend all regular and special meetings of said Advisory Bodies.
2. Any member of an appointive Town Advisory Body who is absent from the number of regular meetings listed below appropriate to his or her Advisory Body shall, as a result, surrender his or her office on the Advisory Body and the office shall be considered vacant.
  - a. For an Advisory Body which holds six (6) or more regular meetings per a consecutive twelve (12) month period: three (3) regular meetings.
  - b. For an Advisory Body which holds five (5) or fewer regular meetings per a consecutive twelve (12) month period: two (2) regular meetings.
  - c. For an Advisory Body which holds sixteen (16) or more regular meetings per a consecutive twelve (12) month period: eight (8) regular meetings.
3. The vacant position shall be filled by appointment by a majority vote of the Town Council, for a term equal to the unexpired portion of the office vacated. Any member removed from office due to non-attendance may re-apply to serve on a Town Advisory Body.
4. An Advisory Body member may be removed from the Advisory Body prior to the end of his or her term by a four-fifths (4/5) vote of the Town Council.

## **QUORUM REQUIREMENTS**

The number of members needed to constitute a quorum on any Town Advisory Body shall be a majority of the total number of filled seats.

## **PROCEDURES**

The following procedures will be followed by the applicant, the Town Clerk Administrator and the Town Council for the appointment of applicants to Town Commissions:

### **Responsibility and Actions: Town Clerk Administrator**

### **A. Annual Recruitments**

Adult Commission members' terms begin on January 1 and end December 31, Student Commissioners' terms follow the academic year and begin on August 1 and end on June 30. The Town Clerk Administrator shall perform the following duties in conducting an annual recruitment for Commission members:

1. Notify Town Council of vacancies on Commissions by indicating the names of the Commissions, the number of terms expiring or being vacated, names of individual(s) with expiring terms or vacating seats, advertising periods (at least 30 days) and the date of interview.
2. Advertise the vacancies, including the application deadline and the interview date, which shall be set for no later than the second Town Council meeting in December for Adult Commissioners, and the fourth Wednesday in May, no earlier than 4:00 p.m., for Student Commissioners.
3. Prepare and maintain easily understood applications for appointment to Commissions. Applications shall include the following policy information:
  - a. Prior to initial appointment to any Commission, non-incumbent applicants must be interviewed by the Town Council. The applications of those not appearing will be held for the next recruitment.
  - b. If an incumbent is requesting reappointment to the same Town Commission, the incumbent will be re-interviewed, or must submit a letter for distribution to the Council prior to the interviews, describing the reason why the applicant cannot be present for an interview and why the applicant should be reappointed to the Commission. Incumbent interviews by telephone may be considered under extraordinary circumstances.
  - c. Submissions deadlines are mandatory; no exceptions are permitted.
4. Applications:
  - a. *For adult applicants* — Accept applications, verify eligibility, and distribute copies of the applications of eligible applicants to the Town Council prior to the interviews for appointment.
  - b. *For student applicants* — Accept applications, verify eligibility, and distribute copies of the applications of eligible applicants to the Town Council Selection Committee prior to the interviews for appointment.
5. Notify the applicant by letter or email as to the date and time of the interview.

6. Facilitate the Council voting process set forth below by informing Council as to how many votes are possible on each Commission, calling out applicants' names, and identifying the applicants receiving sufficient votes for appointment. This process does not apply to student applicants.
7. Applicants:
  - a. *For adult applicants* — After the interviews and Council vote are completed, notify all applicants of the Council's action, and explain Town policy of keeping application active for one year with notification of subsequent openings on that Commission to the interested applicants.
  - b. *For student applicants* — After the interviews are completed, notify all applicants of the Council Committee's action, and prepare a staff report for the Town Council to ratify the Committee's appointment at the first Town Council meeting in June.

### **Balloting Process**

Unless determined otherwise, the Town Council shall conduct a ballot vote for the appointment of individuals to fill the vacancies(y) on Town Commissions. Such ballot vote may be conducted at either a regular, adjourned or special meeting of the Town Council. The ballot vote process shall be conducted as follows:

1. The Town Clerk Administrator shall provide a ballot to each Town Council member listing the names of all applicants for a respective Commission. Prior to the vote, the Town Clerk Administrator shall publicly announce the position vacancy and all applicant names that are listed on the ballot;
2. Each Town Council member may vote for the same number of applicants as there are current vacancies on the respective Town Commission. In no case, can a Council Member cast more votes than there are vacancies; or vote for the same candidate more than once on each ballot (i.e. cumulative voting -- e.g. where there are three vacancies, a Town Council member may not give all three votes to the same candidate).
3. The Town Clerk Administrator shall collect all ballots and shall publicly announce the name of each Town Council member and how that Town Council member cast their respective vote.
4. Applicants receiving a majority number of votes shall be deemed appointed to the Commission. In the event of a tie, a run-off ballot shall be conducted of only the applicants receiving the highest number of votes from the previous round. This shall continue until a majority consensus on an applicant(s) is reached for the number of

vacancies to be filled. In the event of an unbreakable tie, the City Council may determine an alternative method for selecting the appointee(s).

5. If the number of applicants seeking appointment to a specific board, commission and/or Committee is equal to the number of available seats on said boards, commissions and committee, the City Council may dispense with the formal balloting procedure to appoint representatives to fill expiring vacancies.

### **B. Mid-Term Recruitments**

During the year, Commissions may experience vacancies that drop the number of filled seats to a number of members that is not sufficient to conduct Commission business. The Commission may request the Town to conduct a mid-term recruitment to fill seats. To the extent possible, the Town Clerk Administrator will consolidate mid-term recruitments to minimize the number of recruitments occurring though the year. In the event of a vacancy on the Planning Commission, the Town will automatically conduct a mid-term recruitment. Mid-term recruitments will not be conducted for student commissioners. The Town Clerk Administrator shall advertise mid-term vacancies on Commissions for at least 15 days.

### **Responsibility and Action: Applicant**

1. Read the Commission Appointment and Residency Requirements Policy, Attendance Resolution, complete and submit to the Town Clerk Administrator the application for appointment to a Town Commission by the advertised deadline date and time.
2. *For adult applicants:* Attend the Council meeting to be interviewed for Commission appointment.  
*For student applicants:* Attend the Council Selection Committee interview session.
3. If a Commission member is requesting reappointment to a the same Town Commission and cannot be present for the interview, submit a letter to the Town Clerk Administrator by Friday prior to the interview, describing why applicant cannot be present for the interview and why the applicant should be reappointed to the Commission.
4. If appointed, prior to starting the Commission term, see Town Clerk Administrator to take "Oath of Office" and file any documents required by the Fair Political Practices Commission.
5. Attend Commission meetings once term begins.
6. Read the Commissioner Handbook.

### **Responsibility and Action: Town Council**

1. Review applications.

2. *For adult applicants* – Interview applicants at a public meeting.  
*For student applicants* – Town Council Selection Committee interviews applicants.
3. Determine if the incumbents not in attendance and having submitted a letter pursuant to this Policy should be considered for reappointment.
4. If there are limited applications for any vacancy to a Town Commission, the Mayor, on behalf of the Council, may request that the Town Clerk Administrator re-advertise the vacancy, reschedule the interviews, and notify all applicants of the new interview date.

APPROVED AS TO FORM:

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Robert Schultz, Town Attorney

**RESOLUTION 2016-**

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS  
RESCINDING RESOLUTION 2004-042 ESTABLISHING RESIDENCY  
REQUIREMENTS; RESCINDING RESOLUTION 2011-012 AMENDING  
ATTENDANCE REQUIREMENTS; AND RESCINDING RESOLUTION 2014-041  
ESTABLISHING THE REQUIREMENTS FOR A QUORUM  
FOR ALL TOWN BOARDS, COMMISSIONS, AND COMMITTEES**

**WHEREAS**, the Town Council now desires to rescind Resolution 2004-042 Establishing Residency Requirements, Resolutions 2011-012 Attendance Requirements, and Resolution 2014-041 Establishing the Requirements for a Quorum for all Town Boards, Commissions, and Committees.

**NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF LOS GATOS  
DOES HEREBY RESOLVE:**

1. Resolution 2004-042 is hereby rescinded.
2. Resolution 2011-012 is hereby rescinded.
3. Resolution 2014-041 is hereby rescinded.
4. Residency, attendance, and quorum requirements are incorporated into Council Policy 2-11 entitled Commission Appointments, Residency and Attendance Requirements, and Establishing a Quorum.
3. For all Town Board, Commission, and Committee Members currently serving that do not meet the residency requirement set forth in Policy 2-11 they will be allowed to serve out their remaining term.

**ATTACHMENT 3**

**PASSED AND ADOPTED** at a regular meeting of the Town Council of the Town of Los Gatos held on the day of , 2016 by the following vote:

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

DATE: \_\_\_\_\_

ATTEST:

CLERK ADMINISTRATOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

DATE: \_\_\_\_\_

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**RESOLUTION ~~2016- 2009-100~~**

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS  
AMENDING THE ARTS AND CULTURE COMMISSION ENABLING RESOLUTION  
AND RESCINDING RESOLUTION ~~2009-100 1996-37~~**

**WHEREAS, BE IT RESOLVED** by the Town Council of the Town of Los Gatos, ~~that the Town Council~~ does hereby establish the terms and conditions for appointment to and conduct of the Arts and Culture Commission. The Commission is advisory to the Town Council and operates in the manner hereinafter prescribed.

**NOW THEREFORE, BE IT RESOLVED:**

1. Membership-Organization

- a. The Commission shall consist of seven members. Membership composition shall be six nine (6 9) adult voting members, whose terms of office shall be three (3) years and until their successors are appointed by the Town Council, and one (1) Youth Commissioner as a voting member, whose term of office shall be for one (1) year with no limitations on reappointments. One (1) member of the Commission shall be an arts professional, such as an artist, art historian, art administrator, museum professional, or architect.
- b. The terms of office of the respective members shall be staggered and overlapped in such a manner that the terms of no more than three (3) of the members expire each year.
- c. ~~The Town Council shall fill any vacancies occurring during the term of the Commission.~~ The Commission shall annually designate a Chairperson and Vice-Chairperson.
- d. A majority of Five (5) ~~members of the Commission~~ shall constitute a quorum of the Commission for the purpose of transacting business. Any member shall have the right to present a minority view to Council in reference to any report or recommendation the Commission may take.
- e. The members of the Commission shall serve without compensation, provided that with advance budgetary approval of the Town Council, the actual and necessary expenses (if any) incurred by the members in the conduct of Town business shall be reimbursable pursuant to the provisions of the current Administrative Policy.
- f. The Commission shall establish a regular time and location for its meetings and shall otherwise call and conduct its meetings in compliance with the provisions of the Ralph M. Brown Act (Government Code Sections 54950 and following).
- g. A record of all minutes and resolutions of the Commission shall be kept and shall be a public record.
- h. Residency and meeting attendance requirements will conform with all current Town Resolutions and Policies.

2. Duties and Functions

- a. The function of the Commission shall be to serve in an advisory capacity to the Town Council regarding Town policies within its scope of expertise; specifically, on the art, drama, music, and other creative activities of the community. With the prior approval of, and/or at the direction of, the Town Council or its delegate, the Commission shall receive public input, evaluate options, and make recommendations on policy issues including, but not limited to, the following:
  - i. Matters affecting the artistic and/or cultural life of the community; and
  - ii. Local visual and performing arts efforts; and
  - iii. Matters in the field of art, aesthetics, and beautification.
- b. The Commission shall make recommendations to the Town Council concerning public art, under the terms of the current Town Public Art Selection Policy and Procedure.
- c. The Commission shall perform other duties as assigned by the Town Council.

**BE IT FURTHER RESOLVED** that Resolution 2009-100 ~~1996-37~~ is hereby rescinded.

**PASSED AND ADOPTED** at a regular meeting of the Town Council of the Town of Los Gatos, California, held on the    day of    , 20    , by the following vote:

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

DATE: \_\_\_\_\_

ATTEST:

CLERK ADMINISTRATOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

DATE: \_\_\_\_\_

**RESOLUTION 2015-011**

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS  
AMENDING THE ESTABLISHING THE BICYCLE AND PEDESTRIAN ADVISORY  
COMMISSION ENABLING RESOLUTION AND RESCINDING RESOLUTION 2015-  
011 DISSOLVING THE BICYCLE ADVISORY COMMITTEE BY RESCINDING  
RESOLUTION 2005-39**

~~WHEREAS, the Town of Los Gatos has a Bicycle Advisory Committee consisting of three (3) members, one (1) each from the membership of the Transportation and Parking Commission, the Parks Commission, and the Youth Commission;~~

~~WHEREAS, the Committee meets at least once each year and as required to advise staff on matters relating to grant applications for proposed bikeway projects;~~

~~WHEREAS, the Town Council now desires to rescind Resolution 2005-39 and wishes to establish a Bicycle and Pedestrian Advisory Commission to provide an expanded role in a subject area significant both locally and regionally.~~

WHEREAS, there is a need for a Bicycle and Pedestrian Advisory Commission to function in the Town of Los Gatos to review and recommend actions related to bikeways, pedestrian paths and walkways, and related issues.

**NOW THEREFORE, BE IT RESOLVED:**

1. There is hereby created a Bicycle and Pedestrian Advisory Commission for the Town.
  - a. The Commission shall be advisory to the Town Council and shall operate in the manner hereinafter prescribed.
2. Membership/Organization
  - a. The Bicycle and Pedestrian Advisory Commission shall consist of seven (7) members. Membership composition shall be one (1) each appointed from and by the membership of the Transportation and Parking Commission, the Parks Commission, and the Youth Commission, three (3) members appointed by the Town Council, and one (1) member appointed from and by the membership of the Los Gatos Safe Routes to School Committee.
  - b. Members of the Commission shall reside within the incorporated municipal limits of the Town of Los Gatos, or when appointed by ~~Transportation and Parking Commission, Parks Commission, Youth Commission, or~~ the Safe Routes to School Committee, residency shall comply with the requirements of that ~~Commission or Committee.~~

- c. The term of office shall be for one (1) year for appointments by the Transportation and Parking, Parks, and Youth commissions with no limitations on reappointments, one (1) year for appointments by the Los Gatos Safe Routes to School Committee, and three (3) years for appointments by the Town Council. Terms shall begin January 1 and end December 31. Initial Town Council appointments shall be one (1) commissioner for a three year term, one commissioner for a two (2) year term, and one commissioner for a one (1) year term, so as to avoid terms expiring concurrently
  - d. Commission members shall serve without compensation.
  - e. The Commission shall hold regular meetings at least bi-monthly, with adjustments to the frequency as required to meet the necessary obligations of the Town and the Commission.
  - f. The Commission shall establish a regular time and location for its meetings and shall otherwise call and conduct its meetings in compliance with the provisions of the Ralph M. Brown Act (Government Code Sections 54950 and following).
  - g. Staff services as required shall be provided to the Commission by the Parks and Public Works Director, or designee, who shall also serve as Secretary of the Commission without vote.
  - h. Meeting attendance requirements will conform with current Town Resolution 2011-012: Amending Attendance Requirements for Members of All Town Commissions, Committees, and Boards, and Rescinding Resolution 2003-136 and Resolution 2003-137.
  - i. A record of all minutes and resolutions of the Commission shall be kept and shall be a public record.
3. Powers and Duties.

The duties of the Bicycle and Pedestrian Advisory Commission shall be to:

- a. Act in an advisory capacity to the Town Council in matters pertaining to current trends and experiences in enhancing multi-modal travel; integration of Town trails and bike and pedestrian paths with neighboring jurisdictions; reviewing relevant grant applications; focusing on transportation around schools, including enhancing safe routes to schools efforts; reviewing and updating the Town's Bicycle and Pedestrian Master Plan as needed; and related topics as directed by the Town Council or requested by Town staff.

- b. Review policies and procedures on streets and trails.
  - c. Review periodic inventories of bikeways and walkways that exist or may be needed, and interpret the needs of the public within these areas to staff.
  - d. Appoint one member of the Commission as a representative of the Town to serve on the Valley Transportation Authority Bicycle and Pedestrian Advisory Commission.
    - i. Appointments shall be for a term of one year.
    - ii. Should the Bicycle Advisory Commission fail to appoint a member of the Commission, the Town Bicycle and Pedestrian Advisory Commission will consider members of other standing Commissions.
    - iii. Appointee shall provide written and/or oral reports at each regularly scheduled meeting.
4. Not to affect powers of Town Council. Nothing in this resolution shall be construed as restricting or curtailing any of the powers of the Town Council, or as a delegation to the Bicycle and Pedestrian Advisory Commission of any of the authority or discretionary powers vested and imposed by law in such Council. The Town Council declares that the public interest, convenience, welfare and necessity require the appointment of a Bicycle and Pedestrian Advisory Commission to act in a purely advisory capacity to such Council for the purposes enumerated in this resolution.
5. Resolution ~~2015-102~~ 2005-39 is hereby rescinded effective upon the date of the first meeting of the Bicycle and Pedestrian Advisory Commission.

**PASSED AND ADOPTED** at a regular meeting of the Town Council of the Town of Los Gatos, California, held on the    of    20    by the following vote:

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

DATE: \_\_\_\_\_

ATTEST:

CLERK ADMINISTRATOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

DATE: \_\_\_\_\_

RESOLUTION ~~2016- 2002-104~~

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS  
AMENDING THE BUILDING BOARD OF APPEALS ENABLING RESOLUTION AND  
**RESCINDING RESOLUTION ~~2002-104 1991-279 AND RESOLUTION 1996-31,~~**  
**AND AMENDING RESOLUTION 1995-44,**  
**PERTAINING TO THE BUILDING BOARD OF APPEALS****

~~WHEREAS, the Town Council of the Town of Los Gatos, in adopting Resolution 1991-279, which was later amended by Resolution 1996-31, established the terms and conditions for appointment to and conduct of the Board of Appeals to hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of the technical rules, and in Resolution 1995-44 established a residency requirement for appointment and continuing membership on the Board of Appeals.~~

~~WHEREAS, the Town Council has found it difficult to find a sufficient number of applicants willing and qualified to serve on the Board of Appeals due to the required number of members and residency requirement.~~

~~WHEREAS, the Town Council now desires to rescind Resolutions 1991-279 and 1996-31, and to amend Resolution 1995-44, in order to reduce the membership of the Board of Appeals from five (5) to three (3) members, and to allow non-resident business or property owners to become and remain members of the Board of Appeals, all in order to assist in maintaining full membership on the Board of Appeals in the event of an appeal.~~

**NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF LOS GATOS DOES HEREBY RESOLVE:** that the terms and conditions for appointment to and conduct of a Board of Appeals to hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretations of the technical rules, are hereby established as follows:

1. Membership - Organization:

- a. The Board of Appeals shall consist of three (3) members who are qualified by experience and training to pass upon matters pertaining to building construction and building service equipment and who are not employees of the Town of Los Gatos. The Building Official shall be an ex officio member and shall act as secretary to said Board but shall have no vote upon any matter before the Board. The Fire Marshall shall act as an ex officio, non-voting member for issues related to the fire code. The Board of Appeals shall be appointed by the Town Council.
- b. The term of appointment shall be four (4) years and until their successors are qualified and appointed.
- c. The terms of office shall be staggered and overlapped in such a manner that the term of no more than one (1) member expires each year.
- d. Residency requirements shall conform with all current Town Resolutions and Policies. ~~Two (2) of the members shall reside in the Town and one (1) member may conduct business or own property in the Town.~~
- e. The Board shall establish rules and procedures relative to the conduct of business before the Board, and the election and term of officers. The Board shall elect a chair and a vice-chair, both of whom shall serve at the pleasure of the Board.

- f. ~~The Board of Appeals shall hold meetings annually and as necessary. Meetings shall occur the second Tuesday of February at 5:30 p.m. in the Town Council Chambers. The Board shall call and conduct its meetings in compliance with the provisions of the Ralph M. Brown Act (Government Code Sections 54950 and following).~~
- g. A majority of the Board shall constitute a quorum for the purpose of transacting the business of the Board.
- h. Minutes of the actions taken during its meetings shall be kept and filed with the Town Clerk.
- i. Meeting attendance requirements will conform with all current Town Resolutions and Policies.
- j. Board members shall serve without compensation, provided that, with advance budgetary approval of the Town Council, the actual and necessary expenses (if any) incurred by the members in the conduct of Town business shall be reimbursable pursuant to the current Council policy.

2. Powers and Duties:

The duties of the Board of Appeals shall be to hear and decide appeals or orders, decisions or determinations made by the Building Official relative to the application and interpretation of the technical codes. The Board of Appeals shall have no authority relative to interpretation of the administrative provisions of the Uniform Building Codes or the technical codes nor shall the Board be empowered to waive code requirements.

**BE IT FURTHER RESOLVED** that Section 1 of Resolution 1995-44 is hereby amended to read as follows:

- 1. ~~Residency in Town is required for appointment and continued membership on the following boards and commissions:~~

<del>Arts Commission</del>	<del>Community Services Commission</del>
<del>Conceptual Development Advisory Committee</del>	<del>General Plan Committee</del>
<del>Historic Preservation Committee</del>	<del>Library Board</del>
<del>Planning Commission</del>	<del>Sister City Committee</del>

and that Section 4 of Resolution 1995-44 is hereby amended to read as follows:

- 4. ~~Residency in Town is not required for the following boards and commissions:~~

<del>Business Improvement District Board</del>	<del>Board of Appeals</del>
<del>Development Review Committee</del>	<del>Newsrack Committee</del>
<del>Parking Commission</del>	

**BE IT FURTHER RESOLVED** that Resolution 2002-104 ~~1991-279 and 199631~~ is are hereby rescinded.

**PASSED AND ADOPTED** at a regular meeting of the Town Council of the Town of Los Gatos, California, held on the    of    20    by the following vote:

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

DATE: \_\_\_\_\_

ATTEST:

CLERK ADMINISTRATOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

DATE: \_\_\_\_\_

RESOLUTION ~~2016 - 2009-101~~

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS  
AMENDING THE COMMUNITY ~~AND SENIOR~~ SERVICES COMMISSION  
ENABLING RESOLUTION AND RESCINDING RESOLUTIONS ~~2009-101 2004-60,~~  
~~1996-36, 1993-99, AND 1988-215~~

**RESOLVED** by the Town Council of the Town of Los Gatos, that the Town Council does hereby establish the terms and conditions for appointment to and conduct of the Community ~~and Senior~~ Services Commission. The Commission is advisory to the Town Council and operates in the manner hereinafter prescribed.

1. Membership-Organization

a. The ~~Community Services~~ Commission shall consist of seven (7) voting members. Membership composition shall be six ~~Seven (6 7)~~ are adult voting members appointed by Council, over eighteen (18) years of age. Their whose terms of office are three (3) years and until their successors are appointed by Council, and one (1) Youth Commissioner as a voting member, appointed by the Youth Commission, whose term of office shall be for one (1) year with no limitations on reappointments. Two (2) members of the Commission shall, at the time of their appointment, have completed the ninth (9th) grade, shall be students enrolled in an accredited school, and shall be no more than eighteen (18) years old. Their terms of office are one (1) year and until their successors are appointed.

b. The Commission's membership shall, to the extent possible, reflect the social and economic diversity of the Los Gatos community.

c. The members' terms of office are staggered and overlapped so that the terms of no more than three (3) of the adult members expire each year.

The Town Council shall fill any vacancies occurring during the term of the Commission.

d. The ~~Community Services~~ Commission shall appoint and prescribe the term of office for its Chair and Vice-Chair.

e. A majority of Five (5) voting members of the Commission shall constitute a quorum for the purpose of transacting business. Any member shall have the right to present a minority view to the Town Council in reference to any report or recommendation the Commission makes.

f. Commission members shall serve without compensation, provided that, with advance budgetary approval of the Town Council, the actual and necessary expenses (if any) incurred by the members in the conduct of Town business shall be reimbursable pursuant to the provisions of the current Administrative Policy.

g. The Commission shall establish a regular time and location for its meetings and shall otherwise call and conduct its meetings in compliance with the provisions of the Ralph M. Brown Act (Government Code Sections 54950 and following).

h. A record of all minutes and resolutions of the Commission shall be kept and shall be a public record.

i. Residency and meeting attendance requirements will conform with all current Town Resolutions and Policies.

## 2. Duties and Functions

a. The function of the Commission shall be to serve in an advisory capacity to the Town Council regarding Town policies within its scope of expertise; specifically, on the housing and human service needs of the community. With the prior approval of, and/or at the direction of, the Town Council or its delegate, the Commission shall receive public input, evaluate options, and make recommendations on policy issues including, but not limited to, the following:

- i. The goals and objectives contained in the Human Service Element of the Town's General Plan; and
- ii. The coordination of community services programs between the Town and other agencies, both public and private; and
- iii. Emerging community needs, including demographic and economic trends.

b. The Commission shall make recommendations to Town Council concerning projects to be included in funding applications under the Housing and Community Development Act of 1974 and perform the duties necessitated by the Act upon the request of Town Council.

c. In developing recommendations to the Town Council, the Commission should:

- i. Elicit the interest and support of various relevant community individuals and groups.
- ii. Study and examine sources of public and private funding to meet housing and community service needs.
- iii. Evaluate the effectiveness of existing programs and make constructive suggestions for improvement.
- iv. Examine ways to minimize and/or eliminate overlapping and duplicative services.

d. The Commission may send representatives, when appropriate, to other bodies or commissions.

e. The Commission shall perform other duties as assigned by the Town Council.

**BE IT FURTHER RESOLVED** that Resolutions 2009-101 ~~2004-60, 1996-36, 1993-99,~~ and ~~1988-215~~ are is hereby rescinded.

**PASSED AND ADOPTED** at a regular meeting of the Town Council of the Town of Los Gatos, California, held on the    day of    , 20    , by the following vote:

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:  
MAYOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

DATE: \_\_\_\_\_

ATTEST:

CLERK ADMINISTRATOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

DATE: \_\_\_\_\_

## RESOLUTION 2016 2014-025

### RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS ESTABLISHING THE TERMS AND CONDITIONS FOR APPOINTMENT TO AND CONDUCT OF THE LIBRARY BOARD

WHEREAS, the Town Council of the Town of Los Gatos does hereby establish the terms and conditions for appointment to and conduct of the Library Board. The Board is advisory to the Town Council and operates in the manner hereinafter prescribed. ~~on April 15, 2014, the Library Board approved through unanimous vote, a resolution establishing the terms and conditions for the appointment to and conduct of the Library Board.~~

**NOW, THEREFORE, BE IT RESOLVED THAT,** the Library Board shall consist of seven (7) members - six five (6 5) adult voting members appointed by Council, whose terms of office shall be three (3) years and until their successors are appointed by Council, and one two (1 2) Youth Commissioner as a voting member, appointed by the Youth Commission, whose term of office shall be for one (1) year with no limitations on reappointments. ~~Adult members terms of office shall be three (3) years and until their successors are appointed by the Town Council. Youth members terms shall be one (1) year and until their successors are appointed by Town Council.~~

Residency and meeting attendance requirements for all members will conform with all current Town Resolutions and Policies. ~~Two (2) members of the Board shall, at the time of his/her appointment, have completed the ninth (9<sup>th</sup>) grade, reside in the Town of Los Gatos, and attend any accredited high school; or have completed ninth (9<sup>th</sup>) grade, have a Los Gatos mailing address, and attend an accredited high school in the Town of Los Gatos. The student member's term of office is one (1) year and until his/her successor is appointed.~~

The terms of office of the adult members shall be staggered and over lapped in such a manner that the terms of no more than one-third of the members expire each year.

The Town Council shall fill any member vacancies occurring during the term of the Board. The Board shall, annually, at the January meeting, designate a Chairperson and Vice-Chairperson.

~~The adult members of the Library Board shall be residents of the incorporated area of the Town of Los Gatos. Meeting attendance requirements for all Board members will conform with current Town Resolutions.~~

A majority ~~Four of~~ members of the Board shall constitute a quorum of the Board for the purpose of transacting business. Any member shall have the right to present a minority view to Council in reference to any report or recommendation the Board may take.

The members of the Board shall serve without compensation, provided that with advance budgetary approval of the Town Council, the actual and necessary expenses (if any) incurred by the members in the conduct of Town business shall be reimbursable pursuant to the provisions of the current Administrative Policy.

The Library Board shall establish a regular time and location for its meetings and shall conduct its meetings in compliance with the provisions of the Ralph M. Brown Act (Government Code

Sections 54950.)

Special meetings may be called at any time by three Board members by written notice served upon each member, and shall be posted at least twenty-four hours before the time specified for the proposed meeting.

Minutes of the actions taken during the Board's meetings shall be kept and shall be a public record.

**BE IT FURTHER RESOLVED THAT,** (a) The function of the Board shall be to serve in an advisory capacity to the Town Council regarding Town policies within its scope of expertise; specifically on library programs, services and policies that meet the needs of the community. With the prior approval of, and/or at the direction of, the Town Council or its delegate, the Board shall receive public input, evaluate options, and make recommendations on policy issues affecting the library.

(b) The Board shall promote the services of the library in the community by:

1. Becoming familiar with the library's services and with applicable local and state library laws.
2. Speaking to service clubs, business associations, school groups, and other organizations about the library's program and services.

(c) The Board may send representatives, when appropriate, to other bodies or commissions.

(d) The Board shall perform other duties as assigned by the Town Council.

**PASSED AND ADOPTED** at a regular meeting of the Town Council of the Town of Los Gatos, California on the 21<sup>st</sup> day of April, 2014 by the following vote:

**COUNCIL MEMBERS:**

AYES: Marcia Jensen, Diane McNutt, Joe Pirzynski, Barbara Spector, Mayor Steven Leonardis

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

ATTEST:

CLERK ADMINISTRATOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

## RESOLUTION 2016- 1998-49

### RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS CHANGING ~~AMENDING~~ THE COMPOSITION OF THE GENERAL PLAN COMMITTEE ~~TO REDUCE THE NUMBER OF BUSINESS REPRESENTATIVES AND INCREASE THE NUMBER OF TOWN RESIDENTS~~ AND RESCIND RESOLUTION ~~1998-049~~ 1996-88

**RESOLVED**, by the Town Council of the Town of Los Gatos, that the Town Council hereby formally establishes the General Plan Committee ("Committee"). The Committee shall be advisory to the Planning Commission and shall operate in the manner hereinafter prescribed.

1. Appointment and term of office.

The Committee shall consist of nine (9) members. Three (3) members shall be members of the Planning Commission, two (2) members shall be members of the Town Council, one (1) member shall be an owner of property in the Town zoned and used for business purposes with a Town business license, or a manager of a business with a place of business in the Town, ~~one (1) member shall be a member of the Community Services Commission~~, and ~~three~~ ~~two~~ (3 2) members shall be residents of the Town. The business property owner or business manager shall not be required to reside within the Town of Los Gatos.

The terms of office of the Committee shall be at the discretion of the Mayor for Town Council members, ~~and~~ the Chair of the Planning Commission for Planning Commission members, ~~and the Chair of the Community Services Commission for the Community Services Commission member~~. The public members shall be appointed by the Town Council and shall serve a term of four (4) years.

2. Removal of public members: absence of members:

The removal of the public members and the absence of members shall be governed in accordance with ~~all current Town Resolutions and Policies~~ ~~the rules established the latest Town Council resolution concerning duties of members of Boards and Commissions of the Town of Los Gatos~~. Vacancies shall be filled by appointment by a majority vote of the Town Council, and shall be for the unexpired term of the office vacated.

3. Meetings: quorums: officers.

The Committee shall hold regular meetings at least once a month as deemed necessary by the Planning Director. A majority of the Committee shall constitute a quorum for the purpose of transacting the business of the Committee. The Committee shall elect a chair and vice-chair, both of whom shall serve at the pleasure of the Committee. Terms of office shall be for one year and shall begin on February 1 and continue through January 31 of the following year.

4. Powers and Duties.

The duties of the Committee shall be to report to, consult with, and provide assistance to

the Planning Commission and Town Council on all matters relating to the General Plan or any Sspecific Plan. The Committee must report to the Planning Commission prior to any Commission meeting scheduled to discuss an application for a General Plan Amendment.

5. Resolution not to affect powers of Town Council or Planning Commission.

Nothing in this resolution shall be construed as restricting or curtailing any of the powers of the Town Council or Planning Commission, or as a delegation to the Committee of any of the authority or discretionary powers vested and imposed by law in such bodies.

6. Business Representatives.

The Council declares that an individual appointed to the General Plan Committee described in Section 1 above as representing the business sector is intended to represent and further the interests of the business sector, and that such representation and furtherance will ultimately serve the public interest. Accordingly, the Council finds that for the purposes of a person who holds such office, the business sector is tantamount to and constitutes the public generally within the meaning of Section 87103 of the Government Code and as provided in Section 18703 of Title 2, Division 6 of the California Code of Regulations. This means that a member of this Committee will not be disqualified in matters affecting his/her business interests.

**FURTHER RESOLVED** that this Resolution rescinds Resolution 1998-049 ~~1996-88~~.

**PASSED AND ADOPTED** at a regular meeting of the Town Council held on the day of , by the following vote:

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

ATTEST:

CLERK OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

RESOLUTION 2016 - 2009-102

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS  
AMENDING THE PARKS COMMISSION ENABLING RESOLUTION  
AND RESCINDING RESOLUTION 2009-102 2004-3

RESOLVED, by the Town Council of the Town of Los Gatos, that the Town Council does hereby establish the terms and conditions for appointment to and conduct of the Parks Commission. The Commission is advisory to the Town Council and operates in the manner hereinafter prescribed.

1. Membership/Organization.

a. The Parks Commission shall consist of ~~seven~~ nine (7 9) members: ~~six~~ seven (6 7) adult voting members appointd by Council, whose terms of office shall be three (3) years and until their successors are appointed by Council and one (1) Youth Commissioner as a voting member, appointed by the Youth Commission, whose term of office shall be for one (1) year with no limitations on reappointment. ~~two (2) students.~~ All commissioners shall be appointed by the Town Council.

b. All Six (6) adult members of the Commission shall reside within the incorporated municipal limits of the Town of Los Gatos, California; ~~one (1) adult member may reside within the incorporated municipal limits of the Town of Los Gatos or of the City of Monte Sereno, California.~~ Both of the ~~two (2)~~ youth members shall reside within the incorporated municipal limits of the Town of Los Gatos, California and attend any accredited school; or reside in the unincorporated areas of the County of Santa Clara, California, which have a Los Gatos mailing address, and attend a school located within the Town of Los Gatos.

Both of the ~~two (2)~~ youth members of the Commission shall, at the time of their appointment, have completed the ninth grade, and shall be no more than eighteen (18) years old.

The terms of office of the student members shall be one (1) year, ~~with no limitations on reappointments,~~ commencing August ~~October~~ first and ending June ~~September~~ thirtieth.

The terms of office of all other members of the Commission shall be three (3) years and until their successors are appointed and qualify. The members' terms of office are staggered and overlapped so that the terms of no more than three (3) of the adult members expire each year.

- c. Commission members shall serve without compensation, provided that, with advance budgetary approval of the Town Council, the actual and necessary expenses (if any) incurred by the members in the conduct of Town business shall be reimbursable pursuant to the provisions of the current Administrative Policy.
- d. The Commission shall establish a regular time and location for its meetings and shall otherwise call and conduct its meetings in compliance with the provisions of the Ralph M. Brown Act (Government Code Sections 54950 and following)
- e. A majority of Five (5) members of the Parks Commission shall constitute a quorum for the purpose of transacting the business of the Commission.

- f. The Parks Commission shall elect a Chair and a Vice-Chair, both of whom shall serve at the pleasure of the Commission. Terms of office shall be for one (1) year and shall begin on the first meeting in March and end the following March.
- g. Staff services as required shall be provided to the Parks Commission by the Parks and Public Works Director ~~Town Manager~~, or his/her designee.
- h. Meeting attendance requirements will conform with all current Town Resolutions and Policies.
- i. A record of all minutes and resolutions of the Commission shall be kept and shall be a public record.

2. Powers and Duties.

- a. The function of the Commission shall be to serve in an advisory capacity to the Town Council regarding Town policies within its scope of expertise; specifically, on matters pertaining to public parks, off-street trails, open space, grounds, and street trees. With the prior approval of, and/or at the direction of, the Town Council or its delegate, the Commission shall receive public input, evaluate options, and make recommendations on policy issues including, but not limited to, the following:
  - b.
    - 1. Policies and procedures on park, trail, open space, and street tree programs.
    - 2. Inventories of park, trail, open space, and street tree services that exist or may be needed, and of the needs of the public regarding these services.
    - 3. Coordination of park, trail, open space, and street tree services with the programs of other governmental agencies and voluntary organizations.

**BE IT FURTHER RESOLVED** that Resolution 2009-102 ~~2004-3~~ is hereby rescinded.

**PASSED AND ADOPTED** at a regular meeting of the Town Council of the Town of Los Gatos, California, held on the    day of    ,    , by the following vote:

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

ATTEST:

CLERK ADMINISTRATOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

RESOLUTION 2016 - 2009-104

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS  
~~DETERMINING THE NEED FOR A PARKING AUTHORITY, DECLARING THE  
TOWN COUNCIL TO BE THE PARKING AUTHORITY, AMENDING THE  
ENABLING RESOLUTION OF ESTABLISHING THE TRANSPORTATION AND  
PARKING COMMISSION, AND RESCINDING RESOLUTION 2009-104 ~~2004-110~~~~**

**WHEREAS**, transportation issues throughout Los Gatos need to be carefully evaluated to ensure that the quality of life in Town is positively impacted by proper transportation management; and,

**WHEREAS**, traffic congestion and speeding, particularly in the residential neighborhoods, is also an ongoing problem within the Town of Los Gatos; and,

WHEREAS, the Town Council established the Parking Authority and Transportation and Parking Commission in 2009 by Resolution 2009-14; and

WHEREAS, the Parking Authority has been dissolved by operation of law since all funds for the assessment district have been collected, paid and refunded; and

WHEREAS, the Town Council has determined that amendments are necessary to the Transportation and Parking Commission enabling Resolution.

~~**WHEREAS**, pursuant to Section 3650 of the Streets and Highways Code of the State of California there has been created and now exists a public body corporate and politic known as the Parking Authority of the Town of Los Gatos in accordance with the provisions of the Parking Law of 1949; and,~~

~~**WHEREAS**, the Parking Law of 1949 provides that the Parking Authority shall not transact any business or exercise any powers unless and until the Council by resolution declares that there is need for the Authority to function in the Town of Los Gatos.~~

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Los Gatos that:

~~There is a need for a Parking Authority to function in the Town of Los Gatos and this Council hereby so declares and determines:~~

- a. ~~The Council hereby declares itself to be the Parking Authority, and all of the rights, powers, duties, privileges, and immunities vested by the Parking Law of 1949 in the members of the Parking Authority shall be vested in the Council of the Town of Los Gatos as the Parking Authority of the Town of Los Gatos.~~
- b. ~~The purpose of the Parking Authority is to establish and manage parking improvements in the Central Business District.~~
- c. ~~The Mayor of the Town of Los Gatos shall act as the chairperson and presiding officer of the Parking Authority of the Town of Los Gatos.~~
1. There is a need for a Transportation and Parking Commission to function in the Town of Los Gatos to review and recommend actions relating to traffic calming, bikeways, parking, and related local traffic issues.

2. There is hereby established a Transportation and Parking Commission which shall generally be responsible for advising the Town Council regarding local transportation and parking strategies and for advising the Parking Authority on matters pertaining to parking in the Central Business District.
3. Membership/Organization
  - a. The Transportation and Parking Commission shall consist of seven (7) voting members. Membership composition shall be six (6) adult voting members appointed by Council, whose terms of office are three (3) years and until their successors are appointed by Council, and one (1) Youth Commissioner as a voting member, appointed by the Youth Commission, whose term of office shall be for one (1) year with no limitations on reappointments. ~~seven (7) members. Residency in Town is required for appointment and continued membership on the Transportation and Parking Commission, for all members. Members shall serve a term of three (3) years and until their successors are appointed and qualified, except any appointments to fill an unexpired term shall be for such unexpired period.~~
  - b. The Commission shall appoint and prescribe the terms of office for its Chair and Vice-Chair.
  - c. A majority of Four (4) voting members of the Commission shall constitute a quorum for the purpose of transacting business.
  - d. Commission members shall serve without compensation, provided that, with advance budgetary approval of the Town Council, the actual and necessary expenses (if any) incurred by the members in the conduct of Town business shall be reimbursable pursuant to the provisions of the current Administrative Policy.
  - e. The Commission shall establish a regular time and location for its meetings and shall otherwise call and conduct its meetings in compliance with the provisions of the Ralph M. Brown Act (Government Code Sections 54950 and following).
  - f. A record of all minutes and resolutions of the Commission shall be kept and shall be a public record.
  - g. Meeting attendance requirements will conform with all current Town Resolutions and Policies.
4. The function of the Commission shall be to serve in an advisory capacity to the Town Council and ~~Parking Authority~~ regarding Town and ~~Parking Authority~~ policies within its scope of expertise; specifically, on matters related to transportation and parking. With the prior approval of, and/or at the direction of, the Town Council, ~~the Parking Authority~~, or its delegate, the Commission shall receive public input, evaluate options, and make recommendations on policy issues including, but not limited to, the following:
  - a. The construction, operation, and maintenance of publicly owned off-street parking lots and structures and on-street parking spaces within the Central Business District.
  - b. Parking meter policy, directional sign placement, and parking lot traffic patterns ~~Fees and assessments for the parking improvement program. The allocation of funds derived from revenues collected on behalf of the Parking Authority. Any recommendations shall be based on allowed uses of such proceeds consistent with state and local law.~~
  - c. Traffic calming measures in accordance with the approved Traffic Calming Policy. Such proposals, if implemented, would be temporary. Permanent

installations of traffic calming measures would be made with a consensus of the affected neighborhood and the approval of the Town Council.

- d. Local transportation issues.
- e. Bikeways and bicycle system planning.

This Resolution shall take effect immediately upon its adoption.

**BE IT FURTHER RESOLVED** that Resolution ~~2004-110~~ 2009-104 is hereby rescinded.

**PASSED AND ADOPTED** at a regular meeting of the Town Council of the Town of Los Gatos, California, held on the    day of    , 20    , by the following vote:

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

ATTEST:

CLERK ADMINISTRATOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

RESOLUTION ~~2016-2005~~—52

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS  
RESCINDING RESOLUTION 200~~54~~ - ~~5267~~ AND  
ESTABLISHING RULES FOR THE YOUTH COMMISSION

**WHEREAS**, it is recognized that a youth perspective on issues which pertain to the youth in the community is an important part of decision making in Town; and

**WHEREAS**, there is value in increasing communication between adults and youth; and

**WHEREAS**, there is value in having a mechanism for youth to have a voice in Town affairs and issues relating to youth; and

**WHEREAS**, the Town Council of the Town of Los Gatos found and determined that the purpose of the Youth Commission is to foster and encourage civic and neighborhood pride and a sense of identity through the knowledge, understanding, and increased involvement of the Town's youth in the Town's present and future municipal affairs.

**NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF LOS GATOS THAT:**

1. There is a need for a Youth Commission to function in the Town of Los Gatos, which would establish a formal body by which the youth of Los Gatos would have a voice in the community.
2. There is hereby established a Youth Commission which shall generally be responsible for studying various problems, activities and other issues of concern to the youth in general, and for advising Council on matters pertaining to issues involving the youth of Los Gatos.

a. Membership/Organization

- i. The Youth Commission shall consist of ~~twenty-six~~ ~~fifteen~~ (26 ~~15~~) members. The members shall be students who are entering grades 8 through 12. Membership for the students requires ~~either~~ residency in the incorporated limits of the Town of Los Gatos ~~and enrollment in any accredited school~~, or residency in the unincorporated areas of the County of Santa Clara, which have a Los Gatos mailing address, ~~and enrollment in a school located in the Town of Los Gatos.~~

~~Up to five (5) Alternates may be appointed to the Youth Commission, with one representing each grade level appointed to the Commission. The alternates shall be students who are entering grades 8 through 12. Membership as an Alternate requires either residency in the incorporated limits of the Town of Los Gatos and enrollment in any accredited school, or residency in the unincorporated areas of the County of Santa Clara, which have a Los Gatos mailing address, and enrollment in a school located in the Town of Los Gatos. An Alternate shall serve on the Youth Commission in the event a member from that grade or the next higher or~~

~~lower grade if more than one member from a particular grade is no longer able to serve the remainder of his/her term.~~

- ii. ~~The terms of office of the M~~members shall serve a be term of two (2) years, ~~unless such member is first appointed upon entering the 12<sup>th</sup> grade whereby the term of office shall be one (1) year. Members will serve and until their successors are appointed and qualified, except any appointments to fill an unexpired term shall be for such unexpired period. The terms of office of an alternate shall be one (1) year. Members shall serve a maximum of one term (2 years); however, an alternate may serve one year as an alternate and a two year term as a member. Members who are entering grade 12 when appointed shall serve a term of one (1) year.~~
  - iii. The Commission shall appoint one (1) primary member and one (1) alternate to serve as voting members on the following Town Boards and Commissions:
    1. Arts and Culture Commission
    2. Bicycle and Pedestrian Advisory Commission
    3. Community and Senior Services Commission
    4. Library Board
    5. Parks Commission
    6. Transportation and Parking Commission
  - iv. In addition to all Youth Commission meetings, the liaisons shall attend all meetings of the Board, Commission, or Committee they are appointed to. If the primary member is not able to attend the meeting of the Board, Commission, or Committee they are assigned, it shall be their responsibility of the alternate to attend the meeting. If the primary member misses three (3) meetings of the Board, Commission, or Committe, the Youth Commission shall appoint a new primary member, and if necessary, a new alternate.
  - v. Commissioners shall provide a monthly report to the Youth Commission and be responsible for conveying the Youth Commission's input to the Board, Commission, or Committee.
  - vi. A majority of Eight (8) voting members of the Commission shall constitute a quorum for the purpose of transacting business.
  - vii. Commission members shall serve without compensation, provided that, with advance budgetary approval of the Town Council, the actual and necessary expenses (if any) incurred by the members in the conduct of Town business shall be reimbursable pursuant to the current Council policy.
3. The Commission shall hold a regular meeting at least once each month between September and June. The Commission shall establish a regular time and location for its meetings and shall otherwise call and conduct its meetings in compliance with the provision s of the Ralph M. Brown Act (Government Code Sections 54950 and following.)

4. The Commission shall elect a Chair and Vice-Chair, both of whom shall serve at the pleasure of the Commission. Terms of office shall be for one (1) year and shall begin on the first meeting September and end the following September.
5. Minutes of the actions taken during its meetings shall be kept and filed with the Town Clerk Administrator.
6. Meeting attendance requirements will conform with ~~the~~ all current Town Resolutions and Policies.
7. The duties of the Commission shall include the following:
  - a. Foster greater involvement of youth in municipal government affairs.
  - b. Study problems, activities, and concerns of youth, especially as they relate to municipal programs or projects of the Town of Los Gatos.
  - c. Hold forums on problems, activities and concerns of youth, either alone or in conjunction with other governmental agencies and community organizations, as the Commission deems desirable.
  - d. Review municipal matters referred to the Commission by the Town Council or other Town boards, committees, or commissions and, as appropriate, make recommendations on those matters.

**BE IT FURTHER RESOLVED that Resolution 2005-052 is hereby rescinded.**

PASSED AND ADOPTED at a regular meeting of the Town Council of the Town of Los Gatos, California, held on the \_\_\_ day of \_\_, 20\_\_ by the following vote:

COUNCIL MEMBERS

AYES:

NAYS:

ABSTAIN:

ABSENT:

OF LOS GATOS

CALIFORNIA

ATTEST

SIGNED

MAYOR OF THE TOWN

LOS GATOS,

CLERK ADMINISTRATOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

## RESOLUTION 2016-

### RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS AMENDING THE ARTS AND CULTURE COMMISSION ENABLING RESOLUTION AND RESCINDING RESOLUTION 2009-100

**WHEREAS**, the Town Council of the Town of Los Gatos does hereby establish the terms and conditions for appointment to and conduct of the Arts and Culture Commission. The Commission is advisory to the Town Council and operates in the manner hereinafter prescribed.

#### **NOW THEREFORE, BE IT RESOLVED:**

##### 1. Membership-Organization

- a. The Commission shall consist of seven members. Membership composition shall be six (6) adult voting members, whose terms of office shall be three (3) years and until their successors are appointed by the Town Council, and one (1) Youth Commissioner as a voting member, whose term of office shall be for one (1) year with no limitations on reappointments. One (1) member of the Commission shall be an arts professional, such as an artist, art historian, art administrator, museum professional, or architect.
- b. The terms of office of the respective members shall be staggered and overlapped in such a manner that the terms of no more than three (3) of the members expire each year.
- c. The Commission shall annually designate a Chairperson and Vice-Chairperson.
- d. A majority of members shall constitute a quorum of the Commission for the purpose of transacting business. Any member shall have the right to present a minority view to Council in reference to any report or recommendation the Commission may take.
- e. The members of the Commission shall serve without compensation, provided that with advance budgetary approval of the Town Council, the actual and necessary expenses (if any) incurred by the members in the conduct of Town business shall be reimbursable pursuant to the provisions of the current Administrative Policy.
- f. The Commission shall establish a regular time and location for its meetings and shall otherwise call and conduct its meetings in compliance with the provisions of the Ralph M. Brown Act (Government Code Sections 54950 and following).
- g. A record of all minutes and resolutions of the Commission shall be kept and shall be a public record.
- h. Residency and meeting attendance requirements will conform with all current Town Resolutions and Policies.

2. Duties and Functions

- a. The function of the Commission shall be to serve in an advisory capacity to the Town Council regarding Town policies within its scope of expertise; specifically, on the art, drama, music, and other creative activities of the community. With the prior approval of, and/or at the direction of, the Town Council or its delegate, the Commission shall receive public input, evaluate options, and make recommendations on policy issues including, but not limited to, the following:
  - i. Matters affecting the artistic and/or cultural life of the community; and
  - ii. Local visual and performing arts efforts; and
  - iii. Matters in the field of art, aesthetics, and beautification.
- b. The Commission shall make recommendations to the Town Council concerning public art, under the terms of the current Town Public Art Selection Policy and Procedure.
- c. The Commission shall perform other duties as assigned by the Town Council.

**BE IT FURTHER RESOLVED** that Resolution 2009-100 is hereby rescinded.

**PASSED AND ADOPTED** at a regular meeting of the Town Council of the Town of Los Gatos, California, held on the    day of    , 20    , by the following vote:

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

DATE: \_\_\_\_\_

ATTEST:

CLERK ADMINISTRATOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

DATE: \_\_\_\_\_

## **RESOLUTION 2016-**

### **RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS AMENDING THE ENABLING RESOLUTION OF THE BICYCLE AND PEDESTRIAN ADVISORY COMMISSION AND RESCINDING RESOLUTION 2015-011**

**WHEREAS**, there is a need for a Bicycle and Pedestrian Advisory Commission to function in the Town of Los Gatos to review and recommend actions related to bikeways, pedestrian paths and walkways, and related issues.

#### **NOW THEREFORE, BE IT RESOLVED:**

1. There is hereby created a Bicycle and Pedestrian Advisory Commission for the Town.
  - a. The Commission shall be advisory to the Town Council and shall operate in the manner hereinafter prescribed.
2. Membership/Organization
  - a. The Bicycle and Pedestrian Advisory Commission shall consist of seven (7) members. Membership composition shall be one (1) each appointed from and by the membership of the Transportation and Parking Commission, the Parks Commission, and the Youth Commission, three (3) members appointed by the Town Council, and one (1) member appointed from and by the membership of the Los Gatos Safe Routes to School Committee.
  - b. Members of the Commission shall reside within the incorporated municipal limits of the Town of Los Gatos, or when appointed by the Safe Routes to School Committee, residency shall comply with the requirements of that Committee.
  - c. The term of office shall be for one (1) year for appointments by the Transportation and Parking, Parks, and Youth commissions with no limitations on reappointments, one (1) year for appointments by the Los Gatos Safe Routes to School Committee, and three (3) years for appointments by the Town Council. Terms shall begin January 1 and end December 31.
  - d. Commission members shall serve without compensation.
  - e. The Commission shall hold regular meetings at least bi-monthly, with adjustments to the frequency as required to meet the necessary obligations of the Town and the Commission.
  - f. The Commission shall establish a regular time and location for its meetings and shall otherwise call and conduct its meetings in compliance with the provisions of the Ralph M. Brown Act (Government Code Sections 54950 and following).

- g. Staff services as required shall be provided to the Commission by the Parks and Public Works Director, or designee, who shall also serve as Secretary of the Commission without vote.
  - h. Meeting attendance requirements will conform with all current Town Resolutions and Policies.
  - i. A record of all minutes and resolutions of the Commission shall be kept and shall be a public record.
3. Powers and Duties.

The duties of the Bicycle and Pedestrian Advisory Commission shall be to:

- a. Act in an advisory capacity to the Town Council in matters pertaining to current trends and experiences in enhancing multi-modal travel; integration of Town trails and bike and pedestrian paths with neighboring jurisdictions; reviewing relevant grant applications; focusing on transportation around schools, including enhancing safe routes to schools efforts; reviewing and updating the Town's Bicycle and Pedestrian Master Plan as needed; and related topics as directed by the Town Council or requested by Town staff.
  - b. Review policies and procedures on streets and trails.
  - c. Review periodic inventories of bikeways and walkways that exist or may be needed, and interpret the needs of the public within these areas to staff.
  - d. Appoint one member of the Commission as a representative of the Town to serve on the Valley Transportation Authority Bicycle and Pedestrian Advisory Commission.
    - i. Appointments shall be for a term of one year.
    - ii. Should the Bicycle Advisory Commission fail to appoint a member of the Commission, the Town Bicycle and Pedestrian Advisory Commission will consider members of other standing Commissions.
    - iii. Appointee shall provide written and/or oral reports at each regularly scheduled meeting.
4. Not to affect powers of Town Council. Nothing in this resolution shall be construed as restricting or curtailing any of the powers of the Town Council, or as a delegation to the Bicycle and Pedestrian Advisory Commission of any of the authority or discretionary powers vested and imposed by law in such Council. The Town Council declares that the public interest, convenience, welfare and necessity require the

appointment of a Bicycle and Pedestrian Advisory Commission to act in a purely advisory capacity to such Council for the purposes enumerated in this resolution.

5. Resolution 2015-102 is hereby rescinded.

**PASSED AND ADOPTED** at a regular meeting of the Town Council of the Town of Los Gatos, California, held on the    of    20    by the following vote:

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

DATE: \_\_\_\_\_

ATTEST:

CLERK ADMINISTRATOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

DATE: \_\_\_\_\_

## RESOLUTION 2016-

### RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS AMENDING THE BUILDING BOARD OF APPEALS ENABLING RESOLUTION AND RESCINDING RESOLUTION 2002-104

**WHEREAS**, the Town Council of the Town of Los Gatos established the terms and conditions for appointment to and conduct of the Board of Appeals to hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of the technical rules.

**NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF LOS GATOS DOES HEREBY RESOLVE:** that the terms and conditions for appointment to and conduct of a Board of Appeals are hereby established as follows:

1. Membership - Organization:

- a. The Board of Appeals shall consist of three (3) members who are qualified by experience and training to pass upon matters pertaining to building construction and building service equipment and who are not employees of the Town of Los Gatos. The Building Official shall be an ex officio member and shall act as secretary to said Board but shall have no vote upon any matter before the Board. The Fire Marshall shall act as an ex officio, non-voting member for issues related to the fire code. The Board of Appeals shall be appointed by the Town Council.
- b. The term of appointment shall be four (4) years and until their successors are qualified and appointed.
- c. The terms of office shall be staggered and overlapped in such a manner that the term of no more than one (1) member expires each year.
- d. Residency requirements shall conform with all current Town Resolutions and Policies.
- e. The Board shall establish rules and procedures relative to the conduct of business before the Board, and the election and term of officers. The Board shall elect a chair and a vice-chair, both of whom shall serve at the pleasure of the Board.
- f. The Board of Appeals shall hold meetings as necessary. The Board shall call and conduct its meetings in compliance with the provisions of the Ralph M. Brown Act (Government Code Sections 54950 and following).
- g. A majority of the Board shall constitute a quorum for the purpose of transacting the business of the Board.
- h. Minutes of the actions taken during its meetings shall be kept and filed with the Town Clerk.
- i. Meeting attendance requirements will conform with all current Town Resolutions and Policies.
- j. Board members shall serve without compensation, provided that, with advance budgetary approval of the Town Council, the actual and necessary expenses (if any) incurred by the members in the conduct of Town business shall be reimbursable pursuant to the current Council policy.

2. Powers and Duties:

The duties of the Board of Appeals shall be to hear and decide appeals or orders, decisions or determinations made by the Building Official relative to the application and interpretation of the technical codes. The Board of Appeals shall have no authority relative to interpretation of the

administrative provisions of the Uniform Building Codes or the technical codes nor shall the Board be empowered to waive code requirements.

**BE IT FURTHER RESOLVED** that Resolution2002-104 is hereby rescinded.

**PASSED AND ADOPTED** at a regular meeting of the Town Council of the Town of Los Gatos, California, held on the    of    20    by the following vote:

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

DATE: \_\_\_\_\_

ATTEST:

CLERK ADMINISTRATOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

DATE: \_\_\_\_\_

## RESOLUTION 2016 -

### RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS AMENDING THE COMMUNITY AND SENIOR SERVICES COMMISSION ENABLING RESOLUTION AND RESCINDING RESOLUTIONS 2009-101

**RESOLVED** by the Town Council of the Town of Los Gatos, that the Town Council does hereby establish the terms and conditions for appointment to and conduct of the Community and Senior Services Commission. The Commission is advisory to the Town Council and operates in the manner hereinafter prescribed.

1. Membership-Organization
  - a. The Commission shall consist of seven (7) voting members. Membership composition shall be six (6) adult voting members appointed by Council, whose terms of office are three (3) years and until their successors are appointed by Council, and one (1) Youth Commissioner as a voting member, appointed by the Youth Commission, whose term of office shall be for one (1) year with no limitations on reappointments.
  - b. The Commission's membership shall, to the extent possible, reflect the social and economic diversity of the Los Gatos community.
  - c. The members' terms of office are staggered and overlapped so that the terms of no more than three (3) of the adult members expire each year.
  - d. The Commission shall appoint and prescribe the term of office for its Chair and Vice-Chair.
  - e. A majority of voting members of the Commission shall constitute a quorum for the purpose of transacting business. Any member shall have the right to present a minority view to the Town Council in reference to any report or recommendation the Commission makes.
  - f. Commission members shall serve without compensation, provided that, with advance budgetary approval of the Town Council, the actual and necessary expenses (if any) incurred by the members in the conduct of Town business shall be reimbursable pursuant to the provisions of the current Administrative Policy.
  - g. The Commission shall establish a regular time and location for its meetings and shall otherwise call and conduct its meetings in compliance with the provisions of the Ralph M. Brown Act (Government Code Sections 54950 and following).
  - h. A record of all minutes and resolutions of the Commission shall be kept and shall be a public record.
  - i. Residency and meeting attendance requirements will conform with all current Town Resolutions and Policies.

2. Duties and Functions

- a. The function of the Commission shall be to serve in an advisory capacity to the Town Council regarding Town policies within its scope of expertise; specifically, on the housing and human service needs of the community. With the prior approval of, and/or at the direction of, the Town Council or its delegate, the Commission shall receive public input, evaluate options, and make recommendations on policy issues including, but not limited to, the following:
  - i. The goals and objectives contained in the Human Service Element of the Town's General Plan; and
  - ii. The coordination of community services programs between the Town and other agencies, both public and private; and
  - iii. Emerging community needs, including demographic and economic trends.
- b. The Commission shall make recommendations to Town Council concerning projects to be included in funding applications under the Housing and Community Development Act of 1974 and perform the duties necessitated by the Act upon the request of Town Council.
- c. In developing recommendations to the Town Council, the Commission should:
  - i. Elicit the interest and support of various relevant community individuals and groups.
  - ii. Study and examine sources of public and private funding to meet housing and community service needs.
  - iii. Evaluate the effectiveness of existing programs and make constructive suggestions for improvement.
  - iv. Examine ways to minimize and/or eliminate overlapping and duplicative services.
- d. The Commission may send representatives, when appropriate, to other bodies or commissions.
- e. The Commission shall perform other duties as assigned by the Town Council.

**BE IT FURTHER RESOLVED** that Resolutions 2009-101 is hereby rescinded.

**PASSED AND ADOPTED** at a regular meeting of the Town Council of the Town of Los Gatos, California, held on the    day of    , 20    , by the following vote:

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:  
MAYOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

DATE: \_\_\_\_\_

ATTEST:

CLERK ADMINISTRATOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

DATE: \_\_\_\_\_

## RESOLUTION 2016-

### RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS AMENDING THE COMPOSITION OF THE GENERAL PLAN COMMITTEE AND RESCINDING RESOLUTION 1998-049

**RESOLVED**, by the Town Council of the Town of Los Gatos, that the Town Council hereby formally establishes the General Plan Committee. The Committee shall be advisory to the Planning Commission and shall operate in the manner hereinafter prescribed.

1. Appointment and term of office.

The Committee shall consist of nine (9) members. Three (3) members shall be members of the Planning Commission, two (2) members shall be members of the Town Council, one (1) member shall be an owner of property in the Town zoned and used for business purposes with a Town business license, or a manager of a business with a place of business in the Town, and three (3) members shall be residents of the Town. The business property owner or business manager shall be required to reside within the Town of Los Gatos.

The terms of office of the Committee shall be at the discretion of the Mayor for Town Council members, and the Chair of the Planning Commission for Planning Commission members. The public members shall be appointed by the Town Council and shall serve a term of four (4) years.

2. Removal of public members: absence of members:

The removal of the public members and the absence of members shall be governed in accordance with all current Town Resolutions and Policies. Vacancies shall be filled by appointment by a majority vote of the Town Council, and shall be for the unexpired term of the office vacated.

3. Meetings: quorums: officers.

The Committee shall hold regular meetings at least once a month as deemed necessary by the Planning Director. A majority of the Committee shall constitute a quorum for the purpose of transacting the business of the Committee. The Committee shall elect a chair and vice-chair, both of whom shall serve at the pleasure of the Committee. Terms of office shall be for one year and shall begin on February 1 and continue through January 31 of the following year.

4. Powers and Duties.

The duties of the Committee shall be to report to, consult with, and provide assistance to the Planning Commission and Town Council on all matters relating to the General Plan or any Specific Plan. The Committee must report to the Planning Commission prior to any Commission meeting scheduled to discuss an application for a General Plan Amendment.

5. Resolution not to affect powers of Town Council or Planning Commission.

Nothing in this resolution shall be construed as restricting or curtailing any of the powers of the Town Council or Planning Commission, or as a delegation to the Committee of any of the authority or discretionary powers vested and imposed by law in such bodies.

6. Business Representatives.

The Council declares that an individual appointed to the General Plan Committee described in Section 1 above as representing the business sector is intended to represent and further the interests of the business sector, and that such representation and furtherance will ultimately serve the public interest. Accordingly, the Council finds that for the purposes of a person who holds such office, the business sector is tantamount to and constitutes the public generally within the meaning of Section 87103 of the Government Code and as provided in Section 18703 of Title 2, Division 6 of the California Code of Regulations. This means that a member of this Committee will not be disqualified in matters affecting his/her business interests.

**FURTHER RESOLVED** that Resolution 1998-049 is hereby rescinded.

**PASSED AND ADOPTED** at a regular meeting of the Town Council held on the    day of    , by the following vote:

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

DATE: \_\_\_\_\_

ATTEST:

CLERK OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

DATE: \_\_\_\_\_

## **RESOLUTION 2016-**

### **RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS ESTABLISHING THE TERMS AND CONDITIONS FOR APPOINTMENT TO AND CONDUCT OF THE LIBRARY BOARD**

**WHEREAS**, the Town Council of the Town of Los Gatos does hereby establish the terms and conditions for appointment to and conduct of the Library Board. The Board is advisory to the Town Council and operates in the manner hereinafter prescribed.

**NOW, THEREFORE, BE IT RESOLVED THAT**, (a) The Library Board shall consist of seven (7) members – six (6) adult voting members appointed by Council, whose terms of office shall be three (3) years and until their successors are appointed by Council, and one (1) Youth Commissioner as a voting member, appointed by the Youth Commission, whose term of office shall be for one (1) year with no limitations on reappointments

Residency and meeting attendance requirements for all members will conform with all current Town Resolutions and Policies.

The terms of office of the adult members shall be staggered and overlapped in such a manner that the terms of no more than one-third of the members expire each year.

The Town Council shall fill any member vacancies occurring during the term of the Board. The Board shall, annually, at the January meeting, designate a Chairperson and Vice-Chairperson.

A majority of members of the Board shall constitute a quorum of the Board for the purpose of transacting business. Any member shall have the right to present a minority view to Council in reference to any report or recommendation the Board may take.

The members of the Board shall serve without compensation, provided that with advance budgetary approval of the Town Council, the actual and necessary expenses (if any) incurred by the members in the conduct of Town business shall be reimbursable pursuant to the provisions of the current Administrative Policy.

The Library Board shall establish a regular time and location for its meetings and shall conduct its meetings in compliance with the provisions of the Ralph M. Brown Act (Government Code Sections 54950.)

Special meetings may be called at any time by three Board members by written notice served upon each member, and shall be posted at least twenty-four hours before the time specified for the proposed meeting.

Minutes of the actions taken during the Board's meetings shall be kept and shall be a public record.

**BE IT FURTHER RESOLVED THAT,** (a) The function of the Board shall be to serve in an advisory capacity to the Town Council regarding Town policies within its scope of expertise; specifically on library programs, services and policies that meet the needs of the community. With the prior approval of, and/or at the direction of, the Town Council or its delegate, the Board shall receive public input, evaluate options, and make recommendations on policy issues affecting the library.

(b) The Board shall promote the services of the library in the community by:

1. Becoming familiar with the library's services and with applicable local and state library laws.
2. Speaking to service clubs, business associations, school groups, and other organizations about the library's program and services.

(c) The Board may send representatives, when appropriate, to other bodies or commissions.

(d) The Board shall perform other duties as assigned by the Town Council.

**PASSED AND ADOPTED** at a regular meeting of the Town Council of the Town of Los Gatos, California on the    day of    ,    by the following vote:

**COUNCIL MEMBERS:**

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

ATTEST:

CLERK ADMINISTRATOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

**RESOLUTION 2016**  
**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS**  
**AMENDING THE PARKS COMMISSION ENABLING RESOLUTION**  
**AND RESCINDING RESOLUTION 2009-102**

**RESOLVED**, by the Town Council of the Town of Los Gatos, that the Town Council does hereby establish the terms and conditions for appointment to and conduct of the Parks Commission. The Commission is advisory to the Town Council and operates in the manner hereinafter prescribed.

1. Membership/Organization.

- a. The Parks Commission shall consist of seven (7) members: six (6) adult voting members appointed by Council, whose terms of office shall be three (3) years and until their successors are appointed by Council and one (1) Youth Commissioner as a voting member, appointed by the Youth Commission, whose term of office shall be for one (1) year with no limitations on reappointment.
- b. All adult members of the Commission shall reside within the incorporated municipal limits of the Town of Los Gatos, California.
- c. Commission members shall serve without compensation, provided that, with advance budgetary approval of the Town Council, the actual and necessary expenses (if any) incurred by the members in the conduct of Town business shall be reimbursable pursuant to the provisions of the current Administrative Policy.
- d. The Commission shall establish a regular time and location for its meetings and shall otherwise call and conduct its meetings in compliance with the provisions of the Ralph M. Brown Act (Government Code Sections 54950 and following)
- e. A majority of members of the Parks Commission shall constitute a quorum for the purpose of transacting the business of the Commission.
- f. The Parks Commission shall elect a Chair and a Vice-Chair, both of whom shall serve at the pleasure of the Commission. Terms of office shall be for one (1) year and shall begin on the first meeting in March and end the following March.
- g. Staff services as required shall be provided to the Parks Commission by the Parks and Public Works Director, or his/her designee.
- h. Meeting attendance requirements will conform with all current Town Resolutions and Policies.
- i. A record of all minutes and resolutions of the Commission shall be kept and shall be a public record.

2. Powers and Duties.

- a. The function of the Commission shall be to serve in an advisory capacity to the Town Council regarding Town policies within its scope of expertise; specifically, on matters pertaining to public parks, off-street trails, open space, grounds, and street trees. With the prior approval of, and/or at the direction of, the Town Council or its delegate, the Commission shall receive public input, evaluate options, and make recommendations on policy issues including, but not limited to, the following:

- b.
1. Policies and procedures on park, trail, open space, and street tree programs.
  2. Inventories of park, trail, open space, and street tree services that exist or may be needed, and of the needs of the public regarding these services.
  3. Coordination of park, trail, open space, and street tree services with the programs of other governmental agencies and voluntary organizations.

**BE IT FURTHER RESOLVED** that Resolution 2009-102 is hereby rescinded.

**PASSED AND ADOPTED** at a regular meeting of the Town Council of the Town of Los Gatos, California, held on the    day of    ,    , by the following vote:

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

ATTEST:

CLERK ADMINISTRATOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

## RESOLUTION 2016-

### RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS AMENDING THE ENABLING RESOLUTION OF THE TRANSPORTATION AND PARKING COMMISSION, AND RESCINDING RESOLUTION 2009-104

**WHEREAS**, transportation issues throughout Los Gatos need to be carefully evaluated to ensure that the quality of life in Town is positively impacted by proper transportation management; and,

**WHEREAS**, traffic congestion and speeding, particularly in the residential neighborhoods, is also an ongoing problem within the Town of Los Gatos; and,

**WHEREAS**, the Town Council established the Parking Authority and Transportation and Parking Commission in 2009 by Resolution 2009-14; and

**WHEREAS**, the Parking Authority has been dissolved by operation of law since all funds for the assessment district have been collected, paid and refunded; and

**WHEREAS**, the Town Council has determined that amendments are necessary to the Transportation and Parking Commission enabling Resolution.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Los Gatos that:

1. There is a need for a Transportation and Parking Commission to function in the Town of Los Gatos to review and recommend actions relating to traffic calming, bikeways, parking, and related local traffic issues.
2. There is hereby established a Transportation and Parking Commission which shall generally be responsible for advising the Town Council regarding local transportation and parking strategies
3. Membership/Organization
  - a. The Transportation and Parking Commission shall consist of seven (7) voting members. Membership composition shall be six (6) adult voting members appointed by Council, whose terms of office are three (3) years and until their successors are appointed by Council, and one (1) Youth Commissioner as a voting member, appointed by the Youth Commission, whose term of office shall be for one (1) year with no limitations on reappointments.
  - b. The Commission shall appoint and prescribe the terms of office for its Chair and Vice-Chair.
  - c. A majority of members of the Commission shall constitute a quorum for the purpose of transacting business.
  - d. Commission members shall serve without compensation, provided that, with advance budgetary approval of the Town Council, the actual and necessary expenses (if any) incurred by the members in the conduct of Town business shall be reimbursable pursuant to the provisions of the current Administrative Policy.
  - e. The Commission shall establish a regular time and location for its meetings and shall otherwise call and conduct its meetings in compliance with the provisions of the Ralph M. Brown Act (Government Code Sections 54950 and following).

- f. A record of all minutes and resolutions of the Commission shall be kept and shall be a public record.
  - g. Meeting attendance requirements will conform with all current Town Resolutions and Policies.
4. The function of the Commission shall be to serve in an advisory capacity to the Town Council regarding Town policies within its scope of expertise; specifically, on matters related to transportation and parking. With the prior approval of, and/or at the direction of, the Town Council, or its delegate, the Commission shall receive public input, evaluate options, and make recommendations on policy issues including, but not limited to, the following:
- a. The construction, operation, and maintenance of publicly owned off-street parking lots and structures and on-street parking spaces within the Central Business District.
  - b. Parking meter policy, directional sign placement, and parking lot traffic patterns
  - c. Traffic calming measures in accordance with the approved Traffic Calming Policy. Such proposals, if implemented, would be temporary. Permanent installations of traffic calming measures would be made with a consensus of the affected neighborhood and the approval of the Town Council.
  - d. Local transportation issues.
  - e. Bikeways and bicycle system planning.

This Resolution shall take effect immediately upon its adoption.

**BE IT FURTHER RESOLVED** that Resolution 2009-104 is hereby rescinded.

**PASSED AND ADOPTED** at a regular meeting of the Town Council of the Town of Los Gatos, California, held on the    day of   , 20   , by the following vote:

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

ATTEST:

CLERK ADMINISTRATOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

**RESOLUTION 2016-**

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS  
RESCINDING RESOLUTION 2005-52 AND  
ESTABLISHING RULES FOR THE YOUTH COMMISSION**

**WHEREAS**, it is recognized that a youth perspective on issues which pertain to the youth in the community is an important part of decision making in Town; and

**WHEREAS**, there is value in increasing communication between adults and youth; and

**WHEREAS**, there is value in having a mechanism for youth to have a voice in Town affairs and issues relating to youth; and

**WHEREAS**, the Town Council of the Town of Los Gatos found and determined that the purpose of the Youth Commission is to foster and encourage civic and neighborhood pride and a sense of identity through the knowledge, understanding, and increased involvement of the Town's youth in the Town's present and future municipal affairs.

**NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF LOS GATOS THAT:**

1. There is a need for a Youth Commission to function in the Town of Los Gatos, which would establish a formal body by which the youth of Los Gatos would have a voice in the community.
2. There is hereby established a Youth Commission which shall generally be responsible for studying various problems, activities and other issues of concern to the youth in general, and for advising Council on matters pertaining to issues involving the youth of Los Gatos.
  - a. Membership/Organization
    - i. The Youth Commission shall consist of twenty-six (26) members. The members shall be students who are entering grades 8 through 12. Membership for the students requires residency in the incorporated limits of the Town of Los Gatos or residency in the unincorporated areas of the County of Santa Clara, which have a Los Gatos mailing address.
    - ii. Members shall serve a term of two (2) years and until their successors are appointed and qualified. Members who are entering grade 12 when appointed shall serve a term of one (1) year.
    - iii. The Commission shall appoint one (1) primary member and one (1) alternate to serve as voting members on the following Town Boards and Commissions:
      1. Arts and Culture Commission
      2. Bicycle and Pedestrian Advisory Commission
      3. Community and Senior Services Commission
      4. Library Board
      5. Parks Commission
      6. Transportation and Parking Commission

- iv. In addition to all Youth Commission meetings, the primary member shall attend all meetings of the Board or Commission they are appointed to. If the primary member is not able to attend the meeting of the Board or Commission they are assigned, it shall be the responsibility of the alternate to attend the meeting. If the primary member misses three (3) meetings of the Board or Commission the Youth Commission shall appoint a new primary member, and if necessary, a new alternate.
  - v. Commissioners shall provide a monthly report to the Youth Commission and be responsible for conveying the Youth Commission's input to the Board, Commission, or Committee.
  - vi. A majority of members shall constitute a quorum for the purpose of transacting business.
  - vii. Commission members shall serve without compensation, provided that, with advance budgetary approval of the Town Council, the actual and necessary expenses (if any) incurred by the members in the conduct of Town business shall be reimbursable pursuant to the current Council policy.
3. The Commission shall hold a regular meeting at least once each month between September and June. The Commission shall establish a regular time and location for its meetings and shall otherwise call and conduct its meetings in compliance with the provisions of the Ralph M. Brown Act (Government Code Sections 54950 and following.)
  4. The Commission shall elect a Chair and Vice-Chair, both of whom shall serve at the pleasure of the Commission. Terms of office shall be for one (1) year and shall begin on the first meeting September and end the following September.
  5. Minutes of the actions taken during its meetings shall be kept and filed with the Town Clerk Administrator.
  6. Meeting attendance requirements will conform with all current Town Resolutions and Policies.
  7. The duties of the Commission shall include the following:
    - a. Foster greater involvement of youth in municipal government affairs.
    - b. Study problems, activities, and concerns of youth, especially as they relate to municipal programs or projects of the Town of Los Gatos.
    - c. Hold forums on problems, activities and concerns of youth, either alone or in conjunction with other governmental agencies and community organizations, as the Commission deems desirable.

- d. Review municipal matters referred to the Commission by the Town Council or other Town boards, committees, or commissions and, as appropriate, make recommendations on those matters.

**BE IT FURTHER RESOLVED** that Resolution 2005-052 is hereby rescinded.

PASSED AND ADOPTED at a regular meeting of the Town Council of the Town of Los Gatos, California, held on the    day of   , 20    by the following vote:

COUNCIL MEMBERS

AYES:

NAYS:

ABSTAIN:

ABSENT:

SIGNED

OF LOS GATOS

CALIFORNIA

ATTEST

MAYOR OF THE TOWN

LOS GATOS,

CLERK ADMINISTRATOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

**From:** Shannon Susick [<mailto:ssusick@comcast.net>]

**Sent:** Thursday, September 29, 2016 1:36 PM

**To:** Marico Sayoc; Marcia Jensen

**Cc:** Laurel Prevetti

**Subject:** Policy Committee Consideration

Good Afternoon,

Thank you for allowing me to speak today regarding residency requirements; I apologize for not being prepared.

There are numerous residents of all neighborhoods that would like to volunteer and participate in their Town Government and Commissions. On a personal note; like the Youth Commissioners, when we purchased our home it was not disclosed that we were NOT in the Town of Los Gatos. My assumption was since we are located in the High School District, next to one of the larger Town parks and with a Los Gatos address, surrounded by other Town properties that that is where I lived with no distinction between incorporated and unincorporated.

Many of the small unincorporated pockets as you know are deeply and directly affected by Town and Planning Commission decisions; unification of our Town and all residents would be so productive. Inclusion and engagement benefits all in a positive manner.

Please consider the following amendments to the residency requirements for the Commission Appointment Policy for the Town of Los Gatos:

“Residency **or property ownership** within the incorporated municipal limits of the Town of Los Gatos, California is required for appointment and continued membership on all Town of Los Gatos Boards and Commissions.”

This would comply with Ms. Jensen’s statement that application of codes, policies or other requirements (and potential decisions) WOULD apply if property owned (not necessarily a primary residence) is located within the Town limits.

A less self-serving amendment would (please adjust language as appropriate) be:

“Residency in incorporated or unincorporated Los Gatos is required for appointment and continued membership on Town of Los Gatos Boards and Commission **which have no punitive or decision making capabilities** including:

Arts & Culture  
Bicycle & Pedestrian  
Building Board of Appeals  
Community and Senior Services  
Library Board  
Parks  
Transportation and Parking  
Youth Commission”

Thank you so much

Shannon Susick  
(408) 316-9559



MEETING DATE: 10/13/16  
ITEM NO: 3

## COUNCIL POLICY COMMITTEE REPORT

DATE: OCTOBER 6, 2016  
TO: COUNCIL POLICY COMMITTEE  
FROM: LAUREL PREVETTI, TOWN MANAGER  
SUBJECT: REVIEW AND DISCUSS POTENTIAL AMENDMENTS TO COUNCIL POLICY 1-04 ENTITLED TOWN FACILITIES USE POLICY REGARDING OAK MEADOW PARK

### RECOMMENDATION:

Review and discuss potential amendments to Council Policy 1-04 entitle Town Facilities Use Policy regarding Oak Meadow Park.

### REMARKS:

On August 2, 2016 Town Council approved the Town Facilities Use Policy. Since that time, staff has received an inquiry regarding a potential event at Oak Meadow Park that raises policy questions that should be addressed in the Town Facilities Policy.

The Committee reviewed the proposed changes at its September 29, 2016 meeting. After listening to public testimony and discussing the matter, the Committee directed staff to bring back a revised draft of the Policy including language specifying that no event can shut down the entire park. Attachment 1 contains revisions for the Committee's consideration.

### Attachments:

1. Revised draft Council Policy 1-04

PREPARED BY: SHELAYNE HAMMACK  
Management Analyst

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Reviewed by: \_\_\_\_\_ Assistant Town Manager \_\_\_\_\_ Town Attorney NA Finance

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<b>Title: TOWN FACILITIES USE</b>		<b>Policy Number: 1-04</b>
<b>Effective Date: 8/3/16</b>		<b>Pages:</b>
<b>Enabling Actions:</b>	<b>Revised Date:</b>	
<b>Approved:</b>		

**PURPOSE**

To establish a policy for managing use of the Town of Los Gatos Town facilities for use by the general public, official Town business, and governmental agencies. Which will:

1. Preserve core functions.
2. Provide for public access and use of civic facilities.
3. Facilitate and coordinate multiple uses of civic facilities.

**SCOPE**

Guiding Principles

1. Civic facilities are intended to be used primarily for administrative operations of the Town programs, and of the Town for the community. Therefore, official Town business, programs, and activities shall have priority use of all civic facilities.
2. Civic facilities are further intended to serve as a hub of civic and cultural activity and a major gathering center for community meetings and an active program of outdoor events.
3. Designated portions of the civic facilities may be used by the public for events including concerts, festivals, ceremonies, or other similar activity for the purposes of celebration, education or cultural enrichment.
4. It is the Town’s intent to provide spaces that are affordable and accessible for cultural, civic, and celebratory activities, without compromising security and official Town business needs.

## **POLICY**

### **Policy Overview**

1. The Town Council will establish the civic facilities use policy. The Town Manager and his or her designee will issue permits and use agreements for events, and act as the final authority for the application of the policy.
2. The Town Manager's Office is responsible for the day-to-day operation of scheduling and administering facilities' reservation.
3. The granting of permission to use any civic facility shall not in any way constitute an endorsement of the views of the persons and/or group reserving the facility.
4. Users of civic facilities for outdoor events will be required to enter into an agreement and comply with all requirements set forth in this Town Facilities Use Policy.
5. All civic facility use reservations shall be made subject to the condition that the Town maintains the right to cancel or change any reservation if civic facilities are needed for official Town business. In no event shall the Town have any liability whatsoever for any cancellation made under the Town's authority to do so.
6. Use of civic facilities must not interfere with the conduct of official Town business or be unduly disruptive to others present in Town Hall or to adjacent properties.
7. All commercial activities shall be prohibited except as provided in an appropriate permit, or license issued by the Town, or provided for in an agreement with the Town.

### **Public Use – Civic Facilities**

#### ***A. Civic Center Lawn***

The Civic Center lawn, as a focal point for the Town of Los Gatos Civic Center, shall be used as the regular location for community gatherings and events free and open to all members of the public including concerts, festivals, ceremonies, or other similar activity for the purposes of celebration, education or cultural enrichment.

1. Reservations are processed on a "first come, first served" basis. A tentative reservation may be made up to one year in advance by submitting an application for a Special Event Permit, and Release of Liability. All required paperwork must be submitted with original signatures.
2. Events are limited to one event per week. Recurring or continuing events shall require both a Town agreement and Town Council approval.

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3. Private parties are not allowed.
4. Scheduled events must not interfere with the conduct of official Town business or be unduly disruptive to others present in Town Hall or to adjacent properties.
5. The following must be submitted and approved no later than two months prior to the scheduled event:
  - a. Special Event Permit Application or Town agreement.
  - b. Certificate of Insurance and Endorsement, naming the Town as an additional insured and making coverage primary, \$1,000,000 liability insurance.
  - c. Release of Liability, Assumption of Risk and Indemnity Agreement.
  - d. Complete payment of all applicable fees and charges for use as established within the Municipal Code and are contained in the Town's Fee Schedule. All checks are to be made payable to "The Town of Los Gatos".

***B. Civic Center Deck and Stairs***

The Civic Center Deck and Stairs shall be used as the regular location for community gatherings and events free and open to all members of the public including concerts, festivals, ceremonies, or other similar activity for the purposes of celebration, education or cultural enrichment.

1. Reservations are processed on a "first come, first served" basis. A tentative reservation may be made up to one year in advance by submitting an application for a Special Event Permit, and Release of Liability. All required paperwork must be submitted with original signatures.
2. Events are limited to one event per week. Recurring or continuing events shall require both a Town agreement and Town Council approval.
3. Private parties are not allowed.
4. Scheduled events must not interfere with the conduct of official Town business or be unduly disruptive to others present in Town Hall or to adjacent properties.
5. The following must be submitted and approved no later than two months prior to the scheduled event:
  - a. Special Event Permit Application or Town agreement.
  - b. Certificate of Insurance and Endorsement, naming the Town as an additional insured and making coverage primary, \$1,000,000 liability insurance.
  - c. Release of Liability, Assumption of Risk and Indemnity Agreement

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- d. Complete payment of all applicable fees and charges for use as established within the Municipal Code and are contained in the Town's Fee Schedule. All checks are to be made payable to "The Town of Los Gatos".

### ***C. Council Chamber and Lobby***

The Town Council Chambers and Lobby may be reserved by federal, state, county, and municipal agencies, and schools for activities that benefit Los Gatos residents and students. The Town Council Chambers and Lobby may also be reserved by agencies providing government education programs.

1. The Town may grant permission to use the Town Council Chambers and Lobby in the following priority schedule:
  - a. Town Council/Board, Commission, and Committees, including ceremonials
  - b. Town Departments
  - c. Town established Organizations and Committees (in which Town employees or Town officials participate)
  - d. Government Agencies and Officials
  - e. All other users
2. Reservations are processed on a "first come, first served" basis. A tentative reservation may be made up to six months in advance by submitting an Application, and Release of Liability. All required paperwork must be submitted with original signatures.
3. The following must be submitted and approved no later than two weeks prior to the scheduled event:
  - a. Application for Use of Room
  - b. Certificate of Insurance and Endorsement, naming the Town as an additional insured and making coverage primary, \$1,000,000 liability insurance
  - c. Release of Liability, Assumption of Risk and Indemnity Agreement
  - d. Complete payment of Building Attendant. All checks are to be made payable to "The Town of Los Gatos".
4. During the evenings (after 5 p.m.), on the weekends (Saturdays and Sundays), and on Holidays, all users will be charged a Facility Use Fee and other applicable charges for Town services as set forth in the Fee Schedule, unless the meeting or event is for official Town business, and the meeting or event is planned, managed, and led by the Town Council or Town Department.
5. A Building Attendant is required for all meetings regardless of meeting time or size. The Town will schedule the Building Attendant and invoice

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the applicant for the actual time scheduled. The Building Attendant will be responsible for the opening and closing of the facility and overseeing that the room is returned to its original condition.

6. Use is limited to a maximum of ten hours, per event, subject to other scheduled events, or Town use
7. Groups composed of minors must be supervised by at least one (1) adult for every ten (10) children under the age of 18 at all times while they are using the facility.
8. Alcohol is not permitted in the Council Chambers or Lobby.
9. Applicants are responsible for setting up before and cleaning up after each event in the Chambers and/or Lobby. Applicants shall be responsible for removing all personal property, owned or rented, prior to vacating the facility.
  - a. Absolutely no open flames are allowed in the Chambers or Lobby.
  - b. No foreign substance may be applied to the floor, walls, or ceiling (this includes decorations).
  - c. No rice, birdseed, confetti, etc., may be thrown in or around the Town Council Chambers.
  - d. Gambling or wagering is prohibited.
10. Use of the Town Council Chambers will not be restricted because of age, sex, color, race, marital status, sexual orientation, ancestry, physical or mental disability, medical condition, religion, place of national origin, or any other basis prohibited by law.
11. Any exceptions to the use regulations must be approved, in writing, by the Town Manager.

#### ***D. Civic Facilities Conference and Meeting Rooms***

Conference and Meeting Rooms located within Town Hall, the Library, the Police Operations Building, and the Parks and Public Works Corporation Yard shall be used solely for conducting official Town business.

1. The Town may grant permission to use the Meeting Rooms in the following priority schedule:
  - a. Town Council and Town Council Committees
  - b. Planning Commission
  - c. Others Boards and Commissions
  - d. Town Departments
  - e. All other Town uses

***E. Town Plaza Park and Oak Meadow ~~Bandstand~~Park***

Town Plaza Park and Oak Meadow ~~Bandstand~~Park, as focal points for the Town of Los Gatos, shall be used as ~~the regular~~ location for free ~~gatherings that are open to the public. to the public community gatherings and e~~Events ~~allowed~~ including concerts, festivals, ceremonies, or other similar activity for the purposes of celebration, education or cultural enrichment.

1. Reservations are processed on a “first come, first served” basis. A tentative reservation may be made up to one year in advance by submitting an application for a Park Use Permit and/or a Special Event Permit, and Release of Liability. All required paperwork must be submitted with original signatures.
2. Events are limited to one event per week.
- ~~2.3.~~ No event may completely shut down the park. The park must always remain accessible to the public.
- ~~3.4.~~ Private parties (outside of Town designated reservable spaces) and fee for entrance events are not allowed. Incidental item sales may be allowed if they are consistent with the event activities, as approved.
5. Public entrances to the event venue must remain open to the public. This includes gates, roads, sidewalks, pathways, and parking lots. If shuttle buses are approved, the parking lot may be closed with a parking attendant present. Parking spots cannot be reserved, unless to increase handicap spots.
- ~~4.6.~~ Recurring, multi day, or events beyond the scope of the Town’s Special Event Permit ~~or continuing events~~ shall require a Town agreement and receive Town Council approval.
- ~~5.7.~~ The following must be submitted and approved no later than six months prior to the scheduled event:
  - a. Park Use Permit, Special Event Permit Application or Town Agreement.
  - b. Certificate of Insurance and Endorsement, naming the Town as an additional insured and making coverage primary, \$1,000,000 liability insurance.
  - c. Release of Liability, Assumption of Risk and Indemnity Agreement.
  - d. Complete payment of all applicable fees, deposits, and charges for use as established within the Municipal Code, Park Use Fees, and as contained in the Town’s Fee Schedule. All checks are to be made payable to “The Town of Los Gatos”.

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APPROVED AS TO FORM:

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Robert Schultz, Town Attorney