



## 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: 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 entitled 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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|-----------------------------------|------------------------|-------------------------------|
| <b>Title:</b> TOWN FACILITIES USE | <b>Page:</b><br>3 of 7 | <b>Policy Number:</b><br>1-04 |
|-----------------------------------|------------------------|-------------------------------|

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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|-----------------------------------|------------------------|-------------------------------|
| <b>Title:</b> TOWN FACILITIES USE | <b>Page:</b><br>4 of 7 | <b>Policy Number:</b><br>1-04 |
|-----------------------------------|------------------------|-------------------------------|

- 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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|-----------------------------------|------------------------|-------------------------------|
| <b>Title:</b> TOWN FACILITIES USE | <b>Page:</b><br>5 of 7 | <b>Policy Number:</b><br>1-04 |
|-----------------------------------|------------------------|-------------------------------|

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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|-----------------------------------|------------------------|-------------------------------|
| <b>Title:</b> TOWN FACILITIES USE | <b>Page:</b><br>7 of 7 | <b>Policy Number:</b><br>1-04 |
|-----------------------------------|------------------------|-------------------------------|

APPROVED AS TO FORM:

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Robert Schultz, Town Attorney