

TOWN OF LOS GATOS
COUNCIL POLICY COMMITTEE
April 14, 2016 10:00 a.m.

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

MINUTES

Call to Order

The Council Policy Committee meeting was called to order at 10:15 a.m.

Members and Staff present:

Vice Mayor Marico Sayoc
Councilmember Marcia Jensen
Laurel Prevetti, Town Manager
Rob Shultz, Town Attorney
Joel Paulson, Community Development Director
Monica Renn, Economic Vitality Manager

Verbal Communications

None

Agenda Items

**1. Approval of March 24, 2016 Council Policy Committee Meeting Minutes
Committee Action:**

The Committee unanimously approved the draft minutes with no changes.

2. Review and discuss the updated draft Entertainment Policy

The Policy Committee agreed that it was their desire to provide a recommendation to the Council for a simple policy that allows businesses to provide amplified sound by right before 10:00 p.m., given that all provisions within the Town's Noise Ordinance are followed. In addition, there is the desire to provide two options for the Council to consider within the recommendation with the difference being within the deciding body and the inclusion of more details within the options. Findings in which the deciding body may use to make the decision shall still be clear and included within the recommended policy.

With both recommendations, it was included that those existing CUPs that are silent or refer to compliance with an entertainment policy would be able to observe the new provisions, if adopted by the Council, without further review. However, those with

language that prohibit live entertainment and/or amplified sound would need to have their Conditional Use Permits modified through the public hearing process. Staff discussed the possibility of giving businesses the opportunity to group similar CUPs together to modify this single condition in multiple use permits.

Council member Jensen stated it was her goal to use the second paragraph in the Music in the Park and Jazz on the Plazz contract as the framework for the language in the policy, as this language has been adopted by the Council. In addition, the Committee discussed how the Town may define entertainment without being ambiguous and it was recommended that the Town moves away from calling this an Entertainment Policy and move towards an Amplified Sound Policy, recognizing that entertainment takes many forms and that the concern that comes from live entertainment is largely the noise.

The Committee also discussed compliance and the ability to revoke the right to have amplified sound should there be multiple founded complaints of a business participating in amplified sound that is out of compliance with the Town's Noise Ordinance and the potentially new provisions. The Town does have the right to review and modify or revoke CUPs of businesses with founded compliance issues. Staff was asked to discuss the role of code compliance within the staff report that is forwarded to the Council.