

DRAFT

Council Agency Meeting August 7, 2006

Item #

13

TOWN OF LOS GATOS, CALIFORNIA
TOWN COUNCIL/PARKING AUTHORITY
JOINT REDEVELOPMENT AGENCY

June 19, 2006/MINUTES

Los Gatos Civic Center
110 E. Main Street
Los Gatos, CA 95030

TIME	ITEM	ACTION ON ITEM
7:03 PM	TOWN COUNCIL	The Town Council/Parking Authority/Redevelopment Agency of the Town of Los Gatos met in the Council Chambers of the Town of Hall, 110 East Main Street, at 7:00 PM, June 19, 2006, in a joint regular session.
7:03 PM	ROLL CALL	Present: Steve Glickman, Joe Pirzynski, Barbara Spector, Mike Wasserman, and Mayor/Chairman Diane McNutt. Absent: None
7:03 PM	PLEDGE OF ALLEGIANCE	Wes Heeter, Hillbrook School led the pledge of allegiance. The audience was invited to participate.
7:04 PM	CLOSED SESSION	CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Government Code Section 54956.9[a]) Town vs. Capri Associates LLC, Santa Clara County Superior Court Case No. 1-05-CV-055584 Mr. Korb stated that direction was given and no action was taken. CONFERENCE WITH LABOR NEGOTIATOR (Government Code Section 54957.6) Recommended COLA for all unrepresented classes Town Negotiator (Lead): Debra Figone, Town Manager Employee Organizations: Management Confidential Unit Part-time/temporary personnel. Mr. Korb stated that direction was given and no action was taken.

<p>7:05 PM</p>	<p>BOARD/COMMISSION/ COMMITTEE APOINMENT</p>	<p>Arts Commission Appointment</p> <ul style="list-style-type: none"> • Penelope O'Neill <p>Ms. O'Neill was appointed to the Arts Commission by a 5/0 vote by Council.</p>
<p>7:06 PM</p>	<p>CONSENT ITEMS #1-18</p> <p>ITEM # 13 BY A MEMBER OF THE COUNCIL and #17 WAS PULLED BY A MEMBER OF THE PUBLIC BOTH WERE HEARD FOLLOWING OTHER BUSINESS</p>	<p><u>TOWN COUNCIL</u></p> <ol style="list-style-type: none"> 1. Ratify payroll for the month of May 2006 (1-V) 2. Ratify accounts payable for May 2006 (2-V) 3. Accept Treasurer's Report for April 2006. (3-2) 4. Approve minutes of June 5, 2006 Special Council Meeting (4-V) 5. <u>Signal and Street Light Maintenance.</u> Adopt resolution authorizing Town Manager to execute a contract amendment with Republic Electric to provide signal and street light maintenance services in the Town of Los Gatos. RESOLUTION 2006- 070 (5-41) 6. Adopt resolution opposing AB2987 and endorsing League of California Cities Telecommunications reform principles. RESOLUTION 2006-071 (6-12) 7. Adopt resolution modifying a Conditional Use to change the hours of operation, allow special events, deli, off-site beer and wine sales, and wine tasting on property zoned C-2. Conditional Use Permit U-06-12. APN: 529-01-025. Property location: 91, 101 and 109 W. Main Street. Property owner: Sue Farwell. Applicant: Teri Hope. RESOLUTION 2006-072 (7-15) 7A. Adopt an ordinance of the Town of Los Gatos amending Planned Development PD-99-02. Relative to grading and repealing Ordinance 2097 for the Shannon Valley Ranch Project at Shannon and Hicks Roads. (Previously addressed as 17101 Hicks Road and 14045 Shannon Road). ORDINANCE 2097

	<p>CONSENT ITEMS #1-18 continued</p>	<p>8. <u>Project 05-06 – Los Gatos Creek Trail Bridge Repair Project.</u> (8-24) Adopt resolution accepting work of Anderson Pacific Engineering and authorizing the Town Manager to execute Certificate of Acceptance and Notice of Completion for recording by the Clerk Administrator. RESOLUTION 2006-073</p> <p>9. <u>Agreement for Construction Inspection Services</u> (9-24) Adopt resolution authorizing the Town Manager to execute an agreement between the Town of Los Gatos and the City of Campbell for construction inspection services on a temporary basis. RESOLUTION 2006-074</p> <p>10. Adopt resolution authorizing Town Manager to execute into an agreement between the Santa Clara County Central Fire Protection District, the cities of Campbell and Saratoga, and the Town of Los Gatos to provide storm water protection services. RESOLUTION 2006- 075 (10-40)</p> <p>11. Adopt resolution appointing Bruce Entin, Transportation and Parking Commissioner, as representative to the Santa Clara Valley Transportation Authority Countywide Bicycle and Pedestrian Advisory Committee (BPAC). RESOLUTION 2006-076 (11-12)</p> <p>12. Adopt resolution authorizing Town Manager to execute an amendment to the professional services agreement with Innovative Claims Solutions, Incorporated to extend the contract for three years to perform compensation claims administration. RESOLUTION 2006- 077 (12-6)</p> <p><u>REDEVELOPMENT</u></p> <p>14. Ratify accounts payable for May 2006 (14-V)</p>
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	<p>CONSENT ITEMS #1-18 Continued</p>	<p>TOWN COUNCIL/REDEVELOPMENT AGENCY</p> <p>15. Approve Council/Agency minutes of June 5, 2006 (15-V)</p> <p>16. Approve Town Council/Redevelopment Agency Meeting Schedule for 2006-2007. (16-12)</p> <p>18. <u>Project 05-22 – Parking Lot 5 Repair and Resurfacing</u> (18-24) Adopt resolution accepting work of Joseph J. Albanese and authorizing the Town Manager/Executive Director to execute Certificate of Acceptance and Notice of Completion for recording by the Clerk Administrator/Secretary of the Redevelopment Agency. RESOLUTION 2006-078 and 2006-7RD</p> <p>Motion by Mr. Pirzynski to approve Consent Items #1 – 12, #14 – 16, and #18. Seconded by Mr. Glickman</p>
7:08 PM	<p>MAYOR CALLED THE QUESTION</p>	<p>Consent Items #1- 7, #8-12, #14 – 16, and #18 Carried unanimously. Consent Item #7A carried 4/1 with Mrs. Spector Voting no.</p>
7:08 PM	<p>OPEN VERBAL COMMUNICATION</p>	<p>Mr. Neilsen</p> <ul style="list-style-type: none"> Requested input regarding the replacement of a superintendent for the Los Gatos High School District. <p>Mr. Davis</p> <ul style="list-style-type: none"> Commented on the American Apparel appeal. Questioned the timeframe for the project to install sidewalks along Blossom Hill Road between Roberts Road and University Avenue.
7:14 PM	<p>CLOSED VERBAL COMMUNICATION</p>	
7:14 PM	<p>PUBLIC HEARINGS ITEM #19</p> <p>ABATEMENT OF HAZARDOUS VEGETATION (BRUSH)</p>	<p>ITEM #19 (19-33) <u>Abatement Of Hazardous Vegetation (Brush)</u> Adopt resolution overruling objections and ordering hazardous vegetation abatement (brush). RESOLUTION 2006-079</p> <p>Staff report made by John Curtis.</p>

7:16 PM	COUNCIL COMMENT	None.
7:16 PM	OPEN/CLOSE PUBLIC HEARING	
7:17 PM	PUBLIC HEARINGS ITEM #19 Continued ABATEMENT OF HAZARDOUS VEGETATION (BRUSH) COUNCIL DISCUSSION	Motion by Mr. Pirzynski to adopt resolution to overrule objections and ordering hazardous vegetation abatement (brush). Seconded by Mrs. Spector.
7:17 PM	MAYOR CALLED THE QUESTION	Carried unanimously.
7:18 PM	PUBLIC HEARINGS ITEM #20 107 COLORADO COURT	ITEM #20 Consider a Planning Commission decision denying approval to construct a new single family residence on property zoned HR-2 ½. Architecture and Site Application S-06-022. APN: 527-56-033. Property location: 107 Colorado Court. Property owner/Applicant/Appellant: Stewart and Colette Fahmy. Staff report made by Bud Lortz.
7:18 PM	COUNCIL COMMENT	Mr. Fahmy was not present at this time. Mayor McNutt continued this Item to follow the Pulled Consent Items.
7:19 PM	OTHER BUSINESS	None.
7:20 PM	CONSENT ITEMS Continued PULLED ITEM #13	ITEM #13 13. Civic Center Master Plan a. Authorize Town Manager to negotiate and execute an agreement with Anderson-Brule Architects in an amount not to exceed the remaining balance plus an additional \$20,000 for a term ending June 30, 2007 to complete the Civic Center/Library Master Plan. b. Authorize budget adjustment in the amount of \$20,000 from the General Fund Manager's Contingency account increasing the budget by \$20,000 in the Town's Civic Center Master Plan Project #400-0202.

	<p>CONSENT ITEMS Continued</p> <p>PULLED ITEM #13</p>	<p>Council Comments</p> <ul style="list-style-type: none"> • Suggested that cost estimates for four options be provided before continuing, and costs for property owners if bonds are issued. • Commented that the purpose of the master plan is to understand how to enhance the Civic Center to better serve the community at a cost that is appropriate and reasonable. • Commented that we are not at the end of the process. • Commented that needs assessments through public input have informed the space program estimates. • Commented that more information is needed to have more accurate costs. <p>Mrs. Figone</p> <ul style="list-style-type: none"> • Clarified that the master plan will not be a commitment to fund either new construction or remodeling, rather it is a prudent plan to meet the needs of the community and to offer the community choices over the course of time. • Clarified that preliminary cost estimates will be provided for a preferred option reflecting community and council input, which may need to be scaled or phased. <p>Mr. Davis</p> <ul style="list-style-type: none"> • Questioned if a demographic study could be done before moving forward with the project. <p>Motion by Mrs. Spector to approve Consent Item #13. Seconded by Mr. Pirzynski.</p>
<p>7:39 PM</p>	<p>MAYOR CALLED THE QUESTION</p>	<p>Carried 4/1 with Mr. Glickman voting no.</p>
<p>7:40 PM</p>	<p>PULLED ITEM #17</p>	<p>ITEM #17</p> <p>17. Adopt resolution approving the Town and Redevelopment Agency's Fiscal Year 2006-2007 Operating Budget, Capital Improvement Plan for Fiscal Years 2006/07 – 2010/11, carry-forward appropriations, and other approved adjustments and minor corrections. RESOLUTION 2006- 080 (17-9) RESOLUTION 2006-8RD</p>

	<p>CONSENT ITEMS Continued</p> <p>PULLED ITEM #17</p>	<p>Mr. Davis</p> <ul style="list-style-type: none"> • Commented regarding the lack of sidewalks along Blossom Hill Road. • Questioned when the project would be scheduled and the timeframe for completion. <p>Mr. Rohani commented that design for the sidewalk project on Blossom Hill Road is scheduled for Fall 2006 and should be completed by Spring 2007.</p> <p>Motion by Mr. Glickman to approve Consent Item #17. Seconded by Mr. Pirzynski.</p>
<p>7:43 PM</p>	<p>MAYOR CALLED THE QUESTION</p>	<p>Carried unanimously.</p>
<p>7:45 PM</p>	<p>PUBLIC HEARINGS ITEM #20 Continued</p> <p>107 COLORADO COURT</p> <p>OPEN PUBLIC HEARING</p>	<p>Mr. Fahmy, Applicant/Appellant</p> <ul style="list-style-type: none"> • Commented that the Hillside Standards and Guidelines should not apply to this project. • Commented on the lack of direction from the Development Review Committee and the Planning Commission. <p>Council Comment</p> <ul style="list-style-type: none"> • Commented that the Hillside Standards and Guidelines apply town wide and not just to his home. • Clarification from the applicant as to why the FAR and Height for the proposed home both exceed the Hillside Standards and Guidelines. • Clarification on the language in the Hillside Standards and Guidelines relating to allowance for exceptions. <p>Ms. Goldstein</p> <ul style="list-style-type: none"> • Commented regarding the term "spot zoning." • Commented regarding the loss of 16 trees located on the property. • Commented on the size of the proposed home. • Commented that the applicant made no efforts to work with the neighbors. • Supports the Planning Commission decision, and would like to see the home stay within the Town's Hillside Standards and Guidelines.

	<p>PUBLIC HEARINGS ITEM #20 Continued</p> <p>107 COLORADO COURT</p> <p>PUBLIC HEARING</p>	<p>Mr. Davis</p> <ul style="list-style-type: none"> • Commented on the size of the home and the slope of the hillside. • Supports the Planning Commission decision, and would like to see the home stay within the Town's Hillside Standards and Guidelines. <p>Ms. Davis</p> <ul style="list-style-type: none"> • Commented that the applicant made no effort to work with the neighbors. • Supports the Planning Commission decision, and would like to see the home stay within the Town's Hillside Standards and Guidelines. <p>Mr. Fahmy</p> <ul style="list-style-type: none"> • Commented on the large homes in his neighborhood. • Commented on his previous meeting with the Planning Commission. • Asked for some consideration on the variances for the proposed home.
<p>8:16 PM</p>	<p>CLOSED PUBLIC HEARING</p>	
<p>8:16 PM</p>	<p>COUNCIL DISCUSSION</p>	<p>Motion by Mr. Pirzynski to uphold the Planning Commission's decision to deny Architecture and Site Application S-06-22. Seconded by Mr. Glickman.</p> <ul style="list-style-type: none"> • Commented that reverse spot zoning does not apply and that the Hillside Standards should apply in this case. • Commented that the request for exception to the Hillside Standards was not justified. • Commented that the plans exceed so many guidelines that they should start over rather than sending it back to the Planning Commission with direction
<p>8:24 PM</p>	<p>MAYOR CALLED THE QUESTION</p>	<p>Carried unanimously.</p>
<p>8:25 PM</p>	<p>ITEM #21</p> <p>COUNCIL MATTERS</p>	<p>ITEM #21 Mr. Wasserman</p> <ul style="list-style-type: none"> • Commented that KCAT will be airing the Historic Documentary Los Gatos "Then and Now."

	COUNCIL MATTERS Continued	Mr. Pirzynski <ul style="list-style-type: none">Invited the community to attend the Town's annual 4th of July celebration being held at the Civic Center.
8:27 PM	ITEM #22 MANAGER MATTERS	ITEM #22 None.
8:27 PM	MEETING ADJOURNED	

Submitted by:

ATTEST:

Jackie Rose, Deputy Clerk

MarLyn Rasmussen, Clerk Administrator