



**TOWN OF LOS GATOS  
TOWN COUNCIL  
MAY 03, 2016  
110 EAST MAIN STREET  
COUNCIL CHAMBERS (DOWNSTAIRS)  
LOS GATOS, CA**

*Barbara Spector, Mayor  
Marico Sayoc, Vice Mayor  
Marcia Jensen, Council Member  
Steven Leonardis, Council Member  
Rob Rennie Council Member*

**PARTICIPATION IN THE PUBLIC PROCESS**

The Town of Los Gatos strongly encourages your active participation in the public process, which is the cornerstone of democracy. If you wish to speak to an item on the agenda, please complete a "speaker's card" located on the back of the chamber benches and return it to the Clerk Administrator. If you wish to speak to an item NOT on the agenda, you may do so during the "verbal communications" period. The time allocated to speakers may change to better facilitate the Town Council meeting

The purpose of the Town Council meeting is to conduct the business of the community in an effective and efficient manner. This is done by following meeting guidelines set forth in State law and in the Town Code. Conduct which is considered disruptive during Town Council meetings include, but is not limited to:

- Addressing the Town Council without first being recognized;
- Interrupting speakers, Town Council, and Town staff;
- Continuing to speak after the allotted time has expired;
- Failing to relinquish the podium when directed to do so; and
- Repetitiously addressing the same subject

For the benefit of the community, the Town of Los Gatos asks that you follow the Town's meeting guidelines while attending Town Council meetings and treat everyone with respect and dignity.

***Town Council Meetings Broadcast Live on KCAT, Channel 15  
1st and 3rd Tuesdays at 7:00 p.m.***

***Rebroadcast of Town Council Meetings  
2nd and 4th Mondays at 7:00 p.m.***

***Live & Archived Council Meetings can be viewed by going to:***

***IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, PLEASE CONTACT THE CLERK DEPARTMENT 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]***

**TOWN OF LOS GATOS  
TOWN COUNCIL  
MAY 03, 2016**

**7:00:00 PM**

**TOWN MEETING CALLED TO ORDER**

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

Lorenzo Fablea - Hillbrook School

**CLOSED SESSION REPORT**

**PRESENTATIONS**

Proclamation - National Public Works Week

**COUNCIL/TOWN MANAGER REPORTS**

Council Matters

Manager Matters

**CONSENT ITEMS (TO BE ACTED UPON BY A SINGLE MOTION)** *(Before the Town Council acts on the consent agenda, any member of the public or Town Council may request that any item be removed from the consent agenda. At the Mayor's discretion, items removed from the consent calendar may be considered either before or after the Public Hearings portion of the agenda)*

1. Approve Council Minutes of April 19, 2016  
[Staff Report - Minutes](#)
2. Authorize the Town Manager to execute a certificate of acceptance and notice of completion accepting the work of Graniterock Company and authorize recording by the Clerk Administrator for PPW Job No. 13-04 Winchester Blvd. and Lark Avenue Intersection Improvements Project  
[Staff Report - 13-04 Winchester-Lark Intersection Improvements](#)  
[Attachment 1 - Certificate of Acceptance and Notice of Completion](#)
3. Town Custodial Services
  - A. Authorize the Town Manager to execute a first amendment to the agreement for services with Sunnyvale Building Maintenance in an amount not to exceed \$207,179, including a ten percent contingency for special cleanings, unforeseen cleanups, and other maintenance issues.

- B. Authorize a modification to the contract scope to fund the Town Library Day porter service for fiscal year 2015/16 within the current contract amount.  
[Staff Report - Custodial Services](#)  
[Attachment 1 - Agreement for Services](#)  
[Attachment 2 - First Amendment to Agreement for Services](#)
4. Fiesta de Artes
- A. Authorize the Town Manager to execute a three year agreement for services with the Kiwanis Club of Los Gatos to provide operation of the Fiesta de Artes Art Festival to be held each August on the Civic Center grounds through September 2018.
- B. Authorize the annual issuance of temporary pushcart permits, not to exceed five (5), for the two-day Fiesta de Artes Art Festival through September 2018.  
[Staff Report - Fiesta de Artes](#)  
[Attachment 1 - Agreement](#)  
[Exhibit A - Map of Grounds](#)
5. PPW Job No. 15-813-9921 - Curb Ramps 813-9921
- A. Approve the contract award and authorize the Town Manager to execute a construction agreement with FBD Vanguard Construction Inc. in an amount not to exceed \$93,269, which includes a 10% contingency.
- B. Authorize staff to execute future change orders in an amount up to the allocated contingency amount of 10%.  
[Staff Report - Curb Ramp Project](#)  
[Attachment 1 - Construction Agreement](#)
6. Adopt a resolution declaring hazardous vegetation (brush) a public nuisance and providing for abatement and setting June 7, 2016 as a public hearing to hear protests on this annual program.  
[Staff Report - Hazardous Vegetation \(Brush\)](#)  
[Attachment 1 - Resolution](#)  
[Attachment 2 - Sample letter mailed to property owners](#)
7. Landscape & Lighting Assessment Districts 1 & 2
- A. Adopt a Resolution approving the Engineer's Report for FY 2016/17.
- B. Adopt a Resolution of intention to order the levy and collection of assessments for Landscape and Lighting District No. 1-Blackwell Drive Benefit Zone.
- C. Adopt a Resolution of intention to order the levy and collection of assessments for Landscape and Lighting District No. 1-Kennedy Meadows Benefit Zone.
- D. Adopt a Resolution of intention to order the levy and collection of assessments for Landscape and Lighting District No. 1-Santa Rosa Heights Benefit Zone.
- E. Adopt a Resolution of intention to order the levy and collection of assessments for Landscape and Lighting District No. 1-Vasona Heights Benefit Zone.
- F. Adopt a Resolution of intention to order the levy and collection of assessments for Landscape and Lighting District No. 1-Hillbrook Drive Benefit Zone.
- G. Adopt a Resolution of intention to order the levy and collection of assessments for Landscape and Lighting District No. 2-Gemini Court Benefit Zone.
- H. Set June 21, 2016 as the date for the public protest hearing for the assessments.  
[Staff Report - LLD](#)  
[Attachments 1-7 - Resolutions](#)  
[Attachment 8 - Engineer's Report for FY 2016/17](#)

**VERBAL COMMUNICATIONS** *(Members of the public may address the Town Council on any matter that is not listed on the agenda. Unless additional time is authorized by the Town Council, remarks shall be limited to three minutes.)*

**PUBLIC HEARINGS** *(Applicants/Appellants and their representatives may be allotted up to a total of ten minutes maximum for opening statements. Members of the public may be allotted up to three minutes to comment on any public hearing item. Applicants/Appellants and their representatives may be allotted up to a total of five minutes maximum for closing statements. Items requested/recommended for continuance are subject to Council's consent at the meeting.)*

8. Adopt an interim urgency ordinance extending the water conservation urgency ordinance No. 2239 until and through May 4, 2017, further declaring the existence of a condition of water shortage and providing for mandatory reductions in and specified prohibitions of water use, subject to modification and enforcement levels provided by the State and local agencies.

[Staff Report - Water Conservation](#)

[Attachment 1 - Draft Ordinance](#)

[Attachment 2 - Ordinance 2239 – Urgency Ordinance Adopted May 5, 2015](#)

9. Adopt an Ordinance of the Town council of the Town of Los Gatos amending Section 18.60.10 to include restrictions on smoking in commercial zoned areas and in multi-unit residences and other miscellaneous edits (Continued from April 19)

[Staff Report - Smoking Ordinance](#)

[Attachment 1 - Draft Ordinance](#)

10. Subdivision Application M-15-001, Architecture and Site Applications S-15-009 through S-15-011. Project Location: 15975 Union Avenue. Property Owner: Betchart Union Ave Joint Venture Partnership. Applicant/Appellant: Gary Kohlsaar. Consider an appeal of a Planning Commission decision denying a request to demolish an existing single-family residence, subdivide one lot into three lots, construct three new single-family residences, and remove large protected trees on property zoned R-1:10. APN 523-42-017.

[Staff Report - Union Ave.](#)

[Attachment 1 - Jan. 27, 2016 Staff Report & Exhibits 1-14](#)

[Attachment 2 - Jan. 27, 2016 Desk Item & Exhibit 15](#)

[Attachment 3 - Jan. 27, 2016 Planning Commission Mtg. Verbatim Minutes](#)

[Attachment 4 - Mar. 9, 2016, Staff Report & Exhibits 16-19](#)

[Attachment 5 - Mar. 9, 2016 Desk Item & Exhibit 20](#)

[Attachment 6 - Comments from Public received at Mar. 9, 2016 Planning Commission Hearing](#)

[Attachment 7 - Mar. 9, 2016 Planning Commission Mtg. Verbatim Minutes](#)

[Attachment 8 - Appeal of Planning Commission Decision](#)

[Attachment 9 - Letter from Appellant](#)

[Attachment 10 - Draft Resolution to Deny Appeal and Deny Project \(with Exhibit A\)](#)

[Attachment 11 - Draft Resolution to Grant Appeal and Remand Project to Planning Commission](#)

[Attachment 12 - Draft Resolution to Grant Appeal and Approve Project \(with Exhibits A&B\)](#)

[Attachment 13 - Public Comments received by 11am, Thursday, Apr. 28, 2016](#)

11. Architecture and Site Application S-15-053 and S-15-054. Property Location: 360 Bella Vista Avenue. Applicant/Appellant: Michael Black. Property Owner: John Brady. Consider an appeal of the decision of the Planning Commission denying a request to demolish an existing two-family residence, and construct two new single-family residences on property zoned R-1:8. APN 529-22-038.

[Staff Report - Bella Vista](#)

[Attachment 1 - Mar. 9, 2016 Planning Commission Staff Reports and Exhibits 1-10](#)

[Attachment 2 - Mar. 9, 2016 Planning Commission Verbatim Minutes](#)  
[Attachment 3 - Appeal of Planning Commission Decision](#)  
[Attachment 4 - Draft Resolution to Deny the Appeal](#)  
[Attachment 5 - Draft Resolution to Grant Appeal and Remand Project to Planning Commission](#)  
[Attachment 6 - Draft Resolution to Grant Appeal and Approve Project with Exhibits A&B](#)  
[Attachment 7 - Applicant's letter & Revised Development Plans](#)  
[Attachment 8 - Public Comment received by 11AM on Apr. 28, 2016](#)

**OTHER BUSINESS** *(Up to three minutes may be allotted to each speaker on any of the following items.)*

None

**ADJOURNMENT** *(Council policy is to adjourn no later than midnight unless a majority of Council votes for an extension of time)*

***Writings related to an item on the Town Council meeting agenda distributed to members of the Council within 72 hours of the meeting are available for public inspection at the front desk of the Los Gatos Town Library, located at 100 Villa Avenue, and are also available for review on the official Town of Los Gatos website. Copies of desk items distributed to members of the Council at the meeting are available for review in the Town Council Chambers***

***Note: The Town of Los Gatos has adopted the provisions of Code of Civil Procedure §1094.6; litigation challenging a decision of the Town Council must be brought within 90 days after the decision is announced unless a shorter time is required by State or Federal law.***