

**MINUTES OF THE TOWN COUNCIL/PARKING AUTHORITY/REDEVELOPMENT
AGENCY MEETING
MARCH 19, 2012**

The Town Council of the Town of Los Gatos conducted a Regular Meeting on Tuesday, March 19, 2012 at 7:00 P.M.

CLOSED SESSION

PUBLIC EMPLOYEE ANNUAL PERFORMANCE EVALUATION [Government Code Section 54957(b)(1)] Title: Town Attorney

MEETING CALLED TO ORDER - 7:00 P.M.

ROLL CALL

Present: Mayor Steve Rice, Vice Mayor Barbara Spector, Council Member Steven Leonardis, Council Member Diane McNutt, and Council Member Joe Pirzynski.

Absent: None

PLEDGE OF ALLEGIANCE

Steele Johnson from Blossom Hill Elementary School led the Pledge of Allegiance. The audience was invited to participate.

CLOSED SESSION REPORT

Judith Propp, Town Attorney, reported that Council met in Closed Session and took no reportable action.

TOWN COUNCIL

COUNCIL/TOWN MANAGER REPORTS

Council Matters

Mayor Steve Rice

- Commented that another Meet the Mayor event will be held in the library conference room on Saturday, March 24, 2012.

Manager Matters

Greg Larson, Town Manager

- Commented that Chief Seaman became the President of the California Police Chiefs Association at a reception in Sacramento.
- Commented that West Valley CERT classes are taking place.
- Commented that the new library has had approximately 41,000 visitors, 49,000 checkouts, and 1,600 new library cards issued during its first month.
- Commented on the new Art in the Council Chambers exhibit.

Did You Know??

Janet Sumpter, Supervisor of Los Gatos-Saratoga Recreation (LGS).

- Commented on the senior services provided by the LGS.
- Commented that a Clean Up Service Day will be on April 6, 2012 and a Resource Fair will be on April 12, 2012.

CONSENT ITEMS (TO BE ACTED UPON BY A SINGLE MOTION)

1. Approve Council minutes of March 5, 2012
2. Authorize the Town Manager to execute an agreement with Cannon Design Group and RRM Design Group to serve as architectural consultants to the Town
3. PPW Job No. 10-15 Los Gatos Creekside Sports Park
 - a. Authorize the Town Manager to execute a construction contract with Interstate Grading and Paving Inc., in an amount not to exceed \$1,975,497.00
 - b. Authorize staff to execute future change orders to the construction contract as necessary in an amount not to exceed \$300,000.00
4. PPW Job No. 10-15 - Los Gatos Creekside Sports Park 411-831-4402 Authorize the Town Manager to execute an amendment to the agreement for consultant services with Callander Associates to provide additional design and construction support services for the construction of Los Gatos Creekside Sports Park in an amount not to exceed \$47,729
5. PPW Job No. 11-17 - Fiscal Year 2011/12 - Curb, Gutter, and Sidewalk Replacement Project 813-9921 Approve plans and specifications for the Curb, Gutter, and Sidewalk Replacement Project and authorize staff to advertise the project for bid
6. Tract No. 10110 located at 16213 Los Gatos Blvd. (former Honda Site) Adopt resolution approving Final Map for Tract No.10110 located at 16213 Los Gatos Blvd. (former Honda Site), accepting the dedications, and authorizing the Town Manager to execute the contract for public improvements

Consent Items – Continued

MOTION: **Motion by Vice Mayor Barbara Spector** to approve Consent Items #1-6, with modifications reflected in the Desk Items for Agenda Items #1 and #2.
Seconded by Council Member Joe Pirzynski.

VOTE: **Motion passed unanimously.**

VERBAL COMMUNICATIONS

There were no verbal communications for this meeting.

OTHER BUSINESS

7. Adopt a resolution finding that the property transfer of 612 aka 626 W. Parr Avenue, from Villa Vasona Ltd. to Highland Property Development LLC, will continue to fulfill all obligations required under Planned Development Ordinance 1698 and authorizing the Town Manager to negotiate a new agreement. APN 406-28-034

Joel Paulson, Senior Planner, presented the staff report.

Council Questions

- Questioned whether the staff's recommendations incorporate the issues presented in the desk item.

Mr. Paulson

- Clarified that the issues raised in the desk item are incorporated into staff's recommendations.

Open/Closed the Public Hearing

MOTION: **Motion by Council Member Joe Pirzynski** to adopt a resolution in Attachment 7 finding that Highland Property Development LLC is willing and able to fulfill all obligations required under Planned Development Ordinance 1698 and authorizing the Town Manager to negotiate a new agreement.
Seconded by Vice Mayor Barbara Spector.

VOTE: **Motion passed unanimously.**

8. Off-Leash Dog Park Status

Christy Wolter, Maintenance Superintendent, presented the staff report.

Council Comments

- Questioned the licensing component of the pilot program and how it would be enforced.
- Questioned the reason for an accelerated schedule.
- Questioned the number of planned public meetings.
- Questioned whether early termination of the pilot program and procedures to do so would be built into the pilot program.
- Questioned whether the pilot program would only allow Los Gatos residents in the off-leash park areas.

Ms. Wolter

- Commented that dogs would be licensed under current licensing programs, and that there would be random checks for licenses.
- Commented that there is a growing interest in the issue, which must be balanced against the public process.
- Commented that the number of public meetings may change.
- Commented that staff would investigate the reasons the pilot program is not working and then follow procedures to terminate the program, if necessary.
- Clarified that staff is not recommending that the pilot program be restricted to Los Gatos residents.

Open Public Hearing

Mr. Knowles

- Expressed support for the proposed project.
- Asked members of the audience who also supported the proposed project to indicate their support by a show of hands.

Ms. Jendricks

- Expressed support for the proposed project.
- Clarified that the time for off-leash activities should be restricted to certain days and times.

Council Comments

- Questioned Ms. Jendricks's reference to limiting the number of dogs in the park.

Ms. Kalin

- Expressed support for the proposed project.

Item #8 - Continued

Closed the Public Hearing

Council Discussion

- Questioned whether Council may ask a member of the public to come before the Council.

Ms. Propp

- Clarified that a member of the public may be invited to speak.

Mayor Rice re-opened the public hearing and invited the Parks Commission Chair, Robert Rennie, to provide input on whether the Parks Commission meeting should be substituted for another public meeting.

Mr. Rennie, Parks Commission Chair

- Commented that it would be beneficial for the Parks Commission to make recommendations but he did not have a strong preference either way.
- Commented that a timeline is necessary because there is frustration over the off-leash dog issue.

Mr. Larson

- Commented that a Parks Commission would be a public meeting, so there would be opportunity for community input.

Closed the Public Hearing

Item #8 - Continued

Council Discussion

- Commented that the public should have the opportunity to provide input, and the public process should be done thoroughly.
- Commented that there should be 3 meetings and neighbors within 500 feet of parks should be noticed.
- Commented that the Town is a dog-friendly community, and off-leash dog areas will be an amenity to the Town.
- Commented that staff is advocating a process to develop a pilot program, and that specifics regarding licensing and other issues will be developed later.
- Commented that there is discomfort for those who have to enforce the law when the laws are being violated by members of the public who meet and have their dogs off-leash; it is unstable to ignore people who break the law.
- Commented that there is a problem with determining who can bring an off-leash dog to a park when certain dogs may not act appropriately when off-leash.
- Commented on the proposed timeline.

Mr. Larson and Mr. Capurso

- Commented on the proposed timeline and the number and scheduling of the community meetings with reference to the Parks Commission meetings.

MOTION:

Motion by Vice Mayor Barbara Spector to

- Accept the staff report on the status of potential dog off-leash areas in Town parks
- Direct staff to evaluate options for a dog off-leash pilot program and conduct a public input process
- Direct staff to provide an implementation plan for a dog off-leash pilot program to Council by June 2012

Seconded by Council Member Joe Pirzynski.

VOTE:

Motion passed unanimously.

Item #8 - Continued

The following Council Discussion occurred prior to the vote:

- Commented that the number of dogs in Town and the number of people who bring their dogs into Town has grown.
- Commented that there must be a strong pilot program with ongoing evaluation.
- Commented that there are different neighborhood parks, and there may be different desires for each park.
- Commented that the Parks Commission should vet the pilot program before it comes to Council.
- Commented that this is a public process, and the public should participate so that all points of view are expressed.

Ms. Wolter

- Commented that per Council direction, neighbors within 500 feet will be notified about community meetings, and notices will be posted in the parks.

ADJOURNMENT

The meeting adjourned at 8:06 p.m.

Attest:

/s/Mazarin A. Vakharia
Clerk Administrator