



**TOWN OF LOS GATOS  
COUNCIL MEETING AGENDA  
SEPTEMBER 5, 2023  
110 EAST MAIN STREET AND TELECONFERENCE  
TOWN COUNCIL CHAMBERS  
LOS GATOS, CA  
7:00 PM**

**PARTICIPATION IN THE PUBLIC PROCESS**

*Maria Ristow, Mayor  
Mary Badame Vice Mayor  
Matthew Hudes, Council Member  
Rob Moore, Council Member  
Rob Rennie, Council Member*

How to participate: 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 follow the participation instructions on page 2 of this agenda. If you wish to speak to an item NOT on the agenda, you may do so during the “Verbal Communications” period, by following the participation instructions on page 2 of this agenda. The time allocated to speakers may change to better facilitate the Town Council meeting.

Effective Proceedings: The purpose of the Town Council meeting is to conduct the business of the community in an effective and efficient manner. 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. This is done by following meeting guidelines set forth in State law and in the Town Code. Disruptive conduct is not tolerated, including but not limited to: addressing the Town Council without first being recognized; interrupting speakers, Town Council or 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.

Deadlines for Public Comment and Presentations are as follows:

- Persons wishing to make an audio/visual presentation on any agenda item must submit the presentation electronically, either in person or via email, to the Clerk’s Office no later than 3:00 p.m. on the day of the Council meeting.
- Persons wishing to submit written comments to be included in the materials provided to Town Council must provide the comments as follows:
  - For inclusion in the regular packet: by 11:00 a.m. the Thursday before the Council meeting
  - For inclusion in any Addendum: by 11:00 a.m. the Monday before the Council meeting
  - For inclusion in any Desk Item: by 11:00 a.m. on the day of the Council Meeting

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

***Rebroadcast of Town Council Meetings on the 2<sup>nd</sup> and 4<sup>th</sup> Tuesdays at 7:00 p.m.***

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

***[www.LosGatosCA.gov/TownYouTube](http://www.LosGatosCA.gov/TownYouTube)***

***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  
COUNCIL MEETING AGENDA  
SEPTEMBER 5, 2023  
110 EAST MAIN STREET AND TELECONFERENCE  
TOWN COUNCIL CHAMBERS  
7:00 PM**

**IMPORTANT NOTICE**

This is a hybrid meeting and will be held in-person at the Town Council Chambers at 110 E. Main Street and virtually through the Zoom webinar application (log-in information provided below). Members of the public may provide public comments for agenda items in-person or virtually through the Zoom webinar by following the instructions listed below. The live stream of the meeting may be viewed on television and/or online at [www.LosGatosCA.gov/TownYouTube](http://www.LosGatosCA.gov/TownYouTube).

**PARTICIPATION**

To provide oral comments in real-time during the meeting:

- **Zoom webinar:** Join from a PC, Mac, iPad, iPhone or Android device: Please click this URL to join: <https://losgatosca.gov.zoom.us/j/87922005778?pwd=RnNadElXWEVQd290dDJJVzEwaEw3Zz09>  
Passcode: 771495. You can also type in 879 2200 5778 in the “Join a Meeting” page on the Zoom website at <https://zoom.us/join> and use Passcode: 771495.
  - When the Mayor announces the item for which you wish to speak, click the “raise hand” feature in Zoom. If you are participating by phone on the Zoom app, press \*9 on your telephone keypad to raise your hand.
- **Join by telephone:** Join by Telephone: Dial: USA 877 336 1839 US Toll-free or 636 651 0008 US Toll. Conference code: 686100
  - If you are participating by calling in, press #2 on your telephone keypad to raise your hand.
- **In-Person:** If you wish to speak during the meeting, please complete a “speaker’s card” located on the back of the chamber benches and return it to the Town Clerk. If you wish to speak to an item on the agenda, please list the item number. If you wish to speak on an item NOT on the agenda, please list the subject and you may speak during the “Verbal Communications” period. The time allocated to speakers may change to better facilitate the Town Council meeting.

When called to speak, you may be asked to provide your full name and your town/city of residence. This identifying information is optional and not a requirement for participation. Please limit your comments to three (3) minutes, or such other time as the Mayor may decide, consistent with the time limit for speakers at a Council meeting. If you wish to speak to an item or items on the Consent Calendar, please state which item number(s) you are commenting on at the beginning of your time.

If you are unable to participate in real-time, you may email to [Clerk@losgatosca.gov](mailto:Clerk@losgatosca.gov) the subject line “Public Comment Item #\_\_” (insert the item number relevant to your comment) or “Verbal Communications – Non-Agenda Item.” Comments received by 11:00 a.m. the day of the meeting will be reviewed and distributed before the meeting. All comments received will become part of the record.

## MEETING CALL TO ORDER

## ROLL CALL

**APPROVE REMOTE PARTICIPATION** *(This item is listed on the agenda in the event there is an emergency circumstance requiring a Council Member to participate remotely under AB 2449 (Government Code 54953)).*

## RULES OF DECORUM AND CIVILITY

To conduct the business of the community in an effective and efficient manner, please follow the meeting guidelines set forth in the Town Code and State law.

The Town does not tolerate disruptive conduct, which includes but is not limited to:

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

Town Policy does not allow speakers to cede their commenting time to another speaker. Disruption of the meeting may result in a violation of Penal Code Section 403.

## PLEDGE OF ALLEGIANCE

## PRESENTATIONS

- i. Suicide Prevention Awareness Month Proclamation

## CLOSED SESSION REPORT

## COUNCIL / MANAGER MATTERS

**CONSENT ITEMS** *(Items appearing on the Consent Items are considered routine Town business and may be approved by one motion. Any member of the Council may request to have an item removed from the Consent Items for comment and action. Members of the public may provide input on any or multiple Consent Item(s) when the Mayor asks for public comments on the Consent Items. If you wish to comment, please follow the Participation Instructions contained on Page 2 of this agenda. If an item is removed, the Mayor has the sole discretion to determine when the item will be heard.)*

- [1.](#) Approve Minutes of the August 15, 2023 Special Town Council Meeting.
- [2.](#) Approve Minutes of the August 15, 2023 Town Council Meeting.
- [3.](#) Approve Minutes of the August 22, 2023 Town Council Closed Session Meeting.
- [4.](#) Adopt a Resolution Approving Changes to the Town's Comprehensive Fee Schedule Amending the Rates for Annual Residential Parking Permits and Employee Parking Permits.
- [5.](#) Approve a Waiver of the 60-Day Special Event Permit Application Submittal Requirement for the Los Gatos Veterans Memorial and Support Foundation's 9/11 Memorial Event, tentatively scheduled for Sunday, September 10, 2023.

- [6.](#) Rescind Resolution 2023-044 and Adopt an Amended Resolution for the California Public Employees' Retirement System Retirement Plan to Waive the 180-Day Retiree Rehire Wait Period and to Appoint Sean Rose as the Temporary Capital Projects Manager in the Parks and Public Works Department

**VERBAL COMMUNICATIONS** *(Members of the public are welcome to address the Town Council on any matter that is not listed on the agenda. To ensure all agenda items are heard and unless additional time is authorized by the Mayor, this portion of the agenda is limited to 30 minutes and no more than three (3) minutes per speaker. In the event additional speakers were not able to be heard during the initial Verbal Communications portion of the agenda, an additional Verbal Communications will be opened prior to adjournment.)*

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

- [7.](#) Adopt a Resolution for the California Public Employees' Retirement System Retirement Plan to Waive the 180-Day Retiree Rehire Wait Period and to Appoint Paul Horvat as the Temporary Emergency Services Coordinator in the Town Manager's Office
- [8.](#) Adopt Amendments to Town Council Policy #2-18: Legislative Policy and Approve Legislative Priorities with Regard to State, Federal, and Regional Legislation
- [9.](#) Discuss and Provide Direction for the Use of the Town Council, Staff and Community Values

**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: In accordance with Code of Civil Procedure §1094.6; litigation challenging a quasi-adjudicatory decision of the Town Council must be brought within 90 days after the decision is final unless a shorter time is required by State or Federal law.*





**TOWN OF LOS GATOS  
COUNCIL AGENDA REPORT**

MEETING DATE: 09/05/2023

ITEM NO: 1

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**DRAFT  
Minutes of the Town Council Special Meeting – Study Session  
Tuesday, August 15, 2023**

The Town Council of the Town of Los Gatos conducted a special meeting in person and utilizing teleconferencing means on Tuesday, August 15, 2023, at 6:00 p.m.

**MEETING CALLED TO ORDER AT 6:01 P.M.**

**ROLL CALL**

Present: Mayor Maria Ristow, Vice Mayor Mary Badame, Council Member Matthew Hudes, Council Member Rob Moore, Council Member Rob Rennie (participating remotely under the Brown Act).

Absent: None

**VERBAL COMMUNICATIONS (ONLY ON ITEMS ON THE AGENDA)**

Jan Schwartz, New Museum Los Gatos (NUMU)

- Commented on acquiring directional signs for NUMU, including the use of temporary signs.

**OTHER BUSINESS**

1. Receive and Discuss Information Regarding a Recommended Update to the Town's Sign Ordinance Provisions Regarding Temporary Signs and Provide Direction to the Town Attorney.

Gabrielle Whelan, Town Attorney, presented the staff report.

**MOTION:** Motion by Vice Mayor Badame to conduct research on similar surrounding jurisdictions as to what physical type, height, and size of temporary signs are allowed. **AMENDMENT:** direct staff to contact the real estate community to receive feedback. **Seconded by Mayor Ristow.**

**VOTE:** Motion passed unanimously by roll call vote.

**MOTION:** Motion by Vice Mayor Badame to direct staff to educate businesses regarding A-frame signs, conduct gentle enforcement starting with issuing warnings before issuing citations, and come back with feedback from the downtown community. **Seconded by Mayor Ristow.**

**VOTE:** Motion passed unanimously by roll call vote.

PAGE 2 OF 2

SUBJECT: Draft Minutes of the Special Town Council Meeting of August 15, 2023

DATE: August 15, 2023

**ADJOURNMENT**

The meeting adjourned at 7:00 p.m.

Respectfully Submitted:

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Jenna De Long, Deputy Town Clerk



**TOWN OF LOS GATOS  
COUNCIL AGENDA REPORT**

MEETING DATE: 09/05/2023

ITEM NO: 2

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**DRAFT  
Minutes of the Town Council Meeting  
Tuesday, August 15, 2023**

The Town Council of the Town of Los Gatos conducted a regular meeting in person and utilizing teleconferencing means on Tuesday, August 15, 2023, at 7:00 p.m.

**MEETING CALLED TO ORDER AT 7:06 P.M.**

**ROLL CALL**

Present: Mayor Maria Ristow, Vice Mayor Mary Badame, Council Member Matthew Hudes, Council Member Rob Moore, Council Member Rob Rennie (participating remotely under the Brown Act).

Absent: None

**PLEDGE OF ALLEGIANCE**

Jay Magullari led the Pledge of Allegiance. The audience was invited to participate.

**COUNCIL/TOWN MANAGER REPORTS**

**Council Matters**

- Council Member Hudes stated he met with the Chair of the Community Health and Senior Services Commission (CHSSC), the Friends of Seniors in Los Gatos Foundation, the board Chair and the Director of New Museum Los Gatos (NUMU), and the Director of the Live Oak Nutrition Program.
- Vice Mayor Badame stated she attended Music in the Park, a Conceptual Development Advisory Committee meeting with Mayor Ristow, and a San Jose Spotlight news event.
- Council Member Moore stated he attended the San Jose Spotlight news event, Assembly Member Gail Pellerin's Paws and Policy event, and Music in the Park; hosted a Council Member Community Coffee; met with Los Gatos High School Graduates; and attended a Planning Commission Meeting.
- Council Member Rennie stated he met with a board member and the Director of NUMU; and attended a Valley Transportation Authority (VTA) Policy Advisory Committee (PAC) meeting and a Silicon Valley Clean Energy Authority Board meeting.
- Mayor Ristow stated that August 25 is Ukrainian Independence Day; met with residents on a number of different topics; joined the Los Gatos Beautification Committee to cleanup Parking Lot 6; attended a VTA a Transit-Oriented Development meeting, a Conceptual Development Advisory Committee meeting, both parking meetings hosted by the Chamber of Commerce, a ribbon cutting for Dry Walk Hair Salon, a Regional Housing Bond Symposium, and a Santa Clara County Mayors meeting in Mountain View to tour a safe parking location for the unhoused; gave a reminder that school is starting and encouraged everyone to work together to get to their destinations safely and effectively.

### **Manager Matters**

- Announced the Housing Element sites and Zoning changes will be discussed at a Planning Commission meeting on August 23 at 7:00 p.m. and invited the public to attend.
- Announced a Housing Element Advisory Board special meeting will be held on August 24 at 7:00 p.m. to discuss housing element revisions and invited the public to attend.
- Announced the Town is taking applications for its Leadership Los Gatos program.
- Announced a Joint Planning Commission and Town Council meeting regarding SB 330 is scheduled for September 12 at 7:00 p.m. in the Town Council Chambers.

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

1. Approve Closed Session Council Meeting Minutes of August 1, 2023.
2. Approve Council Meeting Minutes of August 1, 2023.
3. Adopt a Resolution to Extend the Term of the Housing Element Advisory Board.
4. Authorize the Town Manager to Execute the Third Amendment to the Consulting Services Agreement with ActiveWayz Engineering for Additional Engineering Services in an Amount of \$80,224, Resulting in a Total Agreement Amount Not to Exceed \$276,933, for the Shannon Road Pedestrian and Bikeways Improvement Project (CIP No. 813- 0218).
5. Consider the Following Actions Regarding the Howes Play Lot Structure:
  - a. Authorize the Town Manager to Execute a Purchase and Service Agreement with Ross Recreation Equipment to Replace Play Structure Equipment in an Amount of \$115,884 Plus Five Percent for Unforeseen Repairs for a Total Agreement Amount not to Exceed \$121,678; and
  - b. Authorize an Expenditure Budget Adjustment in an Amount of \$121,678 From Available General Fund Special/Capital Projects Reserve.
6. Adopt a Resolution Granting an Appeal of a Planning Commission Decision to Approve a Fence Height Exception Request for Construction of an Automated Vehicular Gate Exceeding the Maximum Height and with Reduced Setbacks on Property Zoned R-1:8. Located at 380 Blackwell Drive. APN 424-12-027. Categorically Exempt Pursuant to CEQA Guidelines Section 15303 (e): New Construction or Conversion of Small Structures. Fence Height Exception Application FHE-23-002. PROPERTY OWNER: Larry Cesnik and Martha Johnson. APPELLANT: Larry Cesnik. APPLICANT: Ramin Zohoor. PROJECT PLANNER: Sean Mullin. **RESOLUTION 2023-043**
7. Adopt an Ordinance Titled "An Ordinance of the Town Council of the Town of Los Gatos Amending Section 18.30.040, 'Penalties for Violations,' of Division 1, Article III, of Chapter 18 of the Town Code, 'Social Host Ordinance'." **ORDINANCE 2343**
8. Authorize the Town Manager to Execute the First Amendment to the Consulting Services Agreement with Nichols Consulting Engineers for Additional Engineering Services in an Amount of \$42,500, Resulting in a Total Agreement Amount Not to Exceed \$486,900, and an Extension of Time for the Shannon Road Repair Project (CIP No. 811- 0008).
9. Receive Monthly Financial and Investment Reports (April Amended, May, and June 2023).

Council Member Hudes pulled item #3.

Opened public comment.

No one spoke.

Closed public comment.

**MOTION: Motion by Vice Mayor Badame to approve consent items 1, 2, and 4-9. Seconded by Council Member Moore.**

**VOTE: Motion passed unanimously by roll call vote.**

### **VERBAL COMMUNICATIONS**

Jacob, S.U.A.S Veteran Crisis Q.R.F.

- Commented on the mission of S.U.A.S Veteran Crisis Q.R.F. and invited volunteers to serve.

Jan Schwartz, NUMU Board Member

- Commented on NUMU services and requested financial support for rent and the Los Gatos History Project.

Tyler Haus, Civic Bell

- Commented on a local civic technology platform called Civic Bell and how the system works.

Jennifer Lin, Executive Director of Los Gatos Chamber of Commerce

- Introduced herself and stated she is excited to serve the community and continue collaborative efforts with the Town.

Joseph Enz

- Commented on homeless individuals, cleanup of the creek, and the Police Department.

Lynley Hogan

- Read an article on child trafficking and commented in opposition of a number of legislative bills.

Stanford and Daniel Stickney

- Requested the Council maintain the Post Office as a community asset.

Beverly

- Requested the Town Council allocate funds to a hotel voucher program and showers.

**OTHER BUSINESS**

10. Adopt a Resolution for the California Public Employees' Retirement System Retirement Plan to Waive the 180-Day Retiree Rehire Wait Period and to Appoint Sean Rose as the Temporary Capital Projects Manager in the Parks and Public Works Department.

**RESOLUTION 2023-044**

Salina Flores, Human Resources Director, presented the staff report.

Opened public comment.

No one spoke.

Closed public comment.

**MOTION:** Motion by Vice Mayor Badame to adopt a resolution for the California Public Employees' Retirement System Retirement Plan to waive the 180-day retiree rehire wait period and to appoint Sean Rose as the Temporary Capital Projects Manager in the Parks and Public Works Department per Attachment 1 of the staff report.

**Seconded by Council Member Moore.**

**VOTE:** Motion passed unanimously by roll call vote.

11. Review the Library Board Work Plan for Calendar Year 2023.

Ryan Baker, Library Director, presented the staff report.

Opened public comment.

No one spoke.

Closed public comment.

Council discussed the item and commended the Library Board for their work.

12. a. Receive the Information Provided in the Police Services Report: January – June 2023; and  
b. Approve the Technical Sharing of Information Obtained from the Town's Automated License Plate Reader (ALPR) Technology and Information Captured by the Flock Safety Technology with Other Law Enforcement Agencies in Santa Clara County

Jamie Field, Police Chief, presented the staff report.

Opened public comment.

Lee Fagot

- Commented on community policing, and concerns with noisy vehicles and electric bicycles.

Closed public comment.

Council discussed the item.

**MOTION:** Motion by Vice Mayor Badame to receive the information provided in the Police Services report: January – June 2023 and approve the technical sharing of information obtained from the Town’s Automated License Plate Reader (ALPR) technology and information captured by the Flock Safety technology with other law enforcement agencies in Santa Clara County. **Seconded** by Council Member Hudes.

**VOTE:** Motion passed unanimously by roll call vote.

Recess 8:57 p.m.

Reconvene 9:12 p.m.

13. Receive an Update on American Rescue Plan Act (ARPA) Public Safety Expenses and General Fund Council Priorities – Economic Recovery Reserve Tracking and Provide Direction for the Use of the Remaining Funds in this Reserve.

Gitta Ungvari, Finance Director, presented the staff report.

Opened public comment.

Kimberly Snyder, Executive Director NUMU

- Commented on the cultural service of NUMU, and requested an allocation of \$93,000 in one-time funds for rent and a match for the Los Gatos History project.

Tom Picraux

- Commented in favor of utilizing the remaining ARPA funds for a community center and to convene a group of stakeholders regarding the existing facility.

Dick Konrad

- Commented in favor of utilizing some remaining ARPA funds for a community center, convene a group of stakeholders regarding the existing facility, and address a shortfall with Live Oak Nutrition.

Closed public comment.



Council discussed the item.

**MOTION:** Motion by Council Member Hudes to create an effort to design and construct the Adult Recreation Facility to provide space for a variety of non-profit agencies to provide services to the community and reconfigure the existing space to provide better services to adults and make it more open and inviting to the community. The funding of these improvements will be achieved by allocating up to \$1,000,000 of ARPA funds to a Community Center Development Fund by immediately allocating the remaining General Fund monies made available from the American Rescue Plan Act qualified public safety expenses in the amount of \$866,281, and if over the next two years, Capital funds including previously allocated ARPA funds were not expended as budgeted, an additional amount of up to \$133,719 of Capital funds would be allocated to the Community Center Development Fund by future Council action. The initial funding would be allocated to near-term improvements and to inform the improvements by convening a group of concerned residents and community partners focused on older adult services and community services in general in the decision about the specifics of how the existing facility could be improved. This would include the Community Health and Senior Services Commission (CHSSC), older adults 501c3 foundation, which is being formed, Los Gatos-Saratoga Recreation, Successful Aging Solutions & Community Consulting (SASSC) group in Saratoga, and non-profits who provide services, faith leaders, and potentially representation from Supervisor Joe Simitian's Office. A recommendation from staff and this group would then be considered by the Town Council during the 2024 Capital Budget period. **Seconded by Council Member Moore.**

**VOTE:** Motion passed unanimously by roll call vote.

A majority of Council supported a recommendation to have the Policy Committee define core services and look at policies pertaining to the grant program to allow for more financial support for items considered core services.

14. Receive the Report on Downtown Paid Parking Program Models and Consider the Following Actions:

- a. Direct Staff to Return to Council with an Updated Fee Resolution to:
  - i. Increase the Rates Effective January 1, 2024 for Residential Permit Parking to \$52 per Year for Vehicle One, and \$72, \$92, and \$112 for Vehicles Two, Three, and Four, Respectively;
  - ii. Set Rates for Residential Permits in the Olive Zone to Match Rates for the Town's Other Residential Parking Zones Effective January 1, 2024; and
  - iii. Eliminate the Annual Fee for Employee Parking in the Olive Zone Effective January 1, 2024;

- b. Provide Direction to Staff Regarding the Establishment of Residential Permit Rates for Low Income Residents Defined as Households with Income of Less than 80% of Area Median Income;
- c. Provide Direction to Staff Regarding the Two Free Visitor Passes that are Available to Each Household in the Residential Permit Parking Areas; and
- d. Provide Feedback and/or Direction on the Paid Parking Program Options, Pricing Models, Service Delivery Scenarios, and Staffing Alternatives Required to Support a Functioning and Effective Downtown Paid Parking Program.

Nicolle Burnham, Parks and Public Works Director, presented the staff report.

Opened public comment.

Ron Meyer

- Commented on concerns with paid parking and requested a cost benefit analysis.

Ali Miano

- Commented on concerns with paid parking, suggested alternative transportation options, and stated people parking for more than four hours should probably pay for parking.

Jennifer Lin, Los Gatos Chamber of Commerce

- Requested the Town pause the paid parking program implementation to get more information to address the business community's concerns.

Randi Chen

- Commented on concerns with the paid parking program, stated the wayfinding signage should be installed before implementing a pay to stay program, and requested the Town add clear signage for employee parking.

Lynley Hogan

- Commented on concerns with an increase in fees for the residential parking permits causing an overflow onto streets that have free parking and asked about Accessory Dwelling Unit parking.

Closed public comment.

**MOTION: Motion by Mayor Ristow to expand the employee permit parking and signage to include Saturdays. Seconded by Council Member Moore.**

**VOTE: Motion passed unanimously by roll call vote.**

**MOTION: Motion by Council Member Moore** to make a budget adjustment to hire one full time employee (FTE) for 1-year, not to exceed \$200,000. **Seconded by Mayor Ristow.**

**VOTE: Motion passed 3-2 by roll call vote. Hudes and Badame voted no.**

**MOTION: Motion by Vice Mayor Badame** to extend the meeting to hear the remaining items. **Seconded by Council Member Moore.**

**VOTE: Motion passed 4-1 by roll call vote. Council Member Rennie voted no.**

**MOTION: Motion by Mayor Ristow** to bring back the fee schedule with an increase in residential permit parking rates to \$52 per year for vehicle one, and \$72, \$92, and \$112 for vehicles two, three and four respectively, with annual adjustments each year in line with the Consumer Price Index (CPI). **Seconded by Council Member Moore.**

**VOTE: Motion passed unanimously by roll call vote.**

**MOTION: Motion by Council Member Moore** to eliminate the fee for employee parking in the Olive Zone, with the caveat that when paid parking is implemented it will apply universally. **Seconded by Mayor Ristow.**

**VOTE: Motion passed unanimously by roll call vote.**

15. Receive and Discuss a Status Update on the 2023-2031 Housing Element Process.

Jennifer Armer, Planning Manager, presented the staff report.

Opened public comment.

Ron Meyer

- Commented on concerns with the process.

Albert Lustre

- Requested standards of labor be added to the Housing Element.

Lee Quintana

- Commented in support of postponing any final action on the pending Zoning and General Plan amendments and expressed concerns with the analysis of the past Housing Elements.

Closed public comment.

**MOTION:** Motion by **Council Member Hudes** to bring the final draft of the Housing Element for approval to the Council prior to submittal to HCD. **Seconded** by **Vice Mayor Badame**.

**VOTE:** Motion failed 2-3. Council Members Rennie, Moore, and Mayor Ristow voted no.

**MOTION:** Motion by **Council Member Hudes** to direct staff wherever possible to utilize reviewed and certified language from other jurisdictions to respond to HCD and to update the Housing Element. **Seconded** by **Council Member Moore**.

**VOTE:** Motion passed 4-1. Council Member Rennie voted no.

**MOTION:** Motion by **Council Member Hudes** to direct HEAB to meet every other week. **Seconded** by **Vice Mayor Badame**.

**VOTE:** Motion failed 2-3. Council Members Rennie, Moore, and Mayor Ristow voted no.

**MOTION:** Motion by **Council Member Hudes** to ask staff and consultants take written notes on any calls with HCD and distribute them to Council. **Seconded** by **Vice Mayor Badame**.

**VOTE:** Motion failed 2-3. Council Members Rennie, Moore, and Mayor Ristow voted no.

**MOTION:** Motion by **Council Member Hudes** to include the consultants to be available for questions at the public hearings of the Planning Commission and Town Council for the Housing Element adoption. **Seconded** by **Vice Mayor Badame**.

**VOTE:** Motion passed unanimously by roll call vote.

**MOTION:** Motion by **Council Member Hudes** to direct the Town Manager to bring any additional expenditure in excess of \$50,000 over the approved amount for the Housing Element to Council for review and approval. **AMENDMENT:** to clarify the direction is through certification of this Housing Element cycle. **Seconded** by **Vice Mayor Badame**.

**VOTE: Motion passed unanimously by roll call vote.**

**PULLED CONSENT ITEMS**

3. Adopt a Resolution to Extend the Term of the Housing Element Advisory Board. **RESOLUTION 2023-042**

Jennifer Armer, Planning Manager, presented the staff report.

Opened public comment.

No one spoke.

Closed public comment.

Council discussed the item.

**MOTION: Motion by Council Member Hudes to extend the Housing Element Advisory Board as described in item #3. Seconded by Mayor Ristow.**

**VOTE: Motion passed unanimously by roll call vote.**

**ADJOURNMENT**

The meeting adjourned at 1:26 a.m.

Respectfully Submitted:

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Jenna De Long, Deputy Town Clerk



**TOWN OF LOS GATOS  
COUNCIL AGENDA REPORT**

MEETING DATE: 09/05/2023

ITEM NO: 3

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**DRAFT  
Minutes of the Town Council Special Meeting – Closed Session  
Tuesday, August 22, 2023**

The Town Council of the Town of Los Gatos conducted a Special Meeting in person and utilizing teleconferencing means on Tuesday, August 22, 2023, at 2:30 p.m. to hold a Closed Session.

**MEETING CALLED TO ORDER AT 6:01 P.M.**

**ROLL CALL**

Present: Mayor Maria Ristow, Vice Mayor Mary Badame, Council Member Matthew Hudes, and Council Member Rob Rennie (participating remotely under the Brown Act).

Absent: Council Member Rob Moore

**VERBAL COMMUNICATIONS (ONLY ON ITEMS ON THE AGENDA)**

None.

**THE TOWN MOVED TO CLOSED SESSION ON THE FOLLOWING ITEM:**

**1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: 1 case (letter from Michel and Associates regarding “sensitive places” ordinance).

The Town Council reconvened in open session. The Town Attorney stated that all members of the Town Council, except for Rob Moore who was absent, had voted to suspend enforcement of the Town’s “sensitive places” ordinance at the following locations: Public transit; Places of worship; Government buildings other than the Civic Center Complex, the Police Operations Building, the Parks and Public Works Building, and the Library; and the enforcement will be suspended until either anticipated litigation against the State has been concluded or another precedential decision in the State has been decided.

**ADJOURNMENT**

The meeting adjourned at 3:03 p.m.

Attest:

Submitted by:

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Wendy Wood, Town Clerk

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Gabrielle Whelan, Town Attorney



**TOWN OF LOS GATOS  
COUNCIL AGENDA REPORT**

MEETING DATE: 09/05/2023

ITEM NO: 4

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DATE: August 28, 2023  
TO: Mayor and Town Council  
FROM: Laurel Prevetti, Town Manager  
SUBJECT: Adopt a Resolution Approving Changes to the Town's Comprehensive Fee Schedule Amending the Rates for Annual Residential Parking Permits and Employee Parking Permits

**RECOMMENDATION:**

Adopt a resolution approving changes to the Town's Comprehensive Fee Schedule amending the rates for annual residential parking permits and employee parking permits.

**BACKGROUND**

The Town's financial policies require that certain fees, rates, and charges for services be maintained to allow for cost recovery based on the actual cost to provide Town services. "Fee" activities are services and functions provided by the Town to individuals who receive some direct material benefit above and beyond services offered to residents at general taxpayer expense. Staff periodically reviews the cost of providing such services and recommends appropriate increases, decreases, or changes. The Town's last comprehensive cost allocation and user fee study concluded last fiscal year and the Town Council approved the recommendations with the adoption of the FY 2019/20 Fee Schedule. The FY 2023/24 Fee Schedule annual update was presented and approved by Council at the March 21, 2023 Town Council meeting.

**DISCUSSION**

At the August 15, 2023 Town Council meeting, Council unanimously voted to: (1) eliminate the fee for employee parking in the Olive Zone, with the caveat that when paid parking is implemented it would apply to the Olive Zone, and (2) bring back the fee schedule with an increase in residential permit parking rates to \$52 per year for vehicle one, and \$72, \$92,

**PREPARED BY:** Gitta Ungvari  
Finance Director

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Reviewed by: Town Manager, Assistant Town Manager, and Town Attorney

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PAGE 2 OF 2

SUBJECT: Modify Fee Schedule for Annual Residential Parking Permits and Employee  
Parking Permits

DATE: August 28, 2023

DISCUSSION (continued):

and \$112 for vehicles two, three and four respectively, with annual adjustments each year in line with the Consumer Price Index (CPI). Attachments 1 and 2 reflect these changes that would be effective January 1, 2024, pending Council consideration of this item.

CONCLUSION:

It is recommended that Town Council approve the resolution to the Comprehensive Fee Schedule. If the Council approves the resolution, the changes become effective January 1, 2024.

FISCAL IMPACT:

Revenue from the residential and Olive Zone parking permit programs was \$46,041 for Fiscal Year 2022/2023. . Eliminating the employee parking fees for the Olive Zone will decrease revenue. Changes to the residential permit parking fees may increase revenue slightly, and the actual amount will vary on the number of permits issued. Charging higher rates for additional cars may reduce the number of total permits issued.

ENVIRONMENTAL ASSESSMENT:

This is not a project defined under CEQA, and no further action is required.

Attachments:

1. Resolution approving Comprehensive Fee Schedule FY 2023/24, including Exhibit A  
Proposed FY 2023/24 Comprehensive Fee Schedule (Redline)
2. Proposed FY 2023/24 Fee Adjustments, Reclassifications, and Deletions

**RESOLUTION 2023-**

**RESOLUTION OF THE TOWN COUNCIL  
OF THE TOWN OF LOS GATOS  
CONTINUING DEPARTMENT FEES, RATES, AND CHARGES, AND AMENDING CERTAIN  
ANNUAL RESIDENTIAL PARKING PERMIT AND EMPLOYEE PARKING PERMIT RATES  
AND CHARGES FOR FY 2023/24**

**WHEREAS**, The Town of Los Gatos follows best municipal financial practices that require the Town to establish and maintain all user charges and fees based on the cost of providing services; and

**WHEREAS**, the last update of the Town of Los Gatos Comprehensive Fee Schedule was adopted on March 21, 2023; and

**WHEREAS**, those fees currently in effect will remain in effect without interruption, certain of these shall be increased, certain of these shall be modified, and certain new services shall have fees.

**NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF LOS GATOS DOES HEREBY  
RESOLVE:**

1. That Resolution 2023-012, "Resolution of the Town Council of the Town of Los Gatos Continuing Department Fees, Rates, and Charges, and Amending Certain Fees, Rates, and Charges for FY 2023/24" is hereby rescinded; and
2. The Town of Los Gatos Comprehensive Fee Schedule, attached hereto as Exhibit A, shall become effective January 1, 2024.
- 3.

**PASSED AND ADOPTED** at a regular meeting of the Town Council held on the 5<sup>th</sup> day of September 2023 by the following vote:

**COUNCIL MEMBERS:**

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

DATE: \_\_\_\_\_

ATTEST:

TOWN CLERK OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

DATE: \_\_\_\_\_



# TOWN OF LOS GATOS CALIFORNIA



## COMPREHENSIVE FEE SCHEDULE

### FISCAL YEAR 2023/24

COVER PHOTOS: NANCY BARRERRA, JEFF JANOFF, JULIAN, KARLAK, AND HUNTER

## TOWN OF LOS GATOS FEE SCHEDULE

The following Fee Schedule is effective July 1, 2023 through June 30, 2024, unless updated by the Town Council. The Fee Schedule will be adjusted annually by the average Consumer Price Index (Bureau of Labor Statistics, U.S. Department of Labor for the San Francisco/Oakland/San Jose Metropolitan Statistical Area) for the calendar year and/or by the percentage increase in actual operating costs for the current year – whichever is greater. The average increase in the CPI for 2019, 2020, and 2021, was 3.2%, 1.7% , and 3.4% respectively, for a cumulative cost of living increase of 8.5% since 2019. For Fiscal Year 2022-2023, fees were adjusted by 5.9% CPI, which is halfway between the 3.2% and 8.5%. In 2022, the average increase in the CPI was 5.6%, for a cumulative cost of living increase of 14.6% since 2019. For FY 2023-2024, the fees are adjusted by 8.8% CPI to capture full CPI increases since 2019. This Fee Schedule also provides for minimum annual adjustments for those fees that are directly related to personnel costs. Other adjustments may be made to maintain consistency with the surrounding municipalities within the Town of Los Gatos region but in no case are fees charged in excess of service delivery costs.

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## ADMINISTRATIVE SERVICES

### Civic Center Facilities Use

Town approved non-profit fundraising activities are allowed in/on Civic Center facilities with an appropriate permit, or license issued by the Town, or provided in an agreement or Conditional Use Permit with the Town. Private events are not allowed, including in the Council Chambers, with the exception of approved events hosted by the tenants of 106 and 108 East Main Street as stated in tenant lease agreements. Large scale special events may be required to provide a deposit prior to the event. The available Town facilities at the Civic Center are listed below:

- Civic Center Lawn, Deck and Stairs
- Civic Center West Patio
- Council Chambers
- Council Chambers Lobby (as a stand-alone facility)
- Civic Facilities Conference and Meeting Rooms

|   |                                  |   |
|---|----------------------------------|---|
| 1 | Fee for Town Hall Facilities Use | Non Profit: \$0.00 per hour<br>For Profit: \$55.00 per hour |
| 2 | Building Attendant               | \$20.00 per hour  |

### Copy and Printing Charges

|    |  |                |
|----|--|----------------|
| 3  | Copy of Town Code                                    | Actual Cost    |
| 4  | 8 1/2 x 11 and 8 1/2 x 14                            | \$.25 per page |
| 5  | 11 x 17  | \$.35 per page |
| 6  | Oversized or Large Productions                       | Actual Cost    |
| 7  | Annual Subscription for Town Code Supplements        | Actual Cost    |
| 8  | Copying of Zoning Ordinance                          | Actual Cost    |
| 9  | Annual Subscription for Zoning Ordinance Supplements | Actual Cost    |
| 10 | Certification of Town Records                        | \$2.00         |
| 11 | Annual Financial Report                              | Actual Cost    |
| 12 | Annual Budget  | Actual Cost    |
| 13 | Capital Improvement Plan                             | Actual Cost    |

### Special Events

|    |   |                       |
|----|---|-----------------------|
| 14 | Special Event Application Fee, For-Profit     | New Event \$910.00    |
|    |   | Repeat Event \$680.00 |
| 15 | Special Event Application Fee, Not-For Profit | New Event \$227.00    |
|    |   | Repeat Event \$170.00 |
| 16 | Special Event Road Closure Review Fee         | \$225.00              |

## ADMINISTRATIVE SERVICES

### Special Events (continued)

|           |  |                   |
|-----------|--|-------------------|
| <b>17</b> | Special Event N. Santa Cruz Avenue Road Closure Fee  | Actual Cost       |
| <b>18</b> | Block Party Permit   | \$55.00           |
| <b>19</b> | Temporary Encroachment Permit  | \$173.00          |
| <b>20</b> | Police Officer   | \$166.21 per hour |
| <b>21</b> | Parks and Public Works Maintenance Worker  | \$117.96 per hour |
| <b>22</b> | Anti-Vehicle Barrier, Special Event Road Closure   | Actual Cost       |
| <b>23</b> | Temporary No Parking Signs   | \$1.00            |
| <b>24</b> | Temporary Alcohol Restricted Signs   | \$1.00            |
| <b>25</b> | Temporary Banner Permit  | \$105.00          |
| <b>26</b> | Use of the Civic Center lawn, deck and stairs for approved special events coordinated by a for-profit organization | \$55 per hour     |
| <b>27</b> | Use of Town Plaza Park for approved special events   | \$55 per hour     |
| <b>28</b> | Facility Deposit   | \$500             |

### Business License

|           |   |                                 |
|-----------|---|---------------------------------|
| <b>29</b> | Business License Processing Fee - New     | Out of Town \$20.00             |
|           |   | In Town \$40.00                 |
| <b>30</b> | Business License Processing Fee - Renewal | Out of Town and In Town \$30.00 |

### Other Services

|           |   |  |
|-----------|---|--|
| <b>31</b> | Compact Disk or Tape of Council and Planning Commission Meetings (plus actual mailing costs, if applicable) | \$20.00 per DVD for meetings under 2 hours                                     |
|           |   | \$30.00 per DVD for meetings over 3 hours                                      |
| <b>32</b> | Copy - Digital  | \$10 per device  |
| <b>33</b> | Initial Returned Check Fee  | \$25.00  |
| <b>34</b> | Subsequent Return Check Fees [CA Civil Code Section 1719(a) (1)]  | \$35.00  |
| <b>35</b> | Election Filing Fee   | \$25.00  |
| <b>36</b> | Town Credit Card Processing Fee   | 2.40%  |
| <b>37</b> | Third Party Vendor Business License Electronic Payment Processing Fees                                      | Credit and Debit Card Processing 2.9% of transaction amount, minimum of \$2.00 |
|           |   | ACH/eCheck \$1.25 per transaction  |
|           |   | Returned Payments/NSF \$25.00  |
| <b>38</b> | Third Party Vendor Parking Citations and Permits Electronic Payment Processing Fee                          | \$3.95   |

## ADMINISTRATIVE SERVICES

### Other Services

|           |  |  |
|-----------|--|--|
| <b>39</b> | Request for Service Not Covered by any Other Fee | Fully allocated hourly rates for all personnel |
| <b>40</b> | Initiative/Referendum Petition Filings Fee       | \$200.00                                       |

## ATTORNEY SERVICES

|          |   |  |
|----------|---|--|
| <b>1</b> | Conditions, Covenants & Restrictions (CC&R) Review and Approval | Fully allocated hourly rates for all personnel |
| <b>2</b> | Simple Covenant/Deed Restriction                                | Fully allocated hourly rates for all personnel |
| <b>3</b> | Subdivision Improvement Agreements                              | Fully allocated hourly rates for all personnel |
| <b>4</b> | Encroachment Agreements   | Fully allocated hourly rates for all personnel |
| <b>5</b> | Miscellaneous (Legal Agreements, Real Property, etc.)           | Fully allocated hourly rates for all personnel |

## DEVELOPMENT SERVICES

### General Development Fees

|    |  |   |
|----|--|---|
| 1  | Reproduction (sent out) plus actual mailing costs, as applicable. Maps, plans, etc. (larger than 11" x 17")  | Actual Cost - sent to San Jose<br>Blueprint   |
| 2  | Data Duplication service and fee for partial or full copies of each digital standard Town data file on one-time request basis. 8 1/2" x 11" copy, standard                               | \$.25 per page                                |
| 3  | Document Storage Fee - Laserfiche  | Actual Cost                                   |
| 4  | Duplicate Plans Set  | \$154.00/hr. (1/2 hr. minimum)                |
| 5  | Research Records Charge for Staff Research beyond 30 minutes   | Fully allocated hourly rate for all personnel |
| 6  | Address Processing Fee - per address   | \$184.00                                      |
| 7  | Computer Surcharge on all Building/Plumbing/Mechanical/Electrical/Grading/Encroachment/Planning Permits/Applications and any other Permits/ Applications except Park Permit/Applications | 4% of development application fee             |
| 8  | Engineering Development Review Service Fee - Building Permit and Building Plan Check*  | 5% of permit or plan check                    |
| 9  | Request for Service Not Covered by Any Other Fee   | Actual Cost                                   |
| 10 | Pre-application Conference Fee   | Courtesy meeting                              |
| 11 | Applications for Work Unlawfully Completed   | Double current application fee                |
| 12 | BMP Document Processing Fee  | \$663.00                                      |
| 13 | Public Art In-Lieu Fee   | 1% of building permit valuation               |

***\*These fees are applied to permits or plan checks that require engineering services.***

### Reports, Agendas, and Minutes

|    |  |                    |
|----|--|--------------------|
| 14 | Development Review Committee Agendas                               | \$37.00            |
| 15 | Planning Commission Agendas  | \$25.00            |
| 16 | Planning Commission Minutes  | Actual Cost        |
| 17 | Plan Copies - microfiche or other reprints sent to an outside firm | \$31.00 plus costs |
| 18 | Plan Copies - blueprint reproduction in house                      | \$3.00 per page    |
| 19 | Copy of Subdivision Ordinance                                      | \$26.00            |
| 20 | General Plan (including maps)                                      | \$26.00            |
| 21 | Hillside Specific Plan   | \$5.80             |
| 22 | Hillside Development Standards and Design Guidelines               | \$19.45            |

## DEVELOPMENT SERVICES

### Reports, Agendas, and Minutes (continued)

|    |  |         |
|----|--|---------|
| 23 | Commercial Design Guidelines                         | \$20.50 |
| 24 | Subdivision Ordinance                                | \$26.00 |
| 25 | General Plan/Zoning Maps (24" x 36") - Black & White | \$9.00  |
| 26 | General Plan/Zoning Maps (24" x 36") - Color         | \$42.00 |
| 27 | Blossom Hill Open Space Study                        | \$14.00 |
| 28 | Commercial Specific Plan Report                      | \$12.00 |
| 29 | Residential Design Guidelines                        | \$21.50 |
| 30 | Housing Element Technical Appendix                   | \$24.75 |
| 31 | 2015-2023 Housing Element                            | \$39.00 |
| 32 | Los Gatos Boulevard Plan                             | \$9.50  |
| 33 | North Forty Specific Plan (adopted June 2015)        | \$45.25 |

### Landscape

Final occupancy clearance (new construction or remodel)

|    |  |           |
|----|--|-----------|
| 34 | Park Staff Time Spent for Major Development Applications | \$543.00* |
|----|--|-----------|

Basis:

Development Review Committee Meetings – 1.5 hrs. (estimate)

Site Visits – 4.0 hrs. (estimate)

Review Plan – 4.0 hrs. (estimate)

***\*Note: Time spent over and above the initial application fee will be billed at the current employee billing rate plus equipment hourly rate.***

### Annexation Fees

|    |               |            |
|----|---------------|------------|
| 35 | 1 Lot         | \$3,469.00 |
| 36 | 2 Lots        | \$1,734.00 |
| 37 | 3 Lots        | \$1,158.00 |
| 38 | 4 Lots        | \$870.00   |
| 39 | 5 Lot or more | \$691.00   |

***\*Annexation Advertising Deposit (varies as to size of map) - \$1,000.00 to \$2,200.00***

***Any remaining deposit will be refunded to the applicant and amounts exceeding the deposit amount will be paid by applicant.***

## DEVELOPMENT SERVICES

### Seismic Hazards Mapping Program Fee (SMIP)

For residential construction of three stories and less (Category 1), the permit fee is \$13.00 per \$100,000. For all other construction (Category 2), the permit fee is \$28.00 per \$100,000. This fee is required by the State of California to identify and map zones of particular seismic hazards. Five percent of the fee is retained by the Town to be used solely for earthquake preparedness.

### Capital Improvement Tax (Construction)

Based on \$0.18 for each square foot of building addition or alteration, which increases floor area of an existing building.

### Underground Utility Tax (Utilities)

Based on \$0.18 for each square foot of building addition or alteration, which increases floor area of existing building.

### Park Fund Tax (Parks)

Based on \$0.04 for each square foot of building addition or alteration, which increases floor area of an existing building.

## **Building Division**

### Building Permit Fees

|           |   |                       |
|-----------|---|-----------------------|
| <b>40</b> | Fee for issuing/reinstating a Building Permit | \$63.00               |
| <b>41</b> | Additional Building Permit Fee                | \$35.00               |
| <b>42</b> | Demolition Permit                             | Residential: \$306.00 |
|           |   | Commercial: \$535.00  |

### Building Permit Fees for New Construction and Addition

The fee for each building permit shall be based upon the 1997 Uniform Building Code as amended by the 2010 California Building Code.

A building valuation regional modifier of 2.32 shall be used in conjunction with the Building Valuation Data provided in the publication, Building Valuation Data, published by the International Code Council – February 2012. Hillside Homes shall use a modifier of 3.246 and Commercial Office Tenant Improvements shall use a modifier of 1.16. The Building Valuation Data will be increased yearly by the Engineering News Record (ENR) Annual Building Cost Index (BCI) for every year thereafter.



## DEVELOPMENT SERVICES

### Building Permit Fees for New Construction and Addition

|           | <b>Total Valuation</b>         | <b>Fee</b>  |
|-----------|--------------------------------|---|
| <b>43</b> | \$1.00 to \$500.00             | \$38.00   |
| <b>44</b> | \$501.00 to \$2,000.00         | \$38.00 for the first \$500.00 plus \$4.93 for each additional \$100.00 or fraction thereof, to and including \$2,000.00              |
| <b>45</b> | \$2,001.00 to \$25,000.00      | \$112.00 for the first \$2,000.00 plus \$22.65 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00       |
| <b>46</b> | \$25,001.00 to \$50,000.00     | \$633.00 for the first \$25,000.00 plus \$16.34 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00      |
| <b>47</b> | \$50,001.00 to \$100,000.00    | \$1,041.00 for the first \$50,000.00 plus \$11.33 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00   |
| <b>48</b> | \$100,001.00 to \$500,000.00   | \$1,608.00 for the first \$100,000.00 plus \$9.05 for each additional \$1,000.00 or fraction thereof, to and including \$500,000.00   |
| <b>49</b> | \$500,001.00 to \$1,000,000.00 | \$5,231.00 for the first \$500,000.00 plus \$7.68 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.00 |
| <b>50</b> | \$1,000,001.00 and over        | \$9,073.00 for the first \$1,000,000.00 plus \$5.09 for each additional \$1,000.00 or fraction thereof                                |

## DEVELOPMENT SERVICES

### Building Permit Fees for Remodels, Alterations, and Repairs

The Building Official shall establish the valuation of said improvements, and fees will be assessed as per Valuation Schedule above.

### Special Services & Inspections

|    |   |              |
|----|---|--------------|
| 51 | Inspection outside normal business hours (4 hr. minimum)                                    | \$221.00/hr. |
| 52 | Re-inspection fees  | \$184.00/hr. |
| 53 | Inspections for which no fee is specifically indicated (2 hr. minimum)                      | \$184.00/hr. |
| 54 | Additional plan review required by changes, additions or revisions to plans (1 hr. minimum) | \$175.00/hr. |
| 55 | For use of outside consultants for plan checking and/or inspections                         | Actual Cost  |
| 56 | Services for which no fee is specifically indicated (1/2 hr. minimum)                       | \$184.00/hr. |
| 57 | Permit/Plan check time extension (per permit) (applies to permits that have not expired)    | \$90.00      |
| 58 | Express plan review or initial review (1 hr. minimum)                                       | \$184.00/hr. |
| 59 | Application for the Appeals Building Board Review   | \$314.00     |
| 60 | Temporary Certificate of Occupancy  | \$1,262.00   |

### Plan Review Fee

A plan review fee shall be charged at the time of filing application. This fee is separate from and shall be in addition to the building permit fee. This fee is calculated at sixty-five percent (65%) of the building permit fee as per the valuation schedule starting on page 6.

### Other Miscellaneous Factors to Determine Construction Valuation

|    |   |   |
|----|---|---|
| 61 | Convert Garage to habitable space                 | \$135.00/sq.ft.   |
| 62 | Convert unfinished basement or attic to habitable | \$146.00/sq.ft.   |
| 63 | Pools/Spas (gunite)                               | \$87.00/sq.ft.  |
| 64 | Siding - aluminum/vinyl/wood                      | \$37.00/sq.ft.  |
| 65 | Antennas & Towers                                 | Const.Value As Applied under valuation schedule on page 6 |
| 66 | Commercial Awning or Canopy                       | Aluminum \$37.00/sq.ft.                                   |
|    |   | Canvas \$27.00/sq.ft.                                     |

## DEVELOPMENT SERVICES

### Other Miscellaneous Factors to Determine Construction Valuation (continued)

|           |   |                              |
|-----------|---|------------------------------|
| <b>67</b> | Fence or Freestanding Wall (over 6" high) | Wood or metal \$57.00/sq.ft. |
|           |   | Masonry \$98.00/sq.ft.       |
| <b>68</b> | Decks/Balcony                             | \$54.00/sq.ft.               |
| <b>69</b> | Wood Deck                                 | \$23.00/sq.ft.               |
| <b>70</b> | Re-roofs                                  | \$3.26/sq.ft.                |
| <b>71</b> | Retaining Walls                           | \$123.00/sq.ft.              |

### Special Systems Fees

|           |  |  |
|-----------|--|--|
| <b>72</b> | Emergency generation, wind power, special HVAC systems, etc. | Plan Review (1 hr. minimum)<br>\$175.00/hr.      |
|           |  | Field Inspection (2 hr. minimum)<br>\$184.00/hr. |
| <b>73</b> | Photovoltaic - Roof & Ground Mounted - Residential           | Plan Review (1/4 hr. minimum)<br>\$175.00/hr.    |
|           |  | Field Inspection (1 hr. minimum)<br>\$184.00/hr. |
| <b>74</b> | Photovoltaic - Roof & Ground Mounted - Commercial            | Plan Review (1 hr. minimum)<br>\$175.00/hr.      |
|           |  | Field Inspection (2 hr. minimum)<br>\$184.00/hr. |

### Electrical Permit Fees

|           |  |              |
|-----------|--|--------------|
| <b>75</b> | Fee for issuing/reinstating an Electrical Permit                     | \$63.00      |
| <b>76</b> | Additional Electrical Permit Fee                                     | \$28.00      |
| <b>77</b> | New Residential Construction (new buildings only, including garages) | \$.12 sq. ft |
| <b>78</b> | Commercial Construction  | \$.09 sq. ft |

### Plan Review & Re-inspection Fees

|           |                        |                              |
|-----------|------------------------|------------------------------|
| <b>79</b> | Plan review fee        | 25% of Electrical Permit Fee |
| <b>80</b> | Additional plan review | \$175.00/hr.                 |
| <b>81</b> | Re-inspection fee      | \$184.00/hr.                 |

## DEVELOPMENT SERVICES

### System Fee Schedule

|           |  |          |
|-----------|--|----------|
| <b>82</b> | Private swimming pools                             | \$73.00  |
| <b>83</b> | Public swimming pools                              | \$132.00 |
| <b>84</b> | Temporary power poles                              | \$90.00  |
| <b>85</b> | Temporary distribution system & temporary lighting | \$44.00  |
| <b>86</b> | Installation of illuminated signs (each)           | \$116.00 |

***For alterations to existing pools, use Unit Fee Schedule fees listed on page 10.***

### Unit Fee Schedule

|           |   |  |
|-----------|---|--|
| <b>87</b> | Receptacle, switch and lights   | \$2.18                                       |
| <b>88</b> | Residential appliances/new circuits (cook top, oven, range, disposals, clothes dryers, or other motor operated appliances not exceeding one horsepower)   | \$7.00                                       |
| <b>89</b> | Nonresidential appliances/new circuits (medical & dental devices, food, beverage, drinking fountains, laundry machines, or other similar equipment) NOTE: for other types of air conditioners and other motor-driven appliances having larger electrical ratings, see Generators/Motors | \$9.00                                       |
| <b>90</b> | Photovoltaic system (residential)   | \$90.00                                      |
| <b>91</b> | Solar systems (including controls)  | \$90.00                                      |
| <b>92</b> | Power apparatus (generators, transformers, A/C, heat pumps, baking equipment)   | Up to 10 KV, each \$18.00                    |
|           |   | Over 10 KV not over 50 KV, each \$37.00      |
|           |   | Over 50 KV and not over 100 KV, each \$73.00 |
|           |   | Over 100 KV, each \$97.00                    |
| <b>93</b> | Motors  | Up to 10 hp \$18.00                          |
|           |   | Up to 25 hp \$37.00                          |
|           |   | Up to 55 hp \$73.00                          |
|           |   | Over 55 hp \$106.00                          |
| <b>94</b> | Transformers  | Up to 5 KVA \$18.00                          |
|           |   | Up to 10 KVA \$37.00                         |
|           |   | Up to 50 KVA \$61.00                         |
|           |   | Over 50 KVA \$89.00                          |
| <b>95</b> | Busways/conduits (per 100 ft)   | \$9.00                                       |

## DEVELOPMENT SERVICES

### Unit Fee Schedule (continued)

|    |                                |                          |
|----|--------------------------------|--------------------------|
| 96 | Service equipment              | 200 amps or less \$90.00 |
|    |                                | 201 to 999 amps \$124.00 |
|    |                                | Sub-panels \$44.00       |
| 97 | Installation of spas or saunas | \$44.00                  |

### Other Electrical Fees

|    |   |         |
|----|---|---------|
| 98 | Duplicate job card  | \$28.00 |
| 99 | Permit extension (applies to permits that have not expired) | \$90.00 |

### Mechanical Permit Fees

|     |  |              |
|-----|--|--------------|
| 100 | Fee for issuing/reinstating a Mechanical Permit                      | \$63.00      |
| 101 | Additional Mechanical Permit Fee                                     | \$28.00      |
| 102 | New Residential Construction (new buildings only, including garages) | \$.12 sq. ft |
| 103 | Commercial Construction  | \$.09 sq. ft |

### Plan Review & Re-inspection Fees

|     |                        |                              |
|-----|------------------------|------------------------------|
| 104 | Plan review fee        | 25% of Mechanical Permit Fee |
| 105 | Additional plan review | \$175.00/hr.                 |
| 106 | Re-inspection fee      | \$184.00/hr.                 |

### Unit Fee Schedule

|     |   |                     |
|-----|---|---------------------|
| 107 | Installation, of each heating system, A/C, boiler, compressor or air handler              | \$44.00             |
| 108 | Each duct repair or alteration  | \$13.00             |
| 109 | Each fireplace appliance  | \$37.00             |
| 110 | Each ventilating fan  | \$13.00             |
| 111 | Installation of separate flue or vents not included with the installation of an appliance | \$13.00             |
| 112 | Installation of each hood with mechanical exhaust   | Residential \$37.00 |
|     |   | Commercial \$132.00 |
| 113 | Each new or repair of gas piping system   | \$81.00             |
| 114 | Each additional gas outlet  | \$26.00             |
| 115 | Installation of evaporative cooler  | \$37.00             |

## DEVELOPMENT SERVICES

### Other Mechanical Fees

|            |   |         |
|------------|---|---------|
| <b>116</b> | Duplicate job card  | \$28.00 |
| <b>117</b> | Permit extension (applies to permits that have not expired) | \$90.00 |

### Plumbing Permit Fees

|            |  |              |
|------------|--|--------------|
| <b>118</b> | Fee for issuing/reinstating a Plumbing Permit                        | \$63.00      |
| <b>119</b> | Additional Plumbing Permit Fee                                       | \$28.00      |
| <b>120</b> | New Residential Construction (new buildings only, including garages) | \$.12 sq. ft |
| <b>121</b> | Commercial Construction  | \$.09 sq. ft |

### Plan Review & Re-inspection Fees

|            |                        |                            |
|------------|------------------------|----------------------------|
| <b>122</b> | Plan review fee        | 25% of Plumbing Permit Fee |
| <b>123</b> | Additional plan review | \$175.00/hr.               |
| <b>124</b> | Re-inspection fee      | \$184.00/hr.               |

### System Fee Schedule

|            |   |          |
|------------|---|----------|
| <b>125</b> | Private swimming pools (including heater, water piping, gas piping) | \$106.00 |
| <b>126</b> | Public swimming pools (including heater, water piping, gas piping)  | \$159.00 |
| <b>127</b> | Lawn sprinkler system on one meter                                  | \$44.00  |
| <b>128</b> | Each new or repair of gas piping system                             | \$81.00  |
| <b>129</b> | Each drainage, sewer system   | \$44.00  |
| <b>130</b> | Radiant floor heating system  | \$132.00 |

### Unit Fee Schedule

|            |  |          |
|------------|--|----------|
| <b>131</b> | Each plumbing fixture or trap or set of fixtures on one trap | \$13.00  |
| <b>132</b> | Each sewer cleanout, backflow device                         | \$13.00  |
| <b>133</b> | Each septic system abatement                                 | \$132.00 |
| <b>134</b> | Rainwater systems - per drain (inside building)              | \$13.00  |
| <b>135</b> | Each water heater, water softener                            | \$37.00  |
| <b>136</b> | Each grease interceptor (750 gallon capacity)                | \$90.00  |
| <b>137</b> | Each grease trap (1-4 fixtures)                              | \$51.00  |
| <b>138</b> | Residential water re-piping                                  | \$132.00 |

## DEVELOPMENT SERVICES

### Unit Fee Schedule (continued)

|            |  |         |
|------------|--|---------|
| <b>139</b> | Each ejector/sump pump                         | \$44.00 |
| <b>140</b> | Each vacuum breaker/hose bib                   | \$13.00 |
| <b>141</b> | Each water piping system repair or replacement | \$27.00 |
| <b>142</b> | Each additional gas outlet                     | \$27.00 |

### Other Plumbing Fees

|            |   |         |
|------------|---|---------|
| <b>143</b> | Duplicate job card  | \$28.00 |
| <b>144</b> | Permit extension (applies to permits that have not expired) | \$90.00 |

### Other Building Fees

|            |   |         |
|------------|---|---------|
| <b>145</b> | Duplicate Inspection Card   | \$35.00 |
| <b>146</b> | NPDES Inspection Fee (Charged on all building permits with the potential to generate non-point source storm water runoff during construction) | \$81.00 |

### State of California Title 24 Part 2 Energy and Accessibility Code and Regulation Plan Review and Inspection Fees

A surcharge shall be added to the building permit fee for the cost to plan review and inspect for compliance with State of California Title 24 Regulations. This fee is calculated at fifteen percent (15%) of the building permit fee. This fee is applied whenever a plan review is assessed.

### State of California Mandated Building Standards Fee – SB 1473

A surcharge shall be added to all building permits at the rate of four dollars (\$4) per one hundred thousand dollars (\$100,000) in valuation, with appropriate fractions thereof, but not less than one dollar (\$1). These funds will be available to the California Building Standards Commission, the Department of Housing and Community Development, and the Office of the State Fire Marshall for expenditure in carrying out the provisions of the State Building Standards Law and provisions of State Housing Law that relate to building standards. Up to ten percent (10%) shall be retained for related administrative costs and for code enforcement education.

## DEVELOPMENT SERVICES

### Planning Division

The fees listed below constitute all fees imposed by the Planning Division. Certain types of applications must be reviewed / processed by other departments/agencies, which may impose separate fees. Applicants are advised that the fees for those services are not included in the Planning Department's fees. Where the term "actual cost" is used here, it shall mean: materials, supplies (including any costs of noticing or publication), outside consultants, employee cost will be billed at the top step, plus benefits, plus overhead. The following fee schedule is established for applications filed pursuant to the Town Code. The fees are collected by the Community Development Department at the time the application is filed unless otherwise noted.

- Fees for Additional Processing - In the event additional processing services by the Town are required due to changes, modifications, additions, errors, omissions, or discrepancies caused by the applicant or his/her agents or representatives, the applicant shall pay an additional fee as determined by the Director of Community Development to cover the actual cost.
- Fees for Lack of Progress - If additional information is required by the Town for an application and the requested information is not submitted within 180 days, the applicant will be required to pay a fee of 10 percent of the current application fee at the time the requested information is submitted. Any re-submittal after one year will be processed as a new application, subject to new fees.
- Fees for Major Projects - If it is anticipated that the application processing costs of selected major projects will significantly exceed the following fees, the Director of Community Development may collect a deposit and charge actual time spent to process the applications based upon current hourly rates.
- Surcharges - All of the following applications are subject to the surcharge fees as set forth in General Development Services and in the Zoning Research section of Planning Division.



## DEVELOPMENT SERVICES

### Zoning Approvals - Architecture and Site Applications – Development Review Committee (DRC) Approval

|            |  |             |
|------------|--|-------------|
| <b>147</b> | New single family detached (HR and RC zones)<br><i>Engineering Development Review Service Fee</i>  | \$10,345.00 |
|            |  | \$4,783.00  |
| <b>148</b> | New non-custom single family detached (HR and RC zones) per unit/model, as part of a Planned Development**<br><i>Engineering Development Review Service Fee</i>  | \$7,184.00  |
|            |  | \$4,780.00  |
| <b>149</b> | New single family or two family units<br><i>Engineering Development Review Service Fee</i>   | \$7,129.00  |
|            |  | \$4,781.00  |
| <b>150</b> | New single family or two family (any other zone) per unit/model new nonresidential or multiple family per building as part of a Planned Development**<br><i>Engineering Development Review Service Fee</i>               | \$5,094.00  |
|            |  | \$4,785.00  |
| <b>151</b> | Minor projects (a development proposal that does not significantly change the size, mass, appearance or neighborhood impact of a structure, property or parking lot<br><i>Engineering Development Review Service Fee</i> | \$2,584.00  |
|            |  | \$3,671.00  |

### Zoning Approvals – Architecture and Site Applications – Planning Commission Approval

|            |   |             |
|------------|---|-------------|
| <b>152</b> | Supplemental fee DRC applications as determined with fee #146 or minor residential development applications or applications that are part of a Planned Development that require Planning Commission approval<br><i>Engineering Development Review Service Fee</i> | \$3,650.00  |
|            |   | \$1,333.00  |
| <b>153</b> | New two family unit<br><i>Engineering Development Review Service Fee</i>  | \$10,873.00 |
|            |   | \$4,783.00  |
| <b>154</b> | New nonresidential (includes conceptual Planned Development elevations)<br><i>Engineering Development Review Service Fee</i>  | \$12,480.00 |
|            |   | \$4,783.00  |
| <b>155</b> | New multiple family (includes conceptual Planned Development elevations)<br><i>Engineering Development Review Service Fee</i>   | \$11,346.00 |
|            |   | \$4,781.00  |

## DEVELOPMENT SERVICES

### Zoning Approvals – Architecture and Site Applications – Planning Commission Approval (continued)

|     |   |            |
|-----|---|------------|
| 156 | All other (i.e. exceed FAR, major grading, etc.)  | \$6,327.00 |
|     | <i>Engineering Development Review Service Fee</i> | \$4,783.00 |

***\*Aside from the fees noted above, no additional Architecture and Site application fees will be assessed for projects that involve a historic structure or site.***

***\*\*Any changes proposed to model homes, nonresidential, or multiple family buildings, a supplemental fee shall be based on a time and materials basis to review the changes.***

### Conditional Use Permits

|     |  |   |
|-----|--|---|
| 157 | Conditional Use Permit   | \$7,318.00  |
|     | <i>Engineering Development Review Service Fee</i>  | \$1,557.00  |
| 158 | Conditional Use Permit (when consolidated with another application for new development)  | \$1,216.00  |
|     | <i>Engineering Development Review Service Fee</i>  | \$892.00  |
| 159 | Conditional Use Permit for Minor Restaurant (DRC Approval)   | \$4,453.00  |
|     | <i>Engineering Development Review Service Fee</i>  | \$1,336.00  |
| 160 | Conditional Use Permit for Major Restaurant (PC Approval) Tier 1   | \$7,318.00  |
|     | <i>Engineering Development Review Service Fee</i>  | \$2,000.00  |
| 161 | Conditional Use Permit for Major Restaurant (PC Approval) Tier 2 includes alcohol and/or entertainment (must pay #159 below with this application) | \$8,649.00  |
|     | <i>Engineering Development Review Service Fee</i>  | \$1,999.00  |
| 162 | Applications that require Town Council Approval (these fees supplement the above established fees)   | \$3,471.00  |
|     | <i>Engineering Development Review Service Fee</i>  | \$1,334.00  |
|     |  | Transcription of Planning Commission minutes - Actual cost and minimum \$500.00 deposit |

### Rezoning (other than Planned Development)

|     |  |  |
|-----|--|--|
| 163 | Without General Plan or Specific Plan Amendment  | Actual Cost (\$5,000.00 minimum)         |
| 164 | With General Plan or Specific Plan Amendment     | Actual Cost (\$7,000.00 minimum)         |
| 165 | Transcription fee of Planning Commission minutes | Actual Cost and minimum \$500.00 deposit |

## DEVELOPMENT SERVICES

### Planned Development

|            |  |  |
|------------|--|--|
| <b>166</b> | Without General Plan or Specific Plan Amendment  | Actual Cost                              |
| <b>167</b> | Without General Plan or Specific Plan Amendment (HR or RC Underlying Zone)             | Actual Cost                              |
| <b>168</b> | With General Plan or Specific Plan Amendment   | Actual Cost                              |
| <b>169</b> | With General Plan or Specific Plan Amendment (HR or RC Underlying Zone)                | Actual Cost                              |
| <b>170</b> | Town Council Modification to a Planned Development                                     | Actual Cost (\$5,000.00 minimum)         |
| <b>171</b> | DRC Modification to a Planned Development  | Actual Cost (\$3,000.00 minimum)         |
| <b>172</b> | Publication costs for the planned development ordinance shall be paid by the applicant |  |
| <b>173</b> | Transcription fee of Planning Commission minutes                                       | Actual Cost and minimum \$500.00 deposit |

### Planning Division Certificates of Use and Occupancy

|            |   |          |
|------------|---|----------|
| <b>174</b> | Change of use   | \$265.00 |
| <b>175</b> | Change of occupancy (excluding change of proprietor of a continuing business enterprise)                    | \$178.00 |
| <b>176</b> | Use/occupancy clearance if Conditional Use Permit is required or occupancy of a new accessory dwelling unit | No fee   |

### Sign Application

|            |                               |            |
|------------|-------------------------------|------------|
| <b>177</b> | New permanent sign            | \$357.00   |
| <b>178</b> | Temporary nonresidential sign | \$114.00   |
| <b>179</b> | Change of face only           | \$178.00   |
| <b>180</b> | Sign program                  | \$2,390.00 |

### Administrative Land Use Permit

|            |   |            |
|------------|---|------------|
| <b>181</b> | Minor telecommunications facility (i.e. microcell, 8,021 lb. or equivalent)     | \$1,769.00 |
| <b>182</b> | Major telecommunications facility which do not require a Conditional Use Permit | \$4,241.00 |

## DEVELOPMENT SERVICES

### Other Zoning Approvals Fees

|            |   |   |
|------------|---|---|
| <b>183</b> | Variance  | \$5,382.00  |
|            | <i>Engineering Development Review Service Fee</i> | \$1,557.00  |
| <b>184</b> | Minor Residential Development (see #151)          | \$2,584.00  |
| <b>185</b> | Agricultural Preserve Withdrawal                  | \$4,390.00  |
| <b>186</b> | Hazardous Materials Storage Facility Application  | Fully allocated rate of all personnel,<br>plus noticing fees  |
| <b>187</b> | Home Occupation Permit                            | \$178.00  |
| <b>188</b> | SB 330 Preliminary Application                    | Actual Cost (\$500 minimum deposit)   |
| <b>189</b> | SB 35 Preliminary Application                     | Actual Cost (\$500 minimum deposit)   |
| <b>190</b> | Two-Unit Housing Development                      | \$1,544.00  |
| <b>191</b> | Urban Lot Split                                   | \$1,544.00  |
| <b>192</b> | Mobile Home Park Conversion Permit                | Fully allocated rate of all personnel<br>with initial deposit of \$5,000.00                         |
| <b>193</b> | General Plan/Town Code Amendments                 | Fully allocated rate of all personnel<br>with initial deposit of \$5,000.00 plus<br>additional fees |

### Subdivisions

|            |   |  |
|------------|---|--|
| <b>194</b> | Lot Line Adjustment (DRC Approval)                                  | \$2,452.00   |
|            | <i>Engineering Development Review Service Fee</i>                   | \$4,115.00   |
| <b>195</b> | 4 Lots or Less (DRC Approval)                                       | \$9,880.00   |
|            | <i>Engineering Development Review Service Fee</i>                   | \$4,563.00   |
| <b>196</b> | 4 Lots or Less (as part of a Planned Development)<br>(DRC Approval) | \$4,080.00   |
|            | <i>Engineering Development Review Service Fee</i>                   | \$4,785.00   |
| <b>197</b> | 5 Lots or More  | \$11,130.00  |
|            | <i>Engineering Development Review Service Fee</i>                   | \$5,894.00   |
| <b>198</b> | 5 Lots or More (as part of a Planned Development)<br>(DRC Approval) | \$4,784.00   |
|            | <i>Engineering Development Review Service Fee</i>                   | \$5,897.00   |
| <b>199</b> | Vesting Tentative Map (VTM)   | Actual Cost plus \$500.00 deposit and<br>additional fees |
| <b>200</b> | Lot Merger and Reversion to Acreage (DRC Approval)                  | \$1,215.00   |
|            | <i>Engineering Development Review Service Fee</i>                   | \$4,114.00   |
| <b>201</b> | Condominium   | \$8,578.00   |
| <b>202</b> | Condominium (as part of a Planned Development)                      | \$4,080.00   |
| <b>203</b> | Certificate of Compliance (DRC Approval)                            | \$3,544.00   |
|            | <i>Engineering Development Review Service Fee</i>                   | \$2,557.00   |

## DEVELOPMENT SERVICES

### Subdivisions (continued)

|            |  |            |
|------------|--|------------|
| <b>204</b> | VTM applications that require Town Council approval, Subdivision and/or DRC applications that require Planning Commission approval. This fee supplements the above-established fees. | \$3,254.00 |
|------------|--|------------|

### Miscellaneous Application Fees

|            |  |  |
|------------|--|--|
| <b>205</b> | Time Extensions to Approved Application                      | 50% of current fee (excluding fees based on actual cost)   |
| <b>206</b> | Modification to Approved Application                         | 75% of current fee (excluding fees based on actual cost)   |
| <b>207</b> | Conceptual Development Advisory Committee Review             | \$2,966.00   |
|            |  | Special Noticing - Actual Cost (minimum \$500.00 deposit)  |
| <b>208</b> | Push Cart Permit   | \$567.00   |
| <b>209</b> | Auto Dealer Events   | Smaller Promotional Events \$95.00   |
|            |  | Large Promotional Events \$462.00  |
| <b>210</b> | News rack Permit Fee   | \$449.00   |
| <b>211</b> | Firearms Dealer Permit (Town Ordinance 2217 dated 6/17/2013) | Fully allocated hourly rate of all personnel plus any necessary outside costs and initial \$2,000.00 deposit |

### Environmental Assessment Fees

|            |   |  |
|------------|---|--|
| <b>212</b> | Categorical Exemption   | No fee   |
| <b>213</b> | Initial Study Deposit***  | Fully allocated hourly rate of all personnel with initial \$5,000.00 deposit |
| <b>214</b> | Draft Initial Study Review Fee (or actual cost if part of a Planned Development, General Plan and/or Town Code Amendment<br><i>Engineering Development Review Service Fee</i> ) | \$3,210.00   |
|            |   | \$2,225.00   |
| <b>215</b> | Environmental Impact Report   | Consultant's fee   |

## DEVELOPMENT SERVICES

### Environmental Assessment Fees (continued)

|     |                                    |   |
|-----|------------------------------------|---|
| 216 | Draft EIR Review Fee               | Fully allocated hourly rate of all personnel plus any necessary outside costs |
| 217 | Impact Monitoring Program (AB3180) | Fully allocated hourly rate of all personnel plus any necessary outside costs |

**\*\*\*The \$5,000 fee is a deposit only. The specific cost of the Initial Study and any required special studies shall be borne by the applicant. The deposit shall be increased before the Town will authorize work exceeding the amount on deposit. Any deposit balance will be refunded.**

### Surcharges

|     |                               |   |
|-----|-------------------------------|---|
| 218 | General Plan update surcharge | .5% of building valuation for new construction and additions/10% of zone change and subdivision fee |
| 219 | Advanced Planning projects    | 10% of application fee  |
| 220 | Administrative Fee            | 10% of development application fees   |

### Appeals

|     |  |  |
|-----|--|--|
| 221 | Fee to appeal Planning Commission decision to Town Council   | Per Residential \$505.00   |
|     |  | Per Commercial, multi-family or tentative map \$2,031.00           |
| 222 | Fee to remand applications from Town Council to Planning Commission  | Fully allocated hourly rate for all personnel plus additional fees |
| 223 | Fee to appeal Director of Community Development, Development Review Committee, Historic Preservation Committee, or Santa Clara County Fire Department Exception Request (PRC 4290) decision to Planning Commission | Per Residential \$255.00   |
|     |  | Per Commercial \$1,016.00  |
| 224 | Tree appeals   | \$103.00   |
| 225 | Appeal transcription fee of Planning Commission minutes (only applies to appeals from Planning Commission to Town Council)   | Actual Cost - minimum \$500.00 deposit                             |

## DEVELOPMENT SERVICES

### Zoning Research

|            |   |          |
|------------|---|----------|
| <b>226</b> | Basic Zoning Letter   | \$178.00 |
| <b>227</b> | Legal non-conforming verification                                   | \$749.00 |
| <b>228</b> | Reconstruction of legal non-conforming structures (Burndown Letter) | \$318.00 |

### Other Planning Division Fees

|            |   |  |
|------------|---|--|
| <b>229</b> | Fence Height Exceptions   | \$318.00   |
| <b>230</b> | Peer/Technical Review - any remaining deposit will be refunded to the applicant and amounts exceeding the deposit amount will be paid by applicant                      | Fully allocated hourly rate of all personnel plus any necessary outside costs and initial \$2,000.00 deposit |
| <b>231</b> | Fees For Additional Tech Review and/or DRC Review - DRC beyond three meetings, Planning Commission hearing beyond two meetings, Town Council hearing beyond one meeting | Fully allocated hourly rate of all personnel involved plus additional fees                                   |
| <b>232</b> | Consultation  | Actual cost on an hourly basis   |
| <b>233</b> | Research Services Minimum Charge  | Fully allocated hourly rate for all personnel with initial \$200.00 deposit                                  |
| <b>234</b> | Building Permit Plan Check Fee  | 20% of building fee  |
| <b>235</b> | Below Market Price Housing Program In-Lieu Fee  | 6% of the building permit valuation for the entire project   |
| <b>236</b> | Outdoor Seating Permit  | Fully allocated hourly rate for all personnel with initial \$1,000.00 deposit                                |
| <b>237</b> | Valet Parking Permit  | Fully allocated hourly rate for all personnel with initial \$1,000.00 deposit                                |
| <b>238</b> | Parklet Program   | Fully allocated hourly rate for all personnel with initial \$1,000.00 deposit                                |
| <b>239</b> | Shared Parking Permit   | Actual Cost (\$1,000 deposit)  |

### Payment of Application Fees

All application fees are to be paid at the time the applications are submitted to the Community Development Department. If the applicant withdraws an application, which requires a hearing by the Planning Commission, prior to processing the application for the hearing, 40% of the paid application fee shall be refunded to the applicant at the discretion of the Director of Community Development. All other fees are non-refundable.

## DEVELOPMENT SERVICES

### Engineering Division

The following fees constitute a comprehensive listing of the various fees charged by the Engineering Program. Certain types of application/permits must be reviewed and/or processed by other Town departments or public agencies, which may charge separate fees. Applicants are advised that the fees for those services are not included in the Engineering Program's fees. Where the term "actual cost (s)" is used here it shall mean: materials, supplies (including any costs of noticing or publication), outside consultants and employee cost, (including salary, benefits and overhead).

#### Engineering Plan Check Fee (Public Improvements & Grading Permits) \*

|            |   |   |
|------------|---|---|
| <b>240</b> | Application Fee                                 | \$565.00                                      |
| <b>241</b> | Under \$20,000.00                               | 15.5% of valuation                            |
| <b>242</b> | \$20,001.00 to \$80,000.00                      | \$3,572.00 plus 9% of valuation               |
| <b>243</b> | Greater than \$80,001.00                        | \$9,794.00 plus 8.5% valuation                |
| <b>244</b> | Each additional plan check beyond three reviews | Fully allocated hourly rate for all personnel |

#### Inspection Fee (Public Improvements & Grading Permits)

|            |                            |                                   |
|------------|----------------------------|-----------------------------------|
| <b>245</b> | Under \$20,000.00          | 7.5% of valuation                 |
| <b>246</b> | \$20,001.00 to \$80,000.00 | \$1,729.00 plus 6.5% of valuation |
| <b>247</b> | Greater than \$80,001.00   | \$6,222.00 plus 4.0% of valuation |



## DEVELOPMENT SERVICES

### Work In or Use of Public Right-of-Way \*

|     |  |                                       |
|-----|--|---------------------------------------|
| 248 | Encroachment Permit - Residential  | Work up to \$4,000.00 - \$351.00      |
|     |  | Each additional \$2,000.00 - \$184.00 |
| 249 | Encroachment Permit - Collector/Arterial Streets**   | Work up to \$4,000.00 - \$1,820.00    |
|     |  | Each additional \$2,000.00 - \$397.00 |
| 250 | Outside contractor underground utility locating surcharge (actual cost for outside contractor inspection fee may change) | \$95.00                               |
| 251 | Temporary Encroachment Permit  | \$173.00                              |
| 252 | Dumpster Permit  | \$173.00                              |
| 253 | Storage Permit   | \$173.00***                           |

**\* Work done at night or on weekends shall be charged the actual costs of staff**

**\*\* Single-family residences located along collector and arterial streets to be charged the residential fees above**

**\*\*\* \$500.00 refundable Storage Unit Removal Deposit, to cover cost of removal, if abandoned**

### NPDES

|     |  |  |
|-----|--|--|
| 254 | Inspection Fee - Grading Permits                               | Single Family Residential \$841.00                               |
|     |  | Commercial or Multi Family Residential \$1,308.00                |
| 255 | Inspection Fee - Encroachment Permits and Some Storage Permits | Single Family Residential \$231.00                               |
|     |  | Commercial or Multi Family Residential \$374.00                  |
|     |  | Plus \$559.00 per LID facility                                   |
| 256 | Inspection of Storm Water Treatment Measures                   | \$577.00 per facility  |
| 257 | Annual Stormwater/Limited Impact Development (LID) Permit      | Per Visit and 1st facility inspection \$559.00                   |
|     |  | Every additional facility inspection \$184.00                    |
| 258 | C-3 Permit Hydrologic Calculation                              | Consultant fee deposit of \$3,750.00 plus 25% administrative fee |

## DEVELOPMENT SERVICES

### Engineering Subdivision Map Checking

|     |                |   |
|-----|----------------|---|
| 259 | 1-4 lots       | \$3,289.00*   |
|     |                | Certificate of Correction \$1,000.00<br>plus 25% administrative fee |
| 260 | 5 or more lots | \$4,603.00*   |

***\*Plus, initial \$3,000 surveyor deposit. Additional deposit(s) of actual surveyor costs may be required for larger projects than 5 or more lots, additional map check review(s), or overall complexity of the map.***

### Traffic Impact Analysis or Parking Study

|     |   |  |
|-----|---|--|
| 261 | Development Review (staff traffic impact analysis or Parking Study) | Actual Cost  |
|     |   | Consultant Report - Consultant Fee   |
| 262 | Staff Review Fee  | \$765.00 plus 10% of the traffic consultant report cost  |
| 263 | Site Distance Analysis  | \$206.00 per review not to exceed two hours. Actual cost for staff time when analysis exceeds two hours. |
| 264 | Traffic Impact Mitigation Fee                                       | \$1,104.00 per new average daily trip generated  |

### Storm Drainage Fees

|     |   |   |
|-----|---|---|
| 265 | Development Projects  | Single family lots Section 24.60.035(b) (3): For subdivision whose lots exceed one acre, the fee shall not exceed that of one acre per lot \$4,871.00/ac. |
|     |   | Multiple family dwelling units - initial unit \$4,871.00/ac.  |
|     |   | Multiple family dwelling units - each unit after initial (not to exceed \$5,029.00/ac.) \$183.00  |
|     |   | Commercial, industrial, hospitals, churches, schools, and others \$6,091.00/ac.   |
| 266 | Building/Grading Permits (Building, Structures, & impervious areas) | New impervious surface area, per sq. ft. \$2.00/sq. ft.   |

## DEVELOPMENT SERVICES

### Street Improvement In-Lieu Fee

|     |                 |                |
|-----|-----------------|----------------|
| 267 | Sidewalks       | \$20.00/sq.ft. |
| 268 | Curb and Gutter | \$125.00/lf.   |

### Other In-Lieu Fee

|     |                    |   |
|-----|--------------------|---|
| 269 | Trail Improvements | \$16.00/per sq. ft. or determined by Director |
|-----|--------------------|---|

### Hauling Permits

|     |                                     |                 |
|-----|-------------------------------------|-----------------|
| 270 | House Moving Fee                    | \$4,021.00*     |
| 271 | Hauling (Overweight Vehicle) Permit | Daily \$16.00** |
|     |                                     | Annual \$90.00  |

***\*Plus initial deposit of \$5,000 for facilities damage***

***\*\*The current State mandated fee is \$16.00 for Hauling Permit. If the State fee changes, the Hauling Permit fee will change to reflect the same.***

### Construction Activities Mitigation Fee (Ordinance 2189)

|     |                             |  |
|-----|-----------------------------|--|
| 272 | New Buildings and Additions | Residential (per square foot added)<br>\$1.43/sq.ft.*  |
|     |                             | Non-residential (per square foot added) \$1.43/sq.ft.* |

***\*These two fees are adjusted based on the Building Cost Index***

### Other Engineering Fees

|     |  |   |
|-----|--|---|
| 273 | Engineering Reversion to Acreage                     | \$2,759.00 plus initial deposit of \$2,500 for surveyor                 |
| 274 | Engineering Lot Merger                               | \$4,009.00 plus surveyor deposit  |
| 275 | Engineering Lot Line Adjustments                     | \$4,009.00 plus surveyor deposit  |
| 276 | Certificate of Compliance                            | \$4,009.00 plus surveyor deposit  |
| 277 | Abandon Excess Public Right-of-Way & Public Easement | \$5,006.00 plus surveyor and valuation consultant and planning services |

## DEVELOPMENT SERVICES

### Other Engineering Fees (continued)

|            |  |  |
|------------|--|--|
| <b>278</b> | Geotechnical Peer Review Fees  | Consultant fee deposit of \$3,000 plus 25% administrative fee. Larger projects require an initial deposit of \$4,500 (plus 25% administrative fee) to allow for a site visit by the geotechnical peer review consultant. |
| <b>279</b> | Separate Instrument Dedication Fee (for dedication via grant deeds and not maps) | \$829.00 plus initial deposit of \$2,500 for surveyor  |
| <b>280</b> | Slurry Seal Fee  | \$3.00/sq. yd.   |
| <b>281</b> | Flood Review Fee   | Consultant Cost plus 25% Admin Fee   |
| <b>282</b> | Miscellaneous Review Fee*  | Actual Cost  |

***\*This fee will be implemented for services including, but not limited to, wet weather inspections, annual inspections, review of operations and maintenance reports, coordination with property owner(s) and/or homeowner associations, etc.***

## LIBRARY SERVICES

### Lost or Damaged Items

|   |   |  |
|---|---|--|
| 1 | Replacement of Adult book/AV item           | Cost of item plus \$10.00 processing fee |
| 2 | Replacement of Teen/Children's book/AV item | Cost of item plus \$5.00 processing fee  |
| 3 | Replacement of Adult paperback              | Cost of item plus \$5.00 processing fee  |
| 4 | Replacement of magazine                     | Cost of item plus \$5.00 processing fee  |

***In lieu of above, account holder may replace lost/damage item with new identical copy plus \$2.00 processing fee.***

### Internet printing and copies

|   |  |        |
|---|--|--------|
| 5 | Printing per page - Black and White Copies | \$0.15 |
| 6 | Printing per page - Color Copies           | \$0.25 |

### History Project Digital Image

|   |                                       |                                       |
|---|---------------------------------------|---------------------------------------|
| 7 | Fair Use Fees (for personal use only) | Free – Downloaded via History Website |
| 8 | Commercial Use Fees                   | \$25.00 per high resolution image     |

## PARKS AND PUBLIC WORKS SERVICES

### Parks Division

#### Oak Meadow Park

#### Picnic Areas (1 through 9)

|   |                                  |                                |
|---|----------------------------------|--------------------------------|
| 1 | Facility Fee                     | Resident \$95.00 per site      |
|   |                                  | Non-Resident \$150.00 per site |
| 2 | Facility fee w/Jump House Permit | Resident \$190.00 per site     |
|   |                                  | Non-Resident \$300.00 per site |

#### Bandstand/Gazebo

|   |                      |                                |
|---|----------------------|--------------------------------|
| 3 | Non-Profit Event     | Resident \$65.00 per hour      |
|   |                      | Non-Resident \$120.00 per hour |
| 4 | Public Event         | Resident \$95.00 per hour      |
|   |                      | Non-Resident \$150.00 per hour |
| 5 | Deposit (refundable) | \$500.00                       |

#### ***Minimum two-hour reservation required.***

#### Special Use Permit – Single Use

|   |                      |                               |
|---|----------------------|-------------------------------|
| 6 | Permit Fee           | Resident \$95.00 per day      |
|   |                      | Non-Resident \$150.00 per day |
| 7 | Deposit (refundable) | \$100.00                      |

#### Special Use Permit – Multi-Use

|    |                      |   |
|----|----------------------|---|
| 8  | Non Profit           | Resident \$95.00 per day                |
|    |                      | Non-Resident \$150.00 per day           |
| 9  | Additional Day       | Resident \$25.00 per additional day     |
|    |                      | Non-Resident \$40.00 per additional day |
| 10 | Deposit (refundable) | \$100.00                                |

#### ***Multi-Use Permit for recreational/educational purposes only.***

## PARKS AND PUBLIC WORKS SERVICES

### Other Oak Meadow Park Fees

|    |                      |                                 |
|----|----------------------|---------------------------------|
| 11 | Bocce Ball Court Fee | Resident \$95.00 per day        |
|    |                      | Non-Resident \$150.00 per day   |
| 12 | Parking Fee          | Resident No Charge              |
|    |                      | Non-Resident \$6.00 per vehicle |
| 13 | Vehicle Escort Fee   | Resident \$75.00                |
|    |                      | Non-Resident \$100.00           |

### Creekside Sports Park

#### Special Use Permit – Single Use

|    |                      |                               |
|----|----------------------|-------------------------------|
| 14 | Permit Fee           | Resident \$95.00 per day      |
|    |                      | Non-Resident \$150.00 per day |
| 15 | Deposit (refundable) | \$500.00                      |

#### Special Use Permit – Multi-Use

|    |                      |   |
|----|----------------------|---|
| 16 | Non Profit           | Resident \$95.00 per day                |
|    |                      | Non-Resident \$150.00 per day           |
| 17 | Additional Day       | Resident \$55.00 per additional day     |
|    |                      | Non-Resident \$75.00 per additional day |
| 18 | Deposit (refundable) | \$500.00                                |

### ***Multi-Use Permit for recreational/educational purposes only.***

### Belgatos, Blossom Hill, La Rinconada, and Live Oak Manor (Groups of 25+ and/or Jump House)

#### Single Use Permit

|    |                      |                               |
|----|----------------------|-------------------------------|
| 19 | Permit Fee           | Resident \$95.00 per day      |
|    |                      | Non-Resident \$150.00 per day |
| 20 | Deposit (refundable) | \$100.00                      |

## PARKS AND PUBLIC WORKS SERVICES

### Multi-Use Permit

|    |                      |   |
|----|----------------------|---|
| 21 | Permit Fee           | Resident \$95.00 per day                |
|    |                      | Non-Resident \$150.00 per day           |
| 22 | Additional Day       | Resident \$25.00 per additional day     |
|    |                      | Non-Resident \$40.00 per additional day |
| 23 | Deposit (refundable) | \$100.00                                |

***Multi-Use Permit for recreational/educational purposes only.***

### Turf Maintenance Fee

Additional fee added to any Park Use, when a permit's scheduled activity or event will negatively impact the park turf, (locations including but not limited to Oak Meadow, Town Plaza, and Civic Center lawn areas). The fee amount is to be based upon best estimate of turf repair cost, as determined by the Director of Parks and Public Works and/or Maintenance Superintendent.

### Tree Related Fees

|    |  |  |
|----|--|--|
| 24 | Tree Removal Permit Application*   | One Tree \$250.00  |
|    |  | Additional Tree \$125.00/each  |
|    |  | If application is denied 50% refund  |
| 25 | Illegal Tree Removal Administrative Fee                                      | \$330.00   |
| 26 | Replacement Trees - Town Forestry Fund Per Tree Ordinance Section 29.10.0985 | Tree cost for each 24", 36", and/or 48" box size will be the Market Price plus the installation cost, determined by the Director |

***\*Fee will be waived if tree removal is done to implement or maintain Defensible Space.***



## PARKS AND PUBLIC WORKS SERVICES

### Equipment Hourly Rates as Follows

|           |                             |          |
|-----------|-----------------------------|----------|
| <b>27</b> | Pick-up Truck               | \$32.00  |
| <b>28</b> | 1 Ton Flatbed Truck         | \$42.00  |
| <b>29</b> | Utility Truck               | \$57.00  |
| <b>30</b> | Dump Truck (10 Wheel)       | \$85.00  |
| <b>31</b> | Dump Truck (Bobtail)        | \$63.00  |
| <b>32</b> | Paint Truck                 | \$85.00  |
| <b>33</b> | Line Remover                | \$26.00  |
| <b>34</b> | Tractor Loader              | \$63.00  |
| <b>35</b> | Backhoe                     | \$85.00  |
| <b>36</b> | Rubber-tired Loader         | \$85.00  |
| <b>37</b> | Roller                      | \$63.00  |
| <b>38</b> | Van                         | \$37.00  |
| <b>39</b> | Concrete Saw                | \$32.00  |
| <b>40</b> | Air Compressor              | \$32.00  |
| <b>41</b> | Arrowboard                  | \$32.00  |
| <b>42</b> | Generator                   | \$26.00  |
| <b>43</b> | Chainsaw                    | \$20.00  |
| <b>44</b> | Blower                      | \$10.00  |
| <b>45</b> | Paving Box                  | \$63.00  |
| <b>46</b> | Rodder                      | \$63.00  |
| <b>47</b> | High Pressure Sewer Cleaner | \$117.00 |
| <b>48</b> | Brush Chipper               | \$42.00  |
| <b>49</b> | Chipper Truck               | \$63.00  |
| <b>50</b> | Aerial Unit                 | \$92.00  |
| <b>51</b> | Street Sweeper              | \$92.00  |
| <b>52</b> | Forklift                    | \$42.00  |
| <b>53</b> | Trailer                     | \$42.00  |
| <b>54</b> | Message Board               | \$10.81  |
| <b>55</b> | Barricades                  | \$0.23   |
| <b>56</b> | Cones                       | \$0.15   |
| <b>57</b> | Portable Generators         | \$28.04  |

## PARKS AND PUBLIC WORKS SERVICES

### Streets Division

#### Hazard and/or Debris Removal

|    |   |   |
|----|---|---|
| 58 | Staff time spent to conduct hazard and or debris removal caused by citizen negligence | Fully allocated hourly rate of all personnel plus any outside costs |
|----|---|---|

#### Special Events Fees

|    |  |  |
|----|--|--|
| 59 | Staff and equipment for special event requests | Fully allocated hourly rate of all personnel |
|----|--|--|

#### Electric Vehicle Charging Fee

|    |                               |             |
|----|-------------------------------|-------------|
| 60 | System Connection Fee         | \$1.00      |
| 61 | Hourly Charge - 1- 4 hours    | \$1.00/hour |
| 62 | Hourly Charge - after 4 hours | \$5.00/hour |

## POLICE SERVICES

### Printing and Copying Charges

|   |                             |                    |
|---|-----------------------------|--------------------|
| 1 | 8 1/2" x 11 and 8 1/2" x 14 | \$.25 per page     |
| 2 | Copy - Digital              | \$10.00 per device |

### Photographs

|   |                 |         |
|---|-----------------|---------|
| 3 | For the first 3 | \$42.00 |
| 4 | Each Additional | \$13.00 |

### Concealed Weapons

|   |                                    |          |
|---|------------------------------------|----------|
| 5 | Permit Fee, DOJ Fee, and Admin Fee | \$100.00 |
| 6 | Renewal Permit                     | \$25.00  |
| 7 | Amended Permit                     | \$10.00  |

### Tow Trucks

|   |               |          |
|---|---------------|----------|
| 8 | Tow Permit    | \$95.00  |
| 9 | Driver Permit | \$290.00 |

### Massage Permit Fees

|    |   |          |
|----|---|----------|
| 10 | Massage Establishment Permit (initial and subsequent renewals) (Ord 14.110.075) | \$335.00 |
|----|---|----------|

***Fee covers staff time to process application, review pertinent documents and obtain all necessary approvals.***

### Special Events

|    |   |  |
|----|---|--|
| 11 | ABC Application                         | No charge                                    |
| 12 | No Parking Signs/Required Event Signage | \$1.00/each                                  |
| 13 | Officer Staffing                        | Fully allocated hourly rate of all personnel |
| 14 | Bingo Permit                            | \$50.00                                      |

***Other Special Police Services – Pursuant to Agreement between Police Chief and Requestor.***

## POLICE SERVICES

### Motion Picture/Television/Commerical Still Photo

|    |                              |            |
|----|------------------------------|------------|
| 15 | For-Profit Groups (each)     | \$1,609.00 |
| 16 | Non-For-profit Groups (each) | \$579.00   |

### Emergency Response Caused By

|    |   |   |
|----|---|---|
| 17 | DUI Emergency Accident Response (Government Code Section 53155) | Actual costs incurred up to \$12,000.00 |
| 18 | Second Response due to Disturbances                             | At current billing rate                 |

### Alarm Fees

|    |                                   |   |
|----|-----------------------------------|---|
| 19 | Commercial Alarm Registration Fee | \$95.00   |
| 20 | Second False Alarm*               | \$170.00  |
| 21 | Third False Alarm*                | \$170.00  |
| 22 | Fourth False Alarm*               | \$170.00  |
| 23 | Fifth False Alarm*                | No response, no charge, at the Chief's discretion |

***\*Within a six-month period within a calendar year***

### Citation issued for failure to display appropriate Permit or placard. Dismissal fee in lieu of full Bail Amount

|    |                              |         |
|----|------------------------------|---------|
| 24 | Handicap CVC22507.8/22500(1) | \$37.00 |
| 25 | Parking Permits              | \$10.00 |

### Parking Permit Fees

#### Residential Parking Permit

|    |   |   |
|----|---|---|
| 26 | Annual residential parking permit/ <del>per vehicle</del> (Limit 4 per residence) | <del>\$42.00-</del>   |
|    |   | Vehicle 1: \$52.00  |
|    |   | Vehicle 2: \$72.00  |
|    |   | Vehicle 3: \$92.00  |
|    |   | Vehicle 4: \$112.00   |
| 27 | Visitor guest passes  | Two (2) complimentary with the purchase of the primary permit |
| 28 | Special Event Permit -First permit (one day)                                      | \$10.00   |
| 29 | Special Event Permit -Each Additional (one day)                                   | \$2.00  |

## POLICE SERVICES

### Parking Permit Fees (continued)

|           |  |         |
|-----------|--|---------|
| <b>30</b> | Replacement permit for vehicle change (within calendar year) | \$10.00 |
| <b>31</b> | Lost permit replacement                                      | \$37.00 |
| <b>32</b> | Damaged permit replacement (with return of permit)           | \$18.00 |

### Business Parking Permit

|           |  |                            |
|-----------|--|----------------------------|
| <b>33</b> | Standard Employee annual                           | <del>\$248.00</del> \$0.00 |
| <b>34</b> | Lost permit replacement                            | \$37.00                    |
| <b>35</b> | Damaged permit replacement (with return of permit) | \$18.00                    |

### Construction Parking Permit

|           |   |         |
|-----------|---|---------|
| <b>36</b> | One day parking permit per construction vehicle | \$32.00 |
| <b>37</b> | Each additional day per vehicle                 | \$5.00  |

### Other Police Fees

|           |  |  |
|-----------|--|--|
| <b>38</b> | Subpoena Duces Tecum   | Per California Evidence Code Section 1563                      |
| <b>39</b> | Solicitor/Peddler's Permit (need to obtain fingerprinting)       | \$55.00  |
| <b>40</b> | Taxicabs Permit  | \$185.00 per business  |
| <b>41</b> | Clearance Letter   | \$25.00  |
| <b>42</b> | Horse Drawn Vehicle Permit                                       | \$270.00   |
| <b>43</b> | Firearms Storage Fee   | \$245.00 Admin Fee plus \$1.00 per firearm per day for storage |
| <b>44</b> | Vehicle Release  | \$235.00   |
| <b>45</b> | Vehicle Repossession Release Fee (Government Code Section 26751) | \$15.00  |
| <b>46</b> | Non-Los Gatos Cite Sign Off                                      | \$27.00  |
| <b>47</b> | Feral Cat Feeder/Trap Permit                                     | \$42.00  |



| FY 2023/24 Fee Adjustments, Reclassifications, Deletions and Additions |                     |                     |
|--|---------------------|---------------------|
| Fee Name   | FY 2022/23 Adopted  | FY 2023/24 Proposed |
| Police Fees  |                     |                     |
| Annual residential parking permit                                      | \$42.00 per vehicle | Vehicle 1: \$52.00  |
|  |                     | Vehicle 2: \$72.00  |
|  |                     | Vehicle 3: \$92.00  |
|  |                     | Vehicle 4: 112.00   |
| Standard Employee annual   | \$248.00            | \$0.00              |



**TOWN OF LOS GATOS  
COUNCIL AGENDA REPORT**

MEETING DATE: 09/05/2023

ITEM NO: 5

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DATE: August 28, 2023  
TO: Mayor and Town Council  
FROM: Laurel Prevetti, Town Manager  
SUBJECT: Approve a Waiver of the 60-Day Special Event Permit Application Submittal Requirement for the Los Gatos Veterans Memorial and Support Foundation's 9/11 Memorial Event, tentatively scheduled for Sunday, September 10, 2023.

**RECOMMENDATION:**

Approve a waiver of the 60-day Special Event Permit Application submittal requirement for the Los Gatos Veterans Memorial and Support Foundation's 9/11 Memorial Event, tentatively scheduled for Sunday, September 10, 2023.

**BACKGROUND:**

The Los Gatos Veterans Memorial and Support Foundation (Foundation) coordinates and implements an annual 9/11 Memorial event at Veteran's Memorial, located the Los Gatos Civic Center each year to honor the community's veterans and first-responders, and those lost in the terrorist attacks of September 11, 2001. Each year, the Foundation coordinates a program that consists of military and government dignitaries, community speakers, first-responders, and other related individuals to honor in remembrance the anniversary of the events of September 11, 2001. This is typically an afternoon to evening timed event, contained within the Civic Center lawn and adjacent areas, with a stage, amplification, and chairs for audience members, with a typical audience size of less than 300.

Such an event requires an approved Special Event Permit from the Town of Los Gatos that is filed no less than 60 days in advance of the event, as required by Town Code Section 14.100.025. The Foundation is a volunteer run non-profit organization, and as such, a new volunteer assumed the role of event coordinator for 2023.

**PREPARED BY:** Monica Renn  
Economic Vitality Manager

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Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, and Finance Director

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PAGE 2 OF 3

SUBJECT: Approve a Waiver of the 60-Day Special Event Permit Application Submittal Requirement for the Los Gatos Veterans Memorial and Support Foundation's 9/11 Memorial Event, tentatively scheduled for Sunday, September 10, 2023.

DATE: August 28, 2023

DISCUSSION:

On August 21, 2023, a volunteer from the Foundation contacted Town Staff to inquire about a Special Event Permit. It was discovered that although the Foundation had been planning the 9/11 Memorial event for months, and is held annually, the requirement of the Town Special Event Permit had been missed. The Foundation immediately submitted a Special Event Permit application; however, the date of the event is less than 60 days in advance of the submittal.

The Town Code requires Permit applications to be filed a minimum of 60 days in advance of the scheduled event. In most cases, the Town would instruct the event organizer to select another day for the event so that the application may be filed within the timeline required by the Town Code. Given that this an annual memorial event, tied to a specific and significant date in American history, moving the event is not feasible. In addition, the event does not sell food and beverages, close roads, or require extensive staff time to coordinate; thus, staff can adjust current priorities and address the coordination needs of the application on the shorter timeline for this year.

Throughout the summer, the Town has observed other event operators who have chosen to host events without a Special Event Permit rather than identifying a new date and abiding by the Town Code on the application requirements. In contrast, the Foundation was proactive and committed to honoring the community's veterans and first-responders as they do each year, while abiding by the Town Code.

Given the unique circumstance surrounding the missed application deadline, Town staff is asking the Town Council to approve this one-time waiver for the Foundation's 9/11 Memorial Event, scheduled for Sunday, September 10, 2023, from 5:00 p.m. to 6:15 p.m., with set up beginning at 1:00 p.m., and breakdown completed by 7:30 p.m. As with years past, the event program will include amplified music and speakers on the front lawn of the Town's Civic Center, in front of the Veterans Memorial. First-responders such as the Los Gatos-Monte Sereno Police Department and Santa Clara County Fire Department are expected to be active participants in the program as well, including emergency vehicles parked along E. Main Street, in front of the Civic Center. No outside agency permits are required for this event.

CONCLUSION:

Approve a waiver of the 60-day Special Event Permit application submittal requirement for the Los Gatos Veterans Memorial and Support Foundation's 9/11 Memorial Event, tentatively scheduled for Sunday, September 10, 2023, 5:00 p.m. to 6:15 p.m. If approved, Town staff will prioritize and expedite the application processing, working with the Foundation and its volunteers to ensure all Town special event requirements are met before the event.

PAGE 3 OF 3

SUBJECT: Approve a Waiver of the 60-Day Special Event Permit Application Submittal Requirement for the Los Gatos Veterans Memorial and Support Foundation's 9/11 Memorial Event, tentatively scheduled for Sunday, September 10, 2023.

DATE: August 28, 2023

COORDINATION:

This report was prepared in consultation with the Town Manager's and Town Attorney's Offices.

FISCAL IMPACT:

There is not fiscal impact associated with this report. The event organizer will still be responsible for paying the required Special Event Permit fee of \$170.00.

ENVIRONMENTAL ASSESSMENT:

This is not a project defined under CEQA, and no further action is required.



**TOWN OF LOS GATOS  
COUNCIL AGENDA REPORT**

MEETING DATE: 09/05/2023

ITEM NO: 6

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DATE: August 25, 2023  
TO: Mayor and Town Council  
FROM: Laurel Prevetti, Town Manager  
SUBJECT: Rescind Resolution 2023-044 and Adopt an Amended Resolution for the California Public Employees' Retirement System Retirement Plan to Waive the 180-Day Retiree Rehire Wait Period and to Appoint Sean Rose as the Temporary Capital Projects Manager in the Parks and Public Works Department

**RECOMMENDATION:**

Rescind Resolution 2023-044 and adopt an Amended Resolution for the California Public Employees' Retirement System Retirement Plan to waive the 180-day retiree rehire wait period and to appoint Sean Rose as the temporary Capital Projects Manager in the Parks and Public Works Department (Attachment 1).

**BACKGROUND:**

The Town has an existing agreement with the California Public Employees' Retirement System (CalPERS) to provide its retirement program to employees. The CalPERS retirement program is governed by Public Employees' Retirement Law (PERL). PERL contains the rules and regulations that a contracting agency must adhere to related to the hire of a CalPERS retiree, referred to as a retired annuitant. PERL requires that a non-safety retired annuitant may not work for a CalPERS contracting agency unless the retired annuitant has been retired for at least 180 days (Gov. Code section 7522.56). In lieu of the 180-day wait period, an agency's governing body may approve a resolution to waive the 180 days.

On August 15, 2023, the Town Council adopted a resolution to waive the 180-day requirement for Sean Rose who was tentatively selected for the temporary Capital Projects Manager position in the Parks and Public Works Department. Since Council's action, Mr. Rose has

**PREPARED BY:** Salina Flores  
Human Resources Director

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Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, and Finance Director

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PAGE 2 OF 2

SUBJECT: Adopt an Amended Resolution for the California Public Employees' Retirement System Retirement Plan to Waive the 180-Day Retiree Rehire Wait Period and to Appoint Sean Rose as the Temporary Capital Projects Manager.

DATE: August 25, 2023

BACKGROUND (Continued):

postponed his retirement date to September 13, 2023, necessitating the Council's consideration of an Amended Resolution.

DISCUSSION:

Sean Rose is currently employed as Public Works Director/Town Engineer with the Town of Woodside. Mr. Rose initially provided his notice of intent to retire from the Town of Woodside with his last day of work to occur on September 4, 2023, resulting in a CalPERS retirement effective date of September 5, 2023. However, in order to complete certain critical assignments, his last of work has changed to September 12, 2023, resulting in a new CalPERS retirement effective date of September 13, 2023. Mr. Rose would start his employment with the Town on that date.

CONCLUSION:

Due to the change in retirement date, staff recommends that the Town Council rescind the prior Resolution (2023-044) and adopt an Amended Resolution to waive the CalPERS 180-day wait period and appoint Sean Rose to the temporary Capital Projects Manager position effective September 13, 2023.

FISCAL IMPACT:

It is anticipated that the hire of a retired annuitant will result in overall budget savings, given that the retiree will not be eligible for benefits related to permanent employment except the Town's contribution to Medicare.

This position is funded through the Parks and Public Works Department, and the salary is paid via reimbursement from project related funds. There is no impact to the General Fund from this position and the cost of staff time is already accounted for in the project budget.

ENVIRONMENTAL ASSESSMENT:

This is not a project defined under CEQA, and no further action is required.

Attachment:

1. CalPERS Amended Resolution for a 180-Day Wait Period Exception and Appointment of Sean Rose as the Temporary Capital Projects Manager

# RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS

## Gov. Code sections 7522.56 & 21224

September 5, 2023

**WHEREAS**, in compliance with Government (Gov.) Code section 7522.56 of the Public Employees' Retirement Law, the Town Council must provide CalPERS this certification resolution when hiring a retiree before 180 days has passed since their retirement date; and

**WHEREAS**, Gov. Code section 7522.56 requires that post-retirement employment commence no earlier than 180 days after the retirement date, which is March 11, 2024 without this certification resolution; and

**WHEREAS**, Gov. Code section 7522.56 provides that this exception to the 180-day wait period shall not apply if the retiree accepts any retirement-related incentive; and

**WHEREAS**, On August 15, 2023, the Town Council adopted a resolution to waive the 180-day requirement for Sean Rose who was tentatively selected for the temporary Capital Projects Manager position in the Parks and Public Works Department; and

**WHEREAS**, Mr. Rose has revised his retirement date to September 13, 2023; and

**WHEREAS**, the Town needs to revise its Resolution to reflect Mr. Rose's new retirement date of September 13, 2023; and

**WHEREAS**, the Town Council rescinds Resolution 2023-044 and adopts an Amended Resolution for the California Public Employees' Retirement System Retirement Plan to waive the 180-day retiree rehire wait period and to appoint Sean Rose as the temporary Capital Projects Manager in the Parks and Public Works Department.

**WHEREAS**, the Town Council, the Town of Los Gatos and Sean Rose certify that Sean Rose has not and will not receive a Golden Handshake or any other retirement-related incentive; and

**WHEREAS**, the Town Council hereby appoints Sean Rose as an extra help retired annuitant to perform the duties of Capital Projects Manager (temporary/hourly) for the Town of Los Gatos under Gov. Code section 21224, effective September 13, 2023; and

ATTACHMENT 1

**WHEREAS**, the entire employment agreement, contract or appointment document between Sean Rose and the Town of Los Gatos has been reviewed by this body and is attached herein; and

**WHEREAS**, no matters, issues, terms or conditions related to this employment and appointment have been or will be placed on a consent calendar; and

**WHEREAS**, the employment shall be limited to 960 hours per fiscal year for all CalPERS employers; and

**WHEREAS**, the compensation paid to retirees cannot be less than the minimum nor exceed the maximum monthly base salary paid to other employees performing comparable duties, divided by 173.333 to equal the hourly rate; and

**WHEREAS**, the maximum base salary for this position is \$20,631.47 and the hourly equivalent is \$119.03; and

**WHEREAS**, the hourly rate paid to Sean Rose will be \$108.15; and

**WHEREAS**, Sean Rose has not and will not receive any other benefit, incentive, compensation in lieu of benefit or other form of compensation in addition to this hourly pay rate; and

**THEREFORE, BE IT RESOLVED THAT** the Town Council hereby certifies the nature of the appointment of Sean Rose as described herein and detailed in the attached employment appointment document and that this appointment is necessary to fill the critically needed position of Capital Projects Manager for the Town of Los Gatos by September 14, 2023 because the Capital Projects Manager role is essential to the design and construction management of critical projects and overall administration of the Town's Capital Improvement Program (CIP) to improve the Town's public infrastructure.

**PASSED AND ADOPTED** at a regular meeting of the Town Council of the Town of Los Gatos, California, held on the 5th day of September 2023, by the following vote:

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

ATTEST:

TOWN CLERK OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

DATE: \_\_\_\_\_

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

DATE: \_\_\_\_\_



**TOWN OF LOS GATOS  
COUNCIL AGENDA REPORT**

MEETING DATE: 9/5/2023

ITEM NO: 7

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DATE: August 25, 2023  
TO: Mayor and Town Council  
FROM: Laurel Prevetti, Town Manager  
SUBJECT: Adopt a Resolution for the California Public Employees' Retirement System Retirement Plan to Waive the 180-Day Retiree Rehire Wait Period and to Appoint Paul Horvat as the Temporary Emergency Services Coordinator in the Town Manager's Office

**RECOMMENDATION:**

Adopt a Resolution for the California Public Employees' Retirement System Retirement Plan to waive the 180-day retiree rehire wait period and to appoint Paul Horvat as the temporary Emergency Services Coordinator in the Town Manager's Office (Attachment 1).

**BACKGROUND:**

The Town has an existing agreement with the California Public Employees' Retirement System (CalPERS) to provide its retirement program to employees. The CalPERS retirement program is governed by Public Employees' Retirement Law (PERL). PERL contains the rules and regulations that a contracting agency must adhere to related to the hire of a CalPERS retiree, referred to as a retired annuitant. PERL requires that a non-safety retired annuitant may not work for a CalPERS contracting agency unless the retired annuitant has been retired for at least 180 days (Gov. Code section 7522.56). In lieu of the 180-day wait period, an agency's governing body may approve a resolution to waive the 180 days.

There are two types of retired annuitant appointments for public agency employers: extra help and vacant (interim) position. This appointment to the temporary Emergency Services Coordinator position is classified as an extra help retired annuitant appointment. A retired annuitant may be appointed as an extra help retired annuitant if hired to perform work of limited duration, such as elimination of a backlog, special project work, or to perform work exceeding regular staff work. The rate of pay may not be less than or more than the current approved salary range for the vacant position. Also, a retired annuitant may not work more

**PREPARED BY:** Salina Flores  
Human Resources Director

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Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, and Finance Director

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PAGE 2 OF 3

SUBJECT: Adopt a Resolution for the California Public Employees' Retirement System Retirement Plan to Waive the 180-Day Retiree Rehire Wait Period and to Appoint Paul Horvat as the Temporary Emergency Services Coordinator  
DATE: August 25, 2023

BACKGROUND (continued):

than 960 hours in a CalPERS fiscal year. The CalPERS fiscal year begins on July 1 and ends on June 30.

DISCUSSION:

The Town opened the recruitment for the temporary, unbenefited position of Emergency Services Coordinator on February 6, 2023. Mr. Horvat applied for the position and participated in the interview process, resulting in his selection by the Town Manager's Office as the preferred candidate.

Mr. Horvat is currently employed as Emergency Services Manager with the City of Santa Cruz, and has expressed his intent to retire from the City. His last day of work will occur on September 19, 2023, resulting in a CalPERS retirement effective date of September 20, 2023.

The Emergency Services Coordinator role is essential to the Town's emergency operations functions. The position is responsible for the planning, development, and implementation of disaster response and training activities for the Town of Los Gatos, including staff training and community education programs. The position is also responsible for maintaining oversight and coordination of the Town's Emergency Operations Center (EOC), and assists in the development of emergency response procedures, facilitates training for EOC staff and volunteers, and complies with State and federal emergency response and disaster mitigation programs. The Emergency Services Coordinator also functions as a liaison between the Town and other governmental agencies.

To allow for this continued critical function, staff is requesting that Paul Horvat be appointed to the position of temporary Emergency Services Coordinator as soon as possible, on or after the effective date of his retirement with the City of Santa Cruz. In order for this to happen, Town staff must submit the resolution certification package and a copy of the retiree's employment agreement or personnel appointment document to CalPERS before Mr. Horvat's first day of employment, which is tentatively set for September 20, 2023.

CONCLUSION:

Staff recommends that the Town Council adopt a Resolution to waive the CalPERS 180-day wait period and appoint Paul Horvat to the temporary Emergency Services Coordinator position.

PAGE 3 OF 3

SUBJECT: Adopt a Resolution for the California Public Employees' Retirement System Retirement Plan to Waive the 180-Day Retiree Rehire Wait Period and to Appoint Paul Horvat as the Temporary Emergency Services Coordinator

DATE: August 25, 2023

FISCAL IMPACT:

It is anticipated that the hire of a retired annuitant will result in overall budget savings, given that the retiree will not be eligible for benefits related to permanent employment except the Town's contribution to Medicare.

This position is funded through the Town Manager's Office, and the cost of staff time is already accounted for in the adopted budget.

ENVIRONMENTAL ASSESSMENT:

This is not a project defined under CEQA, and no further action is required.

Attachments:

1. CalPERS Resolution for a 180-Day Wait Period Exception and Appointment of Paul Horvat as the Temporary Emergency Services Coordinator
2. Conditional Offer for Paul Horvat

# RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS

## Gov. Code sections 7522.56 & 21224

September 5, 2023

**WHEREAS**, in compliance with Government (Gov.) Code section 7522.56 of the Public Employees' Retirement Law, the Town Council must provide CalPERS this certification resolution when hiring a retiree before 180 days has passed since their retirement date; and

**WHEREAS**, Paul Horvat will retire from the City of Santa Cruz in the position of Emergency Services Manager effective September 20, 2023; and

**WHEREAS**, Gov. Code section 7522.56 requires that post-retirement employment commence no earlier than 180 days after the retirement date, which is March 18, 2024 without this certification resolution; and

**WHEREAS**, Gov. Code section 7522.56 provides that this exception to the 180-day wait period shall not apply if the retiree accepts any retirement-related incentive; and

**WHEREAS**, the Town Council, the Town of Los Gatos and Paul Horvat certify that Pau Horvat has not and will not receive a Golden Handshake or any other retirement-related incentive; and

**WHEREAS**, the Town Council hereby appoints Paul Horvat as an extra help retired annuitant to perform the duties of the Emergency Services Coordinator for the Town of Los Gatos under Gov. Code section 21224, effective September 20, 2023; and

**WHEREAS**, the entire employment agreement, contract or appointment document between Paul Horvat and the Town of Los Gatos has been reviewed by this body and is attached herein; and

**WHEREAS**, no matters, issues, terms or conditions related to this employment and appointment have been or will be placed on a consent calendar; and

**WHEREAS**, the employment shall be limited to 960 hours per fiscal year for all CalPERS employers; and

**WHEREAS**, the compensation paid to retirees cannot exceed the maximum monthly base salary paid to other employees performing comparable duties, divided by 173.333 to equal the hourly rate; and

**WHEREAS**, the maximum monthly base salary for this position is \$20,631.47 and the hourly equivalent is \$119.03; and

**WHEREAS**, the hourly rate paid to Paul Horvat will be \$60.00; and

**WHEREAS**, Paul Horvat has not and will not receive any other benefit, incentive, compensation in lieu of benefit or other form of compensation in addition to this hourly pay rate; and

**THEREFORE, BE IT RESOLVED THAT** the Town Council hereby certifies the nature of the appointment of Paul Horvat as described herein and detailed in the attached employment appointment document and that this appointment is necessary to fill the critically needed position of Emergency Services Coordinator for the Town of Los Gatos by September 20, 2023 because the Emergency Services Coordinator role is essential to the implementation of the Town's disaster response program and the Emergency Operations Center function.

**PASSED AND ADOPTED** at a regular meeting of the Town Council of the Town of Los Gatos, California, held on the 5th day of September, 2023, by the following vote:

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

DATE: \_\_\_\_\_

ATTEST:

TOWN CLERK OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

DATE: \_\_\_\_\_



CIVIC CENTER  
110 E. MAIN STREET  
LOS GATOS, CA 95030  
[www.losgatosca.gov](http://www.losgatosca.gov)

114 heather Court  
Santa Cruz, CA 95065

**TOWN OF LOS GATOS** Human  
Resources Department (408) 399-5718 FAX:  
(408) 395-8640

July 21, 2023

Paul Horvat

Sent via email: [REDACTED]

Dear Paul,

Congratulations! The Town of Los Gatos is pleased to extend to you a conditional offer of employment for the position of Emergency Services Coordinator (Temporary/Hourly) with the Town Manager's Office.

|                           |   |
|---------------------------|---|
| <b>Employment Status:</b> | At will, un-benefited, temporary/hourly           |
| <b>Employment Term:</b>   | Two (2) years                                     |
| <b>Start Date:</b>        | TBD   |
| <b>Hourly Pay Rate:</b>   | \$60.00 per hour                                  |
| <b>Job Title:</b>         | Emergency Services Coordinator (Temporary/hourly) |
| <b>Supervisor:</b>        | Katy Nomura, Assistant Town Manager               |
| <b>Department:</b>        | Town Manager's Office                             |

This offer of employment is subject to the following:

- 1. Background Check:** You must pass a Department of Justice Criminal Records Check according to guidelines established by the Town of Los Gatos. Fingerprinting is administered by the Los Gatos Saratoga Recreation Center. You must complete a verification of education and employment survey. A reference check will also be conducted with the references provided.
- 2. CalPERS Requirements:** If you plan to retire before your tenure in this position, then all CalPERS

requirements must be met prior to your start date. This includes the Town's submission of a request for an exception to the CalPERS 180-day waiting period requirement via a Council resolution submitted to CalPERS. The timing of the resolution submission and your start date will be based on the following:

- A. If you are retiring at or higher than your normal retirement age, then the Council resolution can be submitted following your successful passage of the background check, and your start date can be any time following submission, on a date agreed upon by you and the Town.
- B. If you retire under your highest normal retirement age, then you will be subject to CalPERS' bona fide separation requirements: the Council resolution cannot be submitted prior to your retirement date, and your start date must be at least 60 days following your retirement date.

*Conditional Offer of Employment – Paul Horvat*

*Emergency Services Coordinator (Temporary/Hourly)*

*Page 2 of 2*

Please also be aware of the following information related to your employment as an hourly/unbenefited employee:

- You are limited to working no more than 1,000 hours in a fiscal year. If you qualify as a retired annuitant, you are limited to working no more than 960 hours in a fiscal year. The Town's fiscal year runs from July 1 through June 30.
- Your employment may be terminated at any time and is not subject to appeal. • You are a non-exempt employee and therefore covered by the provisions of the Fair Labor Standards Act (FLSA). For FLSA overtime purposes, your work period begins at midnight on Sunday and ends seven consecutive days later at 11:59 p.m. on Saturday.

During your first week of employment, you will participate in an orientation session with a member of the Human Resources staff. At your orientation with Human Resources, you will be required to provide documents that establish both identity and employment eligibility to work in the United States, as required by the U.S. Department of Homeland Security Form I-9. More information about this process and your orientation will be emailed to you once the background process has been successfully completed.

To accept this conditional offer of employment, please sign below and return the signed copy of this letter via email or in person **no later than 5:00 p.m. on Wednesday, July 26, 2023**. If you have any questions, please contact Mary Blekh, Human Resources Technician, at (408) 399- 5739 or [mblekh@losgatosca.gov](mailto:mblekh@losgatosca.gov).

We are excited to welcome you to the Town of Los Gatos community and the Town Manager's Office. We are confident that you will enjoy the exceptional employees, beautiful community, and challenges of this position!

Sincerely,

Salina Flores

Salina Flores  
Human Resources Director

**ACCEPTANCE OF TEMPORARY HOURLY APPOINTMENT:**

I accept the offer on the terms and conditions outlined above.

PL Horvat 7-24-2023

Signature (Paul Horvat) Date

ATTACHMENT 2



**TOWN OF LOS GATOS  
COUNCIL AGENDA REPORT**

MEETING DATE: 09/05/2023

ITEM NO: 8

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DATE: August 24, 2023  
TO: Mayor and Town Council  
FROM: Laurel Prevetti, Town Manager  
SUBJECT: Adopt Amendments to Town Council Policy #2-18: Legislative Policy and Approve Legislative Priorities with Regard to State, Federal, and Regional Legislation

**RECOMMENDATION:**

Adopt amendments to Town Council Policy #2-18: Legislative Policy and approve the legislative priorities with regard to State, Federal, and regional legislation.

**BACKGROUND:**

In 2016, the Town Council adopted Council Policy #2-18: Legislative Policy (Attachment 1). This Policy sets forth the procedures for engagement in the legislative process and the types of issues that are appropriate for the Town to take a position.

On March 28, 2023, the Policy Committee discussed a list of potential legislative priorities and unanimously voted to bring the legislative priorities to the full Council. These priorities are intended to be helpful to Town Council members as they engage in discussions with State legislators and as the Town considers which bills it chooses to endorse, oppose, or recommend amendments.

On August 1, 2023, the Town Council provided direction to staff to amend the Legislative Policy to include an annual review of legislative priorities and to revise the list of legislative priorities.

**DISCUSSION:**

As directed by Town Council, amendments to the Legislative Policy can be found in Attachment 2 and include that the Town Council will annually adopt legislative priorities. Once adopted, the legislative priorities will be used to support Town Council Members in discussions with

**PREPARED BY:** Katy Nomura  
Assistant Town Manager

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Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, and Finance Director

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DISCUSSION (continued):

Legislators and to provide guidance as the Town considers which legislative proposals to track and/or take a position. The Town Manager or the Town Attorney would be authorized to prepare and issue position letters for the Mayor's signature after determining that the legislative proposal could impact the Town and that the proposed position would be in alignment with the adopted legislative priorities. While there may be many legislative proposals for which a Town position would be in alignment with the Legislative Priorities, only the most pressing proposals will be acted on and will be subject to staff capacity.

While an annual review of legislative priorities is anticipated to occur around February of each year after the Town Council has considered its Strategic Priorities, the Town Council requested that the current iteration of the legislative priorities be considered sooner. The following legislative priorities are inclusive of the direction and input the Town Council provided on August 1, 2023. The priorities are not listed in order of importance and the numbers are for reference only.

Legislative Priorities:

- **Bill Specific Priorities:**

1. Concealed Weapons SB 2: In light of the recent Supreme Court ruling, the Town should support legislation that clarifies the concealed carry weapons process and protects sensitive places from the presence of concealed weapons. Senate Bill (SB) 2 is an example of a such a bill. On June 20, 2023, the Council voted to introduce an ordinance to update the Town's Concealed Carry Firearm Licensing Ordinance and prohibit the carry of firearms in sensitive places.
2. Reform of Proposition 47 and 57 – AB 1708: Several bills are expected to address the unintended consequences of these ballot measures. For example, AB 1708 would be beneficial in increasing accountability for repeat theft offenders and offering pathways for pre-plea diversion programming.

- **General Priorities:**

3. Clarifications regarding SB 9: The Town may want to support legislation that clarifies SB 9 lot splits and developments in Very High Fire Hazard Severity Zones, affordability requirements, and the attestation of intent to occupy.
4. Protect Vehicle License Fee (VLF) and Educational Revenue Augmentation Fund (ERAF): As the State may consider how it will address future budget shortfalls, it is critical that the State not take funding from local government. In the past, these two funding sources have been redirected to the State for its own budgeting purposes.

DISCUSSION (continued):

5. Internet Sales Tax: With the exception of our Measure G district sales tax, internet sales tax goes into a pool and is distributed based on a jurisdiction's share of the overall sales tax collected in the respective County. In contrast, the Town's Measure G district sales tax is distributed based on the buyer's location, yielding higher revenue for the Town. Changes to the general distribution of sales tax would benefit Los Gatos.
6. Mental Health: Mental health support is important to the Los Gatos community and legislation that furthers mental health through funding, emphasis in Policing, or other methods could be beneficial to the Town.
7. Fire Protection and Insurance: Fire protection is one of the Town Council's Strategic Priorities and legislation that furthers fire protection funding and efforts could be beneficial to the Town. Legislation to ensure the availability of fire insurance for residents could become more important if insurance becomes harder to obtain.
8. Housing: When effective, the Town may have interest in participating in certain housing bills.
9. Unfunded Mandates: Unfunded mandates strain the Town's already limited resources and should be opposed.
10. Water: Support local water agency requests when beneficial to the Town.
11. Beach Traffic: Legislation to support the Town in reducing impacts of beach cut-through traffic could be beneficial. One possibility could involve prohibiting navigation applications from directing cut-through traffic through High Fire Severity Zones on high fire risk days.
12. Transportation – Speeding: Legislation to reduce speeding could be beneficial for the Town.

CONCLUSION:

It is recommended that the Town Council adopt the amendments Town Council Policy #2-18: Legislative Policy and approve the legislative priorities. The Town Council may provide other direction as it wishes.

PAGE 4 OF 4

SUBJECT: Legislative Policy and Priorities

DATE: August 24, 2023

COORDINATION:

This report was coordinated with the Town Manager's Office and Town Attorney.

FISCAL IMPACT:

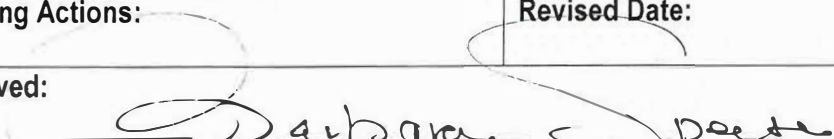
There is no associated fiscal impact.

ENVIRONMENTAL ASSESSMENT:

This is not a project defined under CEQA, and no further action is required.

Attachments:

1. Existing Town Council Policy 2-18: Legislative Policy
2. Proposed Redline Update to Town Council Policy 2-18: Legislative Policy

|  |               |                     |
|--|---------------|---------------------|
| Title: Legislative Policy  |               | Policy Number: 2-18 |
| Effective Date: 10/5/16  |               | Pages: 3            |
| Enabling Actions:  | Revised Date: |                     |
| Approved:  |               |                     |

## PURPOSE

The purposes of the Legislative Policy are to: identify opportunities for the Town to participate in state, federal, and regional legislation and other policy matters, and describe a process for Town positions, actions, and related activities.

## BACKGROUND

Council Members have the opportunity to learn of legislative issues from their work on the Council, general awareness of current topics, and their service on other Board and Committees as representatives of the Town. The Town Manager encourages all Town Departments to monitor and be knowledgeable of any legislative issues related to their disciplines. The Town Manager and Town Attorney similarly stay engaged with their professions as well as monitor the activities of the League of California Cities and other organizations. The Town benefits from a Legislative Policy to articulate overarching legislative principles to guide the Town's engagement in the legislative process as outlined in this Policy.

## LEGISLATIVE PRINCIPLES

The Town should take a position and advocate for the position when proposed federal, state, County, or other agency legislative or measure has a potential direct impact on the Town. Direct impact includes and is not limited to issues of local control, revenue reductions, grant eligibility, unfunded mandates and regulatory burdens.

## POLICY GOALS

1. Advocate the Town's legislative interests at the federal, state, regional, and County levels.
2. Inform and provide information to our legislators, Town Council, and staff on the key issues and legislation that could have potential impact on the Town.
3. Serve as an active participant with other local governments, the League of California Cities, local profession organizations, and/or other entities on legislative/regulatory issues that are important to the Town and our region.
4. Seek grant and funding assistance for Town projects, services, and programs to enhance services for our community.

## **LEGISLATIVE STRATEGIES**

1. Communicate legislative positions on proposed federal, state, and County legislation, measures, initiatives, and governmental regulations.
2. Work with Town Departments to develop positions on proposed federal and state legislative measures based on analysis done by the League of California Cities, communication with legislators' offices, and other local government/professional associations in formulating our positions.
3. Take positions only on proposals that clearly impact our Town or are a threat to local control.
4. Actively track key bills through the legislative process, utilizing various legislative websites, government/professional associations, and other means.
5. Communicate the Town's position to our federal, state, regional, and County members, bill author(s), Committees, and/or other governmental bodies through correspondence, testimony, and in-person meetings.
6. Work cooperatively with other cities, associations and the League of California Cities on advocating our legislative positions.
7. As necessary, participate in the drafting and amending of proposed federal, state, regional, and/or County measures that have the potential to significantly impact the Town.
8. Meet with legislators and their representatives, as well as other federal, state, regional, and/or County government officials on a regular basis to discuss local government issues, proposed legislation, requests for funding assistance, and Town programs and services.
9. Seek federal, state, and County funding through earmarks, grants, and other discretionary funding for Town projects, services, and programs.
10. Annually identify Town projects for potential submittal for federal earmark consideration and develop a submittal packet for legislators that provides information and need for the projects.
11. Provide information to Town Departments on potential grant funding opportunities and recognition programs.
12. Advocate and request letters of support for Town projects and grant applications or other resources that are being considered for federal, state, regional, and/or County funding.

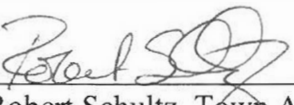
## **LEGISLATIVE POSITION PROCESS**

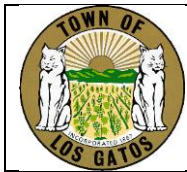
The process for responding to legislative proposals is as follows:

1. Once the Town Manager and/or Town Attorney determines that a legislative proposal may impact the Town, a letter outlining the Town's position (support, neutral or oppose) will be drafted for the Mayor's signature.
2. The Town Manager will circulate the draft position letter to the Town Council for review.
3. If there is Council objection, the position letter will be placed on the next Town Council agenda for consideration.

4. If there is no objection, staff will finalize the position letter for the Mayor's signature and forward the signed letter to the bill's author, the League of California Cities, and other stakeholders as deemed appropriate.
5. A copy of the final letter will be distributed to the Town Council.

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Robert Schultz, Town Attorney



**Title:** Legislative Policy

**Policy Number:** 2-18

**Effective Date:** 10/5/16

**Pages:** 3

**Enabling Actions:**

**Revised Date:** 9/5/23

**Approved:**

## PURPOSE

The purposes of the Legislative Policy are to: identify opportunities for the Town to participate in state, federal, and regional legislation and other policy matters, and describe a process for Town positions, actions, and related activities.

## BACKGROUND

Council Members have the opportunity to learn of legislative issues from their work on the Council, general awareness of current topics, and their service on other Board and Committees as representatives of the Town. The Town Manager encourages all Town Departments to monitor and be knowledgeable of any legislative issues related to their disciplines. The Town Manager and Town Attorney similarly stay engaged with their professions as well as monitor the activities of the League of California Cities and other organizations. The Town benefits from a Legislative Policy to articulate overarching legislative principles to guide the Town's engagement in the legislative process as outlined in this Policy.

## LEGISLATIVE PRINCIPLES

The Town should take a position and advocate for the position when proposed federal, state, County, or other agency legislative or measure has a potential direct impact on the Town. Direct impact includes and is not limited to issues of local control, revenue reductions, grant eligibility, unfunded mandates and regulatory burdens.

## POLICY GOALS

1. Advocate the Town's legislative interests at the federal, state, regional, and County levels.
2. Inform and provide information to our legislators, Town Council, and staff on the key issues and legislation that could have potential impact on the Town.
3. Serve as an active participant with other local governments, the League of California Cities, local profession organizations, and/or other entities on legislative/regulatory issues that are important to the Town and our region.
4. Seek grant and funding assistance for Town projects, services, and programs to enhance services for our community.

|                                  |                        |                               |
|----------------------------------|------------------------|-------------------------------|
| <b>Title:</b> Legislative Policy | <b>Page:</b><br>2 of 3 | <b>Policy Number:</b><br>2-18 |
|----------------------------------|------------------------|-------------------------------|

## LEGISLATIVE STRATEGIES

1. Communicate legislative positions on proposed federal, state, and County legislation, measures, initiatives, and governmental regulations.
2. Work with Town Departments to develop positions on proposed federal and state legislative measures based on analysis done by the League of California Cities, communication with legislators' offices, and other local government/professional associations in formulating our positions.
3. Take positions only on proposals that clearly impact our Town or are a threat to local control.
4. Actively track key bills through the legislative process, utilizing various legislative websites, government/professional associations, and other means.
5. Communicate the Town's position to our federal, state, regional, and County members, bill author(s), Committees, and/or other governmental bodies through correspondence, testimony, and in-person meetings.
6. Work cooperatively with other cities, associations and the League of California Cities on advocating our legislative positions.
7. As necessary, participate in the drafting and amending of proposed federal, state, regional, and/or County measures that have the potential to significantly impact the Town.
8. Meet with legislators and their representatives, as well as other federal, state, regional, and/or County government officials on a regular basis to discuss local government issues, proposed legislation, requests for funding assistance, and Town programs and services.
9. Seek federal, state, and County funding through earmarks, grants, and other discretionary funding for Town projects, services, and programs.
10. Annually identify Town projects for potential submittal for federal earmark consideration and develop a submittal packet for legislators that provides information and need for the projects.
11. Provide information to Town Departments on potential grant funding opportunities and recognition programs.
12. Advocate and request letters of support for Town projects and grant applications or other resources that are being considered for federal, state, regional, and/or County funding.

## LEGISLATIVE POSITION PROCESS

The Town Council will review and adopt the Town's Legislative Priorities annually to support Town Council Members in discussions with legislators and to provide guidance as the Town considers which legislative proposals to track and/or take a position.

The process for responding to legislative proposals is as follows:

1. If ~~Once~~ the Town Manager and/or Town Attorney determines that a legislative proposal may impact the Town and a Town position (including but not limited to support, watch, or oppose) would be in clear alignment with the Legislative Priorities, a letter outlining



|                           |                 |                        |
|---------------------------|-----------------|------------------------|
| Title: Legislative Policy | Page:<br>3 of 3 | Policy Number:<br>2-18 |
|---------------------------|-----------------|------------------------|

the Town's position ~~(support, neutral or oppose)~~ will can be drafted for the Mayor's signature. While there may be many legislative proposals for which a Town position would be in alignment with the Legislative Priorities, only the most pressing proposals will be acted on and will be subject to staff capacity. If the Town Manager and/or Town Attorney determines that a legislative proposal falls outside of the Legislative Priorities, the proposal will need to be considered by the Town Council prior to a position being taken.

~~2.~~ The Town Manager or designee will circulate the draft position letter to the Town Council for ~~its information~~ review.

~~3-2.~~ If there is Any Council Member can request that ~~objection,~~ the position letter ~~will~~ be placed on the next Town Council agenda for consideration.

~~4-3.~~ If the legislative proposal is not re-placed on a future agenda, is no objection, staff will finalize the position letter for the Mayor's signature and forward the signed letter to the bill's author, the League of California Cities, and /or other stakeholders as deemed appropriate.

~~5-4.~~ A copy of the final letter will be distributed to the Town Council.

APPROVED AS TO FORM:

~~Robert Schultz~~ Gabrielle Whelan, Town Attorney



**TOWN OF LOS GATOS  
COUNCIL AGENDA REPORT**

MEETING DATE: 09/05/2023

ITEM NO: 9

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DATE: August 29, 2023  
TO: Mayor and Town Council  
FROM: Laurel Prevetti, Town Manager  
SUBJECT: Discuss and Provide Direction for the Use of the Town Council, Staff and Community Values

**RECOMMENDATION:**

Discuss and provide direction for the use of the Town Council, Staff and Community Values.

**BACKGROUND:**

On June 13, the Town Council held a retreat. During the retreat, the Council members identified the values they want to promote in guiding how they and staff engage with community members, and how they would like community members to engage with them at Council meetings and other forums.

**DISCUSSION:**

The values are intended to supplement the Meeting Rules of Decorum and Civility by describing the elements of constructive communication when Council, staff, and community members interact with each other. To promote constructive communication in conducting the business of the community, Council members, staff, and community members are encouraged to embrace and adhere to the following values:

- Be respectful, welcoming, inclusive, compassionate, and kind to each other,
- Appreciate the diversity of perspectives and views in our community,
- Express your views and share your perspectives in helpful ways,
- Listen to understand and empathize with each other, and
- Collaborate and work together to do what is best for Los Gatos.

Council agreed that the community values should be included in the Town Council Policy 2-4: Town Council Code of Conduct (Code of Conduct) when the Town Council is ready to consider amendments to that Council Policy. At the retreat, the Council also discussed including the

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Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, and Finance Director

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DISCUSSION (continued):

values on meeting agendas. There is also an opportunity to display the values on posters located in Department offices where the public interacts with staff and in the Council Chamber lobby. Some communities have also placed their values on the back of the Speaker Cards so the expectations for respectful participation are clear.

This agenda item provides the Town Council an opportunity to receive public input, make refinements to the values, and direct how the values could be utilized.

In addition, depending upon the Council's direction for the use of the values, the Town Council may wish to also provide direction on the civility guidelines that are found in the Code of Conduct and Town Council Policy 2-1: Town Agenda Format and Rules. Among potential changes, staff recommends removing the sentence, "Disruption of the meeting may result in a violation of Penal Code Section 403" for the following two reasons:

- 1) Disruption of the meeting IS a violation of PC Section 403. Disrupters MAY be cited.
- 2) This is just one potential consequence out of several and it may not be necessary to call it out.

If Council directs such a change, these Policies would return to Council for consideration. If approved, the agenda language would also change to be consistent with the Policies.

CONCLUSION:

Staff looks forward to the Council's discussion and direction with respect to the draft values and associated Policies.

COORDINATION:

The preparation of this report was coordinated with all Town Department Directors and the Town Attorney.

FISCAL IMPACT:

This agenda item does not have a fiscal impact. If Council directs the preparation of a poster for the Council Chambers Lobby, modifications to our Speaker Cards, or other printed materials, the costs would be minimal and the Adopted Town Budget covers these expenses.

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ENVIRONMENTAL ASSESSMENT:

This agenda item is not a project defined under the California Environmental Quality Act, and no further action is required.