



**TOWN OF LOS GATOS
COUNCIL POLICY COMMITTEE AGENDA
JUNE 27, 2023
TOWN COUNCIL CHAMBERS
110 EAST MAIN STREET, LOS GATOS, CA
5:00 PM**

*Rob Moore, Chair
Matthew Hudes, Vice Chair*

This meeting will be held in-person at the Town Council Chambers at 110 E. Main Street. Members of the public may only provide public comments for the agenda item in-person.

PARTICIPATION IN THE PUBLIC PROCESS

The Town of Los Gatos strongly encourages your active participation in the public process, which is the cornerstone of democracy. If you are interested in providing oral comments during the meeting, you must attend in-person and complete a “speaker’s card” located on the back of the chamber benches and return it to the staff. If you wish to speak to an item on the agenda, please list the item number. The time allocated to speakers may change to better facilitate the meeting. You are welcome to submit written comments via email to Clerk@LosGatosCA.Gov.

Public Comment During the Meeting:

- When called to speak, please limit your comments to three (3) minutes, or such other time as the Chair may decide, consistent with the time limit for speakers at a Town meeting.
- Speakers at public meetings will be asked to provide their full name and to state whether they are a resident of the Town of Los Gatos. This information is optional and not required.

Deadlines for Public Comment and Presentations are as follows:

- If you are unable to participate in person, you may email Clerk@LosGatosCA.Gov with the subject line “Public Comment Item #_” (insert the item number relevant to your comment). Persons wishing to submit written comments to be included in the materials provided to Committee must provide the comments as follows:
 - For inclusion in the regular packet: by 11:00 a.m. the Thursday before the Committee meeting
 - For inclusion in an Addendum: by 11:00 a.m. the Friday or Monday before the Committee meeting
 - For inclusion in a Desk Item: by 11:00 a.m. on the day of the Committee meeting
- Persons wishing to make an audio/visual presentation on any agenda item must submit the presentation electronically, either in person or via email to Clerk@LosGatosCA.Gov to the by 3:00 p.m. the day of the meeting.

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5:00 PM

MEETING CALL TO ORDER

ROLL CALL

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 Committee without first being recognized;
- Interrupting speakers, Committee Members, 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.

CONSENT ITEMS *(Items appearing on the Consent Items are considered routine Town business and may be approved by one motion. Any member of the Committee 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 Chair asks for public comments on the Consent Items. If you wish to comment, please follow the Participation Instructions contained on this agenda. If an item is removed, the Chair has the sole discretion to determine when the item will be heard.)*

1. Approve Minutes of the March 28, 2023 Council Policy Committee Meeting.

VERBAL COMMUNICATIONS *(Items appearing on the Consent Items are considered routine Town business and may be approved by one motion. Any member of the Committee 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 Chair asks for public comments on the Consent Items. If you wish to comment, please follow the Participation Instructions contained on this agenda. If an item is removed, the Chair has the sole discretion to determine when the item will be heard.)*

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

2. Direct Potential Modifications to Town Council Policy 2-17: Solicitation and Donation Policy to Align with the Council's Strategic Priorities

ADJOURNMENT

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, PLEASE CONTACT THE CLERK DEPARTMENT AT (408) 354-6834. NOTIFICATION 48 HOURS BEFORE THE MEETING WILL ENABLE THE TOWN TO MAKE REASONABLE ARRANGEMENTS TO ENSURE ACCESSIBILITY TO THIS MEETING [28 CFR §35.102-35.104]



**TOWN OF LOS GATOS
TOWN COUNCIL
POLICY COMMITTEE**

MEETING DATE: 06/27/2023

ITEM NO: 1

**DRAFT
Minutes of the Town Council Policy Committee Meeting
March 28, 2023**

The Town Council Policy Committee of the Town of Los Gatos conducted a regular meeting on Tuesday, March 28, 2023, at 5:00 p.m.

MEETING CALLED TO ORDER AT 5:00 P.M.

ROLL CALL

Members Present: Rob Moore, Matthew Hudes

Staff Present: Gabrielle Whelan, Town Attorney; Wendy Wood, Town Clerk; Joel Paulson, Community Development Department Director; Holly Young, Senior Management Analyst.

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

1. Approve Minutes of the February 28, 2023 Council Policy Committee Meeting.

Commissioner/Council Member Hudes suggested a wording change to language in the first sentence on page three of the minutes.

Opened public comment.

None.

Closed Public Comment.

MOTION: Motion by **Commissioner/Council Member Hudes** to approve the Minutes of the February 28, 2023, Council Committee Meeting with an amendment to the language in the first sentence on page three to reflect the direction was to return to the Committee with proposed revision for discussion. **Seconded by Chair/Council Member Moore.**

VOTE: Motion passed by a unanimous vote.

VERBAL COMMUNICATIONS

Karen Delaney

- Commented that the second agenda item should be divided into separate agenda items so that the public may comment on each policy separately.

Closed Public Comment.

OTHER BUSINESS

2. Discuss Proposed Changes to Council Code of Conduct Policy, and Commission Appointments, Residency and Attendance Requirements and Establishing a Quorum Policy.

Gabrielle Whelan, Town Attorney, presented the staff report.

Opened public comment.

Karen Delaney

- Commented on concerns with the discretion in disciplinary matters keeping conduct complaints out of the public domain, public trust, and ethical principles.

Closed Public Comment.

After discussion, the Committee agreed that the sections of the existing Code of Conduct Policy unrelated to conduct should be moved into separate standalone policies and that duplicate language from the Agenda Format and Rules Policy should be removed from the Code of Conduct Policy.

Chair/Council Member Moore requested this be referred to the Mayor to determine if it should be placed on a Town Council agenda. Commissioner/Council Member Hudes abstained from referring this to a future meeting.

3. Recommend Legislative Priorities to the Town Council.

Gabrielle Whelan, Town Attorney, presented the staff report.

Opened public comment.

None.

Closed Public Comment.

MOTION: Motion by Chair/Council Member Moore to bring the legislative priorities as presented to the commission to the full Council with suggestions to include the

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SUBJECT: Draft Minutes of the Council Policy Committee Meeting of March 28, 2023

DATE: June 27, 2023

scope and County legislation in a meeting format that would allocate enough time for the item. **Seconded by Commissioner/Council Member Hudes.**

VOTE: Motion passed by a unanimous vote.

ADJOURNMENT

The meeting adjourned at 5:56 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the March 28, 2023 meeting as approved by the Town Council Policy Committee.

Holly Young, Senior Management Analyst



TOWN OF LOS GATOS
COUNCIL POLICY COMMITTEE REPORT

MEETING DATE: 06/27/2023

ITEM NO: 2

DATE: June 20, 2023
TO: Council Policy Committee
FROM: Laurel Prevetti, Town Manager
SUBJECT: Direct Potential Modifications to Town Council Policy 2-17: Solicitation and Donation Policy to Align with the Council's Strategic Priorities

RECOMMENDATION:

Direct potential modifications to Town Council Policy 2-17: Solicitation and Donation Policy to align with the Council's Strategic Priorities.

BACKGROUND:

In 2015, the Town Council established a Solicitation and Donation Policy (Attachment 1) to recognize the annual donations from the Friends of the Library, Police Foundation, and other organizations. The Policy also allows for solicitations which were needed when the Town operated Music in the Park and sought in-kind and other support for this beloved concert series.

Every year, consistent with the Policy, the Council identifies specific donation opportunities and adopts a list when it considers the annual Budget. Attachment 2 contains the approved list for Fiscal Year 2023-24.

During the Council discussion of the donation list, the Council requested that the Town Council Policy Committee review the Solicitation and Donation Policy to determine potential changes needed to align with the Council's Strategic Priorities (Attachment 3).

DISCUSSION:

Staff welcomes the Committee's discussion and direction with respect to potential changes to the Solicitation and Donation Policy. In staff's review, the Policy itself sets forth definitions, parameters, and procedures without directing any specific requirements for establishing the Town Council's annual list of donation opportunities.

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

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SUBJECT: Direct Potential Modifications to Town Council Policy 2-17: Solicitation and Donation Policy to Align with the Council's Strategic Priorities

DATE: June 20, 2023

DISCUSSION:

If the Committee is interested, the section titled "Procedure for Establishing Council Approved Town Needs" could include a specific reference to the Council's Strategic Priorities. For example, the first sentence in this section could be amended to read, "The Council shall direct the Town Manager to develop a list of recommended Town needs for donation opportunities, including but not limited to items related to the Town Council's Strategic Priorities, Town programs, and/or capital project needs." The proposed new language is underlined.

CONCLUSION:

Staff looks forward to the Committee's discussion and direction.

COORDINATION:

This report was coordinated with the Town Attorney and Finance Director.

FISCAL IMPACT:

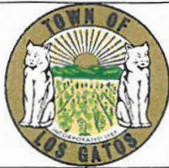
There is no fiscal impact associated with the Committee directing modifications for future consideration by the Town Council.

ENVIRONMENTAL ASSESSMENT:

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

Attachments:

1. Town Council Policy 2-17: Solicitation and Donation Policy
2. Donation Opportunities for Fiscal Year 2023-24
3. Strategic Priorities



Title: Solicitation and Donation Policy

Policy Number: 2-17

Effective Date: 10/6/15

Pages: 4

Enabling Actions:

Revised Date:

Approved:

PURPOSE

The purpose of this policy is to effect Town donations and solicitations in a manner that complies with both the letter and spirit of California ethics laws and, within that framework, to expand the potential for community donations by establishing a mechanism by which individuals and organizations may be more readily advised of donation opportunities.

SOLICITATION GUIDELINES

Targeted Solicitation

Targeted solicitation is defined as the direct petition or contact of specific individuals, companies, foundations or other entities initiated by the Town Council and other elected officials, Council advisory bodies, and Town employees herein called "Town Officials" for the purpose of receiving goods, services, or other contributions for the Town. Targeted solicitation excludes the direct petition for government, private, or non-profit grants for Council-approved programs, projects, and services. Unless prior approval has been given by the Council, Town Officials shall not engage in targeted solicitation activities on behalf of the Town.

BROAD OUTREACH GUIDELINES

Broad Outreach

Broad outreach is defined as the process of informing a broad spectrum of individuals, companies, foundations, non-profit organizations, or other entities of donation opportunities through various communication vehicles, including but not limited to written, electronic, or internet-related publications, flyers, brochures, news releases, and television or radio announcements. Broad outreach is permitted by the Town Manager or designee subject to the guidelines provided in this policy.

The following broad outreach guidelines apply when communicating a Town need for goods, services, or other contributions:

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- Broad outreach must relate to a Town Council-approved purpose, service, project, or program.
- Broad outreach for goods, services, or other contributions should be made by using a variety of communication methodologies to ensure outreach to the entire community.
- Donations shall not be made under the guise, pretense, or presumption of receiving official Town endorsement or approval of the donating party, product, project, or activity.

PROCEDURE FOR ESTABLISHING COUNCIL APPROVED TOWN NEEDS

The Council shall direct the Town Manager to develop a list of recommended Town needs for donation opportunities. Council consideration and approval of the list of Town needs may occur as part of the annual operating and capital budget development process and can be amended by Council at any time.

DONATION ACCEPTANCE GUIDELINES

All goods, services, or other contributions offered by individuals, companies, foundations, non-profit organizations, or other entities will be considered for acceptance or rejection, including items offered for donation that are identified on a Council approved list of needs. The acceptance of all donations to the Town will be based on the following guidelines.

- Purpose of the donation.
- Community or municipal need for the donation.
- Compatibility of the donation with Los Gatos Municipal Code, policies, programs, and other applicable laws.
- Timeliness of the donation as it relates to implementation.
- Level of benefit and financial impact to the Town.

All donations should be reviewed by the Town Manager or designee in advance of acceptance to ensure consistency with established policy guidelines.

AUTHORITY TO ACCEPT DONATIONS

The authority to accept all donations is based on the market value of the donation as reasonably determined.

Donations \$25,000 and Under

The Town Manager or designee is authorized to accept or reject all minor donations that have a market value equal to or less than \$25,000.

Donations over \$25,000

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The Town Council shall consider and accept or reject all major donations that have a market value greater than \$25,000.

Ongoing Annual Donations from 501(c)(3) Organizations dedicated to supporting specific Town Departments in Offering Community Services:

- Potential uses for donation funds will be discussed and agreed upon with the respective non-profit bodies, in accordance with the Council approved Solicitation and Donation Policy.
- Funds donated will be placed into accounts as designated by the Finance Director.
- The departments may expend donated funds once received and deposited into the appropriate account only for items identified on the Council approved Town of Los Gatos Donation Opportunities List of Town Needs, which is approved annually with the Town's operating budget.
- At the end of each fiscal year, a written listing of items purchased from these accounts, in accordance with the Donation Policy, shall be provided to the Town Manager and Town Council.

PROCEDURES FOR ACCEPTING MAJOR DONATIONS

For all major donations, a staff report, containing analysis based on the donation acceptance guidelines established in this policy, will be written to guide the Council when considering major donations. The report will also provide donation recognition alternatives for Council consideration should the donation be accepted. The Council will determine on a case by case basis if the donation should be accepted or rejected.

DONOR RECOGNITION GUIDELINES

Acceptance of donations shall be acknowledged by the Town. Donation recognition practices shall be implemented in a consistent manner and adhere to Town Municipal Code, all applicable laws, regulations, and policies. Recognition of donations will be determined by the Council or Town Manager and shall be consistent with acceptance requirements of this policy and the guidelines set forth below:

Donations accepted by the Town may be acknowledged through one or more of the forms of recognition as indicated below. Other forms of recognition may be approved by the Town Council via resolution if compelled by special circumstances which shall be specified in the resolution.

- Written and/or verbal recognition.
- Public recognition at Town Council meetings.
- Inclusion in Town public communication materials, such as electronic media and selected publications.
- Plaques.

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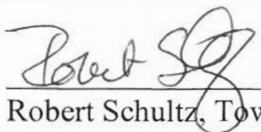
Plaques may be used to commemorate donations accepted by the Town from persons, businesses, and organizations according to the following standards:

Plaques used for recognition purposes may be affixed to an appropriate Town facility, which includes, but is not limited to a building or any portion thereof, structure, equipment, furniture or natural asset. Plaques shall include the name(s) of the person(s) being recognized and applicable date, with standard wording limited to:

- The Town of Los Gatos recognizes and appreciates _____ [and his/her family] for [his/her/their] donation to [identify facility].
- The Town of Los Gatos recognizes and appreciates _____ [business or organization] for its donation to [identify facility].
- The Town of Los Gatos recognizes and appreciates _____ for [his/her/its] donation to [identify facility] in the name of _____.
- Or language acceptable to the Town Council.

The size of the plaque shall not exceed 8"x10," unless the number of donors exceeds the allowable space. For multiple donors, the names of the donors should be proportioned thereto, and the size of the plaque shall not exceed four (4) square feet. The location, materials, size and color of plaques shall be consistent with acceptance requirements of this policy or by Council on a case by case basis should special circumstances exist, which shall be specified in a resolution. Unless compelled by special circumstances and approved by the Town Council via resolution, Town facilities shall not be named after an individual, group, organization or business as a result of any donated good, service, or other contribution to the Town.

APPROVED AS TO FORM:



 Robert Schultz, Town Attorney

**TOWN OF LOS GATOS DONATION OPPORTUNITIES
FY 2023/24 LIST OF TOWN NEEDS**

To ensure that all donations and contributions are sought and accepted in an ethical manner, the Council established a Donation and Solicitation Policy. A list of Town needs was developed to identify goods, services, and other contributions to enhance Town services, programs, and events. The recommended needs for FY 2023/24

PUBLIC SAFETY

- Volunteer Program Materials and Equipment
- Specialized Public Safety Equipment and Supplies, including Support for Canine Program
- Training Support for Public Safety Staff and Volunteers
- Equipment, Supplies and Materials to support Police Operations
- Community Outreach Program Supplies

LIBRARY SERVICES

- Children, Youth, and Adult Program Collections, Supplies and Services
- Media items and other items for public circulation
- Funding to Support Technological Enhancements, including Digital Services
- Equipment and Services to Support Historical Preservation Efforts
- Resource support for Collection Development and Reference, Local History, and Library Policy

SENIOR SERVICES

- Home emergency kits geared towards the needs of seniors
- Senior Service Committee seeks targeted solicitations for community engagement per the Town Solicitation and Donation Policy.

COMMUNITY EVENTS

- Supplies, Materials, and Services for Special Community and Volunteer Events and Activities
- Funding for the realization of Public Art projects or Donations of Public Art subject to Public Art Selection Policy

TOWN PARKS AND FACILITIES

- Beautification Materials and Services for Town Parks, Open Space, and Infrastructure; Land for Parks and Open Space
- Contributions that Support Recreation or Expansion of Athletic Fields
- Contributions that support multi-modal transportation.

SUSTAINABILITY

- Contributions to Help Minimize Impacts on Local, Regional, and Global Ecosystems through Conservation, Reduced Pollution, Increased Efficiency, and Protection of Wildlife, Vegetation, and other Ecosystems.

TECHNOLOGY

- Equipment, Software and Services to Enhance Communication with the Public and Organizational Productivity



Ongoing Strategic Priorities 2023-2025

SAFETY

- Community Policing
- Emergency Preparedness
 - CERT Recruitment & Training
 - Communications, EOC Readiness & Emergency Plan Development
- Fire Protection
 - Implementation of Ad Hoc Wildfire Mitigation Plan
- Vegetation and Hazardous Tree Management

PRUDENT FINANCIAL MANAGEMENT

- Address Pension & OPEB Obligations
- Sell or Lease Certain Town Properties
- Develop a Five-Year Structurally Balanced and Sustainable Operating Forecast
 - Explore New Revenue Opportunities
 - Cure Forecasted Structural Deficit
- Develop a Five-Year Full Funded Capital Plan

TRAFFIC/TRANSPORTATION

- Comprehensive Parking Study
 - Short, Medium, and Long-Term Actions
- Transportation Demand Management
 - Measure B Transportation Projects
 - Bicycle & Pedestrian Improvements
 - Community Shuttle
 - Summer/Rush Hour/School Traffic
 - Regional Transportation Issues
- Traffic Calming/Safety for All Users

QUALITY OF LIFE

- Community Vitality
 - Diversity, Equity & Inclusion Efforts
 - Community Where Older Adults Thrive
 - Adopt a Senior Road Map
 - Events & Other Town-Wide Efforts
 - Community Engagement
 - Environmental Sustainability/Climate Resiliency
- Economic Vitality & Pandemic Recovery
 - Policies & Ordinances
 - Semi-Permanent Parklets
 - Streamline Permit Process
- Land Use Planning
 - General Plan 2040
 - Housing Element
 - Affordable Housing Partnerships
 - SB9 Implementation
- Work with Town Partners to Support Needs of Unhoused Residents
- Redefine Town Commissions in Alignment with Strategic Priorities