



**TOWN OF LOS GATOS
COUNCIL MEETING AGENDA
MARCH 15, 2022
TELECONFERENCE
7:00 PM**

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

PARTICIPATION IN THE PUBLIC PROCESS

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. Disruption of the meeting may result in a violation of Penal Code 403.

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 2nd and 4th Mondays at 7:00 p.m.
Live & Archived Council Meetings can be viewed by going to:
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
MARCH 15, 2022
TELECONFERENCE
7:00 PM**

IMPORTANT NOTICE

This meeting is being conducted utilizing teleconferencing and electronic means consistent with Government Code Section 54953, as Amended by Assembly Bill 361, in response to the state of emergency relating to COVID-19 and enabling teleconferencing accommodations by suspending or waiving specified provisions in the Ralph M. Brown Act (Government Code § 54950 et seq.). Consistent with AB 361 and Town of Los Gatos Resolution 2021-044, this meeting will not be physically open to the public and the Council will be teleconferencing from remote locations. Members of the public can only participate in the meeting by joining the Zoom webinar (log in information provided below).

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://us06web.zoom.us/j/81381772838?pwd=YWQ4UUhSbINFQTEzT2RJTkpEUnlhdz09>. Passcode: 258155. You can also type in 813 8177 2838 in the “Join a Meeting” page on the Zoom website at <https://zoom.us/join>.
- **Join by telephone:** Join by Telephone: Dial: USA 877 336 1839 US Toll-free or 636-651-0008 US Toll. Conference code: 969184

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. If you are participating by calling in, press #2 on your telephone keypad to raise your hand.

When called to speak, you will 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 PublicComment@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.

REMOTE LOCATION PARTICIPANTS *The following Council Members are listed to permit them to appear electronically or telephonically at the Town Council meeting: MAYOR ROB RENNIE, VICE MAYOR MARIA RISTOW, COUNCIL MEMBER MARY BADAME, COUNCIL MEMBER MATTHEW HUDES, and COUNCIL MEMBER MARICO SAYOC. All votes during the teleconferencing session will be conducted by roll call vote.*

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 without first being recognized;
- interrupting speakers, Town Council, 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 403.

MEETING CALL TO ORDER

ROLL CALL

PRESENTATIONS

- i. Red Cross 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 Draft Closed Session Minutes of the March 1, 2022 Town Council Meeting.
- [2.](#) Approve Draft Minutes of the March 1, 2022 Town Council Meeting.
- [3.](#) Approve Draft Minutes of the Town Council Special Meeting - Council Retreat of March 5, 2022.
- [4.](#) Approve Draft Minutes of the Town Council Closed Session Meeting of March 7, 2022.
- [5.](#) Adopt a Resolution Reaffirming Resolution 2021-044 Regarding Brown Act Compliance and Teleconferencing and Making Findings Pursuant to Government Code Section 54953, as Amended by Assembly Bill 361, During the COVID -19 Pandemic.

6. Adopt the Council Policy Committee's Recommendation to Amend Council Policy 2-11 Commission Appointment Policy in Relation to the Adult Commissioner Interview Date and Option of Interview Method.
7. Accept the Annual Progress Report for General Plan and Housing Element Implementation.
8. Authorize the Town Manager to Execute a Second Contract Amendment to the Traffic Signal and Streetlight Maintenance and Underground Service Alert Locating Services Contract with St. Francis Electric, Inc. to Include:
 - a. An Increase to the Contract Amount for Fiscal Year 2021/22 in the Amount of \$67,000;
 - b. An Expenditure Budget Adjustment in the Amount of \$67,000 from Available Fiscal Year 2021/22 Parks and Public Works Department – Engineering Development Services Program Revenues; and
 - c. An Increase to the Remaining Ongoing Annual Contract Amount by a Total of \$50,000 per Year from Fiscal Year 2022/23 to Fiscal Year 2024/25, Subject to the Appropriation of Funds, for a Total Revised Five-Year Contract Amount Not to Exceed \$900,567.
9. Corporation Yard Building Replacement Project (CIP No. 821-2302):
 - a. Reject all Bids for the Corporation Yard Building Replacement CIP Project No. 821-2302 and Authorize the Town Manager to Rebid the Project; and
 - b. Authorize the Town Manager to Execute a Fourth Amendment to Agreement with Cuschieri Horton Architects in an Amount of \$9,390 for a Total Agreement Amount Not to Exceed \$227,840 for Plan Revisions; and
 - c. Authorize an Expenditure Budget Adjustment in the Amount of \$600,000 to the Project from Available General Fund Appropriated Reserve and General Fund Capital/Special Projects Reserve.
10. Authorize the Town Manager to Execute an Agreement for Services with Ashron Construction and Restoration, Inc. for Structural Repairs and Waterproofing of the Lot 4 Parking Structure Project (CIP No. 817-0708) in an Amount not to Exceed \$179,800 Plus an Additional \$20,000 for Unanticipated Repairs for a Total Agreement Amount not to Exceed \$199,800.
11. Adopt a Resolution for the California Public Employees' Retirement System to Appoint a Retiree as an Interim Parks and Public Works Director.

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.)*

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

12. Fee and Fine Schedules for Fiscal Year 2022/23

- a. Adopt a Resolution Approving the Comprehensive Fee Schedule for Fiscal Year 2022/23 to Continue Certain Department Fees, Rates, and Charges, and Amending Certain Fees, Rates, and Charges for Fiscal Year 2022/23;
- b. Adopt a Resolution Approving the Comprehensive Fine Schedule for Fiscal Year 2022/23 to Continue Certain Department Fines.

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

13. Adopt the Council Policy Committee's Recommendation to Retain the Current Style of Study Session Action Minutes.

14. Approve a Wayfinding Design Concept and Discuss Progress on the Downtown Parking Roadmap.

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.

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



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 03/15/2022

ITEM NO: 1

**DRAFT
Minutes of the Town Council Special Meeting - Closed Session
Tuesday, March 1, 2022**

The Town Council of the Town of Los Gatos conducted a special meeting utilizing teleconferencing and electronic means consistent with Government Code Section 54953, as amended by Assembly Bill 361 in response to the state of emergency relating to COVID-19 and enabling teleconferencing accommodations by suspending or waiving specified provisions in the Ralph M. Brown Act (Government Code § 65950 et seq.) and Town of Los Gatos Resolution 2021-044 on Tuesday, March 1, 2022, at 4:15 p.m. to hold a Closed Session.

MEETING CALLED TO ORDER AT 4:15 P.M.

ROLL CALL

Present: Mayor Marico Sayoc, Vice Mayor Rob Rennie, Council Member Mary Badame, Council Member Matthew Hudes Council Member Maria Ristow. (All participating remotely).

Absent: None

VERBAL COMMUNICATIONS

Ami Davis, NUMU Executive Director

- Reviewed NUMU's proposal to modify the lease.

Jan Schwartz, Board President

- Reviewed NUMU's proposal to modify the lease.

THE TOWN MOVED TO CLOSED SESSION ON THE FOLLOWING ITEMS:

1. Conference with Real Property Negotiator (Government Code Section 54956.8)
Property: 106 E Main Street (NUMU)
Negotiating Parties: Town of Los Gatos, NUMU
Negotiator: Arn Andrews, Assistant Town Manager and NUMU Representative
Negotiations: Price and terms of sale or lease
2. Public Employee Recruitment for Future Appointment
[Government Code Section 54957(b)(1)]
Title: Town Attorney

PAGE 2 OF 2

SUBJECT: Draft Minutes of the Town Council Special Meeting of March 1, 2022

DATE: March 7, 2022

ADJOURNMENT

Closed Session adjourned at 6:13 p.m.

Attest:

Submitted by:

Jenna De Long, Deputy Clerk

Laurel Prevetti, Town Manager



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 03/15/2022

ITEM NO: 2

**DRAFT
Minutes of the Town Council Meeting
March 1, 2022**

The Town Council of the Town of Los Gatos conducted a regular meeting utilizing teleconference and electronic means consistent with Government Code Section 54953, as Amended by Assembly Bill 361, in response to the state of emergency relating to COVID-19 and enabling teleconferencing accommodations by suspending or waiving specified provisions in the Ralph M. Brown Act (Government Code § 54950 et seq.) and Town of Los Gatos Resolution 2021-044 on Tuesday, March 1, 2022 at 7:00 p.m.

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

ROLL CALL

Present: Mayor Rob Rennie, Vice Mayor Maria Ristow, Council Member Mary Badame, Council Member Matthew Hudes, Council Member Marico Sayoc (all participating remotely).

Absent: None

PRESENTATIONS

Mayor Rennie presented commendations to the 2021 STEM award winners.

COUNCIL/TOWN MANAGER REPORTS

Council Matters

- Council Member Hudes stated he attended the Senior Service Workplan Sub-Committee and Senior Service Committee meetings, State of the Valley Conference, SV@Home Council Roundtable, Town's Objective Standards community meeting as an observer, Swearing-In of Police Chief Jamie Field, Santa Clara County Emergency Operations Council meeting, and Ribbon Cutting for Tasting House; and met with residents regarding parking for wheelchair users.
- Vice Mayor Ristow stated she attended the Housing Element Advisory Board (HEAB) meeting, SV@Home Council Roundtable, two Democracy Tent meetings, and Swearing-In of Police Chief Jamie Field; and met with residents and Supervisor Joe Simitian.
- Council Member Badame stated she met with Finance Commissioner Kyle Park, resident Joanne Rodgers with other residents and Town Manager Prevetti, and Los Gatos Community Alliance; observed a Democracy Tent meeting; attended Council Policy Committee meeting, Swearing-In of Police Chief Jamie Field, Senior Service Committee meeting as an observer, and Tasting House Ribbon Cutting.
- Council Member Sayoc stated in addition the meetings already stated, she is continuing work with Cities Association and Cal Cities Peninsula Division.

Council Matters – continued

- Mayor Rennie recognized Dick Sparrer for his contribution to the community as a former editor of the Weekly who passed away; stated he supported to the people of Ukraine; attended the Bay Area Air Quality Management District (BAAQMD) Board and Stationary Source Committee meetings; judged the Lion’s Club Speaker Contest; attended the Campo Di Bocce anniversary event, Tasting House Ribbon Cutting, Valley Transportation Authority (VTA) Board Study Session meeting, Cities Association Closed Session meeting, West Valley Mayors and Managers meeting, Swearing-In of Police Chief Jamie Field, and Senior Service Committee meeting; and met with the principals of Earth Foundries.

Manager Matters

- Announced Adult Commissioner recruitment is underway; the application period closes on March 25 at 4:00 p.m. Interviews are scheduled for April 5.
- Announced two community surveys, one for seniors 60 and older and a community wide survey to help inform future decisions for the Town.

CLOSED SESSION REPORT

Robert Schultz, Town Attorney, stated Council met in closed session as duly noted on the agenda and that there is no reportable action.

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

1. Approve Draft Minutes of the February 14, 2022 Closed Session Town Council Meeting.
2. Approve Draft Minutes of the February 15, 2022 Closed Session Town Council Meeting.
3. Approve Draft Minutes of the February 15, 2022 Town Council Meeting.
4. Adopt a Resolution Reaffirming Resolution 2021-044 Regarding Brown Act Compliance and Teleconferencing and Making Findings Pursuant to Government Code Section 54953, as Amended by Assembly Bill 361, During the COVID -19 Pandemic. **RESOLUTION 2022-006**
5. Adopt a Resolution Making Determinations and Approving the Reorganization of an Uninhabited Area Designated as Roseleaf Lane No. 1, Approximately 1.3534 Acres on Property Pre-Zoned R-1:8. APN 523-18-021. Annexation Application AN21-004. Project Location: 16253 Roseleaf Lane. Property Owner/Applicant: Jindan Li. **RESOLUTION 2022-007**
6. Authorize the Town Manager to Execute a First Amendment to the Agreement with M-Group for Consultant Services as Provided in the Senate Bill 2 Los Gatos Planning Grant Program Application by Extending the Term of the Agreement and Increasing Compensation to a Total Not to Exceed \$107,679 Including Contingencies.
7. Authorize the Town Manager to Execute a Certificate of Acceptance and Notice of Completion for the Fiscal Year 2020/21 Curb, Gutter, and Sidewalk Maintenance Project (CIP No. 813-9921), Completed by Villalobos and Associates, and Authorize the Town Clerk to File for Recordation.

Consent Items – continued

8. Oak Meadow Bandstand Area Improvements (CIP No. 831-4007) Staff Recommends the Following Actions:
 - a. Accept Per Capita Program Grant Funds in Amounts of \$177,952 and \$18,778 from the California Department of Parks and Recreation; and
 - b. Authorize the Town Manager to Execute Grant Agreements for the Per Capita Program; and
 - c. Authorize Revenue and Expenditure Budget Decrease for the Project in an Amount of \$159,174 to Recognize Only the Los Gatos Per Capital Share of the Grant in the Fiscal Year 2021/22 Capital Improvement Program Budget for the Grant Funds.
9. Authorize the Town Manager to Execute a Certificate of Acceptance and Notice of Completion for the Public Right-of-Way Improvements for 15630 and 15632 Los Gatos-Almaden Road, Completed by DBI Construction, Inc., and Authorize the Town Clerk to Submit for Recordation

Opened public comment.

No one spoke.

Closed public comment.

MOTION: Motion by Vice Mayor Ristow to approve consent items 1-9. Seconded by Council Member Badame.

VOTE: Motion passed unanimously.

VERBAL COMMUNICATIONS

Kylie Clark, West Valley Community Services

- Invited the Council and members of the public to an event titled “Envisioning an Inclusive Los Gatos” on March 6.

Cyndi Walker

- Commented on speeding and traffic safety concerns on Los Gatos-Almaden Road.

Kevin Youkilis, Loma Brewing Company

- Requested direction to identify the public and private sections of Grays Lane.

Joanne Rodgers, Community Against Substance Abuse (CASA)

- Commented on the cannabis consultant contract and in opposition of allowing cannabis dispensaries in Los Gatos.

Verbal Communications – continued

Joe Rodgers

- Inquired where commercial cannabis operations may be allowed to open and the financial impacts.

Travis Rodgers

- Commented in opposition of allowing cannabis dispensaries in Los Gatos.

Luke Leroy

- Commented in opposition of allowing cannabis dispensaries.

Catherine Somers, Chamber of Commerce Executive Director

- Announced the 2022 Chamber Annual Luncheon winners.

Stacey Hein

- Commented in opposition of allowing cannabis dispensaries in Los Gatos.

OTHER BUSINESS

10. Receive Report on Town Sustainability Efforts.

Marina Chislett, Environmental Programs Specialist, presented the staff report.

Opened public comment.

No one spoke.

Closed public comment.

Council discussed the item and received the report.

11. Shannon Road Pedestrian and Bikeway Improvements (CIP No. 813-0218):

- a. Receive an Update on the Shannon Road Pedestrian and Bikeway Improvements Project;
- b. Accept a Transportation Fund for Clean Air Grant in the Amount of \$174,250 from the Santa Clara Valley Transportation Authority;
- c. Authorize the Town Manager to Execute a Grant Agreement with the Santa Clara Valley Transportation Authority for the Transportation Fund for Clean Air Funds;
- d. Authorize a Revenue and Expenditure Increase for the Project in the Amount of \$174,250 in the Fiscal Year 2021/22 Capital Improvement Program Budget for the Grant Funds; and

Other Business Item #10 - continued

- e. Authorize the Town Manager to Execute the First Amendment to the Consulting Services Agreement with ActiveWayz Engineering for Additional Design Services, in an Amount of \$44,840, for a Total Agreement Amount Not to Exceed \$171,471.

WooJae Kim, Town Engineer, presented the staff report.

Opened public comment.

Cheri Binkley

- Commented in opposition to the bike lane buffers between parked cars as stated in the report and requested Council consider planters instead.

Jeff Thompson

- Commented in support of the bike lane buffers between bikes and car traffic.

Kylie Clark

- Commented in support of the Shannon Road improvements as-is.

Andy Horwitz

- Commented in opposition of the proposed streetscape changes.

Rob Moore

- Commented in support of the three-foot bike lane buffers.

Bill Elhers, Complete Streets and Transportation Commissioner

- Commented in support of the proposed bike lane buffers.

Mark Wyss

- Commented in support of greenery between parking spaces and in opposition of the three-foot buffer.

Maria Gerst

- Commented in support of the project and would like more green space.

Ned Finkle

- Commented in support of traffic calming measures, green space, and smaller buffers.

Peter Binkley

- Commented in support of green space and in opposition of the three-foot buffer between parked cars and bike lane.

Other Business Item #11 – continued

Closed public comment.

Council discussed the item.

MOTION: Motion by Vice Mayor Ristow to:

- Accept a Transportation Fund for Clean Air Grant in the Amount of \$174,250 from the Santa Clara Valley Transportation Authority;
- Authorize the Town Manager to Execute a Grant Agreement with the Santa Clara Valley Transportation Authority for the Transportation Fund for Clean Air Funds;
- Authorize a Revenue and Expenditure Increase for the Project in the Amount of \$174,250 in the Fiscal Year 2021/22 Capital Improvement Program Budget for the Grant Funds;
- Authorize the Town Manager to Execute the First Amendment to the Consulting Services Agreement with ActiveWayz Engineering for Additional Design Services, in an Amount of \$44,840, for a Total Agreement Amount Not to Exceed \$171,471;
- Authorize staff to continue to work with the community on potential minor revisions as feasible.

Seconded by Council Member Sayoc.

VOTE: Motion passed unanimously.

Recess 9:23 p.m.

Reconvene 9:31 p.m.

12. Los Gatos Creek Trail to Highway 9 Trailhead Connector Funding Plan (Project 832-4505):
- a. Receive a One Bay Area Grant (OBAG) Grant and Commit Town Funds in an Amount up to \$1,000,000 to Leverage Grants in Completing the Funding Plan for the Construction Phase of the Los Gatos Creek Trailhead Connector Project;
 - b. Authorize The Town Manager to Submit a Grant Application to the Santa Clara Valley Transportation Authority in The Transportation Fund for Clean Air (TFCA) Program; and
 - c. Adopt A Resolution Authorizing an Application in the Valley Water's Safe Clean Water and Natural Flood Protection Program. **RESOLUTION 2022-008**

Matt Morley, Parks and Public Works Director, and Ying Smith, Transportation and Mobility Manager, presented the staff report.

Opened public comment.

No one spoke.

Other Business Item #12 – continued

Closed public comment.

Council discussed the item.

MOTION: Motion by Council Member Sayoc to:

- Receive a One Bay Area Grant (OBAG) Grant and Commit Town Funds in an Amount up to \$1,000,000 to Leverage Grants in Completing the Funding Plan for the Construction Phase of the Los Gatos Creek Trailhead Connector Project;
- Authorize The Town Manager to Submit a Grant Application to the Santa Clara Valley Transportation Authority in The Transportation Fund for Clean Air (TFCA) Program; and
- Adopt A Resolution Authorizing an Application in the Valley Water's Safe Clean Water and Natural Flood Protection Program.

Seconded by Vice Mayor Ristow.

VOTE: Motion passed unanimously.

13. Review the Fiscal Year 2021/22 – 2025/26 Capital Improvement Program and Provide Input for Fiscal Year 2022/23 – 2026/27 Budget Planning.

Matt Morley, Parks and Public Works Director, presented the staff report.

Opened public comment.

No one spoke.

Closed public comment.

Council discussed the item and provided input to staff.

ADJOURNMENT

The meeting adjourned at 10:37 p.m.

Respectfully submitted:

Jenna De Long, Deputy Clerk



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 03/15/2022

ITEM NO: 3

**DRAFT
Minutes of the Town Council Special Meeting – Council Retreat
March 5, 2022**

The Town Council of the Town of Los Gatos conducted a special meeting in-person and provided the public an opportunity to participate either in public or via Teleconference on Saturday, March 5, 2022, to hold a Council Retreat at 10:00 a.m.

MEETING CALLED TO ORDER AT 10:02 A.M.

ROLL CALL

Present: Mayor Rob Rennie, Vice Mayor Maria Ristow, Council Member Mary Badame, Council Member Matthew Hudes, Council Member Marico Sayoc.

Absent: None

PLEDGE OF ALLEGIANCE

RETREAT OVERVIEW

- i. Council Retreat

VERBAL COMMUNICATIONS FOR ITEMS ON THE AGENDA

No one spoke.

WARM UP EXERCISE

TOWN COUNCIL STRENGTHS

DECISION MAKING STYLES OF EACH COUNCIL MEMBER

TOWN COUNCIL VISIONS

VALUES, NORMS, AND PRINCIPLES

WRAP UP AND NEXT STEPS

MEETING ADJOURNED

Meeting adjourned at 2:00 p.m.

Attest:

Shelley Neis, Town Clerk



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 03/15/2022

ITEM NO: 4

**DRAFT
Minutes of the Town Council Special Meeting - Closed Session
March 7, 2022**

The Town Council of the Town of Los Gatos conducted a special meeting in-person and provided the public an opportunity to participate either in public or via Teleconference on Monday, March 7, 2022, to hold a Closed Session at 3:00 p.m.

MEETING CALLED TO ORDER AT 3:00 P.M.

ROLL CALL

Present: Mayor Rob Rennie, Vice Mayor Maria Ristow, Council Member Mary Badame, Council Member Matthew Hudes, Council Member Marico Sayoc.

Absent: None

VERBAL COMMUNICATIONS

No one spoke.

THE TOWN MOVED TO CLOSED SESSION ON THE FOLLOWING ITEM:

1. Public Employee Recruitment for Future Appointment
[Government Code Section 54957(b)(1)]
Title: Town Attorney

ADJOURNMENT

Closed Session adjourned at 8:40 p.m.

Attest:

Submitted by:

Shelley Neis, Town Clerk

Laurel Prevetti, Town Manager



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 03/15/2022

ITEM NO: 5

DATE: February 25, 2022
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Adopt a Resolution Reaffirming Resolution 2021-044 Regarding Brown Act Compliance and Teleconferencing and Making Findings Pursuant to Government Code Section 54953, as Amended by Assembly Bill 361, During the COVID -19 Pandemic

RECOMMENDATION:

Adopt a Resolution reaffirming Resolution 2021-044 and making findings pursuant to Government Code Section 54953, as amended by Assembly Bill 361, and authorizing the continued use of virtual meetings due to health and safety concerns for the public.

BACKGROUND:

On March 17, 2020, Governor Newsom issued Executive Order N-29-20, which allowed for relaxed provisions of the Ralph M. Brown Act (Brown Act) that allowed legislative bodies to conduct meetings through teleconferencing without having to meet the strict compliance of the Brown Act. All provisions of Executive Order N-29-20 concerning the conduct of public meetings expired on September 30, 2021.

DISCUSSION:

AB 361 was signed into law by the Governor on September 16, 2021, and went into effect immediately upon signing. It amends the Brown Act to allow local legislative bodies to continue using teleconferencing and virtual meeting technology after the September 30, 2021, expiration of the current Brown Act exemptions as long as there is a "proclaimed state of emergency" by the Governor. This allowance also depends on State or local officials imposing or recommending measures that promote social distancing or a legislative body finding that meeting in person would present an imminent safety risk to attendees.

PREPARED BY: Shelley Neis
Town Clerk

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

DISCUSSION (Cont):

AB 361 requires Public agencies to make findings by majority vote within 30 days of the first teleconferenced meeting under AB 361 and every 30 days thereafter that a state of emergency still exists and continues to directly impact the ability of the members to meet safely in person, or that officials continue to impose or recommend measures to promote social distancing.

Town Council adopted Resolution 2021-044 on October 5, 2021 regarding Brown Act compliance and teleconferencing pursuant to Government Code Section 54953, as amended by AB 361, and adopted resolutions on the following dates reaffirming Resolution 2021-044:

- November 2, 2021 adopted Resolution 2021-046
- November 16, 2021 adopted Resolution 2021-048
- December 7, 2021 adopted Resolution 2021-054
- December 21, 2021 adopted Resolution 2021-059
- January 18, 2022 adopted Resolution 2022-001
- February 1, 2022 adopted Resolution 2022-003
- February 15, 2022 adopted Resolution 2022-004
- March 1, 2022 adopted Resolution 2022-006

CONCLUSION:

Adopt a Resolution reaffirming Resolution 2021-044 making findings pursuant to Government Code Section 54953, as amended by Assembly Bill 361, and authorizing the continued use of virtual meetings. If adopted, virtual meetings may continue for all Town Boards, Commissions, and Committees.

COORDINATION:

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

FISCAL IMPACT:

There will be no fiscal impact to the Town at this time.

ENVIRONMENTAL ASSESSMENT:

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

Attachment:

1. Draft Resolution

RESOLUTION 2022-

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS REAFFIRMING RESOLUTION 2021-044 REGARDING BROWN ACT COMPLIANCE AND TELECONFERENCING PURSUANT TO GOVERNMENT CODE SECTION 54953, AS AMENDED BY ASSEMBLY BILL 361, DURING THE COVID-19 PANDEMIC

WHEREAS, on March 4, 2020, the Governor of the State of California declared a state of emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the state prepare for broader spread of COVID-19; and

WHEREAS, on March 12, 2020, the Town Manager of Los Gatos acting in the capacity of Town of Director of Emergency Services, issued a Proclamation of Local Emergency; and

WHEREAS, on March 17, 2020, Governor Newsom issued Executive Order N-29-20, which suspended and modified the teleconferencing requirements under the Brown Act (California Government Code Section 54950 et seq.) so that local legislative bodies can hold public meetings via teleconference (with audio or video communications, without a physical meeting location), as long as the meeting agenda identifies the teleconferencing procedures to be used; and

WHEREAS, on March 17, 2020, the Town Council of the Town of Los Gatos ratified the Proclamation of Local Emergency as set forth in Resolution 2020-008 and remains in full force and effect to date; and

WHEREAS, on June 4, 2021, the Governor clarified that the “reopening” of California on June 15, 2021 did not include any change to the proclaimed state of emergency or the powers exercised thereunder; and

WHEREAS, on June 11, 2021, the Governor issued Executive Order N-08-21, which extended the provision of N-29-20 concerning the conduct of public meetings through September 30, 2021, and the Governor subsequently signed legislation revising Brown Act requirements for teleconferenced public meetings (Assembly Bill 361, referred to hereinafter as “AB 361”); and

WHEREAS, on September 16, 2021 Governor Newsom signed AB 361, which added subsection (e) to Government Code section 54953 of the Brown Act, and makes provision for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

ATTACHMENT 1

WHEREAS, the Town Council of the Town of Los Gatos approved Resolution No. 2021-044 on October 5, 2021 declaring the need for the Town Council, Committees, and Commissions to continue to meet remotely in order to ensure the health and safety of the public; and

WHEREAS, the Town Council has considered all information related to this matter, including the associated staff report and other information relating to COVID-19 provided at prior public meetings of the Town Council; and

WHEREAS, the Town Council now desires to adopt a Resolution finding that the requisite conditions continue to exist for the legislative bodies of the Town of Los Gatos, as defined in the Brown Act, to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953.

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

1. The Town Council hereby finds that the fact set forth in the above recitals and as contained in Resolution 2021-044 are true and correct, and establish the factual basis for the adoption of this Resolution;

2. There is an ongoing proclaimed state of emergency relating to the novel coronavirus causing the disease known as COVID-19 and as a result of that emergency, meeting in person would present imminent risks to the health or safety of attendees of in-person meetings of this legislative body and all Town advisory bodies within the meaning of California Government Code section 54953(e)(1).

3. Under the present circumstances, including the risks mentioned in the preceding paragraph, the Town Council determines that authorizing teleconferenced public meetings consistent with Assembly Bill 361 is necessary and appropriate.

4. Staff are directed to take all actions necessary to implement this Resolution for all Town meetings in accordance with the foregoing provisions and the requirements of Government Code section 54953, as amended by Assembly Bill 361, including but not limited to returning for ratification of this Resolution every 30 days after teleconferencing for the first time pursuant to Assembly Bill 361 for so long as either of the following circumstances exists: (a) the state of emergency continues to directly impact the ability of this legislative body to meet in person; and/or (b) state or local officials, including but not limited to the County Health Officer, continue to impose or recommend measures to promote social distancing.

PASSED AND ADOPTED at a regular meeting of the Town Council of the Town of Los Gatos, California, held on the 15th day of March 2022, 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
COUNCIL AGENDA REPORT**

MEETING DATE: 03/15/2022

ITEM NO: 6

DATE: March 7, 2022
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Adopt the Council Policy Committee's Recommendation to Amend Council Policy 2-11 Commission Appointment Policy in Relation to the Adult Commissioner Interview Date and Option of Interview Method

RECOMMENDATION:

Adopt the Council Policy Committee's recommendation to amend Council Policy 2-11 Commission Appointment Policy in relation to the Adult Commissioner interview date and option of interview method.

DISCUSSION:

At the February meeting, the Committee discussed the timing of the interview date for Adult Commissioners and allowing all applicants to be given the option to interview in person or via teleconference.

No public comment was received. After discussion, the Committee unanimously agreed to forward the following recommendations to the Town Council to modify Commission Appointment Policy 2-11:

- To clarify that recently elected Council Members will interview and select Commissioners on the same evening and in a separate meeting following the Special Council Meeting in December certifying the election, swearing in any recently elected Council Members, and appointing the next Mayor/Vice Mayor.
- All applicants will be given the option to interview either in person or via teleconference (currently Zoom).

PREPARED BY: Shelley Neis
Town Clerk

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

PAGE 2 OF 2

SUBJECT: Adopt the Council Policy Committee's Recommendation to Amend Council Policy 2-11 in Relation to the Adult Commissioner Interview Date and Option of Interview Method

DATE: March 7, 2022

COORDINATION:

The preparation of this report was coordinated with the Town Manager's Office and the Town Attorney.

FISCAL IMPACT:

None.

ENVIRONMENTAL ASSESSMENT:

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

Attachments:

1. Council Policy Committee February 22, 2022 Staff Report
2. Redlined Commission Appointment 2-11



TOWN OF LOS GATOS
COUNCIL POLICY COMMITTEE REPORT

MEETING DATE: 02/22/2022

ITEM NO: 3

DATE: February 14, 2022
TO: Council Policy Committee
FROM: Laurel Prevetti, Town Manager
SUBJECT: Discuss and Recommend to the Town Council Modifications to the Commission Appointment Policy 2-11 in Relation to the Adult Commissioner Appointments

RECOMMENDATION:

Discuss and recommend to the Town Council modifications to the Commission Appointment Policy 2-11 in relation to the adult Commissioner appointments.

BACKGROUND:

At the January Policy Committee meeting, the Committee requested the Commission Appointment Policy be brought for discussion regarding the annual interview and appointment date for Adult Commissioners.

Currently, the Policy states the annual adult Commissioner interview date shall be set for no later than the second Town Council meeting in December (page 3).

DISCUSSION:

The Committee has discussed Commissioner appointments on many occasions in the past several years. The last few years, the interviews and appointments have been held at the first meeting in November to reduce the number of applicants who are not able to attend because they are traveling for the holidays.

When interviews and appointments were held in December, staff noticed a number of applicants were traveling for the holidays and not available to interview, thereby reducing the number of applicants eligible to be considered for appointment. The Policy requires that all applicants must interview to be considered for appointment.

PREPARED BY: Shelley Neis
Town Clerk

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

SUBJECT: Commission Appointment Policy 2-11 in Relation to the Adult Commissioner
Appointments

DATE: February 14, 2022

DISCUSSION (continued):

Incumbents do have the ability to submit a letter, no later than the Friday before the interviews, stating why they are unable to attend and why they should be considered for reappointment.

When the Council Policy Committee met in January to discuss its workplan, a Committee member suggested modifying the Policy to ensure that the newly elected Council would make the appointments. Attachment 2 provides draft language (redline) to achieve this purpose.

Based on the information in this report, public comment, and discussion at the meeting, the Committee is welcome to provide specific direction on interview and selection timing, and any other related topics. If the Committee agrees on potential modifications, staff recommends that the Committee forward their recommendation to the full Council for consideration.

CONCLUSION:

Staff looks forward to the discussion with the Committee.

COORDINATION:

The preparation of this report was coordinated with the Town Manager's Office and the Town Attorney.

FISCAL IMPACT:

None.

ENVIRONMENTAL ASSESSMENT:

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

Attachments:

1. Current Commission Appointment Policy 2-11
2. Proposed Commission Appointment Policy with Redline

TITLE: Commission Appointments, Residency and Attendance Requirements, and Establishing a Quorum		POLICY NUMBER: 2-11
EFFECTIVE DATE: 2/28/1990		PAGES: 7
ENABLING ACTIONS:		REVISED DATES: 6/13/1994; 6/16/2014; 4/7/2015; 10/18/2016; 2/21/2017; 2/6/2018; 3/19/19; 9/3/2019; 6/1/2021; 12/7/21
APPROVED:		

PURPOSE

To establish a policy to encourage participation by the Town's residents on Town Boards, Commissions and Committees (hereinafter referred to as "Commissions"). The Town of Los Gatos is committed to inclusivity. We value all our community members, regardless of religion, immigration status, ethnicity, race, disability, gender, sexual orientation, or gender identity. The Town will encourage residents to participate on Commissions by advertising vacancies on Commissions for at least 30 days, preparing easily understood applications, maintaining clear descriptions of the role of each Board, Commission, and Committee and its respective members, providing current meeting schedules, and conducting public interviews of all Commission applicants, except as provided by this Policy.

SCOPE

This Policy applies to all applicants to Town Boards, Commissions and Committees.

POLICY

The Town Council encourages public participation in all decision-making and to be successful residents must be assured both that the participation is meaningful and that their input will be valued. The widest representation from the community can only be achieved if vacancies are well advertised so that anyone interested will have the opportunity to apply. Interviews of the applicants conducted in public by the Town Council demonstrates that it values these appointments and that all have an equal opportunity to be appointed. Applicants may apply to more than one Commission, and shall rank their choices in their preferred order, during each recruitment cycle.

TITLE: Commission Appointments, Residency and Attendance Requirements, and Establishing a Quorum	PAGE: 2 of 7	POLICY NUMBER: 2-11
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To ensure the greatest possible participation by the public, it is the Town's policy that no person shall be appointed to more than one Commission except in those cases where they are ex-officio members of other Boards, Commissions and Committees. This Policy does not apply to Commission members serving as representatives of their Commission who have been appointed by the Town Council.

RESIDENCY REQUIREMENTS

Residency within the incorporated municipal limits of the Town of Los Gatos, California is required for appointment and continued membership on all Town of Los Gatos Boards, Commissions, and Committees, with the exception of the Youth Commission.

Youth Commission:

The members shall be students who are entering grades 8 through 12 in the fall.

Membership for the students requires either residency in the incorporated limits of the Town of Los Gatos or residency in the unincorporated areas of the County of Santa Clara, which have a Los Gatos mailing address.

ATTENDANCE REQUIREMENTS

1. All members of all appointive Town Advisory Bodies should attend all regular and special meetings of said Advisory Bodies.
2. Any member not in attendance at a regular meeting of said Advisory Body for at least 70% of the meeting shall be considered absent.
3. Any member of an appointive Town Advisory Body who is absent from the number of regular meetings listed below appropriate to his or her Advisory Body shall, as a result, surrender his or her office on the Advisory Body and the office shall be considered vacant.
 - a. For an Advisory Body which holds six (6) or more regular meetings per a consecutive twelve (12) month period: three (3) regular meetings.
 - b. For an Advisory Body which holds five (5) or fewer regular meetings per a consecutive twelve (12) month period: two (2) regular meetings.
 - c. For an Advisory Body which holds sixteen (16) or more regular meetings per a consecutive twelve (12) month period: eight (8) regular meetings.
4. The vacant position shall be filled by appointment by a majority vote of the Town Council, for a term equal to the unexpired portion of the office vacated. Any member removed from office due to non-attendance may re-apply to serve on a Town Advisory Body but will not be treated as an incumbent in any subsequent application to the same Advisory Body.
5. If a Youth Commissioner liaison misses three meetings of a liaison Commission during a *consecutive twelve (12) month period, the Youth Commission shall appoint a different Youth Commissioner as liaison.

TITLE: Commission Appointments, Residency and Attendance Requirements, and Establishing a Quorum	PAGE: 3 of 7	POLICY NUMBER: 2-11
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*Consecutive twelve (12) month period is defined as any consecutive twelve-month period beginning with the first absence. A regular meeting shall not be cancelled and replaced with a special meeting in order to alleviate an absence by an advisory body member.

QUORUM REQUIREMENTS

The number of members needed to constitute a quorum on any Town Advisory Body shall be a majority of the total number of filled seats.

PROCEDURES

The following procedures will be followed by the applicant, the Town Clerk, and the Town Council for the appointment of applicants to Town Commissions:

Responsibility and Actions: Town Clerk

A. Annual Recruitments

Adult Commission members' terms begin on January 1st and end December 31st, Youth Commissioners' terms follow the academic year and begin on August 1st and end on June 30th. The Town Clerk shall perform the following duties in conducting an annual recruitment for Commission members:

1. Notify Town Council of vacancies on Commissions by indicating the names of the Commissions, the number of terms expiring or being vacated, names of individual(s) with expiring terms or vacating seats, advertising periods (at least 30 days) and the date of interview.
2. Advertise the vacancies, including the application deadline and the interview date, which shall be set for no later than the second Town Council meeting in December for Adult Commissioners, and by the fourth Wednesday in May, no earlier than 4:00 p.m., for Youth Commissioners.
3. Prepare and maintain easily understood applications for appointment to Commissions. Applications shall include the following policy information:
 - a. Prior to initial appointment to any Commission, non-incumbent applicants must be interviewed by the Town Council. The applications of those not appearing will be held for the next recruitment.
 - b. If an incumbent Commissioner is requesting reappointment to the same Commission, the incumbent may submit a request to be interviewed by telephone, with their application, instead of attending the interview or must submit a letter prior to the interviews, describing the reason why the applicant cannot be present telephonically or in person for the interview, and why the applicant should be reappointed to the Commission.
 - c. Submissions deadlines are mandatory; no exceptions are permitted.

TITLE: Commission Appointments, Residency and Attendance Requirements, and Establishing a Quorum	PAGE: 4 of 7	POLICY NUMBER: 2-11
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4. Applications:

- a. *For adult applicants* — Accept applications, verify eligibility, and distribute copies of the applications of eligible applicants to the Town Council prior to the interviews for appointment.
- b. *For student applicants* — Accept applications, verify eligibility, and distribute copies of the applications of eligible applicants to the Town Council Selection Committee, consisting of the Mayor, Vice Mayor, Police Chief, and Youth Commission Chair (if not reapplying), prior to the interviews for appointment.

5. Notify the applicant by letter or email as to the date and time of the interview.

6. Facilitate the Council voting process set forth below by informing Council as to how many votes are possible on each Commission, calling out applicants' names, and identifying the applicants receiving sufficient votes for appointment. This process does not apply to student applicants.

7. Applicants:

- a. *For adult applicants* — After the interviews and Council vote are completed, notify all applicants of the Council's action, and explain Town policy of keeping application active for one year with notification of subsequent openings on that Commission to the interested applicants.
- b. *For student applicants* — After the interviews are completed, notify all applicants of the Council Committee's action, and prepare a staff report for the Town Council to ratify the Committee's appointment at the first Town Council meeting in June.

Interview Process

To ensure the interview process is consistent, fair, and equitable, each applicant shall be asked the same standard questions, as provided below. Notwithstanding, no Council Member shall be prevented from asking appropriate questions of applicants.

1. If appointed, what ideas would you like to see the Commission explore?
2. Please expand beyond the written response on your application: your experience, interest, and/or expertise that you feel would be most useful to the Commission.
3. Please elaborate on any written response provided in the application to assist the Council learn more about you.
4. If you did not answer any of the questions on the application, please explain why.

Given that most interviews are only three to five minutes due to the size of the applicant pool, the standard questions are limited in number to allow an applicant sufficient time to respond. The Council may or may not ask all of the questions, in the same order, or by the same Council member. Interview questions will be reviewed annually by the Town Council in advance of the interview process for any potential modifications.

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Balloting Process

Unless determined otherwise, the Council shall conduct a ballot vote for the appointment of individuals to fill the vacancies for each Commission. Such ballot vote may be conducted at either a regular, adjourned, or special meeting of the Town Council. The ballot vote process shall be conducted as follows:

1. The Town Clerk shall provide a ballot to each Town Council member listing the names of all applicants and “None of the above” for each respective Commission. Prior to the vote, the Town Clerk shall publicly announce the position vacancy and all applicant names that are listed on the ballot.
2. Each Council member may vote for the same number of applicants as there are current vacancies on the respective Commission. In no case, can a Council Member cast more votes than there are vacancies; or vote for the same candidate more than once on each ballot (i.e. cumulative voting -- e.g. where there are three vacancies, a Council member may not give all three votes to the same candidate). A Council Member is not required to vote for any of the candidates or for the total number of vacancies available.
3. The Town Clerk shall collect all ballots and shall publicly announce the name of each Town Council member and how that Council member cast his or her vote. In the case of a tie vote, the Town Clerk will announce that there is a tie and that a run-off vote shall be conducted but will not announce the names of the applicants in the run-off. Once all voting is concluded and a decision made, the votes will be made public. The run-off ballot will also include a “None of the above” option.
4. Applicants receiving a majority number of votes shall be deemed appointed to the Commission. In the event of a tie, a run-off vote shall be conducted among the applicants receiving the highest number of votes from the previous round. This shall continue until a majority consensus on an applicant(s) is reached for the number of vacancies to be filled. In the event of an unbreakable tie, the Council may determine an alternative method for selecting the appointee(s) or direct the Town Clerk to re-advertise the vacancy.
5. If an applicant(s) is appointed to an Advisory Body which has vacancies for both full and partial, unexpired terms, the length of the appointee’s term will be determined by the Mayor.

B. Mid-Term Recruitments

During the year, Commissions may experience vacancies that drop the number of filled seats to a number of members that is not sufficient to conduct Commission business. The Commission may request the Council to conduct a mid-term recruitment to fill seats. To the extent possible, the Town Clerk will consolidate mid-term recruitments to minimize the number of recruitments occurring throughout the year. In the event of a vacancy on the Planning Commission, the Town will automatically conduct a mid-term recruitment. Mid-term recruitments will not be conducted for Youth Commissioners. The Town Clerk shall advertise mid-term vacancies on Commissions for at least 15 days.

TITLE: Commission Appointments, Residency and Attendance Requirements, and Establishing a Quorum	PAGE: 6 of 7	POLICY NUMBER: 2-11
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Responsibility and Action: Applicant

1. Read the Commission Appointments, Residency and Attendance Requirements, and Establishing a Quorum Policy, complete and submit to the Town Clerk the application for appointment to a Town Commission by the advertised deadline date and time.
2. *For adult applicants:* Attend the Council meeting to be interviewed for Commission appointment.
For student applicants: Attend the Council Selection Committee interview session.
3. If an incumbent Commission member is requesting reappointment to the same Commission, the incumbent may submit a request to be interviewed by telephone, with their application, instead of attending the interview or must submit a letter prior to the interviews, describing the reason why the applicant cannot be present telephonically or in person for the interview, and why the applicant should be reappointed to the Commission.
4. If appointed, prior to starting the Commission term, appointees are required to attend a Commissioner Orientation and take the "Oath of Office."
5. Attend Advisory Body meetings once term begins.
6. Read the Commissioners' Handbook. The Handbook is to be returned to the Town Clerk when the term is complete.

Responsibility and Action: Town Council

1. Review applications.
2. *For adult applicants* – Interview applicants individually by Commission at a public meeting with all applicants present.
For student applicants – Town Council Selection Committee interviews applicants.
3. Determine if the incumbents not in attendance and having submitted a letter pursuant to this Policy should be considered for reappointment.
4. If there are limited applications for any vacancy to a Commission, the Mayor, on behalf of the Council, may request that the Town Clerk re-advertise the vacancy, reschedule the interviews, and notify all applicants of the new interview date.

COMPLIANCE - GROUNDS FOR DISMISSAL

A member may be removed from the Advisory Body prior to the end of his or her term by a three-fifths (3/5) vote of the Town Council and may not be reappointed for the following reasons:

1. Failure to attend Advisory Body meetings.
2. Failure to file the following documents required by the Fair Political Practices Commission (Adult Commissioners):
 - a. Form 700 – Assuming Office, Annual, and Leaving Office when term is complete.
 - b. Planning Commissioners are also required to complete AB 1234 Ethics Training and file the original certificate with the Town Clerk every two years.
3. Failure to comply with all Town Policies, Guidelines, and Handbooks.

TITLE: Commission Appointments, Residency and Attendance Requirements, and Establishing a Quorum	PAGE: 7 of 7	POLICY NUMBER: 2-11
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CONFLICT OF INTEREST

Under the Fair Political Practice Act, an advisory board member has a disqualifying conflict of interest in a governmental decision if it is foreseeable that the decision will have a financial impact on his or her personal finances or other financial interests. In such cases, there is a risk of biased decision-making that could sacrifice the public's interest in favor of the official's private financial interests. To avoid actual bias or the appearance of possible improprieties, the public official is prohibited from participating in the decision.

The Fair Political Practice Act does not prohibit an advisory board member from participating in a decision simply by virtue of holding a position as a board member, director, officer, or employment with a nonprofit corporation. However, the Town strongly encourages that in the event that a decision concerns a nonprofit corporation for which an advisory board member is a board member, director, officer, or employed with that nonprofit corporation, the person should recuse him or herself and at a minimum shall disclose the potential conflict of interest before any discussion and decision.

APPROVED AS TO FORM:

Robert Schultz, Town Attorney

TITLE: Commission Appointments, Residency and Attendance Requirements, and Establishing a Quorum

POLICY NUMBER: 2-11

EFFECTIVE DATE: 2/28/1990

PAGES: 7

ENABLING ACTIONS:

REVISED DATES: 6/13/1994; 6/16/2014; 4/7/2015; 10/18/2016; 2/21/2017; 2/6/2018; 3/19/19; 9/3/2019; 6/1/2021; 12/7/21

APPROVED:

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To establish a policy to encourage participation by the Town's residents on Town Boards, Commissions and Committees (hereinafter referred to as "Commissions"). The Town of Los Gatos is committed to inclusivity. We value all our community members, regardless of religion, immigration status, ethnicity, race, disability, gender, sexual orientation, or gender identity. The Town will encourage residents to participate on Commissions by advertising vacancies on Commissions for at least 30 days, preparing easily understood applications, maintaining clear descriptions of the role of each Board, Commission, and Committee and its respective members, providing current meeting schedules, and conducting public interviews of all Commission applicants, except as provided by this Policy.

SCOPE

This Policy applies to all applicants to Town Boards, Commissions and Committees.

POLICY

The Town Council encourages public participation in all decision-making and to be successful residents must be assured both that the participation is meaningful and that their input will be valued. The widest representation from the community can only be achieved if vacancies are well advertised so that anyone interested will have the opportunity to apply. Interviews of the applicants conducted in public by the Town Council demonstrates that it values these appointments and that all have an equal opportunity to be appointed. Applicants may apply to more than one Commission, and shall rank their choices in their preferred order, during each recruitment cycle.

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To ensure the greatest possible participation by the public, it is the Town's policy that no person shall be appointed to more than one Commission except in those cases where they are ex-officio members of other Boards, Commissions and Committees. This Policy does not apply to Commission members serving as representatives of their Commission who have been appointed by the Town Council.

RESIDENCY REQUIREMENTS

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Youth Commission:

The members shall be students who are entering grades 8 through 12 in the fall. Membership for the students requires either residency in the incorporated limits of the Town of Los Gatos or residency in the unincorporated areas of the County of Santa Clara, which have a Los Gatos mailing address.

ATTENDANCE REQUIREMENTS

1. All members of all appointive Town Advisory Bodies should attend all regular and special meetings of said Advisory Bodies.
2. Any member not in attendance at a regular meeting of said Advisory Body for at least 70% of the meeting shall be considered absent.
3. Any member of an appointive Town Advisory Body who is absent from the number of regular meetings listed below appropriate to his or her Advisory Body shall, as a result, surrender his or her office on the Advisory Body and the office shall be considered vacant.
 - a. For an Advisory Body which holds six (6) or more regular meetings per a consecutive twelve (12) month period: three (3) regular meetings.
 - b. For an Advisory Body which holds five (5) or fewer regular meetings per a consecutive twelve (12) month period: two (2) regular meetings.
 - c. For an Advisory Body which holds sixteen (16) or more regular meetings per a consecutive twelve (12) month period: eight (8) regular meetings.
4. The vacant position shall be filled by appointment by a majority vote of the Town Council, for a term equal to the unexpired portion of the office vacated. Any member removed from office due to non-attendance may re-apply to serve on a Town Advisory Body but will not be treated as an incumbent in any subsequent application to the same Advisory Body.
5. If a Youth Commissioner liaison misses three meetings of a liaison Commission during a *consecutive twelve (12) month period, the Youth Commission shall appoint a different Youth Commissioner as liaison.

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*Consecutive twelve (12) month period is defined as any consecutive twelve-month period beginning with the first absence. A regular meeting shall not be cancelled and replaced with a special meeting in order to alleviate an absence by an advisory body member.

QUORUM REQUIREMENTS

The number of members needed to constitute a quorum on any Town Advisory Body shall be a majority of the total number of filled seats.

PROCEDURES

The following procedures will be followed by the applicant, the Town Clerk, and the Town Council for the appointment of applicants to Town Commissions:

Responsibility and Actions: Town Clerk

A. Annual Recruitments

Adult Commission members' terms begin on January 1st and end December 31st, Youth Commissioners' terms follow the academic year and begin on August 1st and end on June 30th. The Town Clerk shall perform the following duties in conducting an annual recruitment for Commission members:

1. Notify Town Council of vacancies on Commissions by indicating the names of the Commissions, the number of terms expiring or being vacated, names of individual(s) with expiring terms or vacating seats, advertising periods (at least 30 days) and the date of interview.
2. Advertise the vacancies, including the application deadline and the interview date, which shall be set for ~~no later than the second~~ **after the election certification and the new Council Members have been seated in election years, and after the Mayor and Vice Mayor selection** ~~Town Council meeting in December~~ for Adult Commissioners, and by the fourth Wednesday in May, no earlier than 4:00 p.m., for Youth Commissioners.
3. Prepare and maintain easily understood applications for appointment to Commissions. Applications shall include the following policy information:
 - a. Prior to initial appointment to any Commission, non-incumbent applicants must be interviewed by the Town Council. The applications of those not appearing will be held for the next recruitment.
 - b. If an incumbent Commissioner is requesting reappointment to the same Commission, the incumbent may submit a request to be interviewed by telephone, with their application, instead of attending the interview or must submit a letter prior to the interviews, describing the reason why the applicant cannot be present telephonically or in person for the interview, and why the applicant should be reappointed to the Commission.
 - c. Submissions deadlines are mandatory; no exceptions are permitted.

TITLE: Commission Appointments, Residency and Attendance Requirements, and Establishing a Quorum	PAGE: 4 of 7	POLICY NUMBER: 2-11
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4. Applications:

- a. *For adult applicants* — Accept applications, verify eligibility, and distribute copies of the applications of eligible applicants to the Town Council prior to the interviews for appointment.
- b. *For student applicants* — Accept applications, verify eligibility, and distribute copies of the applications of eligible applicants to the Town Council Selection Committee, consisting of the Mayor, Vice Mayor, Police Chief, and Youth Commission Chair (if not reapplying), prior to the interviews for appointment.

5. Notify the applicant by letter or email as to the date and time of the interview.

6. Facilitate the Council voting process set forth below by informing Council as to how many votes are possible on each Commission, calling out applicants' names, and identifying the applicants receiving sufficient votes for appointment. This process does not apply to student applicants.

7. Applicants:

- a. *For adult applicants* — After the interviews and Council vote are completed, notify all applicants of the Council's action, and explain Town policy of keeping application active for one year with notification of subsequent openings on that Commission to the interested applicants.
- b. *For student applicants* — After the interviews are completed, notify all applicants of the Council Committee's action, and prepare a staff report for the Town Council to ratify the Committee's appointment at the first Town Council meeting in June.

Interview Process

To ensure the interview process is consistent, fair, and equitable, each applicant shall be asked the same standard questions, as provided below. Notwithstanding, no Council Member shall be prevented from asking appropriate questions of applicants.

1. If appointed, what ideas would you like to see the Commission explore?
2. Please expand beyond the written response on your application: your experience, interest, and/or expertise that you feel would be most useful to the Commission.
3. Please elaborate on any written response provided in the application to assist the Council learn more about you.
4. If you did not answer any of the questions on the application, please explain why.

Given that most interviews are only three to five minutes due to the size of the applicant pool, the standard questions are limited in number to allow an applicant sufficient time to respond. The Council may or may not ask all of the questions, in the same order, or by the same Council member. Interview questions will be reviewed annually by the Town Council in advance of the interview process for any potential modifications.

TITLE: Commission Appointments, Residency and Attendance Requirements, and Establishing a Quorum	PAGE: 5 of 7	POLICY NUMBER: 2-11
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Balloting Process

Unless determined otherwise, the Council shall conduct a ballot vote for the appointment of individuals to fill the vacancies for each Commission. Such ballot vote may be conducted at either a regular, adjourned, or special meeting of the Town Council. The ballot vote process shall be conducted as follows:

1. The Town Clerk shall provide a ballot to each Town Council member listing the names of all applicants and "None of the above" for each respective Commission. Prior to the vote, the Town Clerk shall publicly announce the position vacancy and all applicant names that are listed on the ballot.
2. Each Council member may vote for the same number of applicants as there are current vacancies on the respective Commission. In no case, can a Council Member cast more votes than there are vacancies; or vote for the same candidate more than once on each ballot (i.e. cumulative voting -- e.g. where there are three vacancies, a Council member may not give all three votes to the same candidate). A Council Member is not required to vote for any of the candidates or for the total number of vacancies available.
3. The Town Clerk shall collect all ballots and shall publicly announce the name of each Town Council member and how that Council member cast his or her vote. In the case of a tie vote, the Town Clerk will announce that there is a tie and that a run-off vote shall be conducted but will not announce the names of the applicants in the run-off. Once all voting is concluded and a decision made, the votes will be made public. The run-off ballot will also include a "None of the above" option.
4. Applicants receiving a majority number of votes shall be deemed appointed to the Commission. In the event of a tie, a run-off vote shall be conducted among the applicants receiving the highest number of votes from the previous round. This shall continue until a majority consensus on an applicant(s) is reached for the number of vacancies to be filled. In the event of an unbreakable tie, the Council may determine an alternative method for selecting the appointee(s) or direct the Town Clerk to re-advertise the vacancy.
5. If an applicant(s) is appointed to an Advisory Body which has vacancies for both full and partial, unexpired terms, the length of the appointee's term will be determined by the Mayor.

B. Mid-Term Recruitments

During the year, Commissions may experience vacancies that drop the number of filled seats to a number of members that is not sufficient to conduct Commission business. The Commission may request the Council to conduct a mid-term recruitment to fill seats. To the extent possible, the Town Clerk will consolidate mid-term recruitments to minimize the number of recruitments occurring throughout the year. In the event of a vacancy on the Planning Commission, the Town will automatically conduct a mid-term recruitment. Mid-term recruitments will not be conducted for Youth Commissioners. The Town Clerk shall advertise mid-term vacancies on Commissions for at least 15 days.

Responsibility and Action: Applicant

1. Read the Commission Appointments, Residency and Attendance Requirements, and Establishing a Quorum Policy, complete and submit to the Town Clerk the application for appointment to a Town Commission by the advertised deadline date and time.
2. *For adult applicants:* Attend the Council meeting to be interviewed for Commission appointment.
For student applicants: Attend the Council Selection Committee interview session.
3. If an incumbent Commission member is requesting reappointment to the same Commission, the incumbent may submit a request to be interviewed by telephone, with their application, instead of attending the interview or must submit a letter prior to the interviews, describing the reason why the applicant cannot be present telephonically or in person for the interview, and why the applicant should be reappointed to the Commission.
4. If appointed, prior to starting the Commission term, appointees are required to attend a Commissioner Orientation and take the "Oath of Office."
5. Attend Advisory Body meetings once term begins.
6. Read the Commissioners' Handbook. The Handbook is to be returned to the Town Clerk when the term is complete.

Responsibility and Action: Town Council

1. Review applications.
2. *For adult applicants* – Interview applicants individually by Commission at a public meeting with all applicants present.
For student applicants – Town Council Selection Committee interviews applicants.
3. Determine if the incumbents not in attendance and having submitted a letter pursuant to this Policy should be considered for reappointment.
4. If there are limited applications for any vacancy to a Commission, the Mayor, on behalf of the Council, may request that the Town Clerk re-advertise the vacancy, reschedule the interviews, and notify all applicants of the new interview date.

COMPLIANCE - GROUNDS FOR DISMISSAL

A member may be removed from the Advisory Body prior to the end of his or her term by a three-fifths (3/5) vote of the Town Council and may not be reappointed for the following reasons:

1. Failure to attend Advisory Body meetings.
2. Failure to file the following documents required by the Fair Political Practices Commission (Adult Commissioners):
 - a. Form 700 – Assuming Office, Annual, and Leaving Office when term is complete.
 - b. Planning Commissioners are also required to complete AB 1234 Ethics Training and file the original certificate with the Town Clerk every two years.

3. Failure to comply with all Town Policies, Guidelines, and Handbooks.

CONFLICT OF INTEREST

Under the Fair Political Practice Act, an advisory board member has a disqualifying conflict of interest in a governmental decision if it is foreseeable that the decision will have a financial impact on his or her personal finances or other financial interests. In such cases, there is a risk of biased decision-making that could sacrifice the public's interest in favor of the official's private financial interests. To avoid actual bias or the appearance of possible improprieties, the public official is prohibited from participating in the decision.

The Fair Political Practice Act does not prohibit an advisory board member from participating in a decision simply by virtue of holding a position as a board member, director, officer, or employment with a nonprofit corporation. However, the Town strongly encourages that in the event that a decision concerns a nonprofit corporation for which an advisory board member is a board member, director, officer, or employed with that nonprofit corporation, the person should recuse him or herself and at a minimum shall disclose the potential conflict of interest before any discussion and decision.

APPROVED AS TO FORM:

Robert Schultz, Town Attorney

TITLE: Commission Appointments, Residency and Attendance Requirements, and Establishing a Quorum		POLICY NUMBER: 2-11
EFFECTIVE DATE: 2/28/1990		PAGES: 7
ENABLING ACTIONS:		REVISED DATES: 6/13/1994; 6/16/2014; 4/7/2015; 10/18/2016; 2/21/2017; 2/6/2018; 3/19/19; 9/3/2019; 6/1/2021; 12/7/21, 3/15/22
APPROVED:		

PURPOSE

To establish a policy to encourage participation by the Town's residents on Town Boards, Commissions and Committees (hereinafter referred to as "Commissions"). The Town of Los Gatos is committed to inclusivity. We value all our community members, regardless of religion, immigration status, ethnicity, race, disability, gender, sexual orientation, or gender identity. The Town will encourage residents to participate on Commissions by advertising vacancies on Commissions for at least 30 days, preparing easily understood applications, maintaining clear descriptions of the role of each Board, Commission, and Committee and its respective members, providing current meeting schedules, and conducting public interviews of all Commission applicants, except as provided by this Policy.

SCOPE

This Policy applies to all applicants to Town Boards, Commissions and Committees.

POLICY

The Town Council encourages public participation in all decision-making and to be successful residents must be assured both that the participation is meaningful and that their input will be valued. The widest representation from the community can only be achieved if vacancies are well advertised so that anyone interested will have the opportunity to apply. Interviews of the applicants conducted in public by the Town Council demonstrates that it values these appointments and that all have an equal opportunity to be appointed. Applicants may apply to more than one Commission, and shall rank their choices in their preferred order, during each recruitment cycle.

ATTACHMENT 2

TITLE: Commission Appointments, Residency and Attendance Requirements, and Establishing a Quorum	PAGE: 2 of 7	POLICY NUMBER: 2-11
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To ensure the greatest possible participation by the public, it is the Town's policy that no person shall be appointed to more than one Commission except in those cases where they are ex-officio members of other Boards, Commissions and Committees. This Policy does not apply to Commission members serving as representatives of their Commission who have been appointed by the Town Council.

RESIDENCY REQUIREMENTS

Residency within the incorporated municipal limits of the Town of Los Gatos, California is required for appointment and continued membership on all Town of Los Gatos Boards, Commissions, and Committees, with the exception of the Youth Commission.

Youth Commission:

The members shall be students who are entering grades 8 through 12 in the fall. Membership for the students requires either residency in the incorporated limits of the Town of Los Gatos or residency in the unincorporated areas of the County of Santa Clara, which have a Los Gatos mailing address.

ATTENDANCE REQUIREMENTS

1. All members of all appointive Town Advisory Bodies should attend all regular and special meetings of said Advisory Bodies.
2. Any member not in attendance at a regular meeting of said Advisory Body for at least 70% of the meeting shall be considered absent.
3. Any member of an appointive Town Advisory Body who is absent from the number of regular meetings listed below appropriate to his or her Advisory Body shall, as a result, surrender his or her office on the Advisory Body and the office shall be considered vacant.
 - a. For an Advisory Body which holds six (6) or more regular meetings per a consecutive twelve (12) month period: three (3) regular meetings.
 - b. For an Advisory Body which holds five (5) or fewer regular meetings per a consecutive twelve (12) month period: two (2) regular meetings.
 - c. For an Advisory Body which holds sixteen (16) or more regular meetings per a consecutive twelve (12) month period: eight (8) regular meetings.
4. The vacant position shall be filled by appointment by a majority vote of the Town Council, for a term equal to the unexpired portion of the office vacated. Any member removed from office due to non-attendance may re-apply to serve on a Town Advisory Body but will not be treated as an incumbent in any subsequent application to the same Advisory Body.
5. If a Youth Commissioner liaison misses three meetings of a liaison Commission during a *consecutive twelve (12) month period, the Youth Commission shall appoint a different Youth Commissioner as liaison.

TITLE: Commission Appointments, Residency and Attendance Requirements, and Establishing a Quorum	PAGE: 3 of 7	POLICY NUMBER: 2-11
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*Consecutive twelve (12) month period is defined as any consecutive twelve-month period beginning with the first absence. A regular meeting shall not be cancelled and replaced with a special meeting in order to alleviate an absence by an advisory body member.

QUORUM REQUIREMENTS

The number of members needed to constitute a quorum on any Town Advisory Body shall be a majority of the total number of filled seats.

PROCEDURES

The following procedures will be followed by the applicant, the Town Clerk, and the Town Council for the appointment of applicants to Town Commissions:

Responsibility and Actions: Town Clerk

A. Annual Recruitments

Adult Commission members' terms begin on January 1st and end December 31st, Youth Commissioners' terms follow the academic year and begin on August 1st and end on June 30th. The Town Clerk shall perform the following duties in conducting an annual recruitment for Commission members:

1. Notify Town Council of vacancies on Commissions by indicating the names of the Commissions, the number of terms expiring or being vacated, names of individual(s) with expiring terms or vacating seats, advertising periods (at least 30 days) and the date of interview.
2. Advertise the vacancies, including the application deadline and the interview date, which shall be set for ~~no later than the second~~ **the same evening and in a separate meeting following the Special Council Meeting in December certifying the election certification, swearing in any recently elected Council Members, and appointing the next Mayor and Vice Mayor** ~~Town Council meeting in December~~ for Adult Commissioners, and by the fourth Wednesday in May, no earlier than 4:00 p.m., for Youth Commissioners.
3. Prepare and maintain easily understood applications for appointment to Commissions. Applications shall include the following policy information:
 - a. Prior to initial appointment to any Commission, non-incumbent applicants must be interviewed by the Town Council. The applications of those not appearing will be held for the next recruitment.
 - b. If an incumbent Commissioner is requesting reappointment to the same Commission, the incumbent may submit a request to be interviewed by telephone, with their application, instead of attending the interview or must submit a letter prior to the interviews, describing the reason why the applicant cannot be present telephonically or in person for the interview, and why the applicant should be reappointed to the Commission.

TITLE: Commission Appointments, Residency and Attendance Requirements, and Establishing a Quorum	PAGE: 4 of 7	POLICY NUMBER: 2-11
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- c. Submissions deadlines are mandatory; no exceptions are permitted.
4. Applications:
 - a. *For adult applicants* — Accept applications, verify eligibility, and distribute copies of the applications of eligible applicants to the Town Council prior to the interviews for appointment.
 - b. *For student applicants* — Accept applications, verify eligibility, and distribute copies of the applications of eligible applicants to the Town Council Selection Committee, consisting of the Mayor, Vice Mayor, Police Chief, and Youth Commission Chair (if not reapplying), prior to the interviews for appointment.
5. Notify the applicant by letter or email as to the date and time of the interview **and provide the option for an in person or teleconference interview.**
6. Facilitate the Council voting process set forth below by informing Council as to how many votes are possible on each Commission, calling out applicants' names, and identifying the applicants receiving sufficient votes for appointment. This process does not apply to student applicants.
7. Applicants:
 - a. *For adult applicants* — After the interviews and Council vote are completed, notify all applicants of the Council's action, and explain Town policy of keeping application active for one year with notification of subsequent openings on that Commission to the interested applicants.
 - b. *For student applicants* — After the interviews are completed, notify all applicants of the Council Committee's action, and prepare a staff report for the Town Council to ratify the Committee's appointment at the first Town Council meeting in June.

Interview Process

To ensure the interview process is consistent, fair, and equitable, each applicant shall be asked the same standard questions, as provided below. Notwithstanding, no Council Member shall be prevented from asking appropriate questions of applicants.

1. If appointed, what ideas would you like to see the Commission explore?
2. Please expand beyond the written response on your application: your experience, interest, and/or expertise that you feel would be most useful to the Commission.
3. Please elaborate on any written response provided in the application to assist the Council learn more about you.
4. If you did not answer any of the questions on the application, please explain why.

Given that most interviews are only three to five minutes due to the size of the applicant pool, the standard questions are limited in number to allow an applicant sufficient time to respond. The Council may or may not ask all of the questions, in the same order, or by the same Council member. Interview questions will be reviewed annually by the Town Council in advance of the interview process for any potential modifications.

TITLE: Commission Appointments, Residency and Attendance Requirements, and Establishing a Quorum	PAGE: 5 of 7	POLICY NUMBER: 2-11
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Balloting Process

Unless determined otherwise, the Council shall conduct a ballot vote for the appointment of individuals to fill the vacancies for each Commission. Such ballot vote may be conducted at either a regular, adjourned, or special meeting of the Town Council. The ballot vote process shall be conducted as follows:

1. The Town Clerk shall provide a ballot to each Town Council member listing the names of all applicants and “None of the above” for each respective Commission. Prior to the vote, the Town Clerk shall publicly announce the position vacancy and all applicant names that are listed on the ballot.
2. Each Council member may vote for the same number of applicants as there are current vacancies on the respective Commission. In no case, can a Council Member cast more votes than there are vacancies; or vote for the same candidate more than once on each ballot (i.e. cumulative voting -- e.g. where there are three vacancies, a Council member may not give all three votes to the same candidate). A Council Member is not required to vote for any of the candidates or for the total number of vacancies available.
3. The Town Clerk shall collect all ballots and shall publicly announce the name of each Town Council member and how that Council member cast his or her vote. In the case of a tie vote, the Town Clerk will announce that there is a tie and that a run-off vote shall be conducted but will not announce the names of the applicants in the run-off. Once all voting is concluded and a decision made, the votes will be made public. The run-off ballot will also include a “None of the above” option.
4. Applicants receiving a majority number of votes shall be deemed appointed to the Commission. In the event of a tie, a run-off vote shall be conducted among the applicants receiving the highest number of votes from the previous round. This shall continue until a majority consensus on an applicant(s) is reached for the number of vacancies to be filled. In the event of an unbreakable tie, the Council may determine an alternative method for selecting the appointee(s) or direct the Town Clerk to re-advertise the vacancy.
5. If an applicant(s) is appointed to an Advisory Body which has vacancies for both full and partial, unexpired terms, the length of the appointee’s term will be determined by the Mayor.

B. Mid-Term Recruitments

During the year, Commissions may experience vacancies that drop the number of filled seats to a number of members that is not sufficient to conduct Commission business. The Commission may request the Council to conduct a mid-term recruitment to fill seats. To the extent possible, the Town Clerk will consolidate mid-term recruitments to minimize the number of recruitments occurring throughout the year. In the event of a vacancy on the Planning Commission, the Town will automatically conduct a mid-term recruitment. Mid-term recruitments will not be conducted for Youth Commissioners. The Town Clerk shall advertise mid-term vacancies on Commissions for at least 15 days.

TITLE: Commission Appointments, Residency and Attendance Requirements, and Establishing a Quorum	PAGE: 6 of 7	POLICY NUMBER: 2-11
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Responsibility and Action: Applicant

1. Read the Commission Appointments, Residency and Attendance Requirements, and Establishing a Quorum Policy, complete and submit to the Town Clerk the application for appointment to a Town Commission by the advertised deadline date and time.
2. *For adult applicants:* Attend the Council meeting to be interviewed for Commission appointment. **The applicant is required to notify the Town Clerk no later than 4:00 p.m. the Friday before the scheduled interview date whether they will attend in person or via teleconference.**
3. *For student applicants:* Attend the Council Selection Committee interview session. **The applicant is required to notify the Town Clerk no later than 4:00 p.m. the Friday before the scheduled interview date whether they will attend in person or via teleconference.**
4. If an incumbent Commission member is requesting reappointment to the same Commission, **and is not available on the date of the interview**, the incumbent ~~may submit a request to be interviewed by telephone, with their application, instead of attending the interview or~~ must submit a letter **by 4:00 p.m. the Friday** prior to the interviews, describing the reason why the applicant cannot be present telephonically or in person for the interview, and why the applicant should be reappointed to the Commission.
5. If appointed, prior to starting the Commission term, appointees are required to attend a Commissioner Orientation and take the "Oath of Office."
6. Attend Advisory Body meetings once term begins.
7. Read the Commissioners' Handbook. **Hard copies** of the Handbook are to be returned to the Town Clerk when the term is complete.

Responsibility and Action: Town Council

1. Review applications.
2. *For adult applicants* – Interview applicants individually by Commission at a public meeting with all applicants present.
For student applicants – Town Council Selection Committee interviews applicants.
3. Determine if the incumbents not in attendance and having submitted a letter pursuant to this Policy should be considered for reappointment.
4. If there are limited applications for any vacancy to a Commission, the Mayor, on behalf of the Council, may request that the Town Clerk re-advertise the vacancy, reschedule the interviews, and notify all applicants of the new interview date.

COMPLIANCE - GROUNDS FOR DISMISSAL

A member may be removed from the Advisory Body prior to the end of his or her term by a three-fifths (3/5) vote of the Town Council and may not be reappointed for the following reasons:

1. Failure to attend Advisory Body meetings.

TITLE: Commission Appointments, Residency and Attendance Requirements, and Establishing a Quorum	PAGE: 7 of 7	POLICY NUMBER: 2-11
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2. Failure to file the following documents required by the Fair Political Practices Commission (Adult Commissioners):
 - a. Form 700 – Assuming Office, Annual, and Leaving Office when term is complete.
 - b. Planning Commissioners are also required to complete AB 1234 Ethics Training and file the original certificate with the Town Clerk every two years.
3. Failure to comply with all Town Policies, Guidelines, and Handbooks.

CONFLICT OF INTEREST

Under the Fair Political Practice Act, an advisory board member has a disqualifying conflict of interest in a governmental decision if it is foreseeable that the decision will have a financial impact on his or her personal finances or other financial interests. In such cases, there is a risk of biased decision-making that could sacrifice the public's interest in favor of the official's private financial interests. To avoid actual bias or the appearance of possible improprieties, the public official is prohibited from participating in the decision.

The Fair Political Practice Act does not prohibit an advisory board member from participating in a decision simply by virtue of holding a position as a board member, director, officer, or employment with a nonprofit corporation. However, the Town strongly encourages that in the event that a decision concerns a nonprofit corporation for which an advisory board member is a board member, director, officer, or employed with that nonprofit corporation, the person should recuse him or herself and at a minimum shall disclose the potential conflict of interest before any discussion and decision.

APPROVED AS TO FORM:

Robert Schultz, Town Attorney



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 03/15/2021

ITEM NO: 7

DATE: March 7, 2022
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Accept the Annual Progress Report for General Plan and Housing Element Implementation.

RECOMMENDATION:

Accept the Annual Progress Report for General Plan and Housing Element implementation.

BACKGROUND:

Government Code Section 65400 mandates that cities and counties submit an annual report on the status of their General Plan and any progress in its implementation to their legislative bodies. Annual Progress Reports (APRs) must be presented to the local legislative body for its review and acceptance, usually as a consent or discussion item on a regular meeting agenda. After review and acceptance, a copy of the APR is required to be filed with the Governor's Office of Planning and Research (OPR) and the Housing and Community Development Department (HCD).

There is no standardized form or format for the preparation of the General Plan APR. The attached APR meets the statutory requirements of State law and highlights key aspects of the Town's General Plan and Housing Element implementation during the calendar year of 2021 (Attachment 1). Given the State requirements, Exhibit A of Attachment 1 contains a significant amount of data. For enhanced readability, Exhibit A might be best reviewed electronically to adjust to the individual reader's needs.

FISCAL IMPACT:

There is no fiscal impact from accepting the APR.

PREPARED BY: Jennifer Armer, AICP
Planning Manager

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

PAGE 2 OF 2

SUBJECT: Annual Progress Report for General Plan and Housing Element Implementation

DATE: March 7, 2022

CEQA:

The General Plan Annual Report is not a project under the California Environmental Quality Act (CEQA). It is a type of activity that is Categorical Exempt, Class 6 (Information Collection) based on Section 15306 of the CEQA Guidelines.

Attachment:

1. 2021 General Plan Annual Progress Report, with Exhibit A



**GENERAL PLAN
2021 ANNUAL PROGRESS REPORT**

INTRODUCTION

The Town Council adopted the Town of Los Gatos 2020 General Plan on September 20, 2010, after an extensive two-year community process to update and build upon the strong foundational framework established by the Town's 2000 General Plan.

On May 5, 2015, the Town adopted its 2015-2023 Housing Element which is a required sub-element of the General Plan. The State Housing and Community Development Department certified the Housing Element on May 20, 2015.

Government Code Section 65400 mandates that cities and counties submit an annual report on the status of their General Plan and any progress in its implementation to their legislative bodies. Annual Progress Reports (APRs) must be presented to the local legislative body for its review and acceptance, usually as a consent or discussion item on a regular meeting agenda.

2021 SIGNIFICANT PROJECTS

The following significant Planning efforts made progress or were completed in 2021:

- General Plan Update
The General Plan Update Advisory Committee completed their work on the update on May 6, 2021, with a recommendation of a Draft 2040 General Plan. The Draft Environmental Impact Report (EIR) was published for public comment starting in July 2021. On November 19, 2021, the revised Notice of Completion and Availability was reissued along with a revised Chapter 4.15, Transportation, and Executive Summary of the Draft EIR for a reopened public review period which ended on January 8, 2022. Planning Commission consideration of the Draft 2040 General Plan and Final EIR is anticipated to begin in April of 2022. Following a recommendation from the Planning Commission, Town Council will consider the Draft 2040 General Plan and Final EIR.
- Housing Element Update
The Town Council established the Housing Element Advisory Board (HEAB) in 2021, and the HEAB has held their first three meetings for the Housing Element update process in late 2021 and early 2022. Work on the update is anticipated to run through the end of 2022.
- Objective Standards
A subcommittee of the Planning Commission held five meetings to develop a list of topics that should be covered by Objective Standards. Work on development of Objective Standards, including a Community Meeting held on February 22, 2022, is anticipated to be completed by the fall of 2022.

- Senate Bill (SB) 9

The Town Council adopted an Urgency Ordinance to implement SB 9 with local objective standards. Work on a permanent ordinance is anticipated to be completed before the end of 2022.

HOUSING ELEMENT ANNUAL PROGRESS

The Housing Element Annual Progress Report for 2021 is attached as Exhibit A.

PROPERTIES ANNEXED TO THE TOWN IN 2021

The Town Council approved the following annexations to the Town of Los Gatos from Unincorporated Santa Clara County in 2021:

- Winterbrook Road No. 6: 16030 Winterbrook Road (approximately 0.319 acres)
Approved October 13, 2021
- Winterbrook Road No. 7: 16010 Winterbrook Road (approximately 0.95 acres)
Approved December 10, 2021

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Jurisdiction	Los Gatos
Reporting Year	2021 (Jan. 1 - Dec. 31)
Planning Period	5th Cycle 01/01/2015 - 01/01/2022

ANNUAL ELEMENT PROGRESS REPORT Housing Element Implementation

(CCR Title 25 §6202)

Note: "*" indicates an optional field
Cells in grey contain auto-calculation formulas

Table A
Housing Development Applications Submitted

Project Identifier					Unit Types		Date Application Submitted	Proposed Units - Affordability by Household Incomes							Total Approved Units by Project	Total Disapproved Units by Project	Streamlining	Density Bonus Applications			Application Status	Notes	
1					2	3	4	5							6		7	8	9	10		11	12
Prior APN*	Current APN	Street Address	Project Name*	Local Jurisdiction Tracking ID*	Unit Category (SFA,SFD,2 to 4.5+,ADU,MH)	Tenure R=Renter O=Owner	Date Application Submitted- (see instructions)	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Total PROPOSED Units by Project	Total APPROVED Units by project	Total DISAPPROVED Units by Project	Was APPLICATION SUBMITTED Pursuant to GC 65913.4(b)? (SR 35 Streamlining)	Was a Density Bonus requested for this housing development?	Was a Density Bonus approved for this housing development?	Please indicate the status of the application.	Notes*	
Summary Row: Start Data Entry Below																							
	529-15-103	16777 Frank Avenue			ADU	R	1/19/2021							1		1		No	No	No			
	532-06-014	16726 Shannon Drive			ADU	R	1/29/2021									1		No	No	No			
	510-14-044	231-023 Alameda			ADU	R	1/27/2021									1		No	No	No			
	537-30-005	16000 Carmo Vista Drive			ADU	R	1/28/2021							1		1		No	No	No			
	510-47-045	144 Wood Rd			SFD	O	1/27/2021							1		1		No	No	No			
	532-36-076	17200 Los Robles			SFD	O	2/24/2021								2	2	1	No	No	No			
	510-14-019	246 Alameda Ave			SFD	O	8/31/2021							1		0		No	No	No			
	532-29-045	102 Alta Heights Ct			ADU	R	6/29/2021							1		1		No	No	No			
	527-55-039	131132 Alta Tierra Ct			ADU	R	2/20/2021							1		1		No	No	No			
	510-15-011	515 Bachman Ave			ADU	R	10/12/2021							1		1		No	No	No			
	510-44-020	44 Bayview Ave			ADU	R	9/20/2021							1		1		No	No	No			
	527-28-024	160158 Belmont Dr			ADU	R	1/5/2021							1		1		No	No	No			
	525-21-036	403 Bella Vista Ave			ADU	R	6/30/2021							1		1		No	No	No			
	424-12-027	380 Blackwell Dr			ADU	R	8/30/2021							1		1		No	No	No			
	532-14-028	132 Blueberry Hill Dr			ADU	R	11/15/2021							1		0		No	No	No			
	510-45-041	101 BROADWAY			ADU	R	1/4/2021							1		1		No	No	No			
	406-32-008	14345 CARPE DR			ADU	R	9/15/2021							1		1		No	No	No			
	532-08-005	103105 CARDINAL LN			ADU	R	3/8/2021							1		1		No	No	No			
	537-30-018	16135 CERRO VISTA DR			ADU	R	11/27/2021							1		0		No	No	No			
	510-45-070	50 CLIFTON AVE			ADU	R	8/24/2021							1		1		No	No	No			
	532-21-007	17121 Crescent DR			ADU	R	11/18/2021							1		1		No	No	No			
	532-23-072	16890 CYPRESS WAY			ADU	R	12/1/2021							1		1		No	No	No			
	532-26-099	1633016332 CYPRESS WAY			ADU	R	1/12/2021							1		1		No	No	No			
	527-02-007	72 DRYSDALE DR			ADU	R	6/15/2021							1		1		No	No	No			
	529-04-018	231028 EDELEN AVE			ADU	R	12/14/2021							1		0		No	No	No			
	529-04-016	247249 EDELEN AVE			ADU	R	4/21/2021							1		1		No	No	No			
	532-05-023	16358 Englewood AVE			ADU	R	12/16/2021							1		0		No	No	No			
	532-07-028	16625 ENGLEWOOD AVE			ADU	R	6/4/2021							1		1		No	No	No			
	532-05-016	16470 Englewood AVE			ADU	R	3/23/2021							1		1		No	No	No			
	510-43-003	48 FAIRVIEW PLZ			ADU	R	5/13/2021							1		1		No	No	No			
	510-18-005	125 GLEN RIDGE AVE			ADU	R	8/9/2021							1		1		No	No	No			
	527-15-010	1658015682 GREENIDGE TER			ADU	R	9/28/2021							1		1		No	No	No			
	527-47-049	533 GREGG CT			ADU	R	3/19/2021							1		1		No	No	No			
	527-57-005	16841 HARWOOD RD			ADU	R	6/21/2021							1		1		No	No	No			
	523-08-011	113 HILLOW CT			ADU	R	8/24/2021							1		1		No	No	No			
	529-14-005	15819 IZORAH WAY			ADU	R	6/29/2021							1		1		No	No	No			
	532-20-012	16484 KENNEDY RD			SFD	O	9/29/2021							1		0		No	No	No			
	532-17-005	1651016508 KENNEDY RD			ADU	R	9/7/2021							1		1		No	No	No			
	424-23-005	112 LAS ASTAS DR			ADU	R	8/3/2021							1		1		No	No	No			
	424-23-005	112114 LAS ASTAS DR			ADU	R	8/23/2021							1		1		No	No	No			
	532-28-037	200202 LOMA ALTA AVE			ADU	R	4/20/2021							1		1		No	No	No			
	532-29-073	15 LOMA ALTA AVE			ADU	R	2/24/2021							1		1		No	No	No			
	409-15-030	14274 LORA DR			ADU	R	2/2/2021							1		1		No	No	No			
	424-10-009	14926 LOS GATOS BLVD			5+	R	4/20/2021							1	4	5	1	No	No	No			
	529-22-058	348351 LOS GATOS BLVD			ADU	R	4/12/2021							1		1		No	No	No			
	532-09-039	16619 MARCHMONT DR			ADU	R	11/5/2021							1		1		No	No	No			
	532-09-032	16515 Marchmont DR			ADU	R	6/7/2021							1		1		No	No	No			
	532-09-033	16529 MARCHMONT DR			ADU	R	3/16/2021							1		1		No	No	No			
	532-10-003	212214 MARCHMONT DR			ADU	R	6/15/2021							1		1		No	No	No			
	424-15-018	152 MARICOPA DR			ADU	R	11/29/2021							1		0		No	No	No			
	410-12-030	2022 MARIPOSA AVE			ADU	R	7/27/2021							1		1		No	No	No			
	410-15-069	590 MONTEREY AVE			ADU	R	10/14/2021							1		1		No	No	No			
	424-44-005	16437 MOZART WAY			ADU	R	12/9/2021							1		1		No	No	No			
	424-40-008	751 POLLARD RD			ADU	R	3/5/2021							1		1		No	No	No			
	410-18-018	517 SAN BENITO AVE			ADU	R	7/2/2021							1		1		No	No	No			
	537-26-065	15785 SHANNON RD			ADU	R	11/12/2021							1		1		No	No	No			
	537-26-046	15815 SHANNON RD			ADU	R	9/29/2021							1		1		No	No	No			
	532-29-063	112 STAGIA ST			ADU	R	7/19/2021							1		1		No	No	No			
	532-29-094	118116 STAGIA ST			ADU	R	3/29/2021							1		1		No	No	No			
	527-20-003	400 SUMMIT DR			SFD	O	7/7/2021							1		0		No	No	No			
	532-09-024	16580 TOPPING WAY			ADU	R	11/23/2021							1		1		No	No	No			
	532-09-022	16608 Topping Way			ADU	R	2/8/2021							1		1		No	No	No			
	532-13-054	139 VISTA DEL MONTE			ADU	R	10/15/2021							1		1		No	No	No			
	409-14-013	17291 Westwood AVE			SFD	O	7/26/2021							1		0		No	No	No			
	532-36-066	127 WHEELER AVE			ADU	R	3/18/2021							1		1		No	No	No			
	532-29-069	51 WHITNEY AVE			ADU	R	7/14/2021							1		1		No	No	No			
	529-11-013, 038, 039, 040	15860 WINCHESTER BLVD			5+	R	4/15/2021							113	113	0		No	No	No			
	510-47-045	144 WOOD RD			SFD	O	1/27/2021							1		1		No	No	No			

EXHIBIT A

Note: "-" indicates an optional field

Cells in grey contain auto-calculation formulas

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Jurisdiction	Los Gatos	
Reporting Year	2021	(Jan. 1 - Dec. 31)
Planning Period	5th Cycle	01/31/2015 - 01/31/2023

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

This table is auto-populated once you enter your jurisdiction name and current year data. Past year information comes from previous APRs.
Please contact HCD if your data is different than the material supplied here

Table B													
Regional Housing Needs Allocation Progress													
Permitted Units Issued by Affordability													
		1	2									3	4
Income Level		RHNA Allocation by Income Level	2015	2016	2017	2018	2019	2020	2021	2022	2023	Total Units to Date (all years)	Total Remaining RHNA by Income Level
Very Low	Deed Restricted	201	-	-	-	-	-	49	-	-	-	49	152
	Non-Deed Restricted		-		-	-	-	-	-	-	-		
Low	Deed Restricted	112	-	2	-	-	-	1	-	-	-	3	109
	Non-Deed Restricted		-		-	-	-	-	-	-	-		
Moderate	Deed Restricted	132	-	-	-	-	-	1	2	-	-	119	13
	Non-Deed Restricted		2	3	4	16	28	27	36	-	-		
Above Moderate		174	13	38	9	7	3	76	185	-	-	331	-
Total RHNA		619											
Total Units			15	43	13	23	31	154	223	-	-	502	274

Note: units serving extremely low-income households are included in the very low-income permitted units totals and must be reported as very low-income units.

Please note: For the last year of the 5th cycle, Table B will only include units that were permitted during the portion of the year that was in the 5th cycle. For the first year of the 6th cycle, Table B will include units that were permitted since the start of the planning period.

Please note: The APR form can only display data for one planning period. To view progress for a different planning period, you may login to HCD's online APR system, or contact HCD staff at apr@hcd.ca.gov.

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction	Los Gatos		
Reporting Year	2021	(Jan. 1 - Dec. 31)	
Table D			
Program Implementation Status pursuant to GC Section 65583			
Housing Programs Progress Report			
Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.			
1	2	3	4
Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
North 40 Specific Plan Area Rezoning	Rezone Specific Plan Area	Within 3 years	North 40 Specific Plan zoning designation adopted on August 4, 2015.
Below Market Price (BMP) Program	Continue to implement the BMP Program in order to increase the number of affordable units in the community.	On-going	BMP Program is implemented on all residential projects that meet the criteria.
Enhanced Second Unit Policy	Amend the Town Code to allow more opportunities for new deed-restricted second units to be affordable to lower income households.	Within 1 year	Accessory Dwelling Unit Ordinance amendments adopted on 2/6/18.
General Plan Density Bonus	Continue to provide up to a 100% density bonus for developments that provide housing for elderly, handicapped, and/or very low and low income households.	On-going	This is an incentive that would be provided to projects that meet the criteria.
BMP In-Lieu Fees	Use BMP in-lieu fees to increase and preserve affordable housing.	On-going	Use of BMP in-lieu fees will be considered as opportunities arise.
Extremely Low-Income Households	Offer incentives to developers to develop this type of housing.	On-going	The Town will consider incentives when projects of this nature are proposed.
Funds for Development for Extremely Low-Income Households	Use BMP in-lieu fees to subsidize these types of projects.	On-going	Use of BMP in-lieu fees will be considered as opportunities arise.
Large Site Program	To assist development of housing for lower income households on sites larger than 10 acres.	On-going	Incentives and assistance will be considered as opportunities arise.
Affordable Housing Overlay Zone	Continue to implement minimum density and incentives in the AHOZ.	On-going	This will be implemented when a project in the AHOZ is considered.
Meeting Los Gatos' Housing Needs Using the AHOZ	Develop by-right development findings for North 40 and AHOZ site.	Within 1 year	This has not yet been completed.
Transitional and Supportive Housing	Amend Town Code to clarify Transitional and Supportive housing is a permitted use in residential zones.	Within 1 year	The Town will comply with State Law and SB 743 if a project is proposed before the Town Code is amended.
By Right Findings	Develop by-right development findings for North 40 and AHOZ site.	Within 1 year	This has not yet been completed.
No Net Loss	If residential capacity is reduced on a property on the Sites Inventory then the Town will identify and zone another property to accommodate the remaining RHNA.	On-going	If this situation arises the Town will comply with this requirement.
Preserve "At-Risk" Affordable Housing Units	Monitor affordable housing to ensure affordability status is maintained.	On-going	No units are at-risk of converting to market rents in the planning period.
Rental Housing Conservation Program	Any conversion of residential uses must satisfy the housing goals and policies of the General Plan.	On-going	This will be considered if a conversion of residential uses is proposed.
CDBG and other Housing Rehabilitation Programs	Continue to participate in CDBG JPA and CDBG Housing Rehabilitation programs.	On-going	The Town still participates in these programs.
Countywide Home Repair Programs	Support countywide programs that provide assistance to lower income households.	On-going	The Town supports these programs.
Town Housing Resources Guide	Provide information on developments that provide affordable housing units.	On-going	Town Housing Resources Guide is updated when necessary.
Rental Dispute Resolution Program	Continue to administer a Rental Dispute Resolution Program.	On-going	The Town continues to use Project Sentinel to administer a Rental Dispute Resolution Program.
Emergency Shelters	Change Town Code to allow emergency shelters in the CM zoning district as a permitted use.	Within 1 year	Town Code has been amended to address this.
Supportive Services for the Homeless	Continue to support organizations that provide supportive services for homeless persons.	On-going	The Town continues to support organizations that provide supportive services for homeless persons.
Santa Clara County Housing Consortium	Support the efforts of the Santa Clara County Fair Housing Consortium.	On-going	Project Sentinel is a member of the Santa Clara County Fair Housing Consortium and administers the Town's Rental Dispute Resolution Program.
Non-Profit Affordable Housing Providers	Support the efforts of non-profit affordable housing organizations.	On-going	The Town has met with affordable housing organizations regarding potential development in Town.
Increased Range of Housing Opportunities for the Homeless	Continue to support Santa Clara County's Continuum of Care Plan.	On-going	The Town continues to support Santa Clara County's Continuum of Care Plan.
Compliance with the Employee Housing Act	Amend Town Code to address the Employee Housing Act.	Within 1 year	The Town will comply with State Law if a project is proposed or an issue comes up before the Town Code is amended.
Senior Housing Resources	Update senior resource materials regularly.	Annually	Senior resource materials are updated when necessary.
Governmental Constraints	Remove affordable housing development constraints.	Every 3 years	The Town's Housing Element contains a number of items that limit or remove constraints.

Reasonable Accommodation Ordinance	Amend the Town's Reasonable Accommodation Ordinance.	Within 1 year	This has not yet been completed.
Persons with Disabilities	Remove constraints to housing with persons with disabilities.	Every 3 years	Removal of constraints is considered when necessary.
Special Needs Housing	Give priority to special needs housing.	On-going	If a project of this nature is submitted it will be given priority.
Special Needs Housing	Include preferential handling of special needs populations.	On-going	Will be considered when plans are adopted and projects are funded.
Rental Assistance for Persons with Developmental Challenges	Explore opportunities to work with local and/or regional partners to provide rental assistance for persons with developmental challenges.	On-going	The Town will explore opportunities with local and/or regional partners during this Housing Element cycle.
Universal Design	Consider universal design enhancements and include universal design features in new construction.	Every 2 years	The Town will consider enhancements to universal design and the Town requires universal design features in new construction consistent with Building Code requirements.
Universal Design Awareness	Increase awareness of universal design principles.	Within 2 years	The Town will take appropriate actions to increase awareness of universal design principles.
Developmental Challenges	Continue to work with the CA Department of Developmental Services to inform citizens of available services.	On-going	The Town will work with the CA Department of Developmental Services to inform citizens of available services.
Development Standards	Continue to review, evaluate, update, and streamline the development process for affordable housing developments.	On-going	The Town considers improvements to the development review process for affordable housing projects when they are proposed.
Energy Conservation Opportunities	Continue to enforce Title 24 requirements.	On-going	The Town enforces Title 24 requirements.
Annual Housing Report	Prepare an annual housing report.	On-going	The Town prepares an annual housing report.
Housing Management	Continue to fund staff for management and planning of housing programs and funding.	By December 2016	The Town has contracted with Hello Housing to administer our affordable housing program and has staff that dedicate time to our affordable housing program.
Coordination with Water and Sewer Service Providers	Provide the Housing Element to the San Jose Water Company and West Valley Sanitation District	Upon adoption of Housing Element	Town staff regularly work with the San Jose Water Company and West Valley Sanitation District on upgrades to their infrastructure and they are involved in development applications and environmental review.

Jurisdiction	Los Gatos	
Reporting Year	2021	(Jan. 1 - Dec. 31)
Planning Period	5th Cycle	01/31/2015 - 01/31/2023

Building Permits Issued by Affordability Summary		
Income Level		Current Year
Very Low	Deed Restricted	0
	Non-Deed Restricted	0
Low	Deed Restricted	0
	Non-Deed Restricted	0
Moderate	Deed Restricted	2
	Non-Deed Restricted	36
Above Moderate		185
Total Units		223

Note: Units serving extremely low-income households are included in the very low-income permitted units totals

Units by Structure Type	Entitled	Permitted	Completed
SFA	0	0	0
SFD	1	4	1
2 to 4	0	0	0
5+	0	183	23
ADU	58	36	23
MH	0	0	0
Total	59	223	47

Housing Applications Summary	
Total Housing Applications Submitted:	68
Number of Proposed Units in All Applications Received:	185
Total Housing Units Approved:	58
Total Housing Units Disapproved:	0

Use of SB 35 Streamlining Provisions	
Number of Applications for Streamlining	0
Number of Streamlining Applications Approved	0
Total Developments Approved with Streamlining	0
Total Units Constructed with Streamlining	0

Units Constructed - SB 35 Streamlining Permits			
Income	Rental	Ownership	Total
Very Low	0	0	0
Low	0	0	0
Moderate	0	0	0
Above Moderate	0	0	0
Total	0	0	0

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**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 3/15/2022

ITEM NO: 8

DATE: March 10, 2022

TO: Mayor and Town Council

FROM: Laurel Prevetti, Town Manager

SUBJECT: Authorize the Town Manager to Execute a Second Contract Amendment to the Traffic Signal and Streetlight Maintenance and Underground Service Alert Locating Services Contract with St. Francis Electric, Inc. to Include:

- a. An Increase to the Contract Amount for Fiscal Year 2021/22 in the Amount of \$67,000;
- b. An Expenditure Budget Adjustment in the Amount of \$67,000 from Available Fiscal Year 2021/22 Parks and Public Works Department – Engineering Development Services Program Revenues; and
- c. An Increase to the Remaining Ongoing Annual Contract Amount by a Total of \$50,000 per Year from Fiscal Year 2022/23 to Fiscal Year 2024/25, Subject to the Appropriation of Funds, for a Total Revised Five-Year Contract Amount Not to Exceed \$900,567.

RECOMMENDATION:

Authorize the Town Manager to execute a Second Contract Amendment (Attachment 1) to the Traffic Signal and Streetlight Maintenance and Underground Service Alert (USA) Locating Services Contract with St. Francis Electric, Inc. to include:

- a. An increase to the contract amount for Fiscal Year (FY) 2021/22 in the amount of \$67,000;
- b. An expenditure budget adjustment in the amount of \$67,000 from available FY 2021/22 Parks and Public Works Department – Engineering Development Services Program revenues; and
- c. An increase to the remaining ongoing annual contract amount by a total of \$50,000 per year from FY 2022/23 to FY 2024/25, subject to the appropriation of funds, for a total revised five-year contract amount not to exceed \$900,567.
- d.

PREPARED BY: WooJae Kim
Town Manager

Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, Finance Director, and Director of Parks and Public Works

PAGE 2 OF 4

SUBJECT: Authorize the Town Manager to Execute a Second Contract Amendment to the Traffic Signal and Streetlight Maintenance and Underground Service Alert Locating Services Contract with St. Francis Electric, Inc.

DATE: March 10, 2022

BACKGROUND:

The Town of Los Gatos utilizes contractual services for the traffic signal and streetlight repair and maintenance and underground utility locating services within the Town jurisdiction. Traffic signal and streetlight contractual services include repairs on an as-needed basis, periodic inspections, testing of the equipment, and lamp replacements. Underground utility locating services involve responding to Underground Service Alert (USA) requests to identify and mark the Town's underground infrastructure at construction sites prior to any digging operations. Staff has determined that contractual services would be the most cost-effective delivery method due to technical expertise and specialty equipment required.

On September 15, 2020, the Town Council authorized the execution of a five-year agreement with St. Francis Electric, Inc. to provide traffic signal and streetlight repair and maintenance and USA locating services for a total agreement amount not to exceed \$675,000. The agreement term is from FY 2020/21 through FY 2024/25. Current contract terms stipulate that compensation for each fiscal year would not exceed \$135,000. A new purchase order in the amount of \$135,000 is issued at the beginning of each fiscal year for the service for that year.

On August 3, 2021, the Town Council approved the first amendment to the Operations Contract with St. Francis Electric, Inc. in the amount of \$8,567 for FY 2020/21 to cover the cost overage from a high number of USA requests received for various development and Town capital improvement projects. Council approved the additional amount to be funded from FY 2020/21 Parks and Public Works Department – Engineering Development Services Program (5202), for a total revised contract amount not to exceed \$683,567.

DISCUSSION:

The services needed and resulting costs each fiscal year depend on the number of traffic signal and streetlight repair and maintenance calls and USA requests. The repair and maintenance response services budget is close to full expenditure for this fiscal year. The Town encountered numerous traffic signal repair issues, and staff anticipates more funds are needed to replace and maintain traffic signal cabinets, conduits, wiring, and poles for the remainder of the fiscal year.

The annual appropriation for the underground utility locating services is \$17,000, which accounts for approximately 120 USA requests per year (\$140/USA request). Through January 2022 of this fiscal year, St. Francis Electric responded to 206 USA requests, and staff anticipates that there could be as many as 200 more USA requests for the remainder of the fiscal year due to upcoming utility improvements, private developments, and Town capital projects.

SUBJECT: Authorize the Town Manager to Execute a Second Contract Amendment to the Traffic Signal and Streetlight Maintenance and Underground Service Alert Locating Services Contract with St. Francis Electric, Inc.

DATE: March 10, 2022

DISCUSSION (continued):

An additional \$67,000 is needed for the remainder of FY 2021/22 to continue the contract services by St. Francis Electric without disruptions as summarized below:

Contracted Services	Annual Appropriated Amounts per Services	FY 2021/22 Service Charges to January 2022	Anticipated Needs for Remainder of FY 2021/22	Total Anticipated Needs for FY 2021/22
Response Maintenance (Repairs)	\$ 50,669	\$ 40,780	\$ 37,000	\$ 77,780
Routine Maintenance	\$ 67,331	\$ 38,437	\$ 28,894	\$ 67,331
Utility Locating	\$ 17,000	\$ 28,840	\$ 28,000	\$ 56,840
Total	\$135,000	\$124,056	\$ 77,444	\$201,951
Additional Amount Needed for FY 2021/22				\$ 66,951
Rounded Up to				\$ 67,000

Staff has identified a source of funds for this increase from FY 2021/22 Parks and Public Works Department – Engineering Development Services Program (5202) revenues, where revenues are tracking higher than anticipated.

For the remaining three fiscal years (FY 2022/23 to FY 2024/25) of the five-year agreement with St. Francis Electric, staff is requesting that the Town Council authorize an annual contract amount capacity increase of \$50,000 per fiscal year, increasing the total five-year contract amount not to exceed \$900,567.

Original Contract	\$ 675,000
First Amendment	\$ 8,567 for FY 2020/21
Second Amendment	\$ 67,000 for FY 2021/22 \$ 150,000 for FY 2022/23 to FY 2024/25
Total	\$900,567

This would allow the annual contract amount to increase from \$135,000 to \$185,000 for the next three fiscal years to cover future service level increases. Funding for the FY 2022/23 to FY 2024/25 services would be established during each annual budget process.

PAGE 4 OF 4

SUBJECT: Authorize the Town Manager to Execute a Second Contract Amendment to the Traffic Signal and Streetlight Maintenance and Underground Service Alert Locating Services Contract with St. Francis Electric, Inc.

DATE: March 10, 2022

CONCLUSION:

The Town Council's authorization of the second contract amendment for the traffic signal and streetlight repair and maintenance and USA locating services would allow St. Francis Electric to continue providing the contract services in FY 2021/22 and increase the contract capacity by \$50,000 each fiscal year for the remaining three years of the contract term.

COORDINATION:

This report is coordinated with the Finance Department.

FISCAL IMPACT:

There are sufficient funds available in the FY 2021/22 Parks and Public Works Department - Engineering Development Services Program (5202) revenues for the \$67,000 contract increase of the second contract amendment. The \$150,000 increase for the remaining three fiscal years would be subject to future appropriation of funds during the corresponding annual budget processes.

ENVIRONMENTAL ASSESSMENT:

The actions associated with this item are not a project defined under CEQA, and no further action is required.

Attachment:

1. Second Amendment to Agreement for Services Including Original Agreement and First Amendment

SECOND AMENDMENT TO AGREEMENT FOR SERVICES

This SECOND AMENDMENT TO AGREEMENT FOR SERVICES is dated for identification this 15th day of March 2022 and amends that certain AGREEMENT FOR SERVICES dated September 15, 2020, and FIRST AMENDMENT TO AGREEMENT dated July 22, 2021, made by and between the **TOWN OF LOS GATOS**, ("Town,") and **ST. FRANCIS ELECTRIC**, ("Service Provider").

RECITALS

- A. Town and Service Provider entered into an Agreement for Services on November 1, 2020 ("Agreement"), a copy of which is attached hereto and incorporated by reference as Attachment 1 to this Amendment.
- B. Town and Service Provider entered into First Amendment to the Agreement for Services on August 3, 2021 ("Agreement"), a copy of which is attached hereto and incorporated by reference as Attachment 2 to this Amendment.
- C. Town desires to make second amendment to the Agreement to the compensation for Services in Fiscal Year 2021/22 and Fiscal Years 2022/23 through Fiscal Year 2024/25.

AMENDMENT

- 1. 2.6 Compensation is amended to read as follows:
 - For Fiscal year 2021/22, the annual compensation for Services shall be increased by \$67,000 for a total annual amount of \$202,000; and
 - For Fiscal Year 2022/23 to Fiscal Year 2024/25, the annual compensation for Services shall be increased by \$50,000 for a total annual amount of \$185,000 for the three fiscal years, for a total revised contract amount not to exceed \$900,567.
- 2. All other terms and conditions of the Agreement remain in full force and effect.

IN WITNESS WHEREOF, the Town and Service Provider have executed this Amendment.

Town of Los Gatos, by:

St. Francis Electric, by:

Laurel Prevetti
Town Manager

Name/Title

Recommended by:

Matt Morley
Director of Parks and Public Works

Approved as to Form:

Robert Schultz, Town Attorney

Attest:

Shelley Neis, MMC, CPMC, Town Clerk

FIRST AMENDMENT TO AGREEMENT FOR SERVICES

This FIRST AMENDMENT TO AGREEMENT FOR SERVICES is dated for identification this 22nd day of July 2021 and amends that certain AGREEMENT FOR SERVICES dated June 5, 2018, made by and between the **TOWN OF LOS GATOS**, ("Town,") and **ST. FRANCIS ELECTRIC**, ("Service Provider").

RECITALS

- A. Town and Service Provider entered into an Agreement for Services on November 1, 2020 ("Agreement"), a copy of which is attached hereto and incorporated by reference as Attachment 1 to this Amendment.
- B. Town desires to amend the Agreement to the compensation of the agreement for Fiscal Year 2020/21 for Underground Service Alert (USA) Locating Services.

AMENDMENT

1. **2.6 Compensation** is amended to read as follows:
 - Compensation for Underground Service Alert (USA) Locating Services for Fiscal Year 2020/21 shall be increased in an amount of \$8,567, for a total of \$143,567, for a total revised contract amount not to exceed \$683,567.
2. All other terms and conditions of the Agreement remain in full force and effect.

IN WITNESS WHEREOF, the Town and Service Provider have executed this Amendment.

Town of Los Gatos, by:

St. Francis Electric, by:

DocuSigned by:



8/3/2021

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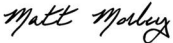
Laurel Prevetti

Town Manager



Recommended by:

DocuSigned by:



8/3/2021

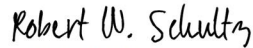
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Matt Morley

Director of Parks and Public Works

Approved as to Form:

DocuSigned by:



8/3/2021

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Robert Schultz, Town Attorney

Attest:

DocuSigned by:



8/4/2021

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Shelley Neis, MMC, CPMC, Town Clerk

AGREEMENT FOR SERVICES

THIS AGREEMENT is dated for identification this 15th of September 2020, and is made by and between TOWN OF LOS GATOS, a California municipal corporation, ("Town") and St. Francis Electric ("Service Provider"), whose address is 975 Carden St., San Leandro, CA. 94577. This Agreement is made with reference to the following facts.

I. RECITALS

- 1.1 Town sought quotations for the services described in this Agreement, and Service Provider was found to be the lowest responsible supplier for this purchase.
- 1.2 Service Provider represents and affirms that it is willing to perform the desired work pursuant to this Agreement.
- 1.3 Town desires to engage Service Provider to provide a comprehensive Street Lighting and Traffic Signal Preventive Maintenance and Repair Services.
- 1.4 Service Provider warrants it possesses the distinct professional skills, qualifications, experience, and resources necessary to timely perform the services described in this Agreement. Service Provider acknowledges Town has relied upon these warranties to retain Service Provider.

II. AGREEMENT

- 2.1 Scope of Services. Service Provider shall provide services as described in that certain Proposal sent to the Town on August 26, 2020, which is hereby incorporated by reference and attached as Exhibit A.
- 2.2 Term and Time of Performance. The effective date of this Agreement shall begin November 1, 2020 and will continue through June 30, 2025, subject to appropriation of funds, notwithstanding any other provision in this agreement.
- 2.3 Compliance with Laws. The Service Provider shall comply with all applicable laws, codes, ordinances, and regulations of governing federal, state and local laws. Service Provider represents and warrants to Town that it has all licenses, permits, qualifications and approvals of whatsoever nature which are legally required for Service Provider to practice its profession. Service Provider shall maintain a Town of Los Gatos business license pursuant to Chapter 14 of the Code of the Town of Los Gatos.
- 2.4 Sole Responsibility. Service Provider shall be responsible for employing or engaging all persons necessary to perform the services under this Agreement.

2.5 Information/Report Handling. All documents furnished to Service Provider by the Town and all reports and supportive data prepared by the Service Provider under this Agreement are the Town's property and shall be delivered to the Town upon the completion of services or at the Town's written request. All reports, information, data, and exhibits prepared or assembled by Service Provider in connection with the performance of its services pursuant to this Agreement are confidential until released by the Town to the public, and the Service Provider shall not make any of these documents or information available to any individual or organization not employed by the Service Provider or the Town without the written consent of the Town before such release. The Town acknowledges that the reports to be prepared by the Service Provider pursuant to this Agreement are for the purpose of evaluating a defined project, and Town's use of the information contained in the reports prepared by the Service Provider in connection with other projects shall be solely at Town's risk, unless Service Provider expressly consents to such use in writing. Town further agrees that it will not appropriate any methodology or technique of Service Provider which is and has been confirmed in writing by Service Provider to be a trade secret of Service Provider.

2.6 Compensation:

Compensation for year one shall not exceed \$135,000. Compensation for future years will be the base cost of \$135,000 and shall be adjusted upward annually for the remaining term of this agreement by the change, if any, in the San Francisco-Oakland-San Jose Metropolitan Area Consumer Price Index for All Urban Consumers, all items (CPI). The adjustment shall be based upon the CPI published on December 31 of the preceding year. If the CPI indicates a downward adjustment, compensation would remain at the base amount. Payment shall be based upon Town approval of each task.

2.7 Billing. Billing shall be monthly by invoice within thirty (30) days of the rendering of the service and shall be accompanied by a detailed explanation of the work performed by whom at what rate and on what date. Also, plans, specifications, documents or other pertinent materials shall be submitted for Town review, even if only in partial or draft form.

Payment shall be net thirty (30) days. All invoices and statements to the Town shall be addressed as follows:

Invoices:

Town of Los Gatos

Attn: Accounts Payable

P.O. Box 655

Los Gatos, CA 95031-0655

- 2.8 Availability of Records. Service Provider shall maintain the records supporting this billing for not less than three years following completion of the work under this Agreement. Service Provider shall make these records available to authorized personnel of the Town at the Service Provider offices during business hours upon written request of the Town.
- 2.9 Assignability and Subcontracting. The services to be performed under this Agreement are unique and personal to the Service Provider. No portion of these services shall be assigned or subcontracted without the written consent of the Town.
- 2.10 Independent Contractor. It is understood that the Service Provider, in the performance of the work and services agreed to be performed, shall act as and be an independent contractor and not an agent or employee of the Town. As an independent contractor he/she shall not obtain any rights to retirement benefits or other benefits which accrue to Town employee(s). With prior written consent, the Service Provider may perform some obligations under this Agreement by subcontracting but may not delegate ultimate responsibility for performance or assign or transfer interests under this Agreement. Service Provider agrees to testify in any litigation brought regarding the subject of the work to be performed under this Agreement. Service Provider shall be compensated for its costs and expenses in preparing for, traveling to, and testifying in such matters at its then current hourly rates of compensation, unless such litigation is brought by Service Provider or is based on allegations of Service Provider's negligent performance or wrongdoing.
- 2.11 Conflict of Interest. Service Provider understands that its professional responsibilities are solely to the Town. The Service Provider has and shall not obtain any holding or interest within the Town of Los Gatos. Service Provider has no business holdings or agreements with any individual member of the Staff or management of the Town or its representatives nor shall it enter into any such holdings or agreements. In addition, Service Provider warrants that it does not presently and shall not acquire any direct or indirect interest adverse to those of the Town in the subject of this Agreement, and it shall immediately disassociate itself from such an interest, should it discover it has done so and shall, at the Town's sole discretion, divest itself of such interest. Service Provider shall not knowingly and shall take reasonable steps to ensure that it does not employ a person having such an interest in this performance of this Agreement. If after employment of a person Service Provider discovers it has employed a person with a direct or indirect interest that would conflict with its performance of this Agreement Service Provider shall promptly notify Town of this employment relationship, and shall, at the Town's sole discretion, sever any such employment relationship.
- 2.12 Equal Employment Opportunity. Service Provider warrants that it is an equal opportunity employer and shall comply with applicable regulations governing equal employment opportunity. Neither Service Provider nor its subcontractors do and neither shall

discriminate against persons employed or seeking employment with them on the basis of age, sex, color, race, marital status, sexual orientation, ancestry, physical or mental disability, national origin, religion, or medical condition, unless based upon a bona fide occupational qualification pursuant to the California Fair Employment & Housing Act.

III. INSURANCE AND INDEMNIFICATION

3.1 Minimum Scope of Insurance:

- i. Service Provider agrees to have and maintain, for the duration of the contract, General Liability insurance policies insuring him/her and his/her firm to an amount not less than: one million dollars (\$1,000,000) combined single limit per occurrence for bodily injury, personal injury and property damage.
- ii. Service Provider agrees to have and maintain for the duration of the contract, an Automobile Liability insurance policy ensuring him/her and his/her staff to an amount not less than one million dollars (\$1,000,000) combined single limit per accident for bodily injury and property damage.
- iii. Service Provider shall provide to the Town all certificates of insurance, with original endorsements effecting coverage. Service Provider agrees that all certificates and endorsements are to be received and approved by the Town before work commences.

General Liability:

- i. The Town, its officers, officials, employees and volunteers are to be covered as insured as respects: liability arising out of activities performed by or on behalf of the Service Provider; products and completed operations of Service Provider, premises owned or used by the Service Provider.
- ii. The Service Provider's insurance coverage shall be primary insurance as respects the Town, its officers, officials, employees and volunteers. Any insurance or self-insurances maintained by the Town, its officers, officials, employees or volunteers shall be excess of the Service Provider's insurance and shall not contribute with it.

- iii. Any failure to comply with reporting provisions of the policies shall not affect coverage provided to the Town, its officers, officials, employees or volunteers.
 - iv. The Service Provider's insurance shall apply separately to each insured against whom a claim is made or suit is brought, except with respect to the limits of the insurer's liability.
- 3.2 All Coverages. Each insurance policy required in this item shall be endorsed to state that coverage shall not be suspended, voided, cancelled, reduced in coverage or in limits except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to the Town. Current certification of such insurance shall be kept on file at all times during the term of this agreement with the Town Clerk.
- 3.3 Workers' Compensation. In addition to these policies, Service Provider shall have and maintain Workers' Compensation insurance as required by California law and shall provide evidence of such policy to the Town before beginning services under this Agreement. Further, Service Provider shall ensure that all subcontractors employed by Service Provider provide the required Workers' Compensation insurance for their respective employees.
- 3.4 Indemnification. The Service Provider shall save, keep, hold harmless and indemnify and defend the Town its officers, agent, employees and volunteers from all damages, liabilities, penalties, costs, or expenses in law or equity that may at any time arise or be set up because of damages to property or personal injury received by reason of, or in the course of performing work which may be occasioned by a willful or negligent act or omissions of the Service Provider, or any of the Service Provider's officers, employees, or agents or any subcontractor.

IV. GENERAL TERMS

- 4.1 Waiver. No failure on the part of either party to exercise any right or remedy hereunder shall operate as a waiver of any other right or remedy that party may have hereunder, nor does waiver of a breach or default under this Agreement constitute a continuing waiver of a subsequent breach of the same or any other provision of this Agreement.
- 4.2 Governing Law. This Agreement, regardless of where executed, shall be governed by and construed to the laws of the State of California. Venue for any action regarding this Agreement shall be in the Superior Court of the County of Santa Clara.
- 4.3 Termination of Agreement. The Town and the Service Provider shall have the right to terminate this agreement with or without cause by giving not less than fifteen days (15)

written notice of termination. In the event of termination, the Service Provider shall deliver to the Town all plans, files, documents, reports, performed to date by the Service Provider. In the event of such termination, Town shall pay Service Provider an amount that bears the same ratio to the maximum contract price as the work delivered to the Town bears to completed services contemplated under this Agreement, unless such termination is made for cause, in which event, compensation, if any, shall be adjusted in light of the particular facts and circumstances involved in such termination.

- 4.4 Prevailing Wages. This project is subject to the requirements of Section 1720 et seq. of the California Labor Code requiring the payment of prevailing wages, the training of apprentices and compliance with other applicable requirements. Contractors and all subcontractors who perform work on the project are required to comply with these requirements. Prevailing wages apply to all projects over \$1,000 which are defined as a “public work” by the State of California. This includes: construction, demolition, repair, alteration, maintenance and the installation of photovoltaic systems under a Power Purchase Agreement when certain conditions are met under Labor Code Section 1720.6. This include service and warranty work on public buildings and structures.
- 4.4.1 The applicable California prevailing wage rate can be found at www.dir.ca.gov and are on file with the Town of Los Gatos Parks and Public Works Department, which shall be available to any interested party upon request. The contractor is also required to have a copy of the applicable wage determination posted and/or available at each jobsite.
- 4.4.2 Specifically, contractors are reminded of the need for compliance with Labor Code Section 1774-1775 (the payment of prevailing wages and documentation of such), Section 1776 (the keeping and submission of accurate certified payrolls) and 1777.5 in the employment of apprentices on public works projects. Further, overtime, weekend and holiday pay, and shift pay must be paid pursuant to applicable Labor Code section.
- 4.4.3 The public entity for which work is being performed or the California Department of Industrial Relations may impose penalties upon contractors and subcontractors for failure to comply with prevailing wage requirements. These penalties are up to \$200 per day per worker for each wage violations identified; \$100 per day per worker for failure to provide the required paperwork and documentation requested within a 10-day window; and \$25 per day per worker for any overtime violation.
- 4.4.4 As a condition to receiving progress payments, final payment and payment of retention on any and all projects on which the payment of prevailing wages is required, the contractor agrees to present to the TOWN, along with its request for payment, all applicable and necessary certified payrolls (for itself and all applicable subcontractors) for the time period covering such

payment request. The term “certified payroll” shall include all required documentation to comply with the mandates set forth in Labor Code Section 1720 et seq, as well as any additional documentation requested by the Agency or its designee including, but not limited to: certified payroll, fringe benefit statements and backup documentation such as monthly benefit statements, employee timecards, copies of wage statements and cancelled checks, proof of training contributions (CAC2 if applicable), and apprenticeship forms such as DAS-140 and DAS-142.

- 4.4.5 In addition to submitting the certified payrolls and related documentation to the TOWN, the contractor and all subcontractors shall be required to submit certified payroll and related documents electronically to the California Department of Industrial Relations. Failure to submit payrolls to the DIR when mandated by the project parameters shall also result in the withholding of progress, retention and final payment.
- 4.4.6 No contractor or subcontractor may be listed on a bid proposal for a public works project unless registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5 [with limited exceptions from this requirement for bid purposes only under Labor Code section 1771.1(a)].
- 4.4.7 No contractor or subcontractor may be awarded a contract for public work on a public works project, unless registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5. Contractors MUST be a registered “public works contractor” with the DIR AT THE TIME OF BID. Where the prime contract is less than \$15,000 for maintenance work or less than \$25,000 for construction alternation, demolition or repair work, registration is not required.
- 4.4.8 Should any contractor or subcontractors not be a registered public works contractor and perform work on the project, Contractor agrees to fully indemnify the TOWN for any fines assessed by the California Department of Industrial Relations against the TOWN for such violation, including all staff costs and attorney’s fee relating to such fine.
- 4.4.9 The TOWN shall withhold any portion of a payment; including the entire payment amount, until certified payroll forms and related documentation are properly submitted, reviewed and found to be in full compliance. In the event that certified payroll forms do not comply with the requirements of Labor Code Section 1720 et seq., the TOWN may continue to hold sufficient funds to cover estimated wages and penalties under the contract.

- 4.5 Amendment. No modification, waiver, mutual termination, or amendment of this Agreement is effective unless made in writing and signed by the Town and the Service Provider.

- 4.6 Disputes. In any dispute over any aspect of this Agreement, the prevailing party shall be entitled to reasonable attorney's fees, including costs of appeal.
- 4.7 Notices. Any notice required to be given shall be deemed to be duly and properly given if mailed postage prepaid, and addressed to:

Town of Los Gatos
Attn: Town Clerk
110 E. Main Street
Los Gatos, CA 95030

Service Provider:
St. Francis Electric
975 Carden St.
San Leandro, CA. 94577

or personally delivered to Service Provider to such address or such other address as Service Provider designates in writing to Town.

- 4.8 Order of Precedence. In the event of any conflict, contradiction, or ambiguity between the terms and conditions of this Agreement in respect of the Products or Services and any attachments to this Agreement, then the terms and conditions of this Agreement shall prevail over attachments or other writings.
- 4.9 Entire Agreement. This Agreement, including all Exhibits, constitutes the complete and exclusive statement of the Agreement between the Town and Service Provider. No terms, conditions, understandings or agreements purporting to modify or vary this Agreement, unless hereafter made in writing and signed by the party to be bound, shall be binding on either party.

IN WITNESS WHEREOF, the Town and Service Provider have executed this Agreement.

Town of Los Gatos by:

DocuSigned by:
Laurel Prevetti 10/6/2020
Laurel Prevetti, Town Manager

Recommended by:

DocuSigned by:
Matt Morley 9/30/2020
Matt Morley, Director of Parks and Public Works

St. Francis by:

DocuSigned by:
Guy Smith 9/30/2020
Vice President
Title

Approved as to Form:

DocuSigned by:
Robert W. Schultz 10/6/2020
Robert Schultz, Town Attorney

Attest:

DocuSigned by:
Shelley Neis 10/6/2020
Shelley Neis, MMC, CPMC, Town Clerk



Signals Streetlights RFP Cost Summary 2020

Attachment 2: Signals/Streetlights Quote Summary 2020			St. Francis Electric		
Basic Services					
Bid Item	Location	Description	Unit Price	Quantity	Monthly Cost
1	Los Gatos	Street Light Maintenance	\$1.10	1600	\$1,760
2	Los Gatos	Traffic Signal PM	\$120.00	31	\$3,720
3	Los Gatos	Parking Lot Light Maintenance	\$1.10	119	\$131
4	Los Gatos	USA Locating	\$140.00		
5					
6					
7					
8					
9					
			Monthly	Total	\$5,611
			Annual	Total	\$67,331
Additional Services T & M			Per Hour		
10					
11					
12					
13					



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 03/15/2022

ITEM NO: 9

DATE: March 3, 2022

TO: Mayor and Town Council

FROM: Laurel Prevetti, Town Manager

SUBJECT: Corporation Yard Building Replacement Project (CIP No. 821-2302):

- a. Reject all Bids for the Corporation Yard Building Replacement CIP Project No. 821-2302 and Authorize the Town Manager to Rebid the Project; and
- b. Authorize the Town Manager to Execute a Fourth Amendment to Agreement with Cuschieri Horton Architects in an Amount of \$9,390 for a Total Agreement Amount Not to Exceed \$227,840 for Plan Revisions; and
- c. Authorize an Expenditure Budget Adjustment in the Amount of \$600,000 to the Project from Available General Fund Appropriated Reserve and General Fund Capital/Special Projects Reserve.

RECOMMENDATION:

Staff recommends that the Town Council take the following actions:

- a. Reject all bids for the Corporation Yard Building Replacement CIP Project No. 821-2302 and authorize the Town Manager to rebid the project; and
- b. Authorize the Town Manager to Execute a Fourth Amendment to Agreement with Cuschieri Horton Architects (Attachment 1) in an amount of \$9,390 for a total agreement amount not to exceed \$227,840 for plan revisions; and
- c. Authorize an expenditure budget adjustment in the amount of \$600,000 to the Project from available General Fund Appropriated Reserve (GFAR) and General Fund Capital Special Projects Reserve.

BACKGROUND:

The Town's adopted Fiscal Year (FY) 2021/22 Capital Improvement Program Budget designates funding for Town projects, including Project 821-2302, Building Replacement at the Corporation

PREPARED BY: Dan Keller
Facilities & Environmental Services Manager

Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, Finance Director, and Parks and Public Works Director

BACKGROUND (continued):

Yard. This is the second phase in a two phased project in which phase one resulted in the conversion of warehouse space to office space and phase two involves replacing an old portable building, that has been used as staff space and police evidence storage, with a steel storage building.

On October 2, 2018, the Town Council authorized the Town Manager to execute an agreement with Cuschieri Horton Architects for the Design of Corporation Yard Building Replacement and Engineering Tenant Improvement project.

On August 18, 2020, the Town Council authorized the Town Manager to execute a construction contract with DesignTek Consulting Group, LLC. for the construction of phase one of the project which included tenant improvements of engineering staff offices and conversion of warehouse space into staff office space. The phase one construction work has been completed. The maintenance staff has relocated to the new offices and Police evidence has been moved to a temporary trailer in preparation for phase two of the project.

On December 21, 2021, the Town Council authorized advertising the project for bid. The project was subsequently advertised for bids and bids were opened on February 3, 2022.

DISCUSSION:

A mandatory pre-bid walk-through was held on January 18, 2022 for prospective bidders to visit the project site before bidding. A total of 8 contractors and sub-contractors attended the pre-bid walk-through. However, only one bid from Premier Builders, Inc. in the amount of \$1,146,104 was received for the project. The bid amount exceeded the \$763,776 amount that Town Council had authorized based on the engineer's estimate.

To address the high bid amount, staff proposes to award the project as two separate contracts, one for demolition and one for construction. This will enable more competitive bidding from specialized contractors in each respective phase.

Cuschieri Horton Architects will provide additional services to simplify the bid package by removing the completed Phase I of the overall project plan set which included the improvements at the Engineering Building and to look for opportunities to remove scope from the project. This will provide more clarity to the scope of work to prospective bidders.

CONCLUSION:

Approval of the recommendations would allow the project to move forward. Two separate construction contracts would be awarded to the lowest responsible bidders, in alignment with the Procurement Policy.

COORDINATION:

The design of this project has been coordinated with Community Development Department and County Fire through the building permit process.

FISCAL IMPACT:

Based on the estimated cost of construction to complete this project, additional funds of \$600,000 are required. This is due to the increased costs for construction and materials since the project's conception in 2018. The budget adjustment allows for funding to be in place as required to bid the project. Should favorable bids be received, excess funds would be returned to General Fund Appropriated Reserve (GFAR).

The below table summarizes the anticipated project expenditures. There are sufficient funds available in the GFAR and in the General Fund Capital/Special Projects Reserve for the additional expenses.

Building Replacement at Corporation Yard Project 821-2302		
	Budget	Costs
GFAR	\$2,051,781	
Approved with this Staff Report	\$600,000	
Total Budget	\$2,651,781	
Expenditures to Date (Including Encumbrances)		\$1,396,709
Amendment to Agreement with this Staff Report		\$9,390
Total Expenditures		\$1,406,099
Remaining Budget		\$1,245,682

ENVIRONMENTAL ASSESSMENT:

This is a project as defined under CEQA but is Categorical Exempt (Section 15301 a and d). A Notice of Exemption will not be filed.

PAGE 4 OF 4

SUBJECT: Corporation Yard Building Replacement Project (CIP No. 821-2302)

DATE: March 3, 2022

Attachments:

1. Fourth Amendment including original Agreement and Amendments

FOURTH AMENDMENT TO AGREEMENT FOR CONSULTANT SERVICES

This FOURTH AMENDMENT TO AGREEMENT FOR CONSULTANT SERVICES is dated for identification this 3rd day of March 2022 and amends that certain agreement for CONSULTANT SERVICES dated October 3, 2018 made by and between the Town of Los Gatos, ("Town,") and Cushieri Horton Architects ("Consultant.")

RECITALS

- A. Town and Consultant entered into a Consultant Agreement on October 3, 2018, ("Agreement"), a copy of which is attached hereto and incorporated by reference as Attachment 1 to this Amendment.

AMENDMENT

1. Town and Consultant entered into an Agreement for Consultant Services on October 3, 2018 ("Agreement"), a First Amendment on March 3, 2021 ("Agreement"), and Second Amendment on November 2, 2021 ("Agreement"), copies of which are attached hereto and incorporated by reference as Attachment 1 to this Amendment.
2. All other terms and conditions of the Agreement remain in full force and effect.

IN WITNESS WHEREOF, the Town and Consultant have executed this Amendment.

Town of Los Gatos

Approved as to Consent:

By: _____
Laurel Prevetti, Town Manager

By: _____
Print Name, Title

Department Approval:

Matt Moley
Parks and Public Works Director

Approved as to Form:

Attest:

Robert Schultz, Town Attorney

Shelley Neis, MMC, CPMC, Town Clerk

THIRD AMENDMENT TO AGREEMENT FOR CONSULTANT SERVICES

This THIRD AMENDMENT TO AGREEMENT FOR CONSULTANT SERVICES is dated for identification this 21ST day of December 2021 and amends that certain AGREEMENT FOR CONSULTANT SERVICES dated October 3, 2018, FIRST AMENDMENT TO AGREEMENT dated March 3, 2021, and SECOND AMENDMENT TO AGREEMENT dated November 2, 2021 made by and between the **TOWN OF LOS GATOS**, ("Town,") and **Cuschieri Horton Architects** ("Consultant").

RECITALS

- A. Town and Consultant entered into an Agreement for Consultant Services on October 3, 2018 ("Agreement"), a First Amendment on March 3, 2021 ("Agreement"), and Second Amendment on November 2, 2021 ("Agreement"), copies of which are attached hereto and incorporated by reference as Attachment 1 to this Amendment.
- B. Town desires to extend the term of the Agreement.

AMENDMENT

1. Section 2.2 Term and time of Performance is amended to read:

This Contract will remain in effect through December 31, 2022.

2. All other terms and conditions of the Agreement remain in full force and effect.

IN WITNESS WHEREOF, the Town and Consultant have executed this Amendment.

Town of Los Gatos by:

Consultant by:

Laurel Prevetti
Town Manager

Name/Title

Recommended by:

Matt Morley
Director of Parks and Public Works

Approved as to Form:

Robert Schultz, Town Attorney

Attest:

Shelley Neis, MMC, CPMC, Town Clerk

SECOND AMENDMENT TO AGREEMENT FOR CONSULTANT SERVICES

This SECOND AMENDMENT TO AGREEMENT FOR CONSULTANT SERVICES is dated for identification this 2nd day of November 2021 and amends that certain AGREEMENT FOR CONSULTANT SERVICES dated October 3, 2018, and FIRST AMENDMENT TO AGREEMENT dated March 3, 2021 made by and between the **TOWN OF LOS GATOS**, ("Town,") and **Cuschieri Horton Architects** ("Consultant").

RECITALS

- A. Town and Consultant entered into an Agreement for Consultant Services on October 3, 2018 ("Agreement"), a copy of which is attached hereto and incorporated by reference as Attachment 1 to this Amendment.
- B. Town and Consultant entered into First Amendment to the Agreement for Consultant Services on March 3, 2021 ("Agreement"), a copy of which is attached hereto and incorporated by reference as Attachment 2 to this Amendment.
- C. Town desires to make second amendment the Agreement to add to the scope of services and provide additional compensation for additional architectural and engineering design services to support building replacement at Parks and Public Works Corp Yard.

AMENDMENT

1. Section 2.1 Scope of Services is amended to read:

Consultant shall provide services as described in that certain Cost Proposal sent to the Town on October 14, 2021, which is hereby incorporated by referenced and attached as Exhibit C.

2. Section 2.6 Compensation is amended to read:

Additional compensation for Consultant's professional services shall be \$53,100, for a total agreement not to exceed \$218,450.

3. All other terms and conditions of the Agreement remain in full force and effect.

IN WITNESS WHEREOF, the Town and Consultant have executed this Amendment.

Town of Los Gatos by:

DocuSigned by:

Laurel Prevetti

11/29/2021

853FEEA2EB39470...
Laurel Prevetti
Town Manager

Consultant by:

DocuSigned by:

Daniel Cuschieri

11/22/2021

A90D10B2B193487...
Daniel Cuschieri, Principal Architect
Name/Title

Recommended by:

DocuSigned by:

Matt Morley

11/22/2021

BBAB53B0D8F4484...
Matt Morley
Director of Parks and Public Works

Approved as to Form:

DocuSigned by:

Robert W. Schultz

11/26/2021

2FE0938555B744C...
Robert Schultz, Town Attorney

Attest:

DocuSigned by:

Shelley Neis

11/29/2021

B0666F65B1F34F6...
Shelley Neis, MMC, CPMC, Town Clerk

14 October 2021
CHA# 1826.05

Matt Morley
Director
Parks and Public Works Department
Town of Los Gatos
41 Miles Avenue, Los Gatos, CA 95030

Project / Location:
TLG – Engineering TI and Storage Building
41 Miles Avenue, Los Gatos, CA 95030

RE: Additional Services #5 Fee Proposal for Additional Construction Administration Services for the Storage Building

Dear Matt,

Please find enclosed Cuschieri Horton Architects (CHA) request for approval of additional Architectural and Engineering services for the above noted project. This proposal represents an additional scope of work for an additional (4) month Construction Administration services in connection to the proposed Storage Building, which was not covered within our original project proposal #201832, dated 06/01/18, nor any prior additional design service proposals.

SCOPE OF WORK:

This added scope of work includes:

- Extended Construction Administration Services for four (4) months for the Storage Building construction.

Therefore, this fully executed agreement will constitute approval for A/E services expended as noted above, as well as incorporation into the overall permitted project set during CA phase of work.

ASSUMPTIONS:

- AOR efforts in assisting the contractor in evaluating and ensuring compliance with the contract documents, coordinate and inspect contractor's work. Coordination with the Design team, Contractor and the Owner in reviewing submittals and responding to RFIs. Attend weekly construction meetings.
- Change in Scope, increase in Schedule, &/or any unforeseen conditions may result in add services.
- All prior assumptions and scope noted within original and prior approved proposal(s) remain applicable for this additional service proposal unless otherwise updated or noted above.
- See attached Consulting Engineer's proposal for their respective Assumptions.

EXCLUSIONS (can be provided as an additional service & billed at current SOC, if needed):

- Preparation of documentation beyond those described above and within this proposal.
- Additional revisions during CA period.
- All prior exclusions and scope noted within original approved proposal remain applicable for this additional service proposal unless otherwise updated or noted above.
- See attached Consulting Engineer's proposal for their respective Exclusions.

EXHIBIT C

PROFESSIONAL FEES:

Town of Los Gatos Engineering Building TI and Storage Building Additional Services #5	Fees
---	-------------

(4) Month Extended Construction Administration Services

CHA – Cuschieri Horton Architects	Construction Administration Services	\$ 21,500
BASE Design	Structural Construction Administration Services	\$ 1,200
Sandis	Civil Construction Administration	\$ 3,000
ACIES Engineering	MEP Construction Administration Services	\$ 3,000

(Add Services): \$ 28,700

We propose the following CHA Staff and SOC rates for this project:

Project Manager– Dan Cuschieri, Architect, (Hourly rate: \$170/hr.)

Senior Designer – Ray Bolisay (Hourly rate: \$150/hr.)

Job Captain – Sanobar Girap (Hourly rate: \$135/hr.)

CAD drafter (Hourly rate: \$115/hr.)

Reimbursable Charges: Computed at cost + 10%.

AGREEMENT FOR SERVICES:

Above noted services will be provided in accordance with the standard AIA agreement, to be provided by CHA. If the TLG has their own agreement, please provide to CHA for review and execution. CHA will proceed with these services following distribution, review and our receipt of TLG signed approval followed by an executed Agreement between CHA and TLG, issued for these services. Services outside this proposed scope of work will be billed hourly per CHA and CHA's engineering consultant's current schedule of charges, following Owner approval of such additional work.

Thank you for your consideration and approval of this additional work. Please call with any questions.

Sincerely



Dan Cuschieri, AIA, Principal

By signing below, you have acknowledged acceptance of the terms, fees, & conditions of this proposal letter, and authorize Cuschieri Horton Architects to proceed with the proposed services, included with any amendment to the fully executed prime agreement.
 (Please email signed/executed color copy to CHA)

 Signature of Owner representative (s)

 Date

 Full Name of Owner representative(s)

Cc: Tony Cuschieri (CHA), Kristi Pearce-Percy (CHA), Jeannette Keplinger (CHA)

September 15, 2021

Dan Cuschieri
Cuschieri Horton Architects
20 S. Santa Cruz Avenue
Suite 108
Los Gatos, CA
95030

RE: TLG Storage Building
Construction Administration Schedule
Cuschieri Horton Architects Project No. 1826
BASE Design Project No. 18174, Add Service #2

Dear Mr. Cuschieri,

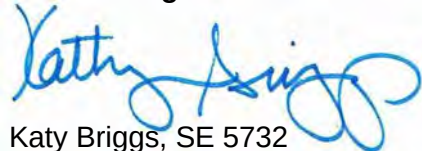
Per emails from Ray Bolisay of your office sent September 14, 2021, the construction phase of the Storage Building will be extended by four months. This extended construction schedule will require additional time for construction administration.

BASE Design proposes to provide the scope of services described above for the new storage building construction at an hourly rate of \$150, not to exceed of **\$1,200 (One Thousand and Two Hundred Dollars)**.

We hope that this add service proposal is acceptable to you. If the fees and terms provided herein are acceptable, this letter can serve as our agreement and our authorization to proceed.

Sincerely,

BASE Design



Katy Briggs, SE 5732
Principal

ACCEPTED BY:

Cuschieri Horton Architects

BY: _____

DATE: _____



September 16, 2021
Project No. 218290

Dan Cuschieri
Cuschieri Horton Architects
1475 S. Bascom Avenue, Suite 204
Campbell, CA 95008
T: 408.371.8200
E: dan@charch.com

RE: **LOS GATOS ENGINEERING BUILDING TI**
ASR #2 - STORAGE BUILDING RELOCATION
LOS GATOS, CA

ASR #3 - Extended 4-Month
Construction Administration

Dear Dan,

This letter is our amendment to the original proposal dated May 23, 2018 for the above referenced project. The following scope of work is included in this amendment, per the email received on 09/14/21 from Ray Bolisay, Cuschieri Horton Architects:

1. **Extended 4-month construction administration.**
 - ~~1. Adjust storage building an additional five (5) feet from property line.~~
 - ~~2. Adjust all grading and utility improvements with respect to building relocation.~~
 - ~~3. Revise civil plan set to architectural team for town submittal.~~
 - ~~4. Respond to one (1) round of town review comments.~~
- ~~• Construction Documents - \$7,000~~
 - **Construction Administration - \$3,000**

These services will be provided for the sum of ~~\$10,000 (Ten Thousand Dollars)~~ and will be performed under the terms and conditions of our original contract. Please return one signed copy of this letter to our Campbell office as your authorization to proceed.

Regards,

SANDIS

Chad Browning, PE, LEED AP, QSD/P
Associate Principal

Steve Yazalina
Project Manager

Approved

CUSCHIERI HORTON ARCHITECTS

By: _____

Title: _____

Date: _____

AUTHORIZATION FOR REQUESTED ADDITIONAL SERVICES

CLIENT: **Cuschieri Horton Architects** **DATE:** 09-15-2021
 20 S. Santa Cruz Ave, Suite 108
 Los Gatos, CA 95030
 Tel: (408) 371-8200 x1121

AUTHORIZED REPRESENTATIVE: Ray Bolisay *rbolisay@charch.com*

PROJECT: **Los Gatos Engineering TI**
41 Miles Avenue
Los Gatos, CA 95030

PROJECT NUMBER: 180541.03

**DESCRIPTION OF
ADDITIONAL
SERVICES:**

Additional MEP Engineering and Design assistance to provide Construction Administration support services (4 months) for the Storage building.

**ADDITIONAL
SERVICE FEE:**

Time and Material But Not To Exceed \$3,000.00

REIMBURSABLE EXPENSES shall refer to those out-of-pocket costs, expenses, fees, or charges which ACIES incurs on the CLIENT's behalf. "Reimbursable Expenses" include but are not limited to:

- Production of drawings, calculations, etc.
- Travel expenses
- Shipping and postage
- All fees paid to local agencies or government offices on behalf of the CLIENT or the project.

Prevailing in-house reimbursable expense rates are as follows:

Item	Price
Reimbursement - Bond 11 x 17	\$0.75
Reimbursement - Bond 17 x 22	\$1.00
Reimbursement - Bond 18 x 24	\$1.00
Reimbursement - Bond 22 x 34	\$1.50
Reimbursement - Bond 24 x 22	\$1.00
Reimbursement - Bond 30 x 42	\$2.75
Reimbursement - Bond 36 x 24	\$2.50
Reimbursement - Bond 36 x 48	\$4.00
Reimbursement - Vellums	\$10.00
Reimbursement - Mileage	\$0.58/mile
Reimbursement - Acies Messenger	\$25.00
Reimbursement - Drawings Delivery	Varies
Reimbursement - Copies	\$0.10/sheet

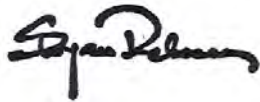
PREVAILING HOURLY BILLING RATES:

Principal	\$230.00/hr
Associate	\$190.00/hr
Project Director	\$175.00/hr
Project Manager	\$150.00/hr
Project Engineer	\$130.00/hr
Designer	\$115.00/hr
REVIT / CAD Operator	\$120.00/hr
Administrator	\$85.00/hr

All terms and conditions from original proposal dated 06-19-2018 apply to this additional service agreement. Reimbursable expenses such as drawing reproduction, copying, fax, travel expenses, long distance telephone and toll calls, shipping, postage & etc will be charged at 1.1 times their cost to Acies.

EXECUTION: *In witness whereof, the parties hereto have accepted, made and executed this Agreement upon the terms, conditions and provisions above stated, the day and year first above written.*

SUBMITTED BY:
ACIES ENGINEERING



SRDJAN REBRACA, PE

PRINCIPAL

DATE: SEPTEMBER 15, 2021

APPROVED BY:

PRINT:

DATE:

14 October 2021
CHA# 1826.06

Matt Morley
Director
Parks and Public Works Department
Town of Los Gatos
41 Miles Avenue, Los Gatos, CA 95030

Project / Location:
TLG – Engineering TI and Storage Building
41 Miles Avenue, Los Gatos, CA 95030

RE: Additional Services #6 Rev01 Fee Proposal for Additional Design Services to Relocate the Storage Building

Dear Matt,

Please find enclosed Cuschieri Horton Architects (CHA) request for approval of additional Architectural and Engineering services for the above noted project. This proposal represents an additional scope of work for relocation of the Storage building, which was not covered within our original project proposal #201832, dated 06/01/18, nor any prior additional design service proposals.

SCOPE OF WORK:

This added scope of work includes:

- Relocate the proposed Storage building 10 feet away from the north property line.
- Rearrange HVAC unit for the Storage building due to the relocation of the building.
- Adjust grades, elevations, and utility improvements with respect to the relocation of the Storage building.
- Redesign parking and ramps in front of the relocated Storage building.

Therefore, this fully executed agreement will constitute approval for A/E services expended as noted above, as well as incorporation into the overall permitted project set during CA phase of work.

ASSUMPTIONS:

- AOR efforts in coordination and preparation of the revised drawings and resubmission to the Town of Los Gatos Building Department.
- Change in Scope, increase in Schedule, &/or any unforeseen conditions may result in add services.
- All prior assumptions and scope noted within original and prior approved proposal(s) remain applicable for this additional service proposal unless otherwise updated or noted above.
- See attached Consulting Engineer's proposal for their respective Assumptions.

EXCLUSIONS (can be provided as an additional service & billed at current SOC, if needed):

- Preparation of documentation beyond those described above and within this proposal.
- Additional revisions during CA period.
- All prior exclusions and scope noted within original approved proposal remain applicable for this additional service proposal unless otherwise updated or noted above.
- See attached Consulting Engineer's proposal for their respective Exclusions.

PROFESSIONAL FEES:

Town of Los Gatos Engineering Building TI and Storage Building Additional Services #6	Fees
--	-------------

Relocation of Storage Building

CHA – Cuschieri Horton Architects	Architectural Design Fee	\$ 11,900
Sandis	Civil Design Fee	\$ 7,000
ACIES Engineering	MEP Design Fee	\$ 5,500

(Add Services): \$ 24,400

We propose the following CHA Staff and SOC rates for this project:

Project Manager– Dan Cuschieri, Architect, (Hourly rate: \$170/hr.)
 Senior Designer – Ray Bolisay (Hourly rate: \$150/hr.)
 Job Captain – Sanobar Girap (Hourly rate: \$135/hr.)
 CAD drafter (Hourly rate: \$115/hr.)
 Reimbursable Charges: Computed at cost + 10%.

AGREEMENT FOR SERVICES:

Above noted services will be provided in accordance with the standard AIA agreement, to be provided by CHA. If the TLG has their own agreement, please provide to CHA for review and execution. CHA will proceed with these services following distribution, review and our receipt of TLG signed approval followed by an executed Agreement between CHA and TLG, issued for these services. Services outside this proposed scope of work will be billed hourly per CHA and CHA's engineering consultant's current schedule of charges, following Owner approval of such additional work.

Thank you for your consideration and approval of this additional work. Please call with any questions.

Sincerely

Dan Cuschieri, AIA, Principal

By signing below, you have acknowledged acceptance of the terms, fees, & conditions of this proposal letter, and authorize Cuschieri Horton Architects to proceed with the proposed services, included with any amendment to the fully executed prime agreement.
 (Please email signed/executed color copy to CHA)

 Signature of Owner representative (s)

 Date

 Full Name of Owner representative(s)

Cc: Tony Cuschieri (CHA), Kristi Pearce-Percy (CHA), Jeannette Keplinger (CHA)



September 16, 2021
Project No. 218290

Dan Cuschieri
Cuschieri Horton Architects
1475 S. Bascom Avenue, Suite 204
Campbell, CA 95008
T: 408.371.8200
E: dan@charch.com

**RE: LOS GATOS ENGINEERING BUILDING TI
ASR #2 – STORAGE BUILDING RELOCATION
LOS GATOS, CA**

Dear Dan,

This letter is our amendment to the original proposal dated May 23, 2018 for the above referenced project. The following scope of work is included in this amendment, per the email received on 09/14/21 from Ray Bolisay, Cuschieri Horton Architects:

1. Adjust storage building an additional five (5) feet from property line.
2. Adjust all grading and utility improvements with respect to building relocation.
3. Revise civil plan set to architectural team for town submittal.
4. Respond to one (1) round of town review comments.

- **Construction Documents – \$7,000**
- ~~Construction Administration – \$7,000~~

These services will be provided for the sum of ~~\$10,000 (Ten Thousand Dollars)~~ and will be performed under the terms and conditions of our original contract. Please return one signed copy of this letter to our Campbell office as your authorization to proceed.

Regards,

SANDIS

Chad Browning, PE, LEED AP, QSD/P
Associate Principal

Steve Yazalina
Project Manager

Approved

CUSCHIERI HORTON ARCHITECTS

By: _____

Title: _____

Date: _____

AUTHORIZATION FOR REQUESTED ADDITIONAL SERVICES

CLIENT: **Cuschieri Horton Architects** **DATE:** Revised 10-12-2021
 20 S. Santa Cruz Ave, Suite 108
 Los Gatos, CA 95030
 Tel: (408) 371-8200 x1121

AUTHORIZED REPRESENTATIVE: Ray Bolisay rbolisay@charch.com

PROJECT: **Los Gatos Engineering TI**
41 Miles Avenue
Los Gatos, CA 95030

PROJECT NUMBER: 180541.05

**DESCRIPTION OF
ADDITIONAL
SERVICES:**

Additional MEP Engineering and Design assistance for a proposed revision on the location of the Town of Los Gatos storage building. The scope of work includes:

- *Move Storage Building away from the northwest property line by 10'-0" per "Additonal Scope - Storage Building Relocation.pdf" sketch.*
- *Relocate HVAC unit and reconfigure ductwork going inside the building.*
- *Ramp and parking areas in front of the storage building shall also move to the proposed location.*

**ADDITIONAL
SERVICE FEE:**

\$5,500

REIMBURSABLE EXPENSES shall refer to those out-of-pocket costs, expenses, fees, or charges which ACIES incurs on the CLIENT's behalf. "Reimbursable Expenses" include but are not limited to:

- Production of drawings, calculations, etc.
- Travel expenses
- Shipping and postage
- All fees paid to local agencies or government offices on behalf of the CLIENT or the project.

Prevailing in-house reimbursable expense rates are as follows:

Item	Price
Reimbursement - Bond 11 x 17	\$0.75
Reimbursement - Bond 17 x 22	\$1.00
Reimbursement - Bond 18 x 24	\$1.00
Reimbursement - Bond 22 x 34	\$1.50
Reimbursement - Bond 24 x 22	\$1.00
Reimbursement - Bond 30 x 42	\$2.75
Reimbursement - Bond 36 x 24	\$2.50
Reimbursement - Bond 36 x 48	\$4.00
Reimbursement - Vellums	\$10.00
Reimbursement - Mileage	\$0.58/mile
Reimbursement - Acies Messenger	\$25.00
Reimbursement - Drawings Delivery	Varies
Reimbursement - Copies	\$0.10/sheet

PREVAILING HOURLY BILLING RATES:

Principal	\$230.00/hr
Associate	\$190.00/hr
Project Director	\$175.00/hr
Project Manager	\$150.00/hr
Project Engineer	\$130.00/hr
Designer	\$115.00/hr
REVIT / CAD Operator	\$120.00/hr
Administrator	\$85.00/hr

All terms and conditions from original proposal dated 06-19-2018 apply to this additional service agreement. Reimbursable expenses such as drawing reproduction, copying, fax, travel expenses, long distance telephone and toll calls, shipping, postage & etc will be charged at 1.1 times their cost to Acies.

EXECUTION: *In witness whereof, the parties hereto have accepted, made and executed this Agreement upon the terms, conditions and provisions above stated, the day and year first above written.*

SUBMITTED BY:
ACIES ENGINEERING



TOMISLAV GAJIC, PE
PRINCIPAL
DATE: REVISED OCTOBER 12, 2021

APPROVED BY:

PRINT:
DATE:

FIRST AMENDMENT TO AGREEMENT FOR CONSULTANT SERVICES

This FIRST AMENDMENT TO AGREEMENT FOR CONSULTANT SERVICES is dated for identification this 2nd day of March 2021 and amends that certain AGREEMENT FOR CONSULTANT SERVICES dated October 3, 2018, made by and between the **TOWN OF LOS GATOS**, ("Town,") and **Cuschieri Horton Architects** ("Consultant").

RECITALS

- A. Town and Consultant entered into an Agreement for Consultant Services on October 3, 2018 ("Agreement"), a copy of which is attached hereto and incorporated by reference as Attachment 1 to this Amendment.
- B. Town desires to amend the Agreement to add to the scope of services and provide additional compensation for Design Services and Fire Water Underground Design Services to support tenant improvements (TI) at the Town's Engineering Building.

AMENDMENT

1. Section 2.1 Scope of Services is amended to read:

Consultant shall provide services as described in that certain Cost Proposal sent to the Town on October 10, 2020, which is hereby incorporated by referenced and attached as Exhibit B.

2. Section 2.6 Compensation is amended to read:

Additional compensation for Consultant's professional services shall be \$16,350, for a total agreement not to exceed \$165,350.

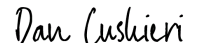
3. All other terms and conditions of the Agreement remain in full force and effect.

IN WITNESS WHEREOF, the Town and Consultant have executed this Amendment.

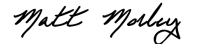
Town of Los Gatos by:

DocuSigned by:
 3/11/2021
853FEEA2ED39470...
Laurel Prevetti
Town Manager

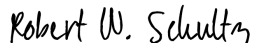
Consultant by:

DocuSigned by:
 3/10/2021
A90D10B2B193487...
Dan Cuschieri, AIA, Principal Architect
Name/Title

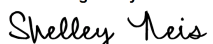
Recommended by:

DocuSigned by:
 3/10/2021
BBA0B3B0D8F4484...
Matt Morley
Director of Parks and Public Works

Approved as to Form:

DocuSigned by:
 3/11/2021
2FE0938555B744C...
Robert Schultz, Town Attorney

Attest:

DocuSigned by:
 3/11/2021
B0666F66B4F34F6...
Shelley Neis, MMC, CPMC, Town Clerk



10 October 2020
CHA Add Service 1 - Proposal

10 October 2020
CHA# 1826.01

Matt Morley
Director
Parks and Public Works Department
Town of Los Gatos
41 Miles Avenue, Los Gatos, CA 95030

Project / Location:
TLG – Engineering Building TI & Storage Building
41 Miles Avenue, Los Gatos, CA 95030

RE: Additional Services #1 Fee Proposal for Additional Design Services for Fire Water Underground Design Submittal to Connect to the Proposed Storage Building.

Dear Matt,

Please find enclosed Cuschieri Horton Architects (CHA) request for approval of additional Architectural and Engineering services for the above noted project. This proposal represents an additional scope of work for Fire Water underground work connection to the proposed Storage Building, which was not covered within our original project proposal #201832, dated 06/01/18, nor any prior additional design service proposals, and a result of the Santa Clara County Fire Department Review comments and requirements.

SCOPE OF WORK:

This added scope of work includes:

- Provide plans for a new fire water connection to the proposed Storage Building.
- Provide supplemental topographic survey of the area showing existing water features (hydrants and valves), locations of utility vaults, manholes, catch basins and invert information of storm and sanitary sewers, underground utility lines such as gas, water, electric, and any onsite utilities.
- Address 2nd review comments relating to the fire water connection to the proposed Storage Building (Civil comments only).

This will require modifications and additional drawings to be issued for the Town of Los Gatos Building Dept for review and approval.

Therefore, this fully executed agreement will constitute approval for A/E services expended as noted above, as well as incorporation into the overall permitted project set during CA phase of work.

ASSUMPTIONS:

- AOR efforts in the coordination and preparation of the Fire Water underground drawing revisions for the proposed Storage Building to be submitted to the Town of Los Gatos Building Department review and approval.
- Change in Scope, increase in Schedule, &/or any unforeseen conditions may result in add services.
- All prior assumptions and scope noted within original and prior approved proposal(s) remain applicable for this additional service proposal unless otherwise updated or noted above.
- See attached Consulting Engineer's proposal for their respective Assumptions.

EXCLUSIONS (can be provided as an additional service & billed at current SOC, if needed):

Preparation of documentation beyond those described above and within this proposal.



10 October 2020
CHA Add Service 1 - Proposal

- Additional revisions during CA period.
- All prior exclusions and scope noted within original approved proposal remain applicable for this additional service proposal unless otherwise updated or noted above.
- See attached Consulting Engineer's proposal for their respective Exclusions.

PROFESSIONAL FEES:

Town of Los Gatos Engineering Building TI and Storage Building Additional Services #1		Fees
<u>Fire Alarm/Fire Sprinkler/Fire Water Underground Submittal</u>		
CHA – Cuschieri Horton Architects Sandis	Architectural Design Services Fire Water Underground Design Services	\$ 8,500 <u>\$ 7,850</u>
	(Add Services):	\$16,350

We propose the following CHA Staff and SOC rates for this project:

Project Manager– Dan Cuschieri, Architect, (Hourly rate: \$170/hr.)

Senior Designer – Ray Bolisay (Hourly rate: \$150/hr.)

Job Captain – Sanobar Girap (Hourly rate: \$135/hr.)

CAD drafter (Hourly rate: \$115/hr.)

Reimbursable Charges: Computed at cost + 10%.

AGREEMENT FOR SERVICES:

Above noted services will be provided in accordance with the standard AIA agreement, to be provided by CHA. If the TLG has their own agreement, please provide to CHA for review and execution. CHA will proceed with these services following distribution, review and our receipt of TLG signed approval followed by an executed Agreement between CHA and TLG, issued for these services. Services outside this proposed scope of work will be billed hourly per CHA and CHA's engineering consultant's current schedule of charges, following Owner approval of such additional work.

Thank you for your consideration and approval of this additional work. Please call with any questions.

Sincerely

Dan Cuschieri, AIA, Principal

By signing below, you have acknowledged acceptance of the terms, fees, & conditions of this proposal letter, and authorize Cuschieri Horton Architects to proceed with the proposed services, included with any amendment to the fully executed prime agreement.
(Please email signed/executed color copy to CHA)

Signature of Owner representative (s)

Date

Full Name of Owner representative(s)

Cc: Tony Cuschieri (CHA), Kristi Pearce-Percy (CHA), Jeannette Keplinger (CHA)



August 12, 2020
Project No. 218290

Dan Cuschieri
Cuschieri Horton Architects
1475 S. Bascom Avenue, Suite 204
Campbell, CA 95008
T: 408.371.8200
E: dan@charch.com

**RE: LOS GATOS ENGINEERING BUILDING TI
ASR #1 – SURVEYING & ENGINEERING SERVICES
LOS GATOS, CA**

Dear Dan,

This letter is our amendment to the original proposal dated May 23, 2018, for the above referenced project. The following scope of work is included in this amendment:

SUPPLEMENTAL TOPOGRAPHIC SURVEY

\$3,600

- Perform a supplemental topographic survey of the area per the attached Exhibit A.
- Provide field and office work to produce a supplemental topographic survey at a scale of 1" = 20'. This survey will show the location of the underground utility locating paint marks. The location of utility vaults, manholes, catch basins and invert information of storm and sanitary sewers will be shown based upon a field survey. The location of underground utility lines such as gas, water, electric, and any onsite utilities will be shown based upon available agency records and mechanical detection of existing utilities.
- Existing water features (hydrants and valves) in the area of the proposed POC will also be documented.
- Mechanical locating services will be provided for detectable utilities using standard locating methods as listed in the California Government Code section 4216 through 4216.9. Depths and sizes of conduits will not be provided unless specifically requested in advance. Empty conduits, irrigation lines, hose bibs and abandoned utilities will also not be located unless specifically requested in advance. A reasonable effort will be made to locate existing subsurface utilities but individual field conditions will dictate the thoroughness of our survey. Only actual excavation will reveal the locations of such utilities.
- We reserve the right to utilize aerial survey techniques if deemed appropriate for scope and site features. Aerial survey will be supplemented with conventional survey for utility information and survey under trees or areas not visible from above. Aerial spot elevations for aerial survey will be shown to an accuracy of ± 0.1 (one tenth) of a foot.

ENGINEERING SERVICES

\$4,250

- Provide a utility plan for a new fire water connection to the proposed structure.
- Submit to San Jose Water for review and approval.
- Coordinate with the subconsultants.
- Respond to two (2) rounds of review comments.



August 12, 2020
Project No. 218290
Dan Cuschieri
Cuschieri Horton Architects
Page 2

These services will be provided for the amounts listed above and will be performed under the terms and conditions of our original contract.

Please return one signed copy of this letter to our Campbell office as your authorization to proceed. proceed.

Regards

Approved

SANDIS

CUSCHIERI HORTON ARCHITECTS

A handwritten signature in blue ink, appearing to read 'Stephen Yazalina'.

Stephen Yazalina
Project Manager

By: _____

A handwritten signature in blue ink, appearing to read 'Chad Browning'.

Title: _____

Chad Browning, PE, LEED AP, QSD/P
Associate Principal

Date: _____

Attachments: Exhibit A



41 Miles Ave
Los Gatos, CA 95030
Building



Directions



Save



Nearby

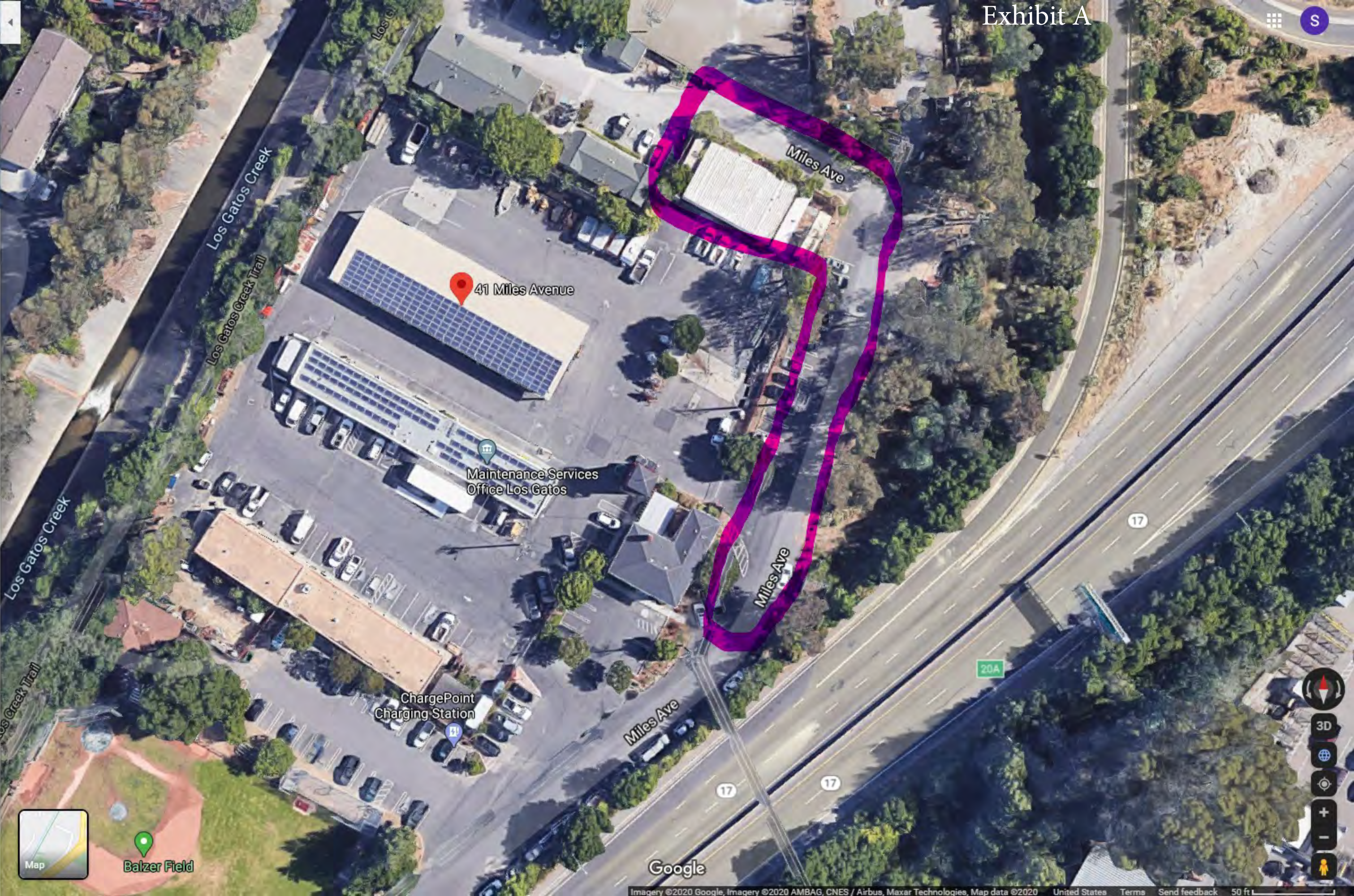


Send to your phone



Share

-  Suggest an edit on 41 Miles Ave
-  Add a missing place
-  Add your business
-  Add a label



AGR 18.247
IHH**AGREEMENT FOR CONSULTANT SERVICES**

THIS AGREEMENT is made and entered into on October 3, 2018 by and between TOWN OF LOS GATOS, a California municipal corporation, ("Town") Cuschieri Horton Architects, ("Consultant"), whose address is 1475 S. Bascom Avenue, Suite 204, Campbell, CA 95008. This Agreement is made with reference to the following facts.

I. RECITALS

- 1.1 The Town desire to engage Consultant to provide design services to support tenant improvements (TI) at the Town's Engineering Building, including new construction evidence storage.
- 1.2 The Consultant represents and affirms that it is willing to perform the desired work pursuant to this Agreement.
- 1.3 Consultant warrants it possesses the distinct professional skills, qualifications, experience, and resources necessary to timely perform the services described in this Agreement. Consultant acknowledges Town has relied upon these warranties to retain Consultant.

II. AGREEMENTS

- 2.1 Scope of Services. Consultant shall provide services as described in that certain Cost Proposal sent to the Town on June 1, 2018, which is hereby incorporated by reference and attached as Exhibit A.
- 2.2 Term and Time of Performance. This contract will remain in effect from October 3, 2018 to December 31, 2021.
- 2.3 Compliance with Laws. The Consultant shall comply with all applicable laws, codes, ordinances, and regulations of governing federal, state and local laws. Consultant represents and warrants to Town that it has all licenses, permits, qualifications and approvals of whatsoever nature which are legally required for Consultant to practice its profession. Consultant shall maintain a Town of Los Gatos business license pursuant to Chapter 14 of the Code of the Town of Los Gatos.
- 2.4 Sole Responsibility. Consultant shall be responsible for employing or engaging all persons necessary to perform the services under this Agreement.
- 2.5 Information/Report Handling. All documents furnished to Consultant by the Town and all reports and supportive data prepared by the Consultant under this Agreement are the Town's property and shall be delivered to the Town upon the completion of Consultant's services or at the Town's written request. All reports, information, data, and exhibits

prepared or assembled by Consultant in connection with the performance of its services pursuant to this Agreement are confidential until released by the Town to the public, and the Consultant shall not make any of these documents or information available to any individual or organization not employed by the Consultant or the Town without the written consent of the Town before such release. The Town acknowledges that the reports to be prepared by the Consultant pursuant to this Agreement are for the purpose of evaluating a defined project, and Town's use of the information contained in the reports prepared by the Consultant in connection with other projects shall be solely at Town's risk, unless Consultant expressly consents to such use in writing. Town further agrees that it will not appropriate any methodology or technique of Consultant which is and has been confirmed in writing by Consultant to be a trade secret of Consultant.

- 2.6 **Compensation.** Compensation for Consultant's professional services shall not exceed **\$149,000**, inclusive of all costs. Payment shall be based upon Town approval of each task.
- 2.7 **Billing.** Billing shall be monthly by invoice within thirty (30) days of the rendering of the service and shall be accompanied by a detailed explanation of the work performed by whom at what rate and on what date. Also, plans, specifications, documents or other pertinent materials shall be submitted for Town review, even if only in partial or draft form.

Payment shall be net thirty (30) days. All invoices and statements to the Town shall be addressed as follows:

Invoices:
Town of Los Gatos
Attn: Accounts Payable
P.O. Box 655
Los Gatos, CA 95031-0655

- 2.8 **Availability of Records.** Consultant shall maintain the records supporting this billing for not less than three years following completion of the work under this Agreement. Consultant shall make these records available to authorized personnel of the Town at the Consultant's offices during business hours upon written request of the Town.
- 2.9 **Assignability and Subcontracting.** The services to be performed under this Agreement are unique and personal to the Consultant. No portion of these services shall be assigned or subcontracted without the written consent of the Town.
- 2.10 **Independent Contractor.** It is understood that the Consultant, in the performance of the work and services agreed to be performed, shall act as and be an independent contractor and not an agent or employee of the Town. As an independent contractor he/she shall not obtain any rights to retirement benefits or other benefits which accrue to Town employee(s). With prior written consent, the Consultant may perform some obligations

under this Agreement by subcontracting but may not delegate ultimate responsibility for performance or assign or transfer interests under this Agreement. Consultant agrees to testify in any litigation brought regarding the subject of the work to be performed under this Agreement. Consultant shall be compensated for its costs and expenses in preparing for, traveling to, and testifying in such matters at its then current hourly rates of compensation, unless such litigation is brought by Consultant or is based on allegations of Consultant's negligent performance or wrongdoing.

- 2.11 **Conflict of Interest.** Consultant understands that its professional responsibilities are solely to the Town. The Consultant has and shall not obtain any holding or interest within the Town of Los Gatos. Consultant has no business holdings or agreements with any individual member of the Staff or management of the Town or its representatives nor shall it enter into any such holdings or agreements. In addition, Consultant warrants that it does not presently and shall not acquire any direct or indirect interest adverse to those of the Town in the subject of this Agreement, and it shall immediately disassociate itself from such an interest, should it discover it has done so and shall, at the Town's sole discretion, divest itself of such interest. Consultant shall not knowingly and shall take reasonable steps to ensure that it does not employ a person having such an interest in this performance of this Agreement. If after employment of a person, Consultant discovers it has employed a person with a direct or indirect interest that would conflict with its performance of this Agreement, Consultant shall promptly notify Town of this employment relationship, and shall, at the Town's sole discretion, sever any such employment relationship.
- 2.12 **Equal Employment Opportunity.** Consultant warrants that it is an equal opportunity employer and shall comply with applicable regulations governing equal employment opportunity. Neither Consultant nor its subcontractors do and neither shall discriminate against persons employed or seeking employment with them on the basis of age, sex, color, race, marital status, sexual orientation, ancestry, physical or mental disability, national origin, religion, or medical condition, unless based upon a bona fide occupational qualification pursuant to the California Fair Employment & Housing Act.

III. INSURANCE AND INDEMNIFICATION

- 3.1 **Minimum Scope of Insurance:**
- i. Consultant agrees to have and maintain, for the duration of the contract, General Liability insurance policies insuring him/her and his/her firm to an amount not less than: one million dollars (\$1,000,000) combined single limit per occurrence for bodily injury, personal injury and property damage.
 - ii. Consultant agrees to have and maintain for the duration of the contract, an Automobile Liability insurance policy ensuring him/her and his/her staff to an amount not less than one million dollars (\$1,000,000) combined single limit per accident for bodily injury and property damage.

- iii. Consultant shall provide to the Town all certificates of insurance, with original endorsements effecting coverage. Consultant agrees that all certificates and endorsements are to be received and approved by the Town before work commences.
- iv. Consultant agrees to have and maintain, for the duration of the contract, professional liability insurance in amounts not less than \$1,000,000 which is sufficient to insure Consultant for professional errors or omissions in the performance of the particular scope of work under this agreement.

General Liability:

- i. The Town, its officers, officials, employees and volunteers are to be covered as insured as respects: liability arising out of activities performed by or on behalf of the Consultant; products and completed operations of Consultant, premises owned or used by the Consultant. This requirement does not apply to the professional liability insurance required for professional errors and omissions.
- ii. The Consultant's insurance coverage shall be primary insurance as respects the Town, its officers, officials, employees and volunteers. Any insurance or self-insurances maintained by the Town, its officers, officials, employees or volunteers shall be excess of the Consultant's insurance and shall not contribute with it.
- iii. Any failure to comply with reporting provisions of the policies shall not affect coverage provided to the Town, its officers, officials, employees or volunteers.
- iv. The Consultant's insurance shall apply separately to each insured against whom a claim is made or suit is brought, except with respect to the limits of the insurer's liability.

3.2 All Coverages. Each insurance policy required in this item shall be endorsed to state that coverage shall not be suspended, voided, cancelled, reduced in coverage or in limits except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to the Town. Current certification of such insurance shall be kept on file at all times during the term of this agreement with the Town Clerk.

3.3 Workers' Compensation. In addition to these policies, Consultant shall have and maintain Workers' Compensation insurance as required by California law and shall provide evidence of such policy to the Town before beginning services under this Agreement. Further, Consultant shall ensure that all subcontractors employed by Consultant provide the required Workers' Compensation insurance for their respective employees.

- 3.4 Indemnification. The Consultant shall save, keep, hold harmless and indemnify and defend the Town its officers, agent, employees and volunteers from all damages, liabilities, penalties, costs, or expenses in law or equity that may at any time arise or be set up because of damages to property or personal injury received by reason of, or in the course of performing work which may be occasioned by a willful or negligent act or omissions of the Consultant, or any of the Consultant's officers, employees, or agents or any subconsultant.

IV. GENERAL TERMS

- 4.1 Waiver. No failure on the part of either party to exercise any right or remedy hereunder shall operate as a waiver of any other right or remedy that party may have hereunder, nor does waiver of a breach or default under this Agreement constitute a continuing waiver of a subsequent breach of the same or any other provision of this Agreement.
- 4.2 Governing Law. This Agreement, regardless of where executed, shall be governed by and construed to the laws of the State of California. Venue for any action regarding this Agreement shall be in the Superior Court of the County of Santa Clara.
- 4.3 Termination of Agreement. The Town and the Consultant shall have the right to terminate this agreement with or without cause by giving not less than fifteen days (15) written notice of termination. In the event of termination, the Consultant shall deliver to the Town all plans, files, documents, reports, performed to date by the Consultant. In the event of such termination, Town shall pay Consultant an amount that bears the same ratio to the maximum contract price as the work delivered to the Town bears to completed services contemplated under this Agreement, unless such termination is made for cause, in which event, compensation, if any, shall be adjusted in light of the particular facts and circumstances involved in such termination.
- 4.4 Amendment. No modification, waiver, mutual termination, or amendment of this Agreement is effective unless made in writing and signed by the Town and the Consultant.
- 4.5 Disputes. In any dispute over any aspect of this Agreement, the prevailing party shall be entitled to reasonable attorney's fees, including costs of appeal.
- 4.6 Notices. Any notice required to be given shall be deemed to be duly and properly given if mailed postage prepaid, and addressed to:

Town of Los Gatos
Attn: Town Clerk
110 E. Main Street
Los Gatos, CA 95030

Cuschieri Horton Architects
1475 S. Bascom Avenue, Suite 104
Campbell, CA 95008

or personally delivered to Consultant to such address or such other address as Consultant designates in writing to Town.

4.7 Order of Precedence. In the event of any conflict, contradiction, or ambiguity between the terms and conditions of this Agreement in respect of the Products or Services and any attachments to this Agreement, then the terms and conditions of this Agreement shall prevail over attachments or other writings.

4.8 Entire Agreement. This Agreement, including all Exhibits, constitutes the complete and exclusive statement of the Agreement between the Town and Consultant. No terms, conditions, understandings or agreements purporting to modify or vary this Agreement, unless hereafter made in writing and signed by the party to be bound, shall be binding on either party.

IN WITNESS WHEREOF, the Town and Consultant have executed this Agreement.

Town of Los Gatos by:



Laurel Prevetti, Town Manager

Consultant, by:



Daniel Cuschieri, AIA
Cuschieri Horton Architects

Recommended by:



Matt Morley, Director of Parks and Public Works

Principal / Architect

Title

Approved as to Form:



Robert Schultz, Town Attorney

Cost Proposal Format

Consultant shall provide a detailed itemized schedule of rates and fees which includes all billing amounts and costs for each Task as follows:

Basic Services:

Compensation shall be on a time and materials basis in proportion to services rendered and shall be billed monthly as percentages of completion for each Task as follows:

Task 1: Design Project Management and Coordination	\$ 6,780
Task 2: Data Collection and Review (35%)	\$ 35,935
Task 3: Construction Documents: 70% & 100%	
A. 70% Complete Plans	\$ 46,532
B. 100% Complete Plans	\$ 23,208
Task 4: Construction Management and Other Services (as needed)	\$5,000
Task 5: Construction Administration (as needed)	\$ 30,540
Task 6: Record Drawings and Project Close-Out	\$ 6,720
TOTAL (Not-To-Exceed)	\$ 154,715

Consultant Rate Schedule*:

* Attach Consultant rate schedule



Signature of CHA Representative

DAN CUSCHIERI, AIA, Principal

Typed name & Title

*Request for Proposal
Design Professional Services for Engineering Building Tenant Improvement*



CHA # 201832 / 06-01-18
 TLG Engineering Building Tenant Improvements
 COST PROPOSAL SUPPLEMENT - CHA Design Team

1 June 2018

Town of Los Gatos (TLG - Owner)

Parks and Public Works Department (41 Miles Avenue, Los Gatos, CA 95030)

Attention: Lisa Petersen, Assistant Director / Town Engineer

Cc: Brett Stollenwerk, Project Manager

Re: COST PROPOSAL SUPPLEMENT - Professional Services Fee Proposal for A/E Design Services (Tasks 1 thru 6)

Town of Los Gatos Engineering Building Tenant Improvement

Project Location: 41 Miles Avenue, Los Gatos, CA 95030

Dear Lisa,

We at Cuschieri Horton Architects (CHA) would like to thank you & the Town of Los Gatos for this great opportunity to provide our Architectural and Consultant Engineering services Cost proposal for the above noted project & as a supplement to Attachment D - Cost Proposal Format. We include herewith our understanding of the scope of services & key staff assigned for this project, including our design services fees for your review and approval. If each building (engineering + storage) project was to be separate due to budgetary constraints, this can be discussed during the interview process regarding fee & schedule impacts.

Following recent communication via telephone & email communication with additional scoping at the project site walk with Kinjal Buch, we have developed the following scope of services & fees for your review.

SCOPE OF SERVICES: The scope of services follow the scope and requirements set forth within the Town of Los Gatos (TLG) issued RFP and plan attachments received on 05/03/18 & Addendums. This RFP for design services to support tenant improvements (TI) at the TLG's Engineering Building, including new construction work for the replacement of a small portable building that currently houses TLG field crew & TLG Police evidence storage, both located at the TLG's service yard at 41 Miles Avenue, Los Gatos, CA. The existing Engineering building is currently separated into two areas; One area contains the existing engineering department office cubicles, one unisex bathroom, plan/file storage area, conference room, entry counter, etc.. The second area contains an equipment storage area. Proposed design services are to complete the TI of the building which would include relocating the existing engineering area to a new office area in the converted equipment/material storage location & changing the existing engineering area into an office for Town maintenance staff. At the location of the old portable building, the scope proposes a new basic steel storage building approximately 90 ft. long by 60 ft. wide by 20 ft. high (5400 sf +/-), with a recommended pre-fabricated structure on a concrete slab. This new building will be sectioned off into two areas with no toilets or staff work areas; One area will be for general TLG storage to accommodate a fork lift, tall racking storage, & HVAC unconditioned. The second area will be for TLG police evidence storage that meets Police Dept. evidence storage specifications and is approximately 2,000 sf & HVAC conditioned. Attachment E & F, included with the original RFP, show the locations of these structures and the existing engineering building layout. Per our completed RFP submittal package, our design team will prepare the appropriate design documents to facilitate the RFP scope of work as noted above and within the RFP's identified (6) Tasks as follows (please note that the tasks are noted differently between RFP pages 7 thru 9 Task summary and "Attachment D", so we are following "Attachment D," noting (6) tasks, which now incorporate CA services:

Task 1: Design Project Management and Coordination

Task 2: Data Collection and Review (35% plan / documentation submission milestone)

Task 3: Construction Documents (at 70% and 100% plan submission milestones)

Task 4: Construction Management and Other Services (as needed - allowance)

Task 5: Construction Administration (as needed - allowance)

Task 6: Record Drawings and Project Close-out



CHA # 201832 / 06-01-18
TLG Engineering Building Tenant Improvements
COST PROPOSAL SUPPLEMENT -- CHA Design Team

SUMMARY OF EACH "TASK" BASIC SERVICES FOR CHA:

TASK 1 - DESIGN PROJECT MANAGEMENT AND COORDINATION:

1.0 General Items (relating to this Task):

- SCHEDULE - Estimated Task completion time frame: Up to (2) weeks
- Engineering Consultants' Scope: See also the attached/included CHA's Engineering Consultants fee proposals for their scope/fees for this Task.

1.1 Coordinate with the TLG throughout the duration of this project design Task,

1.2. Manage Design Team and overall project design activities consistent with the direction from the TLG in order to meet the project schedule and budget.

1.3. Prepare a work plan phase schedule in MS Project format showing significant milestones for the project.

1.4. Update the schedule monthly and notify TLG if there are delays in any phase of the project. If needed, prepare the schedule in subsequent phases of the project or provide information to TLG substantiating a time extension. Estimated to be (1) permit document package covering up to (3) construction phases.

1.5. Prepare for and attend in-person project meetings with the TLG to discuss project progress, decisions and direction, and to coordinate activities, as required. The meetings shall include the following for this Task:

- Up to (1) Kick-off Meeting (on-site)
- Up to (2) Project Status Meetings with TLG via conference calls.

1.6. Be available to Town staff for consultation by phone, or email to discuss project activities and schedules, or as required through the duration of this project Task.

1.7. Deliverables:

- Monthly progress schedule in MS Project format (electronic file).
- Monthly progress reports and invoices (electronic file). Invoices will indicate, but not be limited to, the following:
 1. Invoice Number
 2. Complete Title of Project
 3. Period for work performed
 4. Listed Tasks per the Contract/Agreement
 5. Hours and percentage of Work Performed to Date of Invoice
 6. Balance of Account from Previous Invoices

TASK 2 - DATA COLLECTION AND REVIEW:

2.0 General Items (relating to this Task):

- SCHEDULE - Estimated Task completion time frame: Up to (4) weeks
- Engineering Consultants' Scope: See also the attached/included CHA's Engineering Consultants fee proposals for their scope/fees for this Task
- Allow up to (1) revision to plans per TLG comments following 35% review.

2.1 Review as-built documents (Hard Copy and Softcopy of PDF + AutoCAD files) and any other project information available for the Project site, provided by TLG at start of this Task. Assume existing as-built AutoCAD editable softcopy files and Hardcopy plans of project areas available for CHA use and review.

2.2 Coordinate development and collection of data.

2.3 Verify existing conditions and current code / zoning requirements (per 2.4 site visit).

2.4 Up to (1) site visit to view and inspect site conditions and existing facilities with TLG provided as-builts.

2.5 Perform necessary site analysis in order to identify opportunities and constraints.

2.6 Up to (3) meetings with TLG staff to obtain additional info & input, as well as misc. review as needed.

2.7 (Civil Engineer) Locate and verify depths of utilities including Ground Penetrating Radar (GPR), and potholing as needed (Civil Engineer services only per their proposal and within their identified area(s) of work, if identified and applicable to their scope/services).



CHA # 201832 / 06-01-18
TLG Engineering Building Tenant Improvement
COST PROPOSAL SUPPLEMENT - CHA Design Team

- 2.8 SCHEMATIC DESIGN** - Prepare and submit, for TLG's review and approval, Schematic Design documents at thirty-five percent (35%) plan submittal. The submittal shall consist of the following plans: Site Plan, Demo and Proposed Floor Plan, some Elevations, Roof Plan, a general narrative description of basic components, and other documents necessary to illustrate the scale and relationship of Project components and provide a preliminary cost estimate.

TASK 3 - CONSTRUCTION DOCUMENTS (at 70% and 100%):

3.0 General Items (relating to this Task):

- **SCHEDULE** - Estimated Task completion time frames: Up to (8) weeks to complete and issue 100% Construction Document package for TLG expedited review with up to an additional *(4) weeks for TLG Review and Permit issuance. * Note: Review schedule has assumed an expedited review per addendum 1 response and considering TLG's involvement starting from Task 1 up to the end of Task 3.
- **Engineering Consultants' Scope:** See also the attached/included CHA's Engineering Consultants fee proposals for their scope/fees for this Task
- Based on the approved Schematic Design documents and any adjustments authorized or directed by TLG staff, Design team shall develop and refine the design, and prepare construction documents to fix and describe the size and character of the Project
- Allow up to (1) revision to plans per TLG comments following 70% review.

3.1 Prepare 70% and 100% complete construction documents and supporting information, which may include but is not limited to:

a) Plans with details of major design components such as:

- Architectural drawings and details (Title Sheet, Site Plan Demo/Proposed Floor Plans, Ceiling Plan, Roof Plan, Elevations, Details, sheet specs, FF&E Plans with the assistance of TLG hired FF&E vendor if applicable)
- Mechanical, electrical and plumbing drawings (See MEP Engineer proposal)
- Civil Drawings (see Civil Engineer proposal)
- Structural Drawings (See Structural Engineer fee proposal)
- Fire Alarm and Fire Sprinkler design consultant hired by TLG, possibly a deferred approval)
- Furniture, Fixtures, and Equipment (FF&E) Plans coordinated with TLG Furniture vendor & TLG Security / IT consultants and or TLG staff.

b) Draft technical specifications with TLG's input (Sheet Specs)

c) Estimate of probable construction cost

3.2 Submit for TLG 70% plan review.

3.3 Meet with TLG staff as needed to review TLG comments on 70% submittal, and gain concurrence as to how the documents will be revised as appropriate to incorporate TLG comments.

3.4 Deliverables (70% and 100%):

1. Complete Plans conforming to TLG Standard Drawings format [five (5) sets of D size (24"x36") and two (2) sets of B-size (11"x17") hard copies]. Electronic copies of plans shall also be made available to TLG in PDF format.
2. Draft Technical Specifications (70%) and Final (100%) [five (5) sets]. Specifications shall be prepared in MS Word and PDF formats.
3. 70% and 100% Estimates of Construction costs. Estimates shall be prepared in MS Excel and PDF formats. (Cost Estimator allowance provided in fee summary; if needed)
4. Miscellaneous Project information as requested.

3.5 Submit for TLG issuance of 100% permit plan set (no fee by TLG) to the TLG Building Department. Plans shall reflect compliance with all applicable codes and requirements. All changes from the Building Department permit plan review shall be reflected in 100% Construction Documents and will be used for bidding purposes.



CHA # 201832 / 06-01-19
TLG Engineering Building Tenant Improvements
COST PROPOSAL SUPPLEMENT – CHA Design Team

TASK 4 - CONSTRUCTION MANAGEMENT AND OTHER SERVICES ("as needed" – ALLOWANCE):

4.0 General Items (relating to this Task):

- SCHEDULE - Estimated Task time frame TBD.
- Engineering Consultants' Scope: See also the attached/included CHA's Engineering Consultants fee proposals for their scope/fees for this Task. If any or referencing hourly per Schedule of Charges (SOC).
- Assisting the TLG in providing information beyond standard support of developed design documents on an as needed basis, and billed on an hourly basis up to \$5,000 of work per SOC. See Cost Proposal Format "Attachment D" and fee breakdowns below, which note A/E team combined use of \$5,000.
- This Task is separated in the fee matrix as an allowance since it is noted in the proposal, "as needed."

4.1 Assist TLG with preparing exhibits for addenda as necessary

4.2 Preparation of design details to respond to unforeseen field conditions

4.3 Submittal Reviews

4.4 RFI responses outside of standard support needed for clarification of the permitted design documents

4.5 Other services as identified by the TLG

TASK 5 - CONSTRUCTION ADMINISTRATION ("as needed" – ALLOWANCE):

5.0 General Items (relating to this Task):

- SCHEDULE - Estimated Task time to be up to (9) months. This estimate to be developed further through each prior Task completion for final scope of work and following contractor bid and schedule.
- Engineering Consultants' Scope: See also the attached/included CHA's Engineering Consultants fee proposals for their scope/fees for this Task, if any or referencing hourly per Schedule of Charges (SOC).
- This Task is separated in the fee matrix as an allowance since it is noted in the proposal, "as needed."
- This Task is noted differently between RFP pages 7 thru 9 Task summary and "Attachment D", so we are following "Attachment D," noting (6) tasks, which incorporate CA services
- SITE VISITS – Up to (9) site visits, up to (1) hour each and once a month, to observe ongoing work.
- Assume weekly OAC meeting conference calls with TLG, up to a maximum duration of 30 minutes each.
- Address RFI's and review Submittals (request submittal log at construction kick-off)
- Communication with TLG or Contractor's Fire Alarm and Fire Sprinkler design-build efforts, as needed.
- PHASING – This Task will likely have construction and occupancy in multiple phases through (1) permit document package.
 - 1) **Phase 1** – Complete Demo of the existing engineering building storage area and construct a new interior office space, infilling the roll up doors with storefronts to move-in the adjacent office TLG engineering staff occupants. TLG will be responsible for a temporary storage location for all the displaced FF&E and such to be removed prior to start of demolition.
 - 2) **Phase 2** – Demo adjacent existing engineering staff office space where occupants were moved from and construct a new interior office space to house the TLG Maintenance Staff that are being moved out of the existing portable building to be demolished. Retain existing public entry.
 - 3) **Phase 3** – Demo existing portable building and remove existing shipping containers. Construct a new basic steel storage building, approximately 90 ft long by 60 ft wide by 20 ft high (5400 sf +/-) (Pre-fab if cost effective) on slab on grade and re-attach displaced antenna. Once complete, this new building will house the Police Department evidence storage as well as a separate storage area to support the displaced TLG maintenance storage items and misc general storage needs. TLG will be responsible for temporary storage of any equipment, materials, furniture, police evidence, etc....that will need to be removed prior to demolition.



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 TLG Engineering Building Tenant Improvements
 COST PROPOSAL SUPPLEMENT – CHA Design Team

TASK 6 - RECORD DRAWINGS AND PROJECT CLOSEOUT:

6.0 General Items (relating to this Task):

- Schedule - Estimated Task time frame up to (2) weeks.
- Engineering Consultants' Scope: See also the attached/included CHA's Engineering Consultants fee proposals for their scope/fees for this Task.

6.1 At completion of Project and with no reimbursable compensation, provide TLG with one set of Record Drawings (24" x 36") that reflect the changes to the work during construction based upon any issued ASI's or other documents issued by the Architect/Engineers and upon marked up prints, drawings, and other data furnished by the Contractor and TLG in a timely and legible manner. Any additional sheets added to the plans shall be properly numbered, properly referenced on other affected drawings and included in the drawing index. Also provide TLG with a complete hard copy set of Record Drawings and one soft copy in AutoCAD and PDF formats. CHA and Consulting engineers, at our own expense, may prepare and retain a copy of each drawing for our permanent file.

6.2 Deliverables:

- Submit a punchlist during final the site visit to submit to Contractor and TLG to correct or accept.
- Record Drawings in PDF format and AutoCAD format sent through downloadable link / media.
- Record Drawings (24" x 36") produced on good quality bond (minimum 20-lb weight paper).

ASSUMPTIONS:

- This proposal and attached consulting engineer proposals cover Task 1, 2, 3, and 6 services. Task 4 and 5 services are noted separately in this proposal as fee allowances since the RFP references these Tasks to be delivered "as needed."
- Project Scope developed from TLG RFP, plans & addendum 1 + 2 responses from the TLG, phone & email responses, as well as a scoping site visit, & as identified above & within this proposal.
- Existing dry utilities can be used to support the new steel building and existing power at the project sites will be able to support all existing and proposed project needs. Proposed equipment supporting infrastructure & distribution systems are assumed to have adequate capacity to support scope of work outlined within this proposal. Existing building structure will be adequate to support project scope components/equipment proposed loads with no additional required strengthening of existing building structure.
- Accessible compliance will be addressed only within areas of work. It is assumed existing adjacent site and existing adjacent buildings and spaces are compliant or will not need to be upgraded or meet current accessible compliance and not need to meet current accessible and life-safety egress code compliance, under the current California Building Code and with any current local Regulatory Agencies' code/requirements, and Federal ADA regulations.
- The TLG noted in addendum 1 that they will assist CHA in preparation and documentation for permit issuance through an expedited review or OTC review / approval.
- Change in scope, changes in assumed schedule (noted above), and/or any unforeseen conditions may result in an add service. Reimbursables have not been included & value can be discussed.
- See Included Engineer proposals for their noted assumptions

EXCLUSIONS (can be provided as an additional service and billed to current Schedule of Charges (SOC))

- All engineering & other consultant services other than noted in this proposal & not noted within fee table below.
- Changes to TLG RFP scope (Exhibit A), including any changes to FC/Owner provided supplemental documentation (Exhibit B and other email noted information).
- Revisions to CHA's design resulting in changes by Owner, Owner's vendor(s), and/or Contractor after 100% plan completion. Additional round(s) of comments/revisions following completion of first round of revisions for 35% and 70% plan issuance.



CHA # 201832 / 06-01-18
 TLG Engineering Building Tenant Improvements
 COST PROPOSAL SUPPLEMENT - CHA Design Team

- Toilet Rooms in new building. HVAC Conditioned space for new building engineering storage space.
- PV/Solar design or EV charging stations
- ADA/accessibility upgrades outside project area.
- BIM/REVIT, 3D presentation & Modelling
- Services: Testing/Inspection, Commissioning, Vibration/Acoustic, Value Engineering, LEED Certification, IT/AV/Security Systems and Design, Move-in/Support, asbestos/hazmat assessment and abatement, Furniture Design, Fire Sprinkler and Fire Alarm design, signage, Panel reads, CASP & Accessibility/ADA compliance & other interpretation services.
- Changes to Design and Construction Documents after TLG initial review approval or to Town Permit Documents unless otherwise noted.
- Any required plan and documentation submittals to/for and coordination with regulatory agencies other than Town of Los Gatos.
- All regulatory/jurisdictional processing & permit fees, testing/inspection fees & other services.
- See included Engineer proposals for their noted exclusions.

FEES AND ALLOWANCES (SECTION A + B): CHA and Consulting Engineer fees for proposal noted services:

A) Fees (NTE) for Professional Services (per RFP and as referenced in Attachment D)

Task(s) not noted in this "Section A" are either not applicable or noted as part of "Section B" allowance:

Discipline / Firm	TASK	\$ Amount
ARCHITECTURAL Cuschieri Horton Architects (CHA)	TASK 1	4,980
	TASK 2	18,750
	TASK 3a	30,100
	TASK 3b	14,210
	TASK 6	3,750
	SUBTOTAL	71,790
CIVIL Sandis	TASK 2	14,175
	TASK 3a	8,232
	TASK 3b	5,488
	TASK 6	1,000
	SUBTOTAL	28,895
STRUCTURAL Base Design	TASK 2	510
	TASK 3a	1,700
	TASK 3b	510
	TASK 6	170
	SUBTOTAL	2,890
MEP ACIES ENGINEERING	TASK 1	1,800
	TASK 2	2,500
	TASK 3a	6,500
	TASK 3b	3,000
	TASK 6	1,800
	SUBTOTAL	15,600
TOTAL (A)		119,175



CHA # 201832 / 06-01-18
TLG Engineering Building Tenant Improvements
COST PROPOSAL SUPPLEMENT - CHA Design Team

B) Fee Allowances - ("as needed" per RFP)

Task 4 & 5 allowances (not included in "Section A" fees)

Discipline / Firm	TASK	\$ Amount
ARCHITECTURAL	TASK 4	*5,000
Cuschieri Horton Architects (CHA)	TASK 5	21,600
	SUBTOTAL	26,600
CIVIL	TASK 4	*hourly(+)
Sandis	TASK 5	3,430
	SUBTOTAL	3,430+
STRUCTURAL	TASK 4	*hourly(+)
Base Design	TASK 5	510
	SUBTOTAL	510+
MEP	TASK 4	*hourly(+)
ACIES Engineering	TASK 5	5,000
	SUBTOTAL	5,000+
	TOTAL (B)	35,540

Reimbursables..... ALL TASKS ---
(not included in Attachment D -
sum to be discussed, if allowed)

We propose the following CHA key staff for this project (with the following 2018 billing rates):

Project Manager - Dan Cuschieri, AIA, Architect (Hourly rate: \$170/hr.)

Senior Designer - Ray Bollsay (Hourly rate: \$150/hr.)

Job Captain/Designer - Sanobar Girap or Other (Hourly rate: \$135/hr.)

CAD Drafter - Other (Hourly rate: \$115/hr.)

AGREEMENT FOR SERVICES:

Above noted services will be provided in accordance with the standard AIA agreement, to be provided by CHA. If the TLG has their own agreement, please provide to CHA for review and execution. CHA will proceed with these services following distribution, review and our receipt of TLG signed approval (next page) followed by an executed Agreement between CHA and TLG, issued for these services. Services outside this proposed scope of work will be billed hourly per CHA and CHA's engineering consultant's current schedule of charges, following Owner approval of such additional work. We will provide CHA's latest Certificate of Insurance (COI) and tax paperwork (W-9) upon TLG's request.

Thank you again for this opportunity to propose our services for this project and we look forward to the opportunity for an interview as well as potentially being awarded the project to work with the TLG staff. If you have any questions or comments, please feel free to contact me directly.

Sincerely,

Dan Cuschieri, AIA, Principal (408-375-2365 cell)
Cuschieri Horton Architects



CHA # 201832 / 06-01-18
 TLG Engineering Building Tenant Improvements
 COST PROPOSAL SUPPLEMENT - CHA Design Team

By signing below, you have acknowledged acceptance of the terms, fees, and conditions of this proposal letter, and authorize Cuschieri Horton Architects to proceed with the proposed services following an executed agreement
 (Please email signed/executed color copy to CHA)

Date _____

Signature of Town of Los Gatos Representative (s) _____

Full Name of Town of Los Gatos Representative(s) _____

CC: Tony Cuschieri (CHA), Kristi Pearce-Percy (CHA).

CHA SCHEDULE OF CHARGES (SOC)

Effective: January 01, 2018

CHA PERSONNEL/ STAFF RATES:

(Per Hour)

Project Director	\$ 190
Project Manager	\$ 170
Project Architect / Senior Designer	\$ 150
Job Captain / Designer	\$ 135
CAD Drafter	\$ 115

EXPERT WITNESS TESTIMONY: Charged at a minimum of 8 hours at \$500.00/hour.

ADDITIONAL INFORMATION: In the absence of specific arrangements to the contrary, monthly statements will be submitted for services completed in the previous month. Payments are required to be made promptly. Unpaid accounts exceeding 30 days after the original invoice, without prior approval, will be charged a 1.5% per month, late payment service charge.

Personnel Charges and Rates noted above are subject to change annually.



Revised May 23, 2018

May 22, 2018

Project No. 218290

Dan Cuschieri
Cuschieri Horton Architects
1475 S. Bascom Avenue Suite 204
Campbell, California 95008
T: 408.371.8200 x115
E: dan@charch.com

**RE: LOS GATOS ENGINEERING BUILDING TI
LOS GATOS, CA**

Dear Dan,

We are pleased to submit our revised proposal to provide surveying and engineering services for the above referenced project. Our proposal is based your email and attachments of March 19, 2018 and our follow up email correspondence.

PROJECT UNDERSTANDING: Civil engineering services to support tenant improvements in one building and replacement of a separate storage building. Efficient and cost conscience design that aids in overall project cost controls as well as maximizing the budget effectiveness. Where possible, offer enhancements as an option for the client to review.

We propose to provide the following scope of services:

SURVEYING SERVICES

TOPOGRAPHIC SURVEY – TASK 2

\$6,340

- See attached Exhibit "A" for the approximate Limit of Work.
- Provide field and office work to produce a survey at a scale of 1" = 20'. This survey will show planimetric and elevation data for pavement, parking area, building corners, sidewalk, ramps, building points of ingress/egress and visible utility information within the project area. Mechanical utility location is not included in this proposal but can be provided for an additional fee.
- Spot elevations collected by ground surveys, including finish floor elevations, will be shown to an accuracy of 0.01' (one hundredth) of a foot.

ENGINEERING SERVICES

SCHEMATIC DESIGN - TASK 2

\$7,835

- Attend one (1) design meeting to discuss site/civil related issues. All other project coordination is assumed to be done via phone and email or other web-based project coordination platforms.
- Prepare civil related schematic design documents for CHA limited to:
 - Demolition plan
 - Grading and utility plan
 - Schematic cost estimate

1700 S. Winchester Boulevard | Campbell, CA 95008 | P. 408.636.0900 | www.sandis.net



Revised May 31, 2018

May 22, 2018

Dan Cuschieri

Cuschieri Horton Architects

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- Attend one (1) coordination meeting with each of the following agencies to coordinate design expectations, particulars of the design or non-standard concepts being proposed:
 - Town of Los Gatos
- Issue schematic civil plans to Cuschieri Horton in electronic format for internal review

CONSTRUCTION DOCUMENTS

TASK 3A: \$8,232

TASK 3B: \$5,488

- Attend one (1) design meeting to discuss site/civil related issues. All other project coordination is assumed to be done via phone and email.
- Prepare civil related construction documents for CHA limited to:
 - Civil cover sheet and notes
 - Topographic survey
 - Grading, drainage and Utility plan
 - Construction details
 - Technical specifications (may be sheet specifications)
 - Site work cost estimate
- Coordinate our work with the architect and other design team consultants.
- Attend one (1) coordination meeting with Town of Los Gatos to coordinate design expectations, particulars of the design or non-standard concepts being proposed.
- Issue construction document civil documents to Cuschieri Horton in electronic format, assumes that submittals will be issued in no more than two (2) submittals; 50% and 100% for permit review/approval.
- It is assumed that construction documents will be done as one (1) package or phase. Separate packages, submittals or phases will be done as additional service.

PERMIT

TASK 5: \$3,430

TASK 6: \$1,000

- Submit plans to Town of Los Gatos for permit.

ADDITIONAL SERVICES (not included in proposal, but can be provided upon request)

The additional services/design items that we think are possible for this project include project phasing, landscape enhancements, site planning (site vehicular circulation), and master planning of storm water management and pollution controls. While some of these items may be beyond the scope and budget for this project, this project affords the opportunity to discuss and conceptualize betterments for the future.



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SCOPE OF WORK ASSUMPTIONS

- It is assumed that the project will be designed in no more than two (2) phase.
- It is assumed that the following will be designed and detailed by other consultants unless specifically listed in the above proposal: site lighting, telecom, electric, gas, structural design of retaining walls, irrigation design, landscape, and design for subdrains or for drainage in areas below, inside or on top of any existing or proposed structures.
- We assume that our plans will be constructed in accordance with industry standards, utilizing a licensed land surveyor for construction layout and staking.
- The scope of work does not include the design of any offsite improvements, or capacity studies for utilities or street work other than what is specifically stated in the above and in the Project RFP.
- Our work will be performed using AutoCAD Version 2017, MS Office 365, and Blue Beam Revu 2016.
- The above services will be provided under the assumption that boundary corners or other suitable horizontal control has been established for this project and is available for our use.

TERMS AND CONDITIONS

- Our services will be provided in a manner consistent with the degree and skill ordinarily exercised by a member of the civil engineering and survey profession practicing in the State of California.
- All reports, plans, specifications, field data, notes and other documents (either electronic or hardcopy) prepared by our office as instruments of service shall remain the property of SANDIS.
- The client acknowledges the instruments of service of SANDIS shall become the property of the client when the documents are complete and when compensation for services is paid in full. The client is prohibited from making any alterations to the instruments of service without the written consent of SANDIS.
- Neither SANDIS nor the client shall be liable to the other for consequential damages incurred due to the fault of the other party, regardless of the nature of this fault or whether it was committed by the client, SANDIS, their employees, agents, subconsultants or vendors.
- The scope of work included in the proposal is limited to the specific scope included and specified only. Any exclusions listed are for clarity only and do not represent a complete list of exclusions to the scope. Any additional scope proposed or done other than that listed in the proposal as included shall be done as an additional service.
- Agency review and recordation fees will not be paid by SANDIS and are not included in this proposal.



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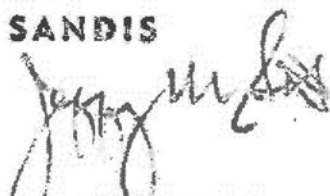
- This proposal is firm for thirty (30) days from the date of this letter.

Our services will be provided for the amounts listed above and will be performed under the master services agreement provided by CHA. Should a master services agreement not be provided, SANDIS will provide the provisions of the agreement for professional surveying and engineering services.

Pursuant to state law, no work can proceed on this project without written acceptance. Please return one signed copy of this proposal and one signed copy of the master services agreement to our office as our authorization to proceed.

Regards,

SANDIS



Jeffrey M. Setera, P.E.
Vice President

Approved

CUSCHIERI HORTON ARCHITECTS

By: _____

Title: _____

Date: _____

Attachments: Exhibit "A" Survey Limits
Standard Hourly Rates



Revised March, 2018

SANDIS STANDARD HOURLY CHARGE RATES

Enforced: September 1, 2017 through August 31, 2018

ENGINEERING SERVICES / QSD & QSP SERVICES**Hourly Rate**

Project Specialist/Clerical		\$90.00
Computer/Field/Engineer Technician	Level I	\$95.00
	Level II	\$105.00
	Level III	\$110.00
Sr. Engineer Technician		\$130.00
Design Engineer	Level I	\$100.00
	Level II	\$110.00
	Level III	\$115.00
Project Engineer/Traffic Engineer	Level I	\$120.00
	Level II	\$135.00
	Level III	\$150.00
Engineering Project Manager Level 1		\$175.00
Engineering Project Manager Level 2		\$200.00
Associate Principal/Senior Project Manager/Senior Traffic Engineer		\$225.00
Principal		\$350.00
Forensic Review/Analysis/Claim Support		\$250.00

SURVEYING SERVICES / HIGH DEFINITION SCANNING/ 3-D MODELING SERVICES

Computer/Surveying/Scanning Technician	Level I	\$95.00
	Level II	\$105.00
	Level III/Steel Draft Person	\$110.00
Project Surveyor/Scanning Specialist	Level I	\$120.00
	Level II	\$135.00
	Level III/Steel Draft Person	\$150.00
Steel Office Support (LSIT)		\$175.00
Survey Manager Level 1 / Steel Office Support (PLS)		\$175.00
Survey Project Manager Level 2		\$200.00
Senior Field Survey Supervisor/AISC, Steel Supervisor		\$225.00
Senior Survey Manager		\$225.00
1-Person Survey Crew		\$215.00
2-Person Survey Crew		\$295.00
2-Person Survey Crew for Structural Steel Surveys		\$295.00
2-Person Survey Crew with Apprentice		\$355.00
3-Person Survey Crew		\$370.00

REIMBURSABLE COSTS: Printing, monuments, materials, outside services and consultants, courier/delivery services, express/overnight mail, travel/per diem, agency fees advanced, etc., at cost plus 10%.

OVERTIME: All overtime charges are invoiced on the basis of one and one-half times the above rates. Double time invoiced at two times above rates.

ESCALATION: Escalation for future years shall be at a minimum of 3.5% increase per year.

Sandis at its sole discretion may utilize its subsidiaries (BSI) to perform the services presented in this proposal. Bryant Survey Inc.



Via Email:

May 23, 2018

Dan Cuschieri
Cuschieri Horton Architects
1475 S. Bascom Avenue, Suite 204
Campbell, CA
95008

RE: Town of Los Gatos Engineering Building Tenant Improvement
BASE Design Project No. P18174

Dear Mr. Cuschieri,

BASE Design (Structural Consultant) is pleased to submit this proposal to you (the Client) to provide structural engineering services for the Town of Los Gatos Engineering Building Tenant Improvement project in Los Gatos, CA. Our scope of services is based on your email sent May 21, 2018 and the attachments within.

I. DESCRIPTION OF THE PROJECT

The Town of Los Gatos is planning a tenant improvement of their existing engineering building located at their service yard at 41 Miles Avenue in Los Gatos, CA. The existing engineering building is a single-story concrete block wall with a wood-framed roof. Currently, one portion of it has been built out while the other portion is used as storage. The tenant improvements will involve converting the existing storage area into office space and converting the office space currently used by the engineering staff into office space used by the maintenance staff.

As part of these tenant improvements, an existing portable building located in the service yard will be demolished. In its place, a new, prefabricated steel building will be erected, and it will house general storage (items currently stored in the engineering building will be relocated here) and police evidence storage.

II. SCOPE OF SERVICES

Our structural consulting services will consist of the following.

- A. Visit the site to observe the existing engineering building and review any available as-built drawings of the existing engineering building.
- B. Prepare structural drawings as required for the tenant improvement of the engineering building.
- C. Prepare structural drawings for the foundations supporting the prefabricated steel building housing general storage and police evidence storage.
- D. Prepare structural calculations for the tenant improvement of the engineering building as required.

RE: Town of Los Gatos Engineering Building Tenant Improvement

May 23, 2018

- E. Prepare structural calculations for the foundations supporting the prefabricated steel building.
- F. Provide mark ups of structural details provided on the architectural and MEP drawings for the tenant improvements of the engineering building and for the prefabricated steel building.
- G. Assist in responding to structural plan check comments.
- H. Provide support during construction of the work as required, including one site visit.

III. FEES

- A. We propose to provide the scope of services described above at the hourly rates listed below, not to exceed **\$3,400 (Three Thousand Four Hundred Dollars)**.

<u>Position</u>	<u>Hourly Rate</u>
Principal	\$140
Staff Engineer	\$110
Drafter/BIM Modeler	\$60

- A. BASE Design invoices will be as set forth below:

Data Collection and Review	15%	\$510
70% Construction Documents	50%	\$1,700
100% Construction Documents	15%	\$510
Construction Administration	15%	\$510
Record Drawings and Project Close Out	5%	\$170

- B. Payment
 - 1. BASE Design will bill on a monthly basis for services rendered.
 - 2. Payments will be due from the Client to BASE Design within 30 days of the invoice date.

IV. CLIENT RESPONSIBILITY

The Client will:

- A. Provide BASE Design with structural drawings and calculations for the prefabricated steel structure.
- B. Provide BASE Design with cutsheets for new equipment and non-structural components (such as racks, partitions, etc.) requiring seismic anchorage.
- C. Provide BASE Design with available as-built drawings for the existing engineering department building.
- D. Provide BASE Design with architectural and MEP drawings for the project.

RE: Town of Los Gatos Engineering Building Tenant Improvement

May 23, 2018

- E. Provide access to the Project. Any site visits will be coordinated with you and/or the property owner.

It is understood that BASE Design has the right to rely on the accuracy and completeness of data and information furnished to BASE Design.

V. ASSUMPTIONS AND LIMITATIONS

- A. The temporary excavation systems and any other temporary system required for construction, including but not limited to shoring and underpinning, are not included in BASE Design's scope of services.
- B. It is assumed that a geotechnical report will not be provided for this project. The new foundations will be designed using allowable bearing pressures provided in the 2016 California Building Code.
- C. Testing and special inspections required during the construction of the project are not included in BASE Design's scope of services. It is assumed that a third-party testing and inspection agency will be retained by the owner.
- D. It is assumed that the tenant improvements of the existing engineering building will not trigger a seismic upgrade of this building. Local strengthening to support new loads imposed on the existing structure by the tenant improvement modifications will be included in our design.

VI. TERMS AND CONDITIONS

The following Standard Terms and Conditions apply:

- A. The services provided by BASE Design will be in accordance with the standards of professional skill and care ordinarily exercised by other design firms performing the same services, in the same locale, acting under similar circumstances and conditions ("Standard of Care"). Notwithstanding anything in this Agreement to the contrary and subject to below paragraphs, BASE Design shall only be liable to pay damages to Client arising out of or in connection with the Services or this Agreement, to the extent that such damages are caused by, and are in proportion to, the negligence of, or breach of the Standard of Care by BASE Design. If BASE Design is considered to be liable jointly with any third parties, the portion of damages payable by BASE Design shall be limited to the portion of liability which is attributable to BASE Design's breach of the Standard of Care on a comparative fault basis. Client acknowledges that BASE Design's services will be rendered without any warranty, express or implied and all such warranties are expressly waived by Client. Nothing contained in this Agreement shall create a contractual relationship with or a cause of action in favor of a third party, including any contractor, subcontractor, vendor, or material supplier, against either the Client or BASE Design.
- B. BASE Design shall not be responsible for and shall not have control or charge of construction methods, means, sequences, techniques, or procedures, for safety precautions in connection with work or activities at the project (job) site, for the acts or omissions of any contractor, subcontractors or any other

RE: Town of Los Gatos Engineering Building Tenant Improvement

May 23, 2018

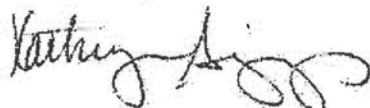
persons performing any work or undertaking any activities at the project site, or for the failure of any of them to carry out any work or perform their activities in accordance with their contractual obligations, including, but not limited to, the requirements of any drawings or other documents prepared by BASE Design.

- C. BASE Design shall have no responsibility for the presence, discovery, handling, removal or disposal of or exposure of persons to hazardous materials in any form in connection with the Project or related to "Scope of Services".
- D. It is expressly understood and agreed that, to the fullest extent permitted by law and notwithstanding any other provision of this Agreement, the aggregate total of BASE Design's liability (and the liability of its owners, directors, officers and employees, if any such liability otherwise exists) arising from any and all claims, suits, demands, damages, losses, judgments, payments, awards, and expenses relating to the Project, Services and/or this Agreement shall be limited to and in no event exceed three times the fee actually received by BASE Design for Services rendered on the project.
- E. Site visits for any purpose or the observation by BASE Design of any contractor's work are included in BASE Design's Scope of Services as described in the proposal unless specifically directed by the client not to be included. It is clearly understood and agreed that, the purpose of such observations is to become generally familiar with the progress and quality of the construction work designed by BASE Design or described in the drawings, specifications or other documents specifically identified in the Proposal. BASE Design shall not be required to make exhaustive or continuous on-site inspections to check the quality or quantity of such construction work.

Thank you for considering BASE Design to be your Structural Consultant and for giving us the opportunity to submit this proposal. We look forward to working on this project with you. If the above is acceptable to you, please sign and return this agreement.

Very truly yours,

BASE Design



Katy Briggs, SE 5732
Principal

ACCEPTED BY:

Dan Cuschieri
Cuschieri Horton Architects

BY:

DATE:



AUTHORIZATION FOR ENGINEERING SERVICES

CLIENT: Cuschieri Horton Architects **DATE:** 05-23-2018
1475 S. Bascom Ave., Suite 204
Campbell, CA 95008
Tel: (408) 371-8200 x115

AUTHORIZED REPRESENTATIVE: Dan Cuschieri dcuschieri@charch.com

PROJECT: Los Gatos Engineering TI
41 Miles Avenue
Los Gatos, CA 95030

PROJECT NUMBER: 180541

DESCRIPTION OF SERVICES:

Mechanical, Electrical and Plumbing Engineering and Design assistance as it relates to the tenant improvements of the Town's Engineering Building and replacement of a small portable building that currently houses field crew and Police Evidence storage, both located at the Town's service yard in Los Gatos, CA. Currently the building is separated into two areas – one area contains the existing engineering department office cubicles, one unisex bathroom, plan/file storage area, conference room and entry counter. The second area contains an equipment storage area. The scope of work for the tenant improvement is to include relocating the existing engineering area to a new office area in the converted equipment/material storage location and changing the existing engineering area into an office for Town maintenance staff. At the location of the old portable building, the Town will place a new basic steel storage building. This building will be sectioned off into two areas. One area will be for general storage and the second area will be for police evidence storage that meets Police Department evidence storage specification.

Engineering Building TI:

- Staff Cubicles (size and layouts based on manufacturer specific dimensions)
- Hard wall offices and conference rooms
- Plan room, plotting, and document storage
- Reception
- Traffic signal control room
- Restroom facilities
- Privacy room
- Kitchenette
- Custodial storage
- Noise absorption materials
- HVAC and Plumbing upgrades to support TI work
- Interior finishes including t-bar ceiling, lighting, wall, and flooring
- Electrical distribution from the existing 225amp service (if needed service upgrade for the building is included)
- IT distribution (substructures only, no low voltage system design is included)
- Replacement of existing roll up doors with glazing system

LOS GATOS ENGINEERING TI

PAGE 2
180541**ENGINEERING
SERVICE FEE:****Portable Replacement**

- Demolition and removal of existing Portable building
- Placement of new Steel Storage building
- Layout of storage areas and shelving
- HVAC for Police storage only, for the rest ventilation only
- New interior lighting throughout

<i>Task</i>	<i>Fee</i>
Task 1: Design Project Management and Coordination	\$1,800
Task 2: Data Collection and Review (35%)	\$2,500
Task 3A: 70% Construction Documents	\$6,500
Task 3B: 100% Construction Documents	\$3,000
Task 4: Construction Management and Other Services (as needed)	Hourly
Task 5: Construction Administration (as needed)	\$5,000
Task 6: Record Drawings and Project Close-Out	\$1,800
TOTAL (Not-To-Exceed)	\$20,600

**SCOPE OF
ADDITIONAL
SERVICES:**

Work performed beyond basic scope and involving rework or redesign beyond date of project submission for permit will be considered additional service. This includes but is not limited to changes to permit set prior to bid.

Additional services will not be performed unless requested by the Architect or Owner. Fees will be based upon billing rates in effect at the time services are performed.

Items considered Additional Services include:

- Contractor re-engineering
- Electrical service upgrade except for engineering building
- Design coordination meetings
- Electrical Short Circuit Current study
- Arc Flash Evaluation study
- Time-Current Coordination study performed using SKM software
- Acoustical engineering
- Structural engineering
- Kitchen design and food equipment selection
- All work associated with hazardous materials handling and abatement
- Management
- Revisions to Construction Documents: Preparation of revised Construction Documents due to revisions either generated by an architectural design change or unforeseen conditions, which could not have been reasonably discovered during the field survey or the preparation of Construction Documents.
- Energy Simulations: Computerized energy usage simulations required for energy compliance by performance approach, in evaluating cost of operating systems, or in the selection and comparison of two or more systems types.
- Evaluating Substitutions: Providing services in connection with

evaluating substitutions proposed by the Contractor(s) and making subsequent revisions to drawings, specifications and other documentation resulting there from.

- **Construction Change Orders:** Preparing and reviewing Change Orders for the Owner's approval and execution in accordance with the Contract Documents.
- **Attend Hearings:** At Owner's request, ACIES Engineering shall attend such federal, state, district and local hearings and meetings as necessary to assist Owner to obtain required permits, licenses and approvals.
- **Field Evaluation Services:** Prior to the commencement of design efforts, ACIES Engineering may be required to provide an evaluation of the potential Project site. Such evaluation shall identify base building systems that may affect the future design potential of the site. Items of review would typically include, but not be limited to, heating, ventilating, and air conditioning systems, electrical service, plumbing and waste systems, fire sprinkler mains, base building equipment and mains and any other existing conditions which would require relocation to accommodate the architectural design. ACIES Engineering will provide CAD documentation on block out floor plan of existing conditions and clearances, including photo references of existing conditions and areas of concern, bound and identified to match the field survey block out. ACIES Engineering will summarize findings and provide recommendations as to future potential of the space and all areas of concern that should be addressed prior to accepting location in a report, which shall be complete such that any engineer providing design services will require no additional site information.
- **Expert Witness:** Preparing to serve or serving as an expert witness in connection with any arbitration proceeding or legal proceeding, unless ACIES Engineering is legally required to attend such arbitration proceeding or legal proceeding.
- **Life safety system design services.** Design of smoke evacuation systems, interlock with Landlord's system if applicable.
- **Demolition Drawings.** No drawings will be provided for use in demolishing existing systems within or outside of the tenant space
- **Redesign** due to lack of information in the survey report or incorrect information in the survey report regardless of when the report is received.
- **Issuing more than one set of drawings for permit, other than responses to building department comments.**

REIMBURSABLE EXPENSES shall refer to those out-of-pocket costs, expenses, fees, or charges which ACIES incurs on the CLIENT's behalf. "Reimbursable Expenses" include but are not limited to:

- Production of drawings, calculations, etc.
- Travel expenses
- Shipping and postage
- All fees paid to local agencies or government offices on behalf of the CLIENT or the project.

Prevailing in-house reimbursable expense rates are as follows:

LOS GATOS ENGINEERING TI

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180541

Item	Price
Reimbursement - Bond 11 x 17	\$0.75
Reimbursement - Bond 17 x 22	\$1.00
Reimbursement - Bond 18 x 24	\$1.00
Reimbursement - Bond 22 x 34	\$1.50
Reimbursement - Bond 24 x 22	\$1.00
Reimbursement - Bond 30 x 42	\$2.75
Reimbursement - Bond 36 x 24	\$2.50
Reimbursement - Bond 36 x 48	\$4.00
Reimbursement - Vellums	\$10.00
Reimbursement - Mileage	\$0.55/mile
Reimbursement - Acies Messenger	\$25.00
Reimbursement - Drawings Delivery	Varies
Reimbursement - Copies	\$0.10/sheet

PREVAILING HOURLY BILLING RATES:

Principal	\$230.00/hr
Associate	\$190.00/hr
Project Director	\$175.00/hr
Project Manager	\$150.00/hr
Project Engineer	\$130.00/hr
Designer	\$115.00/hr
REVIT / CAD Operator	\$120.00/hr
Administrator	\$85.00/hr

BILLING: ACIES shall submit invoices on a monthly basis, on or about the 25th of each month, for services performed to date based on the percent completed of the services indicated in this Agreement. A final invoice shall be issued when ACIES has completed the services under this Agreement. The net invoice amount shall be due and payable within thirty (30) calendar days of the invoice date. Past due accounts will be subject to a late payment charge of 18% APR compounded daily. Payment thereafter shall first be applied to accrued interest and then to the unpaid principal amount. Payment of invoices is in no case subject to unilateral discounting or setoffs by CLIENT. No deductions shall be made from ACIES' compensation because of penalty, liquidated damages, or other sums withheld from payments to contractors.

LATE PAYMENTS: If undisputed invoiced amounts are unpaid after eighty (80) calendar days of the date of invoice, ACIES may at any time, without waiving any other claim against CLIENT and without thereby incurring any liability to CLIENT, suspend or terminate this Agreement, as provided in the "Dispute Resolution," "Project Suspension," "Attorneys' Fees" and "Termination" sections of this Agreement. If suspended, services shall remain suspended until all outstanding invoices have been paid in full by CLIENT.

DISPUTED AMOUNTS: If the CLIENT objects to any portion of an invoice, CLIENT shall notify ACIES of the dispute in writing, including the reason for the dispute, within fourteen (14) calendar days of the invoice date, and pay when due that portion of the invoice, if any, which is not in dispute.

PERFORMANCE OF SERVICES: ACIES hereby agrees to provide such services as are described in this Agreement in accordance with generally accepted Professional practices and standards for the locality in which the services are provided and for the intended use of the project at the time such services are performed. ACIES makes no other warranty, either expressed or implied.

CLIENT RESPONSIBILITIES: CLIENT shall provide complete, accurate, and timely information regarding its requirements for the project and shall designate by name a "Project Representative" authorized to act on its behalf. CLIENT shall examine documents or other instruments of service submitted by ACIES in a timely fashion and shall render any decisions necessary promptly in order to avoid unreasonable delay.

GOOD FAITH: In all matters pertaining to this Agreement, the parties shall deal with each other in fairness and good faith.

LIABILITY: ACIES has errors and omissions insurance coverage of \$1,000,000. ACIES shall only be responsible for the cost of change orders due to their negligent acts, errors, or omissions where the services performed are not in accordance with generally accepted professional practices and if they are not discovered in a timely manner during construction. Any value received by Owner for such change orders shall be deducted from any liability costs to ACIES and ACIES shall be given the opportunity to negotiate with the job contractors and/or other contractors of ACIES choice on any items that will result in liability cost to ACIES prior to the work proceeding. ACIES shall not be responsible for any costs that result from concealed conditions or any other conditions that are beyond their control or that they would not reasonably be expected to have considered as part of a normal design process. Any charges assessed to ACIES shall be reduced by the difference between fixed fee and the actual amount previously paid to ACIES. The total liability shall be limited to the amount of fee actually paid.

INDEMNIFICATION: CLIENT shall, to the fullest extent permitted by law, indemnify and hold harmless ACIES, its officers, directors, employees, agents, and consultants from all damage, liability and cost, including reasonable attorney's fees and defense costs, arising out of or in any way connected with the performance by any of the parties above named of the services under this Agreement, excepting only those damages, liabilities or costs attributed to the sole negligence or willful misconduct of ACIES.

CERTIFICATIONS, GUARANTEES, AND WARRANTIES: ACIES shall not be required to execute any document that would result in certifying, guaranteeing or warranting the existence of conditions whose existence ACIES cannot ascertain.

HAZARDOUS MATERIALS: ACIES shall have no responsibility for the discovery, presence, handling, removal and disposal of or exposure of persons to hazardous materials in any form at the project site, including but not limited to asbestos, asbestos products, polychlorinated biphenyl (PCB) or other toxic substances.

DISPUTE RESOLUTION: All claims, disputes and other matters in question between the parties to this Agreement, arising out of, or relating to, the Agreement or the breach thereof, shall be submitted to mediation under the auspices of a mutually agreed upon mediation service, experienced in the resolution of construction disputes, prior to initiation of any lawsuit or other litigation unless the parties mutually agree otherwise. The cost of said mediation shall be split equally between the parties. This agreement to mediate and any agreement to mediate with any additional person or persons duly consented to be the parties to this Agreement shall be specifically enforceable under the prevailing law of the jurisdiction in which this Agreement was signed.

ATTORNEYS' FEES: In any action to enforce this Agreement or arising from or related to this Agreement, except for mediation as provided elsewhere in this Section, the prevailing party shall be entitled to reasonable attorney's fees and costs.

PROJECT SUSPENSION: If the project is suspended for more than thirty (30) calendar days or abandoned in whole or in part, CLIENT shall pay ACIES for all services rendered to the date of project suspension, as well as all reimbursable expenses, including but not limited to reimbursable termination expenses resulting from such suspension or abandonment. If the project is resumed after being suspended, ACIES' compensation shall be subject to renegotiation.

TERMINATION: This Agreement may be terminated by either party upon seven (7) days written notice in the event of substantial failure of the other party to perform in accordance with the terms of this Agreement. In the event of termination, CLIENT shall pay ACIES for all services rendered to the date of termination, as well as all reimbursable expenses, including but not limited to reimbursable termination expenses.

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OWNERSHIP OF DOCUMENTS: Drawings, specifications, and any other instruments of service provided by ACIES shall remain the property of ACIES and shall not be used by CLIENT on any other project or for completion of this project by others without ACIES' prior written authorization.

ACCESS TO SITE: Unless otherwise stated, ACIES will have access to the site for any and all activities necessary for the performance of the services. ACIES will take precautions to minimize damage due to these activities; however, CLIENT hereby agrees that ACIES shall not be liable for any resulting damage nor for the cost of restoration of any resulting damage.

ENTIRE AGREEMENT: This Agreement constitutes the entire and only Agreement between the parties and all other prior negotiations, representations, agreements, and understandings are superseded hereby. No agreements altering or supplementing the terms hereof may be made except by a written document signed by both parties.

HEADINGS and captions are for reference only.

SUCCESSORS AND ASSIGNS: This Agreement shall be binding upon and inure to the benefit of the heirs and successors of each of the parties. Neither CLIENT nor ACIES shall assign or transfer its interests in this Agreement without the prior written consent of the other.

WAIVER: Failure of a party to enforce a right under this Agreement will not act as a waiver of that right or the ability to later assert that right relative to the particular situation involved.

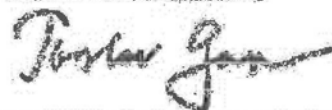
SEVERABILITY: In the event any provisions of this Agreement shall be held to be valid or unenforceable, all remaining provisions shall be valid and binding upon the parties.

CONSTRUCTION AND VENUE: This Agreement will be construed and enforced in accordance with the laws of the United States of America and of the state of California. Any action arising out of or related to this Agreement shall be brought in state or federal court, as appropriate, in Santa Clara County, California.

UNCONTROLLED CONDITIONS: Neither party shall hold the other responsible for damages or delay in performance caused by natural disasters, strikes, lockouts, accidents or other events or conditions beyond the other party's control.

EXECUTION: *In witness whereof, the parties hereto have accepted, made and executed this Agreement upon the terms, conditions and provisions above stated, the day and year first above written.*

SUBMITTED BY:
ACIES ENGINEERING



TOMISLAV GAJIC, PE
PRINCIPAL
DATE: MAY 23, 2018

APPROVED BY:

PRINT:
DATE:



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 03/15/2022

ITEM NO: 10

DATE: March 10, 2022
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Authorize the Town Manager to Execute an Agreement for Services with Ashron Construction and Restoration, Inc. for Structural Repairs and Waterproofing of the Lot 4 Parking Structure Project (CIP No. 817-0708) in an Amount not to Exceed \$179,800 Plus an Additional \$20,000 for Unanticipated Repairs for a Total Agreement Amount not to Exceed \$199,800

RECOMMENDATION:

Authorize the Town Manager to execute an agreement for services (Attachment 1) with Ashron Construction and Restoration, Inc. for structural repairs and waterproofing of the Lot 4 parking structure project (CIP No. 817-0708) in an amount not to exceed \$179,800 plus an additional \$20,000 for unanticipated repairs for a total agreement amount not to exceed \$199,800.

BACKGROUND:

The Town's adopted Fiscal Year (FY) 2021/22 Capital Improvement Program Budget designates funding for Town projects, including Project 817-0708, Parking Lot 4 Repair and Waterproofing.

Parking lot 4 is a two-level parking structure constructed nearly twenty-five years ago with no major infrastructure improvements to this facility since then. The concrete deck and columns have deteriorated in several areas exposing structural steel and causing water leakage through the deck and into the lower level. The integrated planter boxes in and around the perimeter of the deck have waterproof membranes that have deteriorated and drainage systems that are failing.

PREPARED BY: Jim Harbin
Superintendent

Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, Finance Director, and Parks and Public Works Director

SUBJECT: Authorize the Town Manager to Execute an Agreement for Services with Ashron Construction and Restoration, Inc. in a Total Agreement Amount not to Exceed \$199,800

DATE: March 10, 2022

DISCUSSION:

Staff initiated a Request for Proposal (RFP) for repair and waterproofing services on the Lot 4 Parking Structure. Firms were asked to provide their capability and qualifications for the services and to provide costs for performing structural concrete repairs, replacing waterproof membranes in the planters, and painting the vertical exterior surfaces of the parking structure.

The RFP was posted on the Town website and three firms attended the mandatory walk-through, two of whom submitted proposals, with the results listed on Attachment 2.

Based on the review of the proposals, including reference checks, staff determined that Ashron Construction and Restoration, Inc. is the best qualified and most cost competitive firm to provide the requested repairs. Ashron Construction and Restoration, Inc. is headquartered in Galt and has performed several concrete structural repairs on similar parking structures throughout Northern California.

CONCLUSION:

Authorize the Town Manager to execute an agreement for services with Ashron Construction and Restoration, Inc. for structural repairs and waterproofing of the Lot 4 parking structure project (CIP No. 817-0708) in an amount not to exceed \$179,800 plus an additional \$20,000 for unanticipated repairs for a total agreement amount not to exceed \$199,800.

FISCAL IMPACT:

Lot 4 Parking Structure Project (CIP No. 817-0708) in the FY 2021/22 - 2025/26 has sufficient funds for the contract.

Parking Lot 4 Repair & Waterproofing Project 817-0708		
	Budget	Costs
GFAR	\$250,000	
Total Budget	\$250,000	
Agreement with this Staff Report (Including Contingency)		\$199,800
Total Expenditures		\$199,800
Remaining Budget		\$50,200

PAGE 3 OF 3

SUBJECT: Authorize the Town Manager to Execute an Agreement for Services with Ashron Construction and Restoration, Inc. in a Total Agreement Amount not to Exceed \$199,800

DATE: March 10, 2022

ENVIRONMENTAL ASSESSMENT:

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

Attachments:

1. Agreement for Services
2. Bid Proposal Results

AGREEMENT FOR SERVICES

THIS AGREEMENT is dated for identification this 1st of March 2022, and is made by and between TOWN OF LOS GATOS, a California municipal corporation, ("Town") and Ashron Construction and Restoration, Inc. ("Service Provider"), whose address is 9801 Orr Road, Galt, CA 95632. This Agreement is made with reference to the following facts.

I. RECITALS

- 1.1 Town posted a Request for Proposals for the services described in this Agreement, and Service Provider was found to be the lowest responsible supplier for this purchase.
- 1.2 Service Provider represents and affirms that it is willing to perform the desired work pursuant to this Agreement.
- 1.3 Town desires to engage Service Provider to provide structural repairs, waterproofing and sealing of the Town Lot #4 Parking Structure.
- 1.4 Service Provider warrants it possesses the distinct professional skills, qualifications, experience, and resources necessary to timely perform the services described in this Agreement. Service Provider acknowledges Town has relied upon these warranties to retain Service Provider.

II. AGREEMENT

- 2.1 Scope of Services. Service Provider shall provide services as described in that certain Proposal sent to the Town on February 14, 2022 which is hereby incorporated by reference and attached as Exhibit A.
- 2.2 Term and Time of Performance. The effective date of this Agreement shall begin April 3, 2022 and will continue through December 31, 2022, subject to appropriation of funds, notwithstanding any other provision in this agreement.
- 2.3 Compliance with Laws. The Service Provider shall comply with all applicable laws, codes, ordinances, and regulations of governing federal, state and local laws. Service Provider represents and warrants to Town that it has all licenses, permits, qualifications and approvals of whatsoever nature which are legally required for Service Provider to practice its profession. Service Provider shall maintain a Town of Los Gatos business license pursuant to Chapter 14 of the Code of the Town of Los Gatos.
- 2.4 Sole Responsibility. Service Provider shall be responsible for employing or engaging all persons necessary to perform the services under this Agreement.

- 2.5 Information/Report Handling. All documents furnished to Service Provider by the Town and all reports and supportive data prepared by the Service Provider under this Agreement are the Town's property and shall be delivered to the Town upon the completion of services or at the Town's written request. All reports, information, data, and exhibits prepared or assembled by Service Provider in connection with the performance of its services pursuant to this Agreement are confidential until released by the Town to the public, and the Service Provider shall not make any of these documents or information available to any individual or organization not employed by the Service Provider or the Town without the written consent of the Town before such release. The Town acknowledges that the reports to be prepared by the Service Provider pursuant to this Agreement are for the purpose of evaluating a defined project, and Town's use of the information contained in the reports prepared by the Service Provider in connection with other projects shall be solely at Town's risk, unless Service Provider expressly consents to such use in writing. Town further agrees that it will not appropriate any methodology or technique of Service Provider which is and has been confirmed in writing by Service Provider to be a trade secret of Service Provider.
- 2.6 Compensation: Compensation for Services shall be \$179,800 plus \$20,000, for unanticipated repairs, **for a total amount not to exceed \$199,800** inclusive of all costs. Payment shall be based upon Town approval of each task.
- 2.7 Billing. Billing shall be monthly by invoice within thirty (30) days of the rendering of the service and shall be accompanied by a detailed explanation of the work performed by whom at what rate and on what date. Also, plans, specifications, documents or other pertinent materials shall be submitted for Town review, even if only in partial or draft form.
- Payment shall be net thirty (30) days. All invoices and statements to the Town shall be addressed as follows:
- Invoices:
Town of Los Gatos
Attn: Accounts Payable
P.O. Box 655
Los Gatos, CA 95031-0655
- 2.8 Availability of Records. Service Provider shall maintain the records supporting this billing for not less than three years following completion of the work under this Agreement. Service Provider shall make these records available to authorized personnel of the Town at the Service Provider offices during business hours upon written request of the Town.
- 2.9 Assignability and Subcontracting. The services to be performed under this Agreement are unique and personal to the Service Provider. No portion of these services shall be assigned or subcontracted without the written consent of the Town.
- 2.10 Independent Contractor. It is understood that the Service Provider, in the performance of the work and services agreed to be performed, shall act as and be an independent

contractor and not an agent or employee of the Town. As an independent contractor he/she shall not obtain any rights to retirement benefits or other benefits which accrue to Town employee(s). With prior written consent, the Service Provider may perform some obligations under this Agreement by subcontracting, but may not delegate ultimate responsibility for performance or assign or transfer interests under this Agreement. Service Provider agrees to testify in any litigation brought regarding the subject of the work to be performed under this Agreement. Service Provider shall be compensated for its costs and expenses in preparing for, traveling to, and testifying in such matters at its then current hourly rates of compensation, unless such litigation is brought by Service Provider or is based on allegations of Service Provider's negligent performance or wrongdoing.

- 2.11 Conflict of Interest. Service Provider understands that its professional responsibilities are solely to the Town. The Service Provider has and shall not obtain any holding or interest within the Town of Los Gatos. Service Provider has no business holdings or agreements with any individual member of the Staff or management of the Town or its representatives nor shall it enter into any such holdings or agreements. In addition, Service Provider warrants that it does not presently and shall not acquire any direct or indirect interest adverse to those of the Town in the subject of this Agreement, and it shall immediately disassociate itself from such an interest, should it discover it has done so and shall, at the Town's sole discretion, divest itself of such interest. Service Provider shall not knowingly and shall take reasonable steps to ensure that it does not employ a person having such an interest in this performance of this Agreement. If after employment of a person Service Provider discovers it has employed a person with a direct or indirect interest that would conflict with its performance of this Agreement Service Provider shall promptly notify Town of this employment relationship, and shall, at the Town's sole discretion, sever any such employment relationship.
- 2.12 Equal Employment Opportunity. Service Provider warrants that it is an equal opportunity employer and shall comply with applicable regulations governing equal employment opportunity. Neither Service Provider nor its subcontractors do and neither shall discriminate against persons employed or seeking employment with them on the basis of age, sex, color, race, marital status, sexual orientation, ancestry, physical or mental disability, national origin, religion, or medical condition, unless based upon a bona fide occupational qualification pursuant to the California Fair Employment & Housing Act.

III. INSURANCE AND INDEMNIFICATION

- 3.1 Minimum Scope of Insurance:
- i. Service Provider agrees to have and maintain, for the duration of the contract, General Liability insurance policies insuring him/her and his/her firm to an amount not less than: one million dollars (\$1,000,000) combined single limit per occurrence for bodily injury, personal injury and property damage.

- ii. Service Provider agrees to have and maintain for the duration of the contract, an Automobile Liability insurance policy ensuring him/her and his/her staff to an amount not less than one million dollars (\$1,000,000) combined single limit per accident for bodily injury and property damage.
- iii. Service Provider shall provide to the Town all certificates of insurance, with original endorsements effecting coverage. Service Provider agrees that all certificates and endorsements are to be received and approved by the Town before work commences.

General Liability:

- i. The Town, its officers, officials, employees and volunteers are to be covered as insured as respects: liability arising out of activities performed by or on behalf of the Service Provider; products and completed operations of Service Provider, premises owned or used by the Service Provider.
- ii. The Service Provider's insurance coverage shall be primary insurance as respects the Town, its officers, officials, employees and volunteers. Any insurance or self-insurances maintained by the Town, its officers, officials, employees or volunteers shall be excess of the Service Provider's insurance and shall not contribute with it.
- iii. Any failure to comply with reporting provisions of the policies shall not affect coverage provided to the Town, its officers, officials, employees or volunteers.
- iv. The Service Provider's insurance shall apply separately to each insured against whom a claim is made or suit is brought, except with respect to the limits of the insurer's liability.

3.2 All Coverages. Each insurance policy required in this item shall be endorsed to state that coverage shall not be suspended, voided, cancelled, reduced in coverage or in limits except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to the Town. Current certification of such insurance shall be kept on file at all times during the term of this agreement with the Town Clerk.

3.3 Workers' Compensation. In addition to these policies, Service Provider shall have and maintain Workers' Compensation insurance as required by California law and shall provide evidence of such policy to the Town before beginning services under this Agreement. Further, Service Provider shall ensure that all subcontractors employed by Service Provider provide the required Workers' Compensation insurance for their respective employees.

3.4 Indemnification. The Service Provider shall save, keep, hold harmless and indemnify and defend the Town its officers, agent, employees and volunteers from all damages, liabilities,

penalties, costs, or expenses in law or equity that may at any time arise or be set up because of damages to property or personal injury received by reason of, or in the course of performing work which may be occasioned by a willful or negligent act or omissions of the Service Provider, or any of the Service Provider's officers, employees, or agents or any subcontractor.

IV. GENERAL TERMS

- 4.1 Waiver. No failure on the part of either party to exercise any right or remedy hereunder shall operate as a waiver of any other right or remedy that party may have hereunder, nor does waiver of a breach or default under this Agreement constitute a continuing waiver of a subsequent breach of the same or any other provision of this Agreement.
- 4.2 Governing Law. This Agreement, regardless of where executed, shall be governed by and construed to the laws of the State of California. Venue for any action regarding this Agreement shall be in the Superior Court of the County of Santa Clara.
- 4.3 Termination of Agreement. The Town and the Service Provider shall have the right to terminate this agreement with or without cause by giving not less than fifteen days (15) written notice of termination. In the event of termination, the Service Provider shall deliver to the Town all plans, files, documents, reports, performed to date by the Service Provider. In the event of such termination, Town shall pay Service Provider an amount that bears the same ratio to the maximum contract price as the work delivered to the Town bears to completed services contemplated under this Agreement, unless such termination is made for cause, in which event, compensation, if any, shall be adjusted in light of the particular facts and circumstances involved in such termination.
- 4.4 Prevailing Wages. This project is subject to the requirements of Section 1720 et seq. of the California Labor Code requiring the payment of prevailing wages, the training of apprentices and compliance with other applicable requirements. Contractors and all subcontractors who perform work on the project are required to comply with these requirements. Prevailing wages apply to all projects over \$1,000 which are defined as a "public work" by the State of California. This includes: construction, demolition, repair, alteration, maintenance and the installation of photovoltaic systems under a Power Purchase Agreement when certain conditions are met under Labor Code Section 1720.6. This include service and warranty work on public buildings and structures.
- 4.4.1 The applicable California prevailing wage rate can be found at www.dir.ca.gov and are on file with the Town of Los Gatos Parks and Public Works Department, which shall be available to any interested party upon request. The contractor is also required to have a copy of the applicable wage determination posted and/or available at each jobsite.
- 4.4.2 Specifically, contractors are reminded of the need for compliance with Labor Code Section 1774-1775 (the payment of prevailing wages and documentation of such), Section 1776 (the keeping and submission of accurate certified

payrolls) and 1777.5 in the employment of apprentices on public works projects. Further, overtime, weekend and holiday pay, and shift pay must be paid pursuant to applicable Labor Code section.

- 4.4.3 The public entity for which work is being performed or the California Department of Industrial Relations may impose penalties upon contractors and subcontractors for failure to comply with prevailing wage requirements. These penalties are up to \$200 per day per worker for each wage violations identified; \$100 per day per worker for failure to provide the required paperwork and documentation requested within a 10-day window; and \$25 per day per worker for any overtime violation.
- 4.4.4 As a condition to receiving progress payments, final payment and payment of retention on any and all projects on which the payment of prevailing wages is required, the contractor agrees to present to the TOWN, along with its request for payment, all applicable and necessary certified payrolls (for itself and all applicable subcontractors) for the time period covering such payment request. The term "certified payroll" shall include all required documentation to comply with the mandates set forth in Labor Code Section 1720 et seq, as well as any additional documentation requested by the Agency or its designee including, but not limited to: certified payroll, fringe benefit statements and backup documentation such as monthly benefit statements, employee timecards, copies of wage statements and cancelled checks, proof of training contributions (CAC2 if applicable), and apprenticeship forms such as DAS-140 and DAS-142.
- 4.4.5 In addition to submitting the certified payrolls and related documentation to the TOWN, the contractor and all subcontractors shall be required to submit certified payroll and related documents electronically to the California Department of Industrial Relations. Failure to submit payrolls to the DIR when mandated by the project parameters shall also result in the withholding of progress, retention and final payment.
- 4.4.6 No contractor or subcontractor may be listed on a bid proposal for a public works project unless registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5 [with limited exceptions from this requirement for bid purposes only under Labor Code section 1771.1(a)].
- 4.4.7 No contractor or subcontractor may be awarded a contract for public work on a public works project, unless registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5. Contractors MUST be a registered "public works contractor" with the DIR AT THE TIME OF BID. Where the prime contract is less than \$15,000 for maintenance work or less than \$25,000 for construction alternation, demolition or repair work, registration is not required.
- 4.4.8 Should any contractor or subcontractors not be a registered public works contractor and perform work on the project, Contractor agrees to fully indemnify the TOWN for any fines assessed by the California Department of Industrial Relations against the TOWN for such violation, including all staff costs and attorney's fee relating to such fine.

4.4.9 The TOWN shall withhold any portion of a payment; including the entire payment amount, until certified payroll forms and related documentation are properly submitted, reviewed and found to be in full compliance. In the event that certified payroll forms do not comply with the requirements of Labor Code Section 1720 et seq., the TOWN may continue to hold sufficient funds to cover estimated wages and penalties under the contract.

4.5 Amendment. No modification, waiver, mutual termination, or amendment of this Agreement is effective unless made in writing and signed by the Town and the Service Provider.

4.6 Disputes. In any dispute over any aspect of this Agreement, the prevailing party shall be entitled to reasonable attorney's fees, including costs of appeal.

4.7 Notices. Any notice required to be given shall be deemed to be duly and properly given if mailed postage prepaid, and addressed to:

Town of Los Gatos
Attn: Town Clerk
110 E. Main Street
Los Gatos, CA 95030

Ashron Construction and Restoration, Inc.
9801 Orr Road
Galt, CA 95632

or personally delivered to Service Provider to such address or such other address as Service Provider designates in writing to Town.

4.8 Order of Precedence. In the event of any conflict, contradiction, or ambiguity between the terms and conditions of this Agreement in respect of the Products or Services and any attachments to this Agreement, then the terms and conditions of this Agreement shall prevail over attachments or other writings.

4.9 Entire Agreement. This Agreement, including all Exhibits, constitutes the complete and exclusive statement of the Agreement between the Town and Service Provider. No terms, conditions, understandings or agreements purporting to modify or vary this Agreement, unless hereafter made in writing and signed by the party to be bound, shall be binding on either party.

IN WITNESS WHEREOF, the Town and Service Provider have executed this Agreement.

Town of Los Gatos by:

Ashron Construction and Restoration, Inc., by:

Laurel Prevetti, Town Manager

Recommended by:

Matt Morley, Director of Parks and Public
Works

Title

Approved as to Form:

Robert Schultz, Town Attorney

Attest:

Shelley Neis, MMC, CPMC, Town Clerk

Ashron Construction & Restoration			Western Specialty
	1	\$ 3,200.00	
	2	\$ 2,900.00	
	3	\$ 18,400.00	
	4	\$ 4,000.00	
	5	\$ 4,000.00	
	6	\$ 2,900.00	
	7	\$ 3,900.00	
	8	\$ 16,800.00	
	9	\$ 5,100.00	
	10	\$ 3,000.00	
	11	\$ 5,100.00	
	12	\$ 5,300.00	
	13	\$ 5,100.00	
	14	\$ 5,200.00	
	15	\$ 7,100.00	
Concret repair	Total	\$ 92,000.00	
R&R Planters		\$ 57,500.00	\$ 259,025.00
Paint walls railings		\$ 30,300.00	\$ 120,000.00
Total		\$ 179,800.00	\$ 379,025.00

ATTACHMENT 2



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 03/15/2022

ITEM NO: 11

DATE: March 10, 2022
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Adopt a Resolution for the California Public Employees' Retirement System to Appoint a Retiree as an Interim Parks and Public Works Director

RECOMMENDATION:

Adopt a Resolution for the California Public Employees' Retirement System to appoint a retiree as an Interim Parks and Public Works Director (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 also requires that if a retired annuitant will be rehired into a vacant position while a recruitment for a permanent replacement is taking place, the governing body must approve a resolution appointing the retired annuitant as an interim employee [Gov. Code section 21221(h)].

DISCUSSION:

Recently, Parks and Public Works Director Matt Morley provided his notice of intent to resign from the Town, and his last day of work will be on March 25, 2022. Staff has identified a retired annuitant, Timm Borden through Management Partners to serve in an interim capacity while the recruitment for a permanent replacement takes place. Mr. Borden has served as Interim City Manager for Cupertino from January 2019 to June 2019. Prior to that, he was Cupertino's Public Works Director for over eight years (December 2010 to January 2019). In addition, he

PREPARED BY: Salina Flores
Human Resources Director

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

DISCUSSION (continued):

worked over 24 years in the City of San Jose Department of Public Works, and when he left, he was Deputy Director of Public Works (September 1986 to December 2010). He is a qualified professional who works well with staff and the public.

The Town has entered into an agreement with the executive recruitment firm of Teri Black & Co. to facilitate the search for a new Parks and Public Works Director. The typical recruitment timeline to hire an executive position is four months. To allow for uninterrupted time sensitive work in the Parks and Public Works Department and provide for continued support to the Town Manager, Town staff, boards, and commissions, staff is recommending to hire Timm Borden as an Interim Public Works Director until the permanent replacement is hired.

CONCLUSION:

Staff recommends that the CalPERS resolution to appoint Timm Borden to the Interim Parks and Public Works Director position be adopted by Council while the recruitment for a permanent replacement takes place.

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.

ENVIRONMENTAL ASSESSMENT:

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

Attachments:

1. CalPERS Resolution

RESOLUTION 2021 - XXX

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS APPOINTING TIMM BORDEN AS INTERIM PARKS AND PUBLIC WORKS DIRECTOR Government Code Section 21221(h) March 15, 2022

WHEREAS, in compliance with Government (Gov.) Code section 21221(h) of the Public Employees' Retirement Law permits the governing body to appoint a CalPERS retiree to a vacant position requiring specialized skills during recruitment for a permanent appointment, and provides that such appointment will not subject the retired person to reinstatement from retirement or loss of benefits so long as it is a single appointment that does not exceed 960 hours in a fiscal year; and

WHEREAS, the Town of Los Gatos desires to appoint Timm Borden as an interim appointmentretired annuitant to the position of Parks and Public Works Director for the Town of Los Gatos under Gov. Code section 21221(h), effective March 28, 2022; and

WHEREAS, the Town of Los Gatos and Timm Borden certify that Timm Borden has not and will not receive a Golden Handshake or any other retirement-relatedincentive; and

WHEREAS, an appointment under Gov. Code section 21221(h) requires the retiree is appointedinto the interim appointment during recruitment for a permanent appointment; and

WHEREAS, the governing body has authorized the search for a permanent appointment on March 15, 2022; and

WHEREAS, this Gov. Code section 21221(h) appointment shall only be made once and thereforewill end 12 months from the date of the interim appointment or sooner; 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 monthly salary for this position is \$18,497.83 and the hourly equivalent is \$106.72; the minimum base monthly salary for this position is \$13,702.08 and the hourly equivalent is \$79.05; and

WHEREAS, the hourly rate paid to Timm Borden will be \$106.72; and

WHEREAS, Timm Borden 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 employment of Timm Borden and that this appointment is necessary to fill the critically needed position of Parks and Public Works Director for the Town of Los Gatos by March 28, 2022 due to vacancy and current recruitment for Parks and Public Works Director.

PASSED AND ADOPTED at a regular meeting of the Town Council of the Town of Los Gatos, California, held on the 15th day of March 2022, 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
COUNCIL AGENDA REPORT**

MEETING DATE: 03/15/2022

ITEM NO: 12

DATE: March 4, 2022
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Fee and Fine Schedules for Fiscal Year 2022/23
a. Adopt a Resolution Approving the Comprehensive Fee Schedule for Fiscal Year 2022/23 to Continue Certain Department Fees, Rates, and Charges, and Amending Certain Fees, Rates, and Charges for Fiscal Year 2022/23.
b. Adopt a Resolution Approving the Comprehensive Fine Schedule for Fiscal Year 2022/23 to Continue Certain Department Fines.

RECOMMENDATION:

Fee and Fine Schedules for Fiscal Year (FY) 2022/23

- a. Adopt a resolution approving the Comprehensive Fee Schedule for FY 2022/23 to continue certain Department fees, rates, and charges, and amending certain fees, rates, and charges for FY 2022/23.
- b. Adopt a resolution approving the Comprehensive Fine Schedule for FY 2022/23 to continue certain department fines.

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. "Fines" are the amounts of the penalties for code violations imposed pursuant to Section 1.30.025 of the Los Gatos Town Code.

Staff periodically reviews the cost of providing such services and recommends appropriate increases in fees when supported by actual cost data. The Town's last comprehensive cost

PREPARED BY: Stephen Conway
Finance Director

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

BACKGROUND (continued):

allocation and user fee study recommendations were incorporated in the FY 2019/20 Fee Schedule.

The Town has not adjusted its fees since FY 2019/20. Due to the economic impact of the COVID-19 pandemic, the discussion of changes to the Comprehensive Fee Schedule was postponed to a later date. Council did approve one change to the Town's Comprehensive Fee Schedule at their September 1, 2020, meeting to remove library fines as this provided an immediate operational benefit to the Library Department.

DISCUSSION:

The Comprehensive Fee Schedule allows for an annual adjustment of fees by the average increase in the Consumer Price Index (CPI) for the previous calendar year. 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.

Staff recommends that Council review and choose one of the three CPI scenarios presented in this report. In scenario one, fees are adjusted with the most current 3.4% CPI amount forgoing the 2019 and 2020 CPI increases (see Attachment 1 and its Exhibit A). Scenario two contains a 5.9% CPI increase, which is halfway between the 3.2% and 8.5% (see Attachment 2 and its Exhibit A). Scenario three proposed a full recovery at 8.5% CPI See Attachment 3 and its Exhibit A).

In addition to the proposed CPI changes, the proposed FY 2022/23 Comprehensive Fee Schedule accounts for modifications to fees as explained below:

Administrative Services

1. Credit Card Processing Fee – Proposing 2.4% fee on all transactions to reflect actual costs to the Town.

Development Services

1. Community Benefit – The Town no longer has a Community Benefit Policy so it should be removed from the Fee Schedule.
2. Public Art In-Lieu Fee – At their April 20, 2021, meeting, the Town Council approved a public art funding ordinance (Chapter 25 Article VII) which requires new commercial developments, with some exceptions, to either install public artwork equivalent to 1% of construction valuation or pay that amount into the Town's Public Art Fund in-lieu of installing public artwork.
3. Street Improvement in-lieu fees – Proposing to increase these two fees to reflect current costs as determined by bids for recent Capital Improvement Program (CIP) projects.

DISCUSSION (continued):

4. Two-unit Housing Development and Urban Lot Split - With the creation of two new application types in the implementation of Senate Bill 9 through Urgency Ordinance 2327, Two-Unit Housing Development and Urban Lot Split, new fees are proposed consistent with existing fees for the Accessory Dwelling Unit application type, which is also a ministerial permit.
5. Other Administrative Fee - The existing 10% Administrative Fee that is included for processing of consultant deposits is added here to provide additional clarity and transparency for applicants.

Parks and Public Works Services

1. Tree Removal Permit Application – Proposing to add a note to this fee indicating that the fee will be waived when the tree removal is done to implement or maintain Defensible Space.

Police Services

1. Massage Permit Fees – State law has created a statewide permitting system administered by the California Massage Therapy Council for issuing massage worker permits. Therefore, the Police Department no longer incurs the costs that the fees in items 10 and 11 were imposed to cover. These fees are proposed to be deleted.

Attachments 1 through 3 contain the three scenarios of the proposed FY 2022/23 Comprehensive Fee Schedules reflecting all Town fees (including proposed changes). An itemized list of recommended FY 2022/23 fee adjustments, reclassifications, and deletions, including those to be adjusted by the three CPI scenarios are reflected in Attachment 4. It should be noted that the majority of proposed adjustments relate to the development activity which was not adversely affected during the pandemic.

The Comprehensive Fine Schedule sets forth the administrative penalty amounts for code violations. Attached for Council reference is an updated FY 2022/23 Comprehensive Fine Schedule (Exhibit A to Attachment 5) reflecting all Town fines. Staff does not recommend any changes to the fines this time.

CONCLUSION:

It is recommended that Town Council approve one of the proposed CPI scenarios to the Comprehensive Fee Schedule (Attachment 1, 2, or 3) and the Comprehensive Fine Schedule effective July 1, 2022 (Attachment 5).

FISCAL IMPACT:

The Town's financial policies require that fees be maintained to provide for the recovery of costs associated with Town services. The proposed fee adjustments reflect three scenarios to an increase in the CPI, and, therefore, adopting one of them will better represent the cost to deliver services. If approved by the Town Council, staff will incorporate the selected fee changes into the Town's FY 2022/23 Operating and Capital Budget using conservative development and other activity projections.

COORDINATION:

The preparation of the Fee and Fine Schedules was coordinated with all Town Departments and Offices.

ENVIRONMENTAL ASSESSMENT:

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

Attachments:

1. Resolution approving Comprehensive Fee Schedule FY 2022-23, including Exhibit A Proposed FY 2022-23 Comprehensive Fee Schedule – Scenario 1 (Redline)
2. Resolution approving Comprehensive Fee Schedule FY 2022-23, including Exhibit A Proposed FY 2022-23 Comprehensive Fee Schedule - Scenario 2 (Redline)
3. Resolution approving Comprehensive Fee Schedule FY 2022-23, including Exhibit A Proposed FY 2022-23 Comprehensive Fee Schedule - Scenario 3 (Redline)
4. Proposed FY 2022-23 Fee Adjustment, Reclassification, and Deletions
5. Resolution approving Comprehensive Fine Schedule FY 2022-23, including Exhibit A Proposed FY 2022-23 Comprehensive Fine Schedule

RESOLUTION 2022-

**RESOLUTION OF THE TOWN COUNCIL
OF THE TOWN OF LOS GATOS
CONTINUING DEPARTMENT FEES, RATES, AND CHARGES, AND AMENDING CERTAIN
FEES, RATE, AND CHARGES FOR FY 2022/23**

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 19, 2019; and

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

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

1. That Resolution 2019-010, "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 2019/20" is hereby rescinded; and
2. The Town of Los Gatos Comprehensive Fee Schedule, attached hereto as Exhibit A-Scenario 1, shall become effective July 1, 2022.

ATTACHMENT 1

PASSED AND ADOPTED at a regular meeting of the Town Council held on the 15th day of March 2022 by the following vote:

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

DATE: _____

ATTEST:

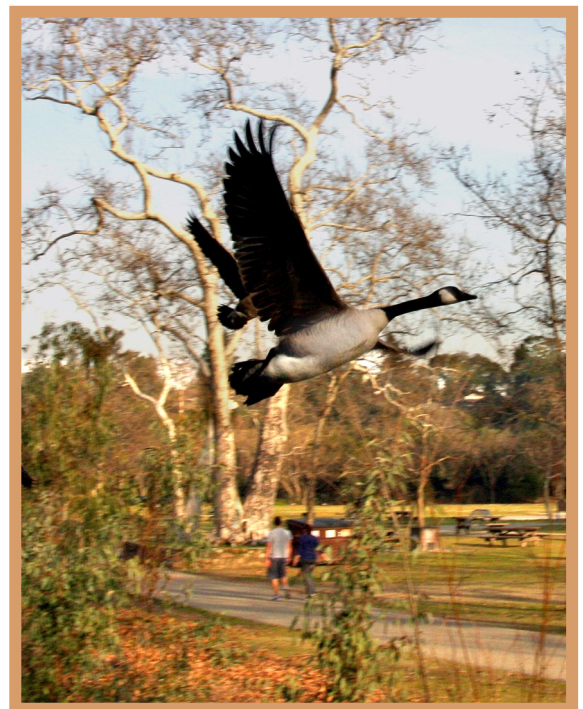
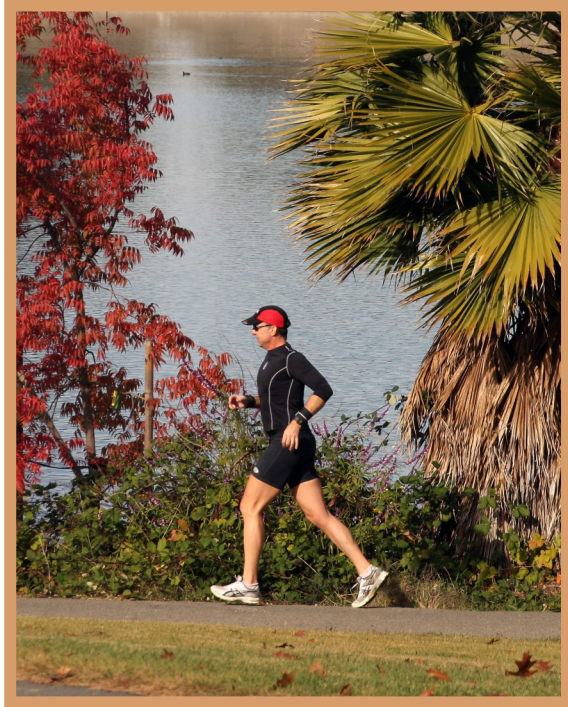
TOWN CLERK OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

DATE: _____



TOWN OF LOS GATOS

CALIFORNIA



Comprehensive Fee Schedule (Redlined)

Fiscal Year 2022/23

ATTACHMENT 1, EXHIBIT A

TOWN OF LOS GATOS FEE SCHEDULE

The following Fee Schedule is effective July 1, 2022 through June 30, 2023, 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. Fees are adjusted with the most current 3.4% CPI amount forgoing the 2019 and 2020 CPI increases. 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

Town Facilities Use

Town approved non-profit fundraising activities are allowed in/on Town 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 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. The available Town facilities 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
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
17	Block Party Permit	\$55.00

ADMINISTRATIVE SERVICES

Business License

18	Business License Processing Fee - New	Out of Town \$20.00
		In Town \$40.00
19	Business License Processing Fee - Renewal	Out of Town and In Town \$30.00

Other Services

20	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
21	Copy - Digital	\$10 per device
22	Initial Returned Check Fee	\$25.00
23	Subsequent Return Check Fees [CA Civil Code Section 1719(a) (1)]	\$35.00
24	Election Filing Fee	\$25.00
25	Credit Card Processing Fee for all transactions above \$30.00	2.40%
26	Request for Service Not Covered by any Other Fee	Fully allocated hourly rates for all personnel

ATTORNEY SERVICES

1	Conditions, Covenants & Restrictions (CC&R) Review and Approval	Fully allocated hourly rates for all personnel
2	Simple Covenant/Deed Restriction	Fully allocated hourly rates for all personnel
3	Subdivision Improvement Agreements	Fully allocated hourly rates for all personnel
4	Encroachment Agreements	Fully allocated hourly rates for all personnel
5	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 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	\$160.00 \$165.00
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	\$575.00 \$595.00
13	Community Benefit	No standard schedule, as offered and applied per project
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*
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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	\$3,010.00 \$3,112.00*
36	2 Lots	\$1,505.00 \$1,556.00*
37	3 Lots	\$1,005.00 \$1,039.00*
38	4 Lots	\$755.00 \$781.00*
39	5 Lot or more	\$600.00 \$620.00*

****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

40	Fee for issuing/reinstating a Building Permit	\$55.00 \$57.00
41	Additional Building Permit Fee	\$30.00 \$31.00
42	Demolition Permit	Residential: \$265.00 \$274.00
		Commercial: \$465.00 \$481.00

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

	Total Valuation	Fee
43	\$1.00 to \$500.00	\$32.99 \$34.00
44	\$501.00 to \$2,000.00	\$32.99 \$34.00 for the first \$500.00 plus \$4.28 \$4.42 for each additional \$100.00 or fraction thereof, to and including \$2,000.00
45	\$2,001.00 to \$25,000.00	\$97.23 \$101.00 for the first \$2,000.00 plus \$19.66 \$20.29 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00
46	\$25,001.00 to \$50,000.00	\$549.32 \$568.00 for the first \$25,000.00 plus \$14.18 \$14.63 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00
47	\$50,001.00 to \$100,000.00	\$903.83 \$935.00 for the first \$50,000.00 plus \$9.83 \$10.14 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00
48	\$100,001.00 to \$500,000.00	\$1,395.23 \$1,443.00 for the first \$100,000.00 plus \$7.86 \$8.11 for each additional \$1,000.00 or fraction thereof, to and including \$500,000.00
49	\$500,001.00 to \$1,000,000.00	\$4,540.19 \$4,695.00 for the first \$500,000.00 plus \$6.67 \$6.88 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.00
50	\$1,000,001.00 and over	\$7,874.69 \$8,142.00 for the first \$1,000,000.00 plus \$4.42 \$4.56 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)	\$192.00/hr. \$199.00/hr.
52	Re-inspection fees	\$160.00/hr. \$165.00/hr.
53	Inspections for which no fee is specifically indicated (2 hr. minimum)	\$160.00/hr. \$165.00/hr.
54	Additional plan review required by changes, additions or revisions to plans (1 hr. minimum)	\$152.50/hr. \$158.00/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)	\$160.00/hr. \$165.00/hr.
57	Permit/Plan check time extension (per permit) (applies to permits that have not expired)	\$78.00 \$81.00
58	Express plan review or initial review (1 hr. minimum)	\$160.00/hr. \$165.00/hr.
59	Application for the Appeals Building Board Review	\$273.00 \$282.00
60	Temporary Certificate of Occupancy	\$1,095.00 \$1,132.00

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	\$117.00/sq. ft. \$121.00/sq.ft.
62	Convert unfinished basement or attic to habitable	\$127.00/sq. ft. \$131.00/sq.ft.
63	Pools/Spas (gunite)	\$76.00/sq. ft. \$79.00/sq.ft.
64	Siding - aluminum/vinyl/wood	\$32.00/sq. ft. \$33.00/sq.ft.
65	Antennas & Towers	Const.Value As Applied under valuation schedule on page 6
66	Commercial Awning or Canopy	Aluminum \$32.00/sq. ft. \$33.00/sq.ft.
		Canvas \$24.00/sq. ft. \$25.00/sq.ft.

DEVELOPMENT SERVICES

Other Miscellaneous Factors to Determine Construction Valuation (continued)

67	Fence or Freestanding Wall (over 6" high)	Wood or metal \$49.00/lf. \$51.00/sq.ft.
		Masonry \$85.00/lf. \$88.00/sq.ft.
68	Decks/Balcony	\$47.00/sq. ft. \$49.00/sq.ft.
69	Wood Deck	\$20.00/sq. ft. \$21.00/sq.ft.
70	Re-roofs	\$3.00/sq. ft.
71	Retaining Walls	\$107.00/lf. \$111.00/sq.ft.

Special Systems Fees

72	Emergency generation, wind power, special HVAC systems, etc.	Plan Review (1 hr. minimum) \$152.50/hr. \$158.00/hr.
		Field Inspection (2 hr. minimum) \$160.00/hr. \$165.00/hr.
73	Photovoltaic - Roof & Ground Mounted - Residential	Plan Review (1/4 hr. minimum) \$152.50/hr. \$158.00/hr.
		Field Inspection (1 hr. minimum) \$160.00/hr. \$165.00/hr.
74	Photovoltaic - Roof & Ground Mounted - Commercial	Plan Review (1 hr. minimum) \$152.50/hr. \$158.00/hr.
		Field Inspection (2 hr. minimum) \$160.00/hr. \$165.00/hr.

Electrical Permit Fees

75	Fee for issuing/reinstating an Electrical Permit	\$55.00 \$57.00
76	Additional Electrical Permit Fee	\$25.00 \$26.00
77	New Residential Construction (new buildings only, including garages)	\$.11 sq. ft
78	Commercial Construction	\$.08 sq. ft

Plan Review & Re-inspection Fees

79	Plan review fee	25% of Electrical Permit Fee
80	Additional plan review	\$152.50/hr. \$158.00/hr.
81	Re-inspection fee	\$160.00/hr. \$165.00/hr.

DEVELOPMENT SERVICES

System Fee Schedule

82	Private swimming pools	\$63.00 \$65.00
83	Public swimming pools	\$114.00 \$118.00
84	Temporary power poles	\$78.00 \$81.00
85	Temporary distribution system & temporary lighting	\$38.00 \$39.00
86	Installation of illuminated signs (each)	\$101.00 \$104.00

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

Unit Fee Schedule

87	Receptacle, switch and lights	\$2.00
88	Residential appliances/new circuits (cook top, oven, range, disposals, clothes dryers, or other motor operated appliances not exceeding one horsepower)	\$6.00
89	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	\$8.00
90	Photovoltaic system (residential)	\$90.00
91	Solar systems (including controls)	\$90.00
92	Power apparatus (generators, transformers, A/C, heat pumps, baking equipment)	Up to 10 KV, each \$16.00 \$17.00
		Over 10 KV not over 50 KV, each \$32.00 \$33.00
		Over 50 KV and not over 100 KV, each \$63.00 \$65.00
		Over 100 KV, each \$84.00 \$87.00
93	Motors	Up to 10 hp \$16.00 \$17.00
		Up to 25 hp \$32.00 \$33.00
		Up to 55 hp \$63.00 \$65.00
		Over 55 hp \$92.00 \$95.00
94	Transformers	Up to 5 KVA \$16.00 \$17.00
		Up to 10 KVA \$32.00 \$33.00
		Up to 50 KVA \$53.00 \$55.00
		Over 50 KVA \$77.00 \$80.00
95	Busways/conduits (per 100 ft)	\$8.00

DEVELOPMENT SERVICES

Unit Fee Schedule (continued)

96	Service equipment	200 amps or less \$78.00 \$81.00
		201 to 999 amps \$108.00 \$112.00
		Sub-panels \$38.00 \$39.00
97	Installation of spas or saunas	\$38.00 \$39.00

Other Electrical Fees

98	Duplicate job card	\$25.00 \$26.00
99	Permit extension (applies to permits that have not expired)	\$78.00 \$81.00

Mechanical Permit Fees

100	Fee for issuing/reinstating a Mechanical Permit	\$55.00 \$57.00
101	Additional Mechanical Permit Fee	\$25.00 \$26.00
102	New Residential Construction (new buildings only, including garages)	\$.11 sq. ft
103	Commercial Construction	\$.08 sq. ft

Plan Review & Re-inspection Fees

104	Plan review fee	25% of Mechanical Permit Fee
105	Additional plan review	\$152.50/hr. \$158.00/hr.
106	Re-inspection fee	\$160.00/hr. \$165.00/hr.

Unit Fee Schedule

107	Installation, of each heating system, A/C, boiler, compressor or air handler	\$38.00 \$39.00
108	Each duct repair or alteration	\$11.00
109	Each fireplace appliance	\$32.00 \$33.00
110	Each ventilating fan	\$11.00
111	Installation of separate flue or vents not included with the installation of an appliance	\$11.00
112	Installation of each hood with mechanical exhaust	Residential \$32.00 \$33.00
		Commercial \$114.00 \$118.00
113	Each new or repair of gas piping system	\$70.00 \$72.00
114	Each additional gas outlet	\$23.00 \$24.00
115	Installation of evaporative cooler	\$32.00 \$33.00

DEVELOPMENT SERVICES

Other Mechanical Fees

116	Duplicate job card	\$25.00 \$26.00
117	Permit extension (applies to permits that have not expired)	\$78.00 \$81.00

Plumbing Permit Fees

118	Fee for issuing/reinstating a Plumbing Permit	\$55.00 \$57.00
119	Additional Plumbing Permit Fee	\$25.00 \$26.00
120	New Residential Construction (new buildings only, including garages)	\$.11 sq. ft
121	Commercial Construction	\$.08 sq. ft

Plan Review & Re-inspection Fees

122	Plan review fee	25% of Plumbing Permit Fee
123	Additional plan review	\$152.50/hr. \$158.00/hr.
124	Re-inspection fee	\$160.00/hr. \$165.00/hr.

System Fee Schedule

125	Private swimming pools (including heater, water piping, gas piping)	\$92.00 \$95.00
126	Public swimming pools (including heater, water piping, gas piping)	\$138.00 \$143.00
127	Lawn sprinkler system on one meter	\$38.00 \$39.00
128	Each new or repair of gas piping system	\$70.00 \$72.00
129	Each drainage, sewer system	\$38.00 \$39.00
130	Radiant floor heating system	\$114.00 \$118.00

Unit Fee Schedule

131	Each plumbing fixture or trap or set of fixtures on one trap	\$11.00
132	Each sewer cleanout, backflow device	\$11.00
133	Each septic system abatement	\$114.00 \$118.00
134	Rainwater systems - per drain (inside building)	\$11.00
135	Each water heater, water softener	\$32.00 \$33.00
136	Each grease interceptor (750 gallon capacity)	\$78.00 \$81.00
137	Each grease trap (1-4 fixtures)	\$44.00 \$45.00
138	Residential water re-piping	\$114.00 \$118.00

DEVELOPMENT SERVICES

Unit Fee Schedule (continued)

139	Each ejector/sump pump	\$38.00 \$39.00
140	Each vacuum breaker/hose bib	\$11.00
141	Each water piping system repair or replacement	\$24.00 \$25.00
142	Each additional gas outlet	\$24.00 \$25.00

Other Plumbing Fees

143	Duplicate job card	\$25.00 \$26.00
144	Permit extension (applies to permits that have not expired)	\$78.00 \$81.00

Other Building Fees

145	Duplicate Inspection Card	\$30.00 \$31.00
146	NPDES Inspection Fee (Charged on all building permits with the potential to generate non-point source storm water runoff during construction)	\$70.00 \$72.00

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

147	New single family detached (HR and RC zones) <i>Engineering Development Review Service Fee</i>	\$8,978.00 \$9,283.00
		\$4,151.00 \$4,292.00
148	New non-custom single family detached (HR and RC zones) per unit/model, as part of a Planned Development** <i>Engineering Development Review Service Fee</i>	\$6,235.00 \$6,447.00
		\$4,148.00 \$4,289.00
149	New single family or two family units <i>Engineering Development Review Service Fee</i>	\$6,187.00 \$6,397.00
		\$4,149.00 \$4,290.00
150	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** <i>Engineering Development Review Service Fee</i>	\$4,421.00 \$4,571.00
		\$4,153.00 \$4,294.00
151	Minor projects (a development proposal that does not significantly change the size, mass, appearance or neighborhood impact of a structure, property or parking lot) <i>Engineering Development Review Service Fee</i>	\$2,243.00 \$2,319.00
		\$3,186.00 \$3,294.00

Zoning Approvals – Architecture and Site Applications – Planning Commission Approval

152	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 <i>Engineering Development Review Service Fee</i>	\$3,168.00 \$3,276.00
		\$1,157.00 \$1,196.00
153	New two family unit <i>Engineering Development Review Service Fee</i>	\$9,437.00 \$9,758.00
		\$4,151.00 \$4,292.00
154	New nonresidential (includes conceptual Planned Development elevations) <i>Engineering Development Review Service Fee</i>	\$10,832.00 \$11,200.00
		\$4,151.00 \$4,292.00
155	New multiple family (includes conceptual Planned Development elevations) <i>Engineering Development Review Service Fee</i>	\$9,847.00 \$10,182.00
		\$4,149.00 \$4,290.00

DEVELOPMENT SERVICES

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

156	All other (i.e. exceed FAR, major grading, etc.) <i>Engineering Development Review Service Fee</i>	\$5,491.00 \$5,678.00
		\$4,151.00 \$4,292.00

****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 <i>Engineering Development Review Service Fee</i>	\$6,351.00 \$6,567.00
		\$1,351.00 \$1,397.00
158	Conditional Use Permit (when consolidated with another application for new development) <i>Engineering Development Review Service Fee</i>	\$1,056.00 \$1,092.00
		\$774.00 \$800.00
159	Conditional Use Permit for Minor Restaurant (DRC Approval) <i>Engineering Development Review Service Fee</i>	\$3,865.00 \$3,996.00
		\$1,160.00 \$1,199.00
160	Conditional Use Permit for Major Restaurant (PC Approval) Tier 1 <i>Engineering Development Review Service Fee</i>	\$6,351.00 \$6,567.00
		\$1,736.00 \$1,795.00
161	Conditional Use Permit for Major Restaurant (PC Approval) Tier 2 includes alcohol and/or entertainment (must pay #159 below with this application) <i>Engineering Development Review Service Fee</i>	\$7,506.00 \$7,761.00
		\$1,735.00 \$1,794.00
162	Applications that require Town Council Approval (these fees supplement the above established fees) <i>Engineering Development Review Service Fee</i>	\$3,012.00 \$3,114.00
		\$1,158.00 \$1,197.00
		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

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

Planning Division Certificates of Use and Occupancy

174	Change of use	\$230.00 \$238.00
175	Change of occupancy (excluding change of proprietor of a continuing business enterprise)	\$155.00 \$160.00
176	Use/occupancy clearance if Conditional Use Permit is required or occupancy of a new accessory dwelling unit	No fee

Sign Application

177	New permanent sign	\$310.00 \$321.00
178	Temporary nonresidential sign	\$99.00 \$102.00
179	Change of face only	\$155.00 \$160.00
180	Sign program	\$2,075.00 \$2,146.00

Administrative Land Use Permit

181	Minor telecommunications facility (i.e. microcell, 8,021 lb. or equivalent)	\$1,535.00 \$1,587.00
182	Major telecommunications facility which do not require a Conditional Use Permit	\$3,681.00 \$3,806.00

DEVELOPMENT SERVICES

Other Zoning Approvals Fees

183	Variance <i>Engineering Development Review Service Fee</i>	\$4,671.00 \$4,830.00
		\$1,351.00 \$1,397.00
184	Minor Residential Development (see #151)	\$2,243.00 \$2,319.00
185	Agricultural Preserve Withdrawal	\$3,810.00 \$3,940.00
186	Hazardous Materials Storage Facility Application	Fully allocated rate of all personnel, plus noticing fees
187	Home Occupation Permit	\$155.00 \$160.00
188	Accessory Dwelling Unit	\$1,340.00 \$1,386.00
189	Two-Unit Housing Development	\$1,340.00
190	Urban Lot Split	\$1,340.00
191	Mobile Home Park Conversion Permit	Fully allocated rate of all personnel with initial deposit of \$5,000.00
192	General Plan/Town Code Amendments	Fully allocated rate of all personnel with initial deposit of \$5,000.00 plus additional fees

Subdivisions

193	Lot Line Adjustment (DRC Approval) <i>Engineering Development Review Service Fee</i>	\$2,128.00 \$2,200.00
		\$3,571.00 \$3,692.00
194	4 Lots or Less (DRC Approval) <i>Engineering Development Review Service Fee</i>	\$8,575.00 \$8,867.00
		\$3,960.00 \$4,095.00
195	4 Lots or Less (as part of a Planned Development) (DRC Approval) <i>Engineering Development Review Service Fee</i>	\$3,541.00 \$3,661.00
		\$4,153.00 \$4,294.00
196	5 Lots or More <i>Engineering Development Review Service Fee</i>	\$9,660.00 \$9,988.00
		\$5,115.00 \$5,289.00
197	5 Lots or More (as part of a Planned Development) (DRC Approval) <i>Engineering Development Review Service Fee</i>	\$4,152.00 \$4,293.00
		\$5,118.00 \$5,292.00
198	Vesting Tentative Map (VTM)	Actual Cost plus \$500.00 deposit and additional fees
199	Lot Merger and Reversion to Acreage (DRC Approval) <i>Engineering Development Review Service Fee</i>	\$1,055.00 \$1,091.00
		\$3,570.00 \$3,691.00
200	Condominium	\$7,445.00 \$7,698.00
201	Condominium (as part of a Planned Development)	\$3,541.00 \$3,661.00
202	Certificate of Compliance (DRC Approval) <i>Engineering Development Review Service Fee</i>	\$3,076.00 \$3,181.00
		\$2,219.00 \$2,294.00

DEVELOPMENT SERVICES

Subdivisions (continued)

203	VTM applications that require Town Council approval, Subdivision and/or DRC applications that require Planning Commission approval. This fee supplements the above-established fees.	\$2,824.00 \$2,920.00
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Miscellaneous Application Fees

204	Time Extensions to Approved Application	50% of current fee (excluding fees based on actual cost)
205	Modification to Approved Application	75% of current fee (excluding fees based on actual cost)
206	Conceptual Development Advisory Committee Review	\$2,966.00
		Special Noticing - Actual Cost (minimum \$500.00 deposit)
207	Push Cart Permit	\$492.00 \$509.00
208	Auto Dealer Events	Smaller Promotional Events \$82.00- \$85.00
		Large Promotional Events \$401.00- \$415.00
209	News rack Permit Fee	\$390.00 \$403.00
210	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

211	Categorical Exemption	No fee
212	Initial Study Deposit***	Fully allocated hourly rate of all personnel with initial \$5,000.00 deposit
213	Draft Initial Study Review Fee (or actual cost if part of a Planned Development, General Plan and/or Town Code Amendment)	\$2,786.00 \$2,881.00
	<i>Engineering Development Review Service Fee</i>	\$1,931.00 \$1,997.00
214	Environmental Impact Report	Consultant's fee

DEVELOPMENT SERVICES

Environmental Assessment Fees (continued)

215	Draft EIR Review Fee	Fully allocated hourly rate of all personnel plus any necessary outside costs
216	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

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

Appeals

220	Fee to appeal Planning Commission decision to Town Council	Per Residential \$438.00 \$453.00
		Per Commercial, multi-family or tentative map \$1,763.00 \$1,823.00
221	Fee to remand applications from Town Council to Planning Commission	Fully allocated hourly rate for all personnel plus additional fees
222	Fee to appeal Director of Community Development or Development Review Committee decision to Planning Commission	Per Residential \$221.00 \$229.00
		Per Commercial \$882.00 \$912.00
223	Tree appeals	\$90.00 \$93.00
224	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

225	Basic Zoning Letter	\$155.00 \$160.00
226	Legal non-conforming verification	\$650.00 \$672.00
227	Reconstruction of legal non-conforming structures (Burndown Letter)	\$276.00 \$285.00

Other Planning Division Fees

228	Fence Height Exceptions	\$276.00 \$285.00
229	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
230	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
231	Consultation	Actual cost on an hourly basis
232	Research Services Minimum Charge	Fully allocated hourly rate for all personnel with initial \$200.00 deposit
233	Building Permit Plan Check Fee	20% of building fee
234	Below Market Price Housing Program In-Lieu Fee	6% of the building permit valuation for the entire project
235	Outdoor Seating Permit	Fully allocated hourly rate for all personnel with initial \$1,000.00 deposit
236	Valet Parking Permit	Fully allocated hourly rate for all personnel with initial \$1,000.00 deposit
237	Parklet Program	Fully allocated hourly rate for all personnel with initial \$1,000.00 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) *

238	Application Fee	\$490.00 \$507.00
239	Under \$20,000.00	15.5% of valuation
240	\$20,000.00 to \$80,000.00	\$3,100.00 \$3,205.00 plus 9% of valuation
241	Greater than \$80,000	\$8,500.00 \$8,789.00 plus 8.5% valuation
242	Each additional plan check beyond three reviews	Fully allocated hourly rate for all personnel

Inspection Fee (Public Improvements & Grading Permits)

243	Under \$20,000.00	7.5% of valuation
244	\$20,000.00 to \$80,000.00	\$1,500.00 \$1,551.00 plus 6.5% of valuation
245	Greater than \$80,000.00	\$5,400.00 \$5,584.00 plus 4.0% of valuation

DEVELOPMENT SERVICES

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

246	Encroachment Permit - Residential	Work up to \$4,000.00 - \$305.00 \$316.00
		Each additional \$2,000.00 - \$160.00 \$165.00
247	Encroachment Permit - Collector/Arterial Streets**	Work up to \$4,000.00 - \$1,580.00 \$1,634.00
		Each additional \$2,000.00 - \$345.00 \$357.00
248	Outside contractor underground utility locating surcharge (actual cost for outside contractor inspection fee may change)	\$95.00
249	Temporary Encroachment Permit	\$150.00 \$155.00
250	Dumpster Permit	\$150.00 \$155.00
251	Storage Permit	\$150.00 \$155.00 ***

*** 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

252	Inspection Fee - Grading Permits	Single Family Residential \$730.00 \$755.00
		Commercial or Multi Family Residential \$1,135.00 \$1,174.00
253	Inspection Fee - Encroachment Permits and Some Storage Permits	Single Family Residential \$200.00 \$207.00
		Commercial or Multi Family Residential \$325.00 \$336.00
		Plus \$485.00 \$501.00 per LID facility
254	Inspection of Storm Water Treatment Measures	\$500.00 \$517.00 per facility
255	Annual Stormwater/Limited Impact Development (LID) Permit	Per Visit and 1st facility inspection \$485.00 \$501.00
		Every additional facility inspection \$160.00 \$165.00
256	C-3 Permit Hydrologic Calculation	Fully allocated hourly rate for all personnel plus any outside cost and initial deposit of \$3,750.00

DEVELOPMENT SERVICES

Engineering Subdivision Map Checking

257	1-4 lots	\$2,855.00 \$2,952.00*
258	5 or more lots	\$3,995.00 \$4,131.00*

****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

259	Development Review (staff traffic impact analysis or Parking Study)	Actual Cost
		Consultant Report - Consultant Fee
260	Staff Review Fee	\$664.00 \$687.00 plus 10% of the traffic consultant report cost
261	Site Distance Analysis	\$178.00 \$184.00 per review not to exceed two hours. Actual cost for staff time when analysis exceeds two hours.
262	Traffic Impact Mitigation Fee	\$958.00 \$991.00 per new average daily trip generated

Storm Drainage Fees

263	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 \$4,228.00 \$4,372.00/ac. Multiple family dwelling units - initial unit \$4,228.00 \$4,372.00/ac. Multiple family dwelling units - each unit after initial (not to exceed \$4,622.00/ac.) \$159.00 \$164.00 Commercial, industrial, hospitals, churches, schools, and others \$5,286.00 \$5,466.00/ac.
264	Building/Grading Permits (Building, Structures, & impervious areas)	New impervious surface area, per sq. ft. \$1.00/sq. ft.

DEVELOPMENT SERVICES

Street Improvement In-Lieu Fee

265	Sidewalks	\$16.00/sq. ft. \$20.00/sq.ft.
266	Curb and Gutter	\$68.00/lf. \$100.00/lf.

Other In-Lieu Fee

264	Trail Improvements	\$16.00/per sq. ft. or determined by Director
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Hauling Permits

268	House Moving Fee	\$3,490.00 \$3,609.00*
269	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)

270	New Buildings and Additions	Residential (per square foot added) \$1.17/sq.ft. \$1.19/sq.ft.*
		Non-residential (per square foot added) \$1.17/sq.ft. \$1.19/sq.ft.*

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

Other Engineering Fees

271	Engineering Reversion to Acreage	\$2,395.00 \$2,476.00 plus initial deposit of \$2,500 for surveyor
272	Engineering Lot Merger	\$3,480.00 \$3,598.00 plus surveyor deposit
273	Engineering Lot Line Adjustments	\$3,480.00 \$3,598.00 plus surveyor deposit
274	Certificate of Compliance	\$3,480.00 \$3,598.00 plus surveyor deposit
275	Abandon Excess Public Right-of-Way & Public Easement	\$4,345.00 \$4,493.00 plus surveyor and valuation consultant and planning services

DEVELOPMENT SERVICES

Other Engineering Fees (continued)

276	Geotechnical Peer Review Fees	Fully allocated hourly rate of all personnel plus any outside costs and initial \$2,500 deposit. Larger projects require an initial deposit of \$4,500 to allow for a site visit by the geotechnical peer review consultant.
277	Separate Instrument Dedication Fee (for dedication via grant deeds and not maps)	\$720.00 \$744.00 plus initial deposit of \$2,500 for surveyor
278	Slurry Seal Fee	\$2.50 per sq.ft.
279	Flood Review Fee	Consultant Cost plus 25% Admin Fee
280	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.

Town Plaza Use Permit

A permit fee is \$55.00 per hour for events that close the Town Plaza entirely to the public. This fee will be charged for the number of hours the Town Plaza cannot be used safely by the public due to the event. Additional fees or deposits may be charged for lawn repair, street closures, and/or additional maintenance, as determined by the Parks and Public Works Director and/or Maintenance Superintendent.

Civic Center Lawn Use Permit

A permit fee is \$55.00 per hour for events that restrict the use of the Civic Center Lawn. Additional fees or deposits may be charged for lawn repair, street closures, and/or additional maintenance, as determined by the Parks and Public Works Director and/or Maintenance Superintendent.

Turf Maintenance Fee

Additional fee added to any Park Use or Special Event Permit, 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.

PARKS AND PUBLIC WORKS SERVICES

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.*

Equipment Hourly Rates as Follows

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

PARKS AND PUBLIC WORKS SERVICES

Equipment Hourly Rates as Follows (continued)

56	Cones	\$0.15
57	Portable Generators	\$28.04

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
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Special Events Fees

59	Staff and equipment for special event requests	Fully allocated hourly rate of all personnel
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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	\$370.00

Massage Permit Fees

10	Initial Application for each Therapist	\$213.00
11	Annual Renewal for each Therapist	\$107.00
12	Massage Establishment Permit (initial and subsequent renewals) (Ord 14.110.075)	\$415.00

Fee covers staff time to process application, review pertinent documents, arrange for fingerprints and photographs to be taken and obtain all necessary approvals.

Special Events

13	ABC Application	No charge
14	No Parking Signs	\$0.46/each
15	Officer Staffing	Fully allocated hourly rate of all personnel
16	Bingo Permit	\$170.00

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

POLICE SERVICES

Motion Picture/Television/Commerical Still Photo

17	For-Profit Groups (each)	\$1,609.00
18	Non-For-profit Groups (each)	\$579.00

Emergency Response Caused By

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

Alarm Fees

21	Commercial Alarm Registration Fee	\$95.00
22	Second False Alarm*	\$170.00
23	Third False Alarm*	\$170.00
24	Fourth False Alarm*	\$170.00
25	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

26	Handicap CVC22507.8/22500(1)	\$37.00
27	Parking Permits	\$10.00

Parking Permit Fees

Residential Parking Permit

28	Annual residential parking permit/per vehicle (Limit 4 per residence)	\$42.00
29	Visitor guest passes	Two (2) complimentary with the purchase of the primary permit
30	Special Event Permit -First permit (one day)	\$10.00
31	Special Event Permit -Each Additional (one day)	\$2.00
32	Replacement permit for vehicle change (within calendar year)	\$10.00
33	Lost permit replacement	\$37.00
34	Damaged permit replacement (with return of permit)	\$18.00

POLICE SERVICES

Parking Permit Fees (continued)

Business Parking Permit

35	Standard Employee annual	\$248.00
36	Lost permit replacement	\$37.00
37	Damaged permit replacement (with return of permit)	\$18.00

Construction Parking Permit

38	One day parking permit per construction vehicle	\$32.00
39	Each additional day per vehicle	\$5.00

Other Police Fees

40	Fingerprinting - per each Livescan application (Plus additional DOJ or FBI fees which are based on the level of service for the application) Fingerprint fees are subject to increase based on DOJ or FBI fees	\$80.00
41	Subpoena Duces Tecum	Per California Evidence Code Section 1563
42	Solicitor/Peddler's Permit	\$55.00 plus fingerprinting
43	Bicycle Licenses (each)	\$3.00
44	Taxicabs Permit	\$185.00 per business
45	Clearance Letter	\$25.00
46	Horse Drawn Vehicle Permit	\$270.00
47	Firearms Storage Fee	\$245.00 Admin Fee plus \$1.00 per firearm per day for storage
48	Vehicle Release	\$235.00
49	Vehicle Repossession Release Fee (Government Code Section 41612)	\$15.00
50	Non-Los Gatos Cite Sign Off	\$27.00
51	Feral Cat Feeder/Trap Permit	\$42.00



RESOLUTION 2022-

**RESOLUTION OF THE TOWN COUNCIL
OF THE TOWN OF LOS GATOS
CONTINUING DEPARTMENT FEES, RATES, AND CHARGES, AND AMENDING CERTAIN
FEES, RATE, AND CHARGES FOR FY 2022/23**

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 19, 2019; and

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

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

1. That Resolution 2019-010, "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 2019/20" is hereby rescinded; and
2. The Town of Los Gatos Comprehensive Fee Schedule, attached hereto as Exhibit A-Scenario 2, shall become effective July 1, 2022.

PASSED AND ADOPTED at a regular meeting of the Town Council held on the 15th day of March 2022 by the following vote:

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

DATE: _____

ATTEST:

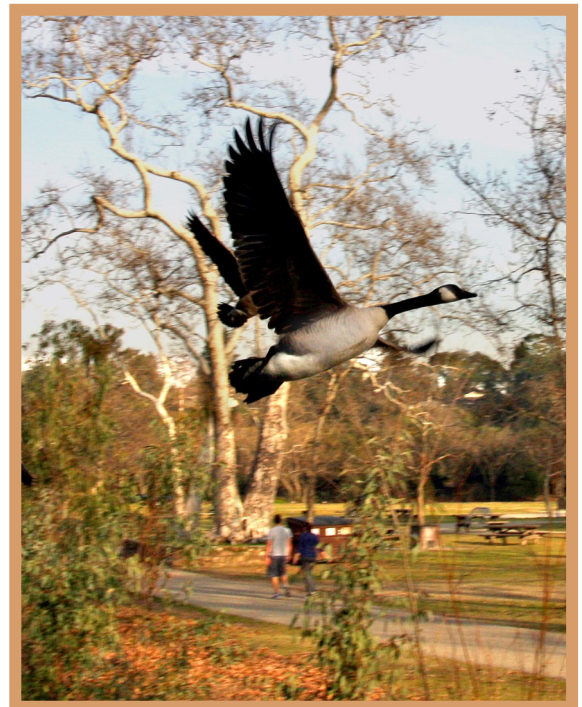
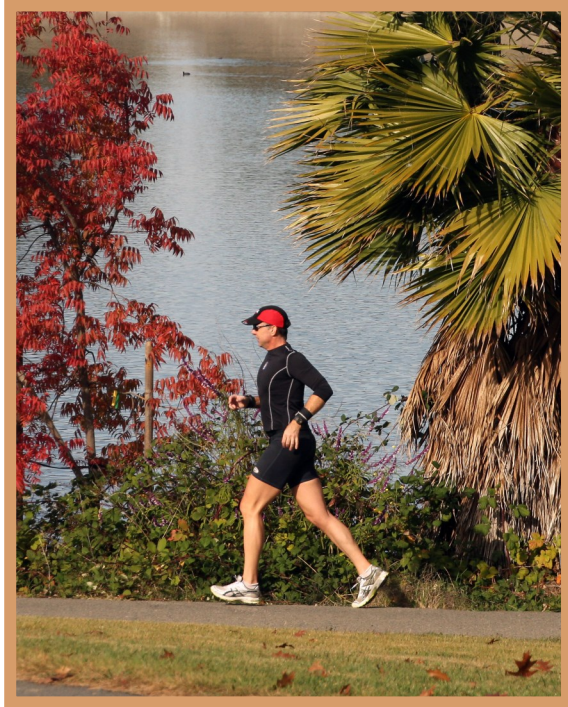
TOWN CLERK OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

DATE: _____



TOWN OF LOS GATOS

CALIFORNIA



Comprehensive Fee Schedule (Redlined)

Fiscal Year 2022/23

ATTACHMENT 2, EXHIBIT A

TOWN OF LOS GATOS FEE SCHEDULE

The following Fee Schedule is effective July 1, 2022 through June 30, 2023, 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. Fees are adjusted with a 5.9% CPI increase, which is halfway between the 3.2% and 8.5%. 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

Town Facilities Use

Town approved non-profit fundraising activities are allowed in/on Town 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 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. The available Town facilities 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
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
17	Block Party Permit	\$55.00

ADMINISTRATIVE SERVICES

Business License

18	Business License Processing Fee - New	Out of Town \$20.00
		In Town \$40.00
19	Business License Processing Fee - Renewal	Out of Town and In Town \$30.00

Other Services

20	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
21	Copy - Digital	\$10 per device
22	Initial Returned Check Fee	\$25.00
23	Subsequent Return Check Fees [CA Civil Code Section 1719(a) (1)]	\$35.00
24	Election Filing Fee	\$25.00
25	Credit Card Processing Fee for all transactions above \$30.00	2.40%
26	Request for Service Not Covered by any Other Fee	Fully allocated hourly rates for all personnel

ATTORNEY SERVICES

1	Conditions, Covenants & Restrictions (CC&R) Review and Approval	Fully allocated hourly rates for all personnel
2	Simple Covenant/Deed Restriction	Fully allocated hourly rates for all personnel
3	Subdivision Improvement Agreements	Fully allocated hourly rates for all personnel
4	Encroachment Agreements	Fully allocated hourly rates for all personnel
5	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 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	\$160.00 \$169.00
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	\$575.00 \$609.00
13	Community Benefit	No standard schedule, as offered and applied per project
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*
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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	\$3,010.00 \$3,188.00*
36	2 Lots	\$1,505.00 \$1,594.00*
37	3 Lots	\$1,005.00 \$1,064.00*
38	4 Lots	\$755.00 \$800.00*
39	5 Lot or more	\$600.00 \$635.00*

****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

40	Fee for issuing/reinstating a Building Permit	\$55.00 \$58.00
41	Additional Building Permit Fee	\$30.00 \$32.00
42	Demolition Permit	Residential: \$265.00 \$281.00
		Commercial: \$465.00 \$492.00

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

	Total Valuation	Fee
43	\$1.00 to \$500.00	\$32.99 \$35.00
44	\$501.00 to \$2,000.00	\$32.99 \$35.00 for the first \$500.00 plus \$4.28 \$4.53 for each additional \$100.00 or fraction thereof, to and including \$2,000.00
45	\$2,001.00 to \$25,000.00	\$97.23 \$103.00 for the first \$2,000.00 plus \$19.66 \$20.82 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00
46	\$25,001.00 to \$50,000.00	\$549.32 \$582.00 for the first \$25,000.00 plus \$14.18 \$15.02 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00
47	\$50,001.00 to \$100,000.00	\$903.83 \$957.00 for the first \$50,000.00 plus \$9.83 \$10.41 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00
48	\$100,001.00 to \$500,000.00	\$1,395.23 \$1,478.00 for the first \$100,000.00 plus \$7.86 \$8.32 for each additional \$1,000.00 or fraction thereof, to and including \$500,000.00
49	\$500,001.00 to \$1,000,000.00	\$4,540.19 \$4,808.00 for the first \$500,000.00 plus \$6.67 \$7.06 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.00
50	\$1,000,001.00 and over	\$7,874.69 \$8,339.00 for the first \$1,000,000.00 plus \$4.42 \$4.68 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)	\$192.00/hr. \$203.00/hr.
52	Re-inspection fees	\$160.00/hr. \$169.00/hr.
53	Inspections for which no fee is specifically indicated (2 hr. minimum)	\$160.00/hr. \$169.00/hr.
54	Additional plan review required by changes, additions or revisions to plans (1 hr. minimum)	\$152.50/hr. \$161.00/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)	\$160.00/hr. \$169.00/hr.
57	Permit/Plan check time extension (per permit) (applies to permits that have not expired)	\$78.00 \$83.00
58	Express plan review or initial review (1 hr. minimum)	\$160.00/hr. \$169.00/hr.
59	Application for the Appeals Building Board Review	\$273.00 \$289.00
60	Temporary Certificate of Occupancy	\$1,095.00 \$1,160.00

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

DEVELOPMENT SERVICES

61	Convert Garage to habitable space	\$117.00/sq. ft. \$124.00/sq.ft.
62	Convert unfinished basement or attic to habitable	\$127.00/sq. ft. \$134.00/sq.ft.
63	Pools/Spas (gunite)	\$76.00/sq. ft. \$80.00/sq.ft.
64	Siding - aluminum/vinyl/wood	\$32.00/sq. ft. \$34.00/sq.ft.
65	Antennas & Towers	Const.Value As Applied under valuation schedule on page 6
66	Commercial Awning or Canopy	Aluminum \$32.00/sq. ft. \$34.00/sq.ft.
		Canvas \$24.00/sq. ft. \$25.00/sq.ft.

Other Miscellaneous Factors to Determine Construction Valuation (continued)

67	Fence or Freestanding Wall (over 6" high)	Wood or metal \$49.00/lf. \$52.00/sq.ft.
		Masonry \$85.00/lf. \$90.00/sq.ft.
68	Decks/Balcony	\$47.00/sq. ft. \$50.00/sq.ft.
69	Wood Deck	\$20.00/sq. ft. \$21.00/sq.ft.
70	Re-roofs	\$3.00/sq. ft. \$3.00/sq.ft.
71	Retaining Walls	\$107.00/lf. \$113.00/sq.ft.

Special Systems Fees

72	Emergency generation, wind power, special HVAC systems, etc.	Plan Review (1 hr. minimum) \$152.50/hr. \$161.00/hr.
		Field Inspection (2 hr. minimum) \$160.00/hr. \$169.00/hr.
73	Photovoltaic - Roof & Ground Mounted - Residential	Plan Review (1/4 hr. minimum) \$152.50/hr. \$161.00/hr.
		Field Inspection (1 hr. minimum) \$160.00/hr. \$169.00/hr.
74	Photovoltaic - Roof & Ground Mounted - Commercial	Plan Review (1 hr. minimum) \$152.50/hr. \$161.00/hr.
		Field Inspection (2 hr. minimum) \$160.00/hr. \$169.00/hr.

Electrical Permit Fees

75	Fee for issuing/reinstating an Electrical Permit	\$55.00 \$58.00
76	Additional Electrical Permit Fee	\$25.00 \$26.00
77	New Residential Construction (new buildings only, including garages)	\$.11 sq. ft
78	Commercial Construction	\$.08 sq. ft

DEVELOPMENT SERVICES

Plan Review & Re-inspection Fees

79	Plan review fee	25% of Electrical Permit Fee
80	Additional plan review	\$152.50/hr. \$161.00/hr.
81	Re-inspection fee	\$160.00/hr. \$169.00/hr.

System Fee Schedule

82	Private swimming pools	\$63.00 \$67.00
83	Public swimming pools	\$114.00 \$121.00
84	Temporary power poles	\$78.00 \$83.00
85	Temporary distribution system & temporary lighting	\$38.00 \$40.00
86	Installation of illuminated signs (each)	\$101.00 \$107.00

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

Unit Fee Schedule

DEVELOPMENT SERVICES

87	Receptacle, switch and lights	\$2.00
88	Residential appliances/new circuits (cook top, oven, range, disposals, clothes dryers, or other motor operated appliances not exceeding one horsepower)	\$6.00
89	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	\$8.00
90	Photovoltaic system (residential)	\$90.00
91	Solar systems (including controls)	\$90.00
92	Power apparatus (generators, transformers, A/C, heat pumps, baking equipment)	Up to 10 KV, each \$16.00 \$17.00
		Over 10 KV not over 50 KV, each \$32.00 \$34.00
		Over 50 KV and not over 100 KV, each \$63.00 \$67.00
		Over 100 KV, each \$84.00 \$89.00
93	Motors	Up to 10 hp \$16.00 \$17.00
		Up to 25 hp \$32.00 \$34.00
		Up to 55 hp \$63.00 \$67.00
		Over 55 hp \$92.00 \$97.00
94	Transformers	Up to 5 KVA \$16.00 \$17.00
		Up to 10 KVA \$32.00 \$34.00
		Up to 50 KVA \$53.00 \$56.00
		Over 50 KVA \$77.00 \$82.00
95	Busways/conduits (per 100 ft)	\$8.00

Unit Fee Schedule (continued)

96	Service equipment	200 amps or less \$78.00 \$83.00
		201 to 999 amps \$108.00 \$114.00
		Sub-panels \$38.00 \$40.00
97	Installation of spas or saunas	\$38.00 \$40.00

Other Electrical Fees

98	Duplicate job card	\$25.00 \$26.00
99	Permit extension (applies to permits that have not expired)	\$78.00 \$83.00

DEVELOPMENT SERVICES

Mechanical Permit Fees

100	Fee for issuing/reinstating a Mechanical Permit	\$55.00 \$58.00
101	Additional Mechanical Permit Fee	\$25.00 \$26.00
102	New Residential Construction (new buildings only, including garages)	\$.11 sq. ft
103	Commercial Construction	\$.08 sq. ft

Plan Review & Re-inspection Fees

104	Plan review fee	25% of Mechanical Permit Fee
105	Additional plan review	\$152.50/hr. \$161.00/hr.
106	Re-inspection fee	\$160.00/hr. \$169.00/hr.

Unit Fee Schedule

107	Installation, of each heating system, A/C, boiler, compressor or air handler	\$38.00 \$40.00
108	Each duct repair or alteration	\$11.00 \$12.00
109	Each fireplace appliance	\$32.00 \$34.00
110	Each ventilating fan	\$11.00 \$12.00
111	Installation of separate flue or vents not included with the installation of an appliance	\$11.00 \$12.00
112	Installation of each hood with mechanical exhaust	Residential \$32.00 \$34.00
		Commercial \$114.00 \$121.00
113	Each new or repair of gas piping system	\$70.00 \$74.00
114	Each additional gas outlet	\$23.00 \$24.00
115	Installation of evaporative cooler	\$32.00 \$34.00

Other Mechanical Fees

116	Duplicate job card	\$25.00 \$26.00
117	Permit extension (applies to permits that have not expired)	\$78.00 \$83.00

Plumbing Permit Fees

DEVELOPMENT SERVICES

118	Fee for issuing/reinstating a Plumbing Permit	\$55.00 \$58.00
119	Additional Plumbing Permit Fee	\$25.00 \$26.00
120	New Residential Construction (new buildings only, including garages)	\$.11 sq. ft
121	Commercial Construction	\$.08 sq. ft

Plan Review & Re-inspection Fees

122	Plan review fee	25% of Plumbing Permit Fee
123	Additional plan review	\$152.50/hr. \$161.00/hr.
124	Re-inspection fee	\$160.00/hr. \$169.00/hr.

System Fee Schedule

125	Private swimming pools (including heater, water piping, gas piping)	\$92.00 \$97.00
126	Public swimming pools (including heater, water piping, gas piping)	\$138.00 \$146.00
127	Lawn sprinkler system on one meter	\$38.00 \$40.00
128	Each new or repair of gas piping system	\$70.00 \$74.00
129	Each drainage, sewer system	\$38.00 \$40.00
130	Radiant floor heating system	\$114.00 \$121.00

Unit Fee Schedule

131	Each plumbing fixture or trap or set of fixtures on one trap	\$11.00 \$12.00
132	Each sewer cleanout, backflow device	\$11.00 \$12.00
133	Each septic system abatement	\$114.00 \$121.00
134	Rainwater systems - per drain (inside building)	\$11.00 \$12.00
135	Each water heater, water softener	\$32.00 \$34.00
136	Each grease interceptor (750 gallon capacity)	\$78.00 \$83.00
137	Each grease trap (1-4 fixtures)	\$44.00 \$47.00
138	Residential water re-piping	\$114.00 \$121.00

Unit Fee Schedule (continued)

139	Each ejector/sump pump	\$38.00 \$40.00
140	Each vacuum breaker/hose bib	\$11.00 \$12.00
141	Each water piping system repair or replacement	\$24.00 \$25.00
142	Each additional gas outlet	\$24.00 \$25.00

Other Plumbing Fees

DEVELOPMENT SERVICES

143	Duplicate job card	\$25.00 \$26.00
144	Permit extension (applies to permits that have not expired)	\$78.00 \$83.00

Other Building Fees

145	Duplicate Inspection Card	\$30.00 \$32.00
146	NPDES Inspection Fee (Charged on all building permits with the potential to generate non-point source storm water runoff during construction)	\$70.00 \$74.00

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.

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

DEVELOPMENT SERVICES

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.

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

DEVELOPMENT SERVICES

147	New single family detached (HR and RC zones) <i>Engineering Development Review Service Fee</i>	\$8,978.00 \$9,508.00
		\$4,151.00 \$4,396.00
148	New non-custom single family detached (HR and RC zones) per unit/model, as part of a Planned Development** <i>Engineering Development Review Service Fee</i>	\$6,235.00 \$6,603.00
		\$4,148.00 \$4,393.00
149	New single family or two family units <i>Engineering Development Review Service Fee</i>	\$6,187.00 \$6,552.00
		\$4,149.00 \$4,394.00
150	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** <i>Engineering Development Review Service Fee</i>	\$4,421.00 \$4,682.00
		\$4,153.00 \$4,398.00
151	Minor projects (a development proposal that does not significantly change the size, mass, appearance or neighborhood impact of a structure, property or parking lot) <i>Engineering Development Review Service Fee</i>	\$2,243.00 \$2,375.00
		\$3,186.00 \$3,374.00

Zoning Approvals – Architecture and Site Applications – Planning Commission Approval

152	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 <i>Engineering Development Review Service Fee</i>	\$3,168.00 \$3,355.00
		\$1,157.00 \$1,225.00
153	New two family unit <i>Engineering Development Review Service Fee</i>	\$9,437.00 \$9,994.00
		\$4,151.00 \$4,396.00
154	New nonresidential (includes conceptual Planned Development elevations) <i>Engineering Development Review Service Fee</i>	\$10,832.00 \$11,471.00
		\$4,151.00 \$4,396.00
155	New multiple family (includes conceptual Planned Development elevations) <i>Engineering Development Review Service Fee</i>	\$9,847.00 \$10,428.00
		\$4,149.00 \$4,394.00

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

DEVELOPMENT SERVICES

156	All other (i.e. exceed FAR, major grading, etc.) <i>Engineering Development Review Service Fee</i>	\$5,491.00 \$5,815.00
		\$4,151.00 \$4,396.00

****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 <i>Engineering Development Review Service Fee</i>	\$6,351.00 \$6,726.00
		\$1,351.00 \$1,431.00
158	Conditional Use Permit (when consolidated with another application for new development) <i>Engineering Development Review Service Fee</i>	\$1,056.00 \$1,118.00
		\$774.00 \$820.00
159	Conditional Use Permit for Minor Restaurant (DRC Approval) <i>Engineering Development Review Service Fee</i>	\$3,865.00 \$4,093.00
		\$1,160.00 \$1,228.00
160	Conditional Use Permit for Major Restaurant (PC Approval) Tier 1 <i>Engineering Development Review Service Fee</i>	\$6,351.00 \$6,726.00
		\$1,736.00 \$1,838.00
161	Conditional Use Permit for Major Restaurant (PC Approval) Tier 2 includes alcohol and/or entertainment (must pay #159 below with this application) <i>Engineering Development Review Service Fee</i>	\$7,506.00 \$7,949.00
		\$1,735.00 \$1,837.00
162	Applications that require Town Council Approval (these fees supplement the above established fees) <i>Engineering Development Review Service Fee</i>	\$3,012.00 \$3,190.00
		\$1,158.00 \$1,226.00
		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

Planned Development

DEVELOPMENT SERVICES

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

Planning Division Certificates of Use and Occupancy

174	Change of use	\$230.00 \$244.00
175	Change of occupancy (excluding change of proprietor of a continuing business enterprise)	\$155.00 \$164.00
176	Use/occupancy clearance if Conditional Use Permit is required or occupancy of a new accessory dwelling unit	No fee

Sign Application

177	New permanent sign	\$310.00 \$328.00
178	Temporary nonresidential sign	\$99.00 \$105.00
179	Change of face only	\$155.00 \$164.00
180	Sign program	\$2,075.00 \$2,197.00

Administrative Land Use Permit

181	Minor telecommunications facility (i.e. microcell, 8,021 lb. or equivalent)	\$1,535.00 \$1,626.00
182	Major telecommunications facility which do not require a Conditional Use Permit	\$3,681.00 \$3,898.00

Other Zoning Approvals Fees

DEVELOPMENT SERVICES

183	Variance <i>Engineering Development Review Service Fee</i>	\$4,671.00 \$4,947.00
		\$1,351.00 \$1,431.00
184	Minor Residential Development (see #151)	\$2,243.00 \$2,375.00
185	Agricultural Preserve Withdrawal	\$3,810.00 \$4,035.00
186	Hazardous Materials Storage Facility Application	Fully allocated rate of all personnel, plus noticing fees
187	Home Occupation Permit	\$155.00 \$164.00
188	Accessory Dwelling Unit	\$1,340.00 \$1,419.00
189	Two-Unit Housing Development	\$1,340.00
190	Urban Lot Split	\$1,340.00
191	Mobile Home Park Conversion Permit	Fully allocated rate of all personnel with initial deposit of \$5,000.00
192	General Plan/Town Code Amendments	Fully allocated rate of all personnel with initial deposit of \$5,000.00 plus additional fees

Subdivisions

193	Lot Line Adjustment (DRC Approval) <i>Engineering Development Review Service Fee</i>	\$2,128.00 \$2,254.00
		\$3,571.00 \$3,782.00
194	4 Lots or Less (DRC Approval) <i>Engineering Development Review Service Fee</i>	\$8,575.00 \$9,081.00
		\$3,960.00 \$4,194.00
195	4 Lots or Less (as part of a Planned Development) (DRC Approval) <i>Engineering Development Review Service Fee</i>	\$3,541.00 \$3,750.00
		\$4,153.00 \$4,398.00
196	5 Lots or More <i>Engineering Development Review Service Fee</i>	\$9,660.00 \$10,230.00
		\$5,115.00 \$5,417.00
197	5 Lots or More (as part of a Planned Development) (DRC Approval) <i>Engineering Development Review Service Fee</i>	\$4,152.00 \$4,397.00
		\$5,118.00 \$5,420.00
198	Vesting Tentative Map (VTM)	Actual Cost plus \$500.00 deposit and additional fees
199	Lot Merger and Reversion to Acreage (DRC Approval) <i>Engineering Development Review Service Fee</i>	\$1,055.00 \$1,117.00
		\$3,570.00 \$3,781.00
200	Condominium	\$7,445.00 \$7,884.00
201	Condominium (as part of a Planned Development)	\$3,541.00 \$3,750.00
202	Certificate of Compliance (DRC Approval) <i>Engineering Development Review Service Fee</i>	\$3,076.00 \$3,257.00
		\$2,219.00 \$2,350.00

Subdivisions (continued)

DEVELOPMENT SERVICES

203	VTM applications that require Town Council approval, Subdivision and/or DRC applications that require Planning Commission approval. This fee supplements the above-established fees.	\$2,824.00 \$2,991.00
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Miscellaneous Application Fees

204	Time Extensions to Approved Application	50% of current fee (excluding fees based on actual cost)
205	Modification to Approved Application	75% of current fee (excluding fees based on actual cost)
206	Conceptual Development Advisory Committee Review	\$2,966.00
		Special Noticing - Actual Cost (minimum \$500.00 deposit)
207	Push Cart Permit	\$492.00 \$521.00
208	Auto Dealer Events	Smaller Promotional Events \$82.00- \$87.00
		Large Promotional Events \$401.00- \$425.00
209	News rack Permit Fee	\$390.00 \$413.00
210	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

211	Categorical Exemption	No fee
212	Initial Study Deposit***	Fully allocated hourly rate of all personnel with initial \$5,000.00 deposit
213	Draft Initial Study Review Fee (or actual cost if part of a Planned Development, General Plan and/or Town Code Amendment)	\$2,786.00 \$2,950.00
	<i>Engineering Development Review Service Fee</i>	\$1,931.00 \$2,045.00
214	Environmental Impact Report	Consultant's fee

Environmental Assessment Fees (continued)

DEVELOPMENT SERVICES

215	Draft EIR Review Fee	Fully allocated hourly rate of all personnel plus any necessary outside costs
216	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

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

Appeals

220	Fee to appeal Planning Commission decision to Town Council	Per Residential \$438.00 \$464.00
		Per Commercial, multi-family or tentative map \$1,763.00 \$1,867.00
221	Fee to remand applications from Town Council to Planning Commission	Fully allocated hourly rate for all personnel plus additional fees
222	Fee to appeal Director of Community Development or Development Review Committee decision to Planning Commission	Per Residential \$221.00 \$234.00
		Per Commercial \$882.00 \$934.00
223	Tree appeals	\$90.00 \$95.00
224	Appeal transcription fee of Planning Commission minutes (only applies to appeals from Planning Commission to Town Council)	Actual Cost - minimum \$500.00 deposit

Zoning Research

DEVELOPMENT SERVICES

225	Basic Zoning Letter	\$155.00 \$164.00
226	Legal non-conforming verification	\$650.00 \$688.00
227	Reconstruction of legal non-conforming structures (Burndown Letter)	\$276.00 \$292.00

Other Planning Division Fees

228	Fence Height Exceptions	\$276.00 \$292.00
229	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
230	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
231	Consultation	Actual cost on an hourly basis
232	Research Services Minimum Charge	Fully allocated hourly rate for all personnel with initial \$200.00 deposit
233	Building Permit Plan Check Fee	20% of building fee
234	Below Market Price Housing Program In-Lieu Fee	6% of the building permit valuation for the entire project
235	Outdoor Seating Permit	Fully allocated hourly rate for all personnel with initial \$1,000.00 deposit
236	Valet Parking Permit	Fully allocated hourly rate for all personnel with initial \$1,000.00 deposit
237	Parklet Program	Fully allocated hourly rate for all personnel with initial \$1,000.00 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.

Engineering Division

DEVELOPMENT SERVICES

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) *

238	Application Fee	\$490.00 \$519.00
239	Under \$20,000.00	15.5% of valuation
240	\$20,000.00 to \$80,000.00	\$3,100.00 \$3,283.00 plus 9% of valuation
241	Greater than \$80,000	\$8,500.00 \$9,002.00 plus 8.5% valuation
242	Each additional plan check beyond three reviews	Fully allocated hourly rate for all personnel

Inspection Fee (Public Improvements & Grading Permits)

243	Under \$20,000.00	7.5% of valuation
244	\$20,000.00 to \$80,000.00	\$1,500.00 \$1,589.00 plus 6.5% of valuation
245	Greater than \$80,000.00	\$5,400.00 \$5,719.00 plus 4.0% of valuation

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

DEVELOPMENT SERVICES

246	Encroachment Permit - Residential	Work up to \$4,000.00 - \$305.00- \$323.00
		Each additional \$2,000.00 - \$160.00- \$169.00
247	Encroachment Permit - Collector/Arterial Streets**	Work up to \$4,000.00 - \$1,580.00- \$1,673.00
		Each additional \$2,000.00 - \$345.00- \$365.00
248	Outside contractor underground utility locating surcharge (actual cost for outside contractor inspection fee may change)	\$95.00
249	Temporary Encroachment Permit	\$150.00 \$159.00
250	Dumpster Permit	\$150.00 \$159.00
251	Storage Permit	\$150.00 \$159.00***

* **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

252	Inspection Fee - Grading Permits	Single Family Residential \$730.00- \$773.00
		Commercial or Multi Family Residential \$1,135.00 \$1,202.00
253	Inspection Fee - Encroachment Permits and Some Storage Permits	Single Family Residential \$200.00- \$212.00
		Commercial or Multi Family Residential \$325.00 \$344.00
		Plus \$485.00 \$514.00 per LID facility
254	Inspection of Storm Water Treatment Measures	\$500.00 \$530.00 per facility
255	Annual Stormwater/Limited Impact Development (LID) Permit	Per Visit and 1st facility inspection \$485.00 \$514.00
		Every additional facility inspection \$160.00 \$169.00
256	C-3 Permit Hydrologic Calculation	Fully allocated hourly rate for all personnel plus any outside cost and initial deposit of \$3,750.00

Engineering Subdivision Map Checking

DEVELOPMENT SERVICES

257	1-4 lots	\$2,855.00 \$3,023.00*
258	5 or more lots	\$3,995.00 \$4,231.00*

**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

259	Development Review (staff traffic impact analysis or Parking Study)	Actual Cost
		Consultant Report - Consultant Fee
260	Staff Review Fee	\$664.00 \$703.00 plus 10% of the traffic consultant report cost
261	Site Distance Analysis	\$178.00 \$189.00 per review not to exceed two hours. Actual cost for staff time when analysis exceeds two hours.
262	Traffic Impact Mitigation Fee	\$958.00 \$1,015.00 per new average daily trip generated

Storm Drainage Fees

263	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 \$4,228.00 \$4,477.00/ac.
		Multiple family dwelling units - initial unit \$4,228.00 \$4,477.00/ac.
		Multiple family dwelling units - each unit after initial (not to exceed \$4,622.00/ac.) \$159.00 \$168.00
		Commercial, industrial, hospitals, churches, schools, and others \$5,286.00 \$5,598.00/ac.
264	Building/Grading Permits (Building, Structures, & impervious areas)	New impervious surface area, per sq. ft. \$1.00/sq. ft.

Street Improvement In-Lieu Fee

DEVELOPMENT SERVICES

265	Sidewalks	\$16.00/sq. ft. \$20.00/sq.ft.
266	Curb and Gutter	\$68.00/lf. \$100.00/lf.

Other In-Lieu Fee

267	Trail Improvements	\$16.00/per sq. ft. or determined by Director
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Hauling Permits

268	House Moving Fee	\$3,490.00 \$3,696.00*
269	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)

270	New Buildings and Additions	Residential (per square foot added) \$1.17/sq.ft. \$1.26/sq.ft.*
		Non-residential (per square foot added) \$1.17/sq.ft. \$1.26/sq.ft.*

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

Other Engineering Fees

271	Engineering Reversion to Acreage	\$2,395.00 \$2,536.00 plus initial deposit of \$2,500 for surveyor
272	Engineering Lot Merger	\$3,480.00 \$3,685.00 plus surveyor deposit
273	Engineering Lot Line Adjustments	\$3,480.00 \$3,685.00 plus surveyor deposit
274	Certificate of Compliance	\$3,480.00 \$3,685.00 plus surveyor deposit
275	Abandon Excess Public Right-of-Way & Public Easement	\$4,345.00 \$4,601.00 plus surveyor and valuation consultant and planning services

Other Engineering Fees (continued)

DEVELOPMENT SERVICES

276	Geotechnical Peer Review Fees	Fully allocated hourly rate of all personnel plus any outside costs and initial \$2,500 deposit. Larger projects require an initial deposit of \$4,500 to allow for a site visit by the geotechnical peer review consultant.
277	Separate Instrument Dedication Fee (for dedication via grant deeds and not maps)	\$720.00 \$762.00 plus initial deposit of \$2,500 for surveyor
278	Slurry Seal Fee	\$2.50 per sq.ft.
279	Flood Review Fee	Consultant Cost plus 25% Admin Fee
280	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.

Town Plaza Use Permit

A permit fee is \$55.00 per hour for events that close the Town Plaza entirely to the public. This fee will be charged for the number of hours the Town Plaza cannot be used safely by the public due to the event. Additional fees or deposits may be charged for lawn repair, street closures, and/or additional maintenance, as determined by the Parks and Public Works Director and/or Maintenance Superintendent.

Civic Center Lawn Use Permit

A permit fee is \$55.00 per hour for events that restrict the use of the Civic Center Lawn. Additional fees or deposits may be charged for lawn repair, street closures, and/or additional maintenance, as determined by the Parks and Public Works Director and/or Maintenance Superintendent.

Turf Maintenance Fee

Additional fee added to any Park Use or Special Event Permit, 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.

PARKS AND PUBLIC WORKS SERVICES

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.*

Equipment Hourly Rates as Follows

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

PARKS AND PUBLIC WORKS SERVICES

Equipment Hourly Rates as Follows (continued)

56	Cones	\$0.15
57	Portable Generators	\$28.04

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
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Special Events Fees

59	Staff and equipment for special event requests	Fully allocated hourly rate of all personnel
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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	\$370.00

Massage Permit Fees

10	Initial Application for each Therapist	\$213.00
11	Annual Renewal for each Therapist	\$107.00
12	Massage Establishment Permit (initial and subsequent renewals) (Ord 14.110.075)	\$415.00

Fee covers staff time to process application, review pertinent documents, arrange for fingerprints and photographs to be taken and obtain all necessary approvals.

Special Events

13	ABC Application	No charge
14	No Parking Signs	\$0.46/each
15	Officer Staffing	Fully allocated hourly rate of all personnel
16	Bingo Permit	\$170.00

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

POLICE SERVICES

Motion Picture/Television/Commerical Still Photo

17	For-Profit Groups (each)	\$1,609.00
18	Non-For-profit Groups (each)	\$579.00

Emergency Response Caused By

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

Alarm Fees

21	Commercial Alarm Registration Fee	\$95.00
22	Second False Alarm*	\$170.00
23	Third False Alarm*	\$170.00
24	Fourth False Alarm*	\$170.00
25	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

26	Handicap CVC22507.8/22500(1)	\$37.00
27	Parking Permits	\$10.00

Parking Permit Fees

Residential Parking Permit

28	Annual residential parking permit/per vehicle (Limit 4 per residence)	\$42.00
29	Visitor guest passes	Two (2) complimentary with the purchase of the primary permit
30	Special Event Permit -First permit (one day)	\$10.00
31	Special Event Permit -Each Additional (one day)	\$2.00
32	Replacement permit for vehicle change (within calendar year)	\$10.00
33	Lost permit replacement	\$37.00
34	Damaged permit replacement (with return of permit)	\$18.00

POLICE SERVICES

Parking Permit Fees (continued)

Business Parking Permit

35	Standard Employee annual	\$248.00
36	Lost permit replacement	\$37.00
37	Damaged permit replacement (with return of permit)	\$18.00

Construction Parking Permit

38	One day parking permit per construction vehicle	\$32.00
39	Each additional day per vehicle	\$5.00

Other Police Fees

40	Fingerprinting - per each Livescan application (Plus additional DOJ or FBI fees which are based on the level of service for the application) Fingerprint fees are subject to increase based on DOJ or FBI fees	\$80.00
41	Subpoena Duces Tecum	Per California Evidence Code Section 1563
42	Solicitor/Peddler's Permit	\$55.00 plus fingerprinting
43	Bicycle Licenses (each)	\$3.00
44	Taxicabs Permit	\$185.00 per business
45	Clearance Letter	\$25.00
46	Horse Drawn Vehicle Permit	\$270.00
47	Firearms Storage Fee	\$245.00 Admin Fee plus \$1.00 per firearm per day for storage
48	Vehicle Release	\$235.00
49	Vehicle Repossession Release Fee (Government Code Section 41612)	\$15.00
50	Non-Los Gatos Cite Sign Off	\$27.00
51	Feral Cat Feeder/Trap Permit	\$42.00



RESOLUTION 2022-

**RESOLUTION OF THE TOWN COUNCIL
OF THE TOWN OF LOS GATOS
CONTINUING DEPARTMENT FEES, RATES, AND CHARGES, AND AMENDING CERTAIN
FEES, RATE, AND CHARGES FOR FY 2022/23**

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 19, 2019; and

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

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

1. That Resolution 2019-010, "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 2019/20" is hereby rescinded; and
2. The Town of Los Gatos Comprehensive Fee Schedule, attached hereto as Exhibit A-Scenario 3, shall become effective July 1, 2022.

PASSED AND ADOPTED at a regular meeting of the Town Council held on the 15th day of March 2022 by the following vote:

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

DATE: _____

ATTEST:

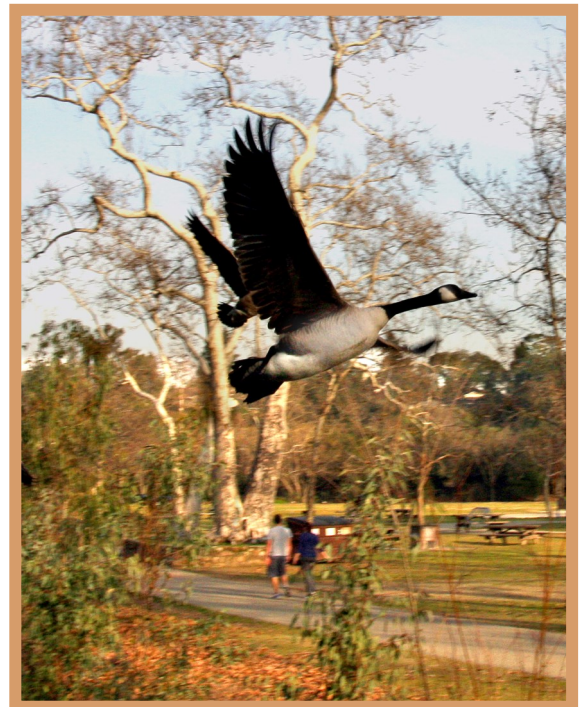
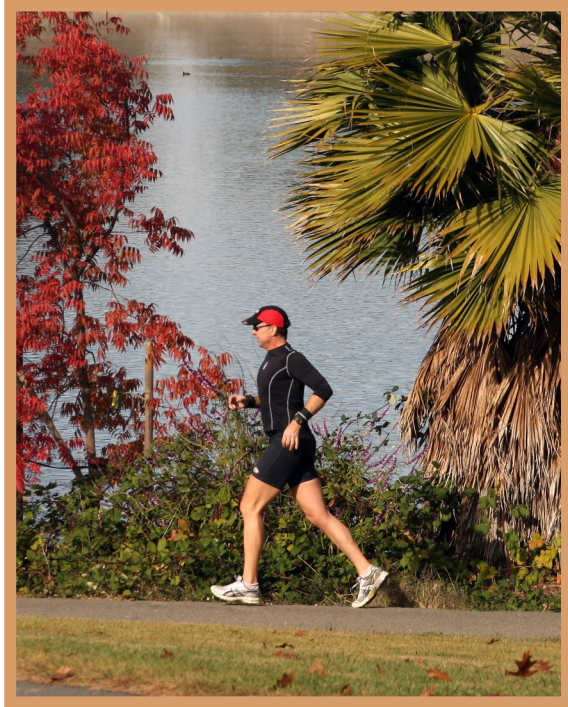
TOWN CLERK OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

DATE: _____



TOWN OF LOS GATOS

CALIFORNIA



Comprehensive Fee Schedule (Redlined)

Fiscal Year 2022/23

ATTACHMENT 3, EXHIBIT A

TOWN OF LOS GATOS FEE SCHEDULE

The following Fee Schedule is effective July 1, 2022 through June 30, 2023, 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. Fees are adjusted with a full recovery at 8.5% CPI. 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

Town Facilities Use

Town approved non-profit fundraising activities are allowed in/on Town 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 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. The available Town facilities 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
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
17	Block Party Permit	\$55.00

ADMINISTRATIVE SERVICES

Business License

18	Business License Processing Fee - New	Out of Town \$20.00
		In Town \$40.00
19	Business License Processing Fee - Renewal	Out of Town and In Town \$30.00

Other Services

20	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
21	Copy - Digital	\$10 per device
22	Initial Returned Check Fee	\$25.00
23	Subsequent Return Check Fees [CA Civil Code Section 1719(a) (1)]	\$35.00
24	Election Filing Fee	\$25.00
25	Credit Card Processing Fee for all transactions above \$30.00	2.40%
26	Request for Service Not Covered by any Other Fee	Fully allocated hourly rates for all personnel

ATTORNEY SERVICES

1	Conditions, Covenants & Restrictions (CC&R) Review and Approval	Fully allocated hourly rates for all personnel
2	Simple Covenant/Deed Restriction	Fully allocated hourly rates for all personnel
3	Subdivision Improvement Agreements	Fully allocated hourly rates for all personnel
4	Encroachment Agreements	Fully allocated hourly rates for all personnel
5	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 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	\$160.00 -\$174.00
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	\$575.00 \$624.00
13	Community Benefit	No standard schedule, as offered and applied per project
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*
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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	\$3,010.00 \$3,266.00*
36	2 Lots	\$1,505.00 \$1,633.00*
37	3 Lots	\$1,005.00 \$1,090.00*
38	4 Lots	\$755.00 \$819.00*
39	5 Lot or more	\$600.00 \$651.00*

****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

40	Fee for issuing/reinstating a Building Permit	\$55.00 \$60.00
41	Additional Building Permit Fee	\$30.00 \$33.00
42	Demolition Permit	Residential: \$265.00 \$288.00
		Commercial: \$465.00 \$505.00

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

	Total Valuation	Fee
43	\$1.00 to \$500.00	\$32.99 \$36.00
44	\$501.00 to \$2,000.00	\$32.99 \$36.00 for the first \$500.00 plus \$4.28 \$4.64 for each additional \$100.00 or fraction thereof, to and including \$2,000.00
45	\$2,001.00 to \$25,000.00	\$97.23 \$105.00 for the first \$2,000.00 plus \$19.66 \$21.33 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00
46	\$25,001.00 to \$50,000.00	\$549.32 \$596.00 for the first \$25,000.00 plus \$14.18 \$15.39 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00
47	\$50,001.00 to \$100,000.00	\$903.83 \$981.00 for the first \$50,000.00 plus \$9.83 \$10.67 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00
48	\$100,001.00 to \$500,000.00	\$1,395.23 \$1,514.00 for the first \$100,000.00 plus \$7.86 \$8.53 for each additional \$1,000.00 or fraction thereof, to and including \$500,000.00
49	\$500,001.00 to \$1,000,000.00	\$4,540.19 \$4,926.00 for the first \$500,000.00 plus \$6.67 \$7.24 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.00
50	\$1,000,001.00 and over	\$7,874.69 \$8,544.00 for the first \$1,000,000.00 plus \$4.42 \$4.80 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)	\$192.00/hr. \$208.00/hr.
52	Re-inspection fees	\$160.00/hr. \$174.00/hr.
53	Inspections for which no fee is specifically indicated (2 hr. minimum)	\$160.00/hr. \$174.00/hr.
54	Additional plan review required by changes, additions or revisions to plans (1 hr. minimum)	\$152.50/hr. \$165.00/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)	\$160.00/hr. \$174.00/hr.
57	Permit/Plan check time extension (per permit) (applies to permits that have not expired)	\$78.00 \$85.00
58	Express plan review or initial review (1 hr. minimum)	\$160.00/hr. \$174.00/hr.
59	Application for the Appeals Building Board Review	\$273.00 \$296.00
60	Temporary Certificate of Occupancy	\$1,095.00 \$1,188.00

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	\$117.00/sq. ft. \$127.00/sq.ft.
62	Convert unfinished basement or attic to habitable	\$127.00/sq. ft. \$138.00/sq.ft.
63	Pools/Spas (gunite)	\$76.00/sq. ft. \$82.00/sq.ft.
64	Siding - aluminum/vinyl/wood	\$32.00/sq. ft. \$35.00/sq.ft.
65	Antennas & Towers	Const.Value As Applied under valuation schedule on page 6
66	Commercial Awning or Canopy	Aluminum \$32.00/sq. ft. \$35.00/sq.ft.
		Canvas \$24.00/sq. ft. \$26.00/sq.ft.

DEVELOPMENT SERVICES

Other Miscellaneous Factors to Determine Construction Valuation (continued)

67	Fence or Freestanding Wall (over 6" high)	Wood or metal \$49.00/lf. \$53.00/sq.ft.
		Masonry \$85.00/lf. \$92.00/sq.ft.
68	Decks/Balcony	\$47.00/sq. ft. \$51.00/sq.ft.
69	Wood Deck	\$20.00/sq. ft. \$22.00/sq.ft.
70	Re-roofs	\$3.00/sq. ft. \$3.00/sq.ft.
71	Retaining Walls	\$107.00/lf. \$116.00/sq.ft.

Special Systems Fees

72	Emergency generation, wind power, special HVAC systems, etc.	Plan Review (1 hr. minimum) \$152.50/hr. \$165.00/hr.
		Field Inspection (2 hr. minimum) \$160.00/hr. \$174.00/hr.
73	Photovoltaic - Roof & Ground Mounted - Residential	Plan Review (1/4 hr. minimum) \$152.50/hr. \$165.00/hr.
		Field Inspection (1 hr. minimum) \$160.00/hr. \$174.00/hr.
74	Photovoltaic - Roof & Ground Mounted - Commercial	Plan Review (1 hr. minimum) \$152.50/hr. \$165.00/hr.
		Field Inspection (2 hr. minimum) \$160.00/hr. \$174.00/hr.

Electrical Permit Fees

75	Fee for issuing/reinstating an Electrical Permit	\$55.00 \$60.00
76	Additional Electrical Permit Fee	\$25.00 \$27.00
77	New Residential Construction (new buildings only, including garages)	\$.11 sq. ft
78	Commercial Construction	\$.08 sq. ft

Plan Review & Re-inspection Fees

79	Plan review fee	25% of Electrical Permit Fee
80	Additional plan review	\$152.50/hr. \$165.00/hr.
81	Re-inspection fee	\$160.00/hr. \$174.00/hr.

DEVELOPMENT SERVICES

System Fee Schedule

82	Private swimming pools	\$63.00 \$68.00
83	Public swimming pools	\$114.00 \$124.00
84	Temporary power poles	\$78.00 \$85.00
85	Temporary distribution system & temporary lighting	\$38.00 \$41.00
86	Installation of illuminated signs (each)	\$101.00 \$110.00

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

Unit Fee Schedule

87	Receptacle, switch and lights	\$2.00 \$2.00
88	Residential appliances/new circuits (cook top, oven, range, disposals, clothes dryers, or other motor operated appliances not exceeding one horsepower)	\$6.00 \$7.00
89	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	\$8.00 \$9.00
90	Photovoltaic system (residential)	\$90.00
91	Solar systems (including controls)	\$90.00
92	Power apparatus (generators, transformers, A/C, heat pumps, baking equipment)	Up to 10 KV, each \$16.00 \$17.00
		Over 10 KV not over 50 KV, each \$32.00 \$35.00
		Over 50 KV and not over 100 KV, each \$63.00 \$68.00
		Over 100 KV, each \$84.00 \$91.00
93	Motors	Up to 10 hp \$16.00 \$17.00
		Up to 25 hp \$32.00 \$35.00
		Up to 55 hp \$63.00 \$68.00
		Over 55 hp \$92.00 \$100.00
94	Transformers	Up to 5 KVA \$16.00 \$17.00
		Up to 10 KVA \$32.00 \$35.00
		Up to 50 KVA \$53.00 \$58.00
		Over 50 KVA \$77.00 \$84.00
95	Busways/conduits (per 100 ft)	\$8.00 \$9.00

DEVELOPMENT SERVICES

Unit Fee Schedule (continued)

96	Service equipment	200 amps or less \$78.00 \$85.00
		201 to 999 amps \$108.00 \$117.00
		Sub-panels \$38.00 \$41.00
97	Installation of spas or saunas	\$38.00 \$41.00

Other Electrical Fees

98	Duplicate job card	\$25.00 \$27.00
99	Permit extension (applies to permits that have not expired)	\$78.00 \$85.00

Mechanical Permit Fees

100	Fee for issuing/reinstating a Mechanical Permit	\$55.00 \$60.00
101	Additional Mechanical Permit Fee	\$25.00 \$27.00
102	New Residential Construction (new buildings only, including garages)	\$.11 sq. ft
103	Commercial Construction	\$.08 sq. ft

Plan Review & Re-inspection Fees

104	Plan review fee	25% of Mechanical Permit Fee
105	Additional plan review	\$152.50/hr. \$165.00/hr.
106	Re-inspection fee	\$160.00/hr. \$174.00/hr.

Unit Fee Schedule

107	Installation, of each heating system, A/C, boiler, compressor or air handler	\$38.00 \$41.00
108	Each duct repair or alteration	\$11.00 \$12.00
109	Each fireplace appliance	\$32.00 \$35.00
110	Each ventilating fan	\$11.00 \$12.00
111	Installation of separate flue or vents not included with the installation of an appliance	\$11.00 \$12.00
112	Installation of each hood with mechanical exhaust	Residential \$32.00 \$35.00
		Commercial \$114.00 \$124.00
113	Each new or repair of gas piping system	\$70.00 \$76.00
114	Each additional gas outlet	\$23.00 \$25.00
115	Installation of evaporative cooler	\$32.00 \$35.00

DEVELOPMENT SERVICES

Other Mechanical Fees

116	Duplicate job card	\$25.00 \$27.00
117	Permit extension (applies to permits that have not expired)	\$78.00 \$85.00

Plumbing Permit Fees

118	Fee for issuing/reinstating a Plumbing Permit	\$55.00 \$60.00
119	Additional Plumbing Permit Fee	\$25.00 \$27.00
120	New Residential Construction (new buildings only, including garages)	\$.11 sq. ft
121	Commercial Construction	\$.08 sq. ft

Plan Review & Re-inspection Fees

122	Plan review fee	25% of Plumbing Permit Fee
123	Additional plan review	\$152.50/hr. \$165.00/hr.
124	Re-inspection fee	\$160.00/hr. \$174.00/hr.

System Fee Schedule

125	Private swimming pools (including heater, water piping, gas piping)	\$92.00 \$100.00
126	Public swimming pools (including heater, water piping, gas piping)	\$138.00 \$150.00
127	Lawn sprinkler system on one meter	\$38.00 \$41.00
128	Each new or repair of gas piping system	\$70.00 \$76.00
129	Each drainage, sewer system	\$38.00 \$41.00
130	Radiant floor heating system	\$114.00 \$124.00

Unit Fee Schedule

131	Each plumbing fixture or trap or set of fixtures on one trap	\$11.00 \$12.00
132	Each sewer cleanout, backflow device	\$11.00 \$12.00
133	Each septic system abatement	\$114.00 \$124.00
134	Rainwater systems - per drain (inside building)	\$11.00 \$12.00
135	Each water heater, water softener	\$32.00 \$35.00
136	Each grease interceptor (750 gallon capacity)	\$78.00 \$85.00
137	Each grease trap (1-4 fixtures)	\$44.00 \$48.00
138	Residential water re-piping	\$114.00 \$124.00

DEVELOPMENT SERVICES

Unit Fee Schedule (continued)

139	Each ejector/sump pump	\$38.00 \$41.00
140	Each vacuum breaker/hose bib	\$11.00 \$12.00
141	Each water piping system repair or replacement	\$24.00 \$26.00
142	Each additional gas outlet	\$24.00 \$26.00

Other Plumbing Fees

143	Duplicate job card	\$25.00 \$27.00
144	Permit extension (applies to permits that have not expired)	\$78.00 \$85.00

Other Building Fees

145	Duplicate Inspection Card	\$30.00 \$33.00
146	NPDES Inspection Fee (Charged on all building permits with the potential to generate non-point source storm water runoff during construction)	\$70.00 \$76.00

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

147	New single family detached (HR and RC zones) <i>Engineering Development Review Service Fee</i>	\$8,978.00 \$9,741.00
		\$4,151.00 \$4,504.00
148	New non-custom single family detached (HR and RC zones) per unit/model, as part of a Planned Development** <i>Engineering Development Review Service Fee</i>	\$6,235.00 \$6,765.00
		\$4,148.00 \$4,501.00
149	New single family or two family units <i>Engineering Development Review Service Fee</i>	\$6,187.00 \$6,713.00
		\$4,149.00 \$4,502.00
150	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** <i>Engineering Development Review Service Fee</i>	\$4,421.00 \$4,797.00
		\$4,153.00 \$4,506.00
151	Minor projects (a development proposal that does not significantly change the size, mass, appearance or neighborhood impact of a structure, property or parking lot) <i>Engineering Development Review Service Fee</i>	\$2,243.00 \$2,434.00
		\$3,186.00 \$3,457.00

Zoning Approvals – Architecture and Site Applications – Planning Commission Approval

152	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 <i>Engineering Development Review Service Fee</i>	\$3,168.00 \$3,437.00
		\$1,157.00 \$1,255.00
153	New two family unit <i>Engineering Development Review Service Fee</i>	\$9,437.00 \$10,239.00
		\$4,151.00 \$4,504.00
154	New nonresidential (includes conceptual Planned Development elevations) <i>Engineering Development Review Service Fee</i>	\$10,832.00 \$11,753.00
		\$4,151.00 \$4,504.00
155	New multiple family (includes conceptual Planned Development elevations) <i>Engineering Development Review Service Fee</i>	\$9,847.00 \$10,684.00
		\$4,149.00 \$4,502.00

DEVELOPMENT SERVICES

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

156	All other (i.e. exceed FAR, major grading, etc.) <i>Engineering Development Review Service Fee</i>	\$5,491.00 \$5,958.00
		\$4,151.00 \$4,504.00

****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 <i>Engineering Development Review Service Fee</i>	\$6,351.00 \$6,891.00
		\$1,351.00 \$1,466.00
158	Conditional Use Permit (when consolidated with another application for new development) <i>Engineering Development Review Service Fee</i>	\$1,056.00 \$1,146.00
		\$774.00 \$840.00
159	Conditional Use Permit for Minor Restaurant (DRC Approval) <i>Engineering Development Review Service Fee</i>	\$3,865.00 \$4,194.00
		\$1,160.00 \$1,259.00
160	Conditional Use Permit for Major Restaurant (PC Approval) Tier 1 <i>Engineering Development Review Service Fee</i>	\$6,351.00 \$6,891.00
		\$1,736.00 \$1,884.00
161	Conditional Use Permit for Major Restaurant (PC Approval) Tier 2 includes alcohol and/or entertainment (must pay #159 below with this application) <i>Engineering Development Review Service Fee</i>	\$7,506.00 \$8,144.00
		\$1,735.00 \$1,882.00
162	Applications that require Town Council Approval (these fees supplement the above established fees) <i>Engineering Development Review Service Fee</i>	\$3,012.00 \$3,268.00
		\$1,158.00 \$1,256.00
		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

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

Planning Division Certificates of Use and Occupancy

174	Change of use	\$230.00 \$250.00
175	Change of occupancy (excluding change of proprietor of a continuing business enterprise)	\$155.00 \$168.00
176	Use/occupancy clearance if Conditional Use Permit is required or occupancy of a new accessory dwelling unit	No fee

Sign Application

177	New permanent sign	\$310.00 \$336.00
178	Temporary nonresidential sign	\$99.00 \$107.00
179	Change of face only	\$155.00 \$168.00
180	Sign program	\$2,075.00 \$2,251.00

Administrative Land Use Permit

181	Minor telecommunications facility (i.e. microcell, 8,021 lb. or equivalent)	\$1,535.00 \$1,665.00
182	Major telecommunications facility which do not require a Conditional Use Permit	\$3,681.00 \$3,994.00

DEVELOPMENT SERVICES

Other Zoning Approvals Fees

183	Variance <i>Engineering Development Review Service Fee</i>	\$4,671.00 \$5,068.00
		\$1,351.00 \$1,466.00
184	Minor Residential Development (see #151)	\$2,243.00 \$2,434.00
185	Agricultural Preserve Withdrawal	\$3,810.00 \$4,134.00
186	Hazardous Materials Storage Facility Application	Fully allocated rate of all personnel, plus noticing fees
187	Home Occupation Permit	\$155.00 \$168.00
188	Accessory Dwelling Unit	\$1,340.00 \$1,454.00
189	Two-Unit Housing Development	\$1,340.00
190	Urban Lot Split	\$1,340.00
191	Mobile Home Park Conversion Permit	Fully allocated rate of all personnel with initial deposit of \$5,000.00
192	General Plan/Town Code Amendments	Fully allocated rate of all personnel with initial deposit of \$5,000.00 plus additional fees

Subdivisions

193	Lot Line Adjustment (DRC Approval) <i>Engineering Development Review Service Fee</i>	\$2,128.00 \$2,309.00
		\$3,571.00 \$3,875.00
194	4 Lots or Less (DRC Approval) <i>Engineering Development Review Service Fee</i>	\$8,575.00 \$9,304.00
		\$3,960.00 \$4,297.00
195	4 Lots or Less (as part of a Planned Development) (DRC Approval) <i>Engineering Development Review Service Fee</i>	\$3,541.00 \$3,842.00
		\$4,153.00 \$4,506.00
196	5 Lots or More <i>Engineering Development Review Service Fee</i>	\$9,660.00 \$10,481.00
		\$5,115.00 \$5,550.00
197	5 Lots or More (as part of a Planned Development) (DRC Approval) <i>Engineering Development Review Service Fee</i>	\$4,152.00 \$4,505.00
		\$5,118.00 \$5,553.00
198	Vesting Tentative Map (VTM)	Actual Cost plus \$500.00 deposit and additional fees
199	Lot Merger and Reversion to Acreage (DRC Approval) <i>Engineering Development Review Service Fee</i>	\$1,055.00 \$1,145.00
		\$3,570.00 \$3,873.00
200	Condominium	\$7,445.00 \$8,078.00
201	Condominium (as part of a Planned Development)	\$3,541.00 \$3,842.00
202	Certificate of Compliance (DRC Approval) <i>Engineering Development Review Service Fee</i>	\$3,076.00 \$3,337.00
		\$2,219.00 \$2,408.00

DEVELOPMENT SERVICES

Subdivisions (continued)

203	VTM applications that require Town Council approval, Subdivision and/or DRC applications that require Planning Commission approval. This fee supplements the above-established fees.	\$2,824.00 \$3,064.00
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Miscellaneous Application Fees

204	Time Extensions to Approved Application	50% of current fee (excluding fees based on actual cost)
205	Modification to Approved Application	75% of current fee (excluding fees based on actual cost)
206	Conceptual Development Advisory Committee Review	\$2,966.00
		Special Noticing - Actual Cost (minimum \$500.00 deposit)
207	Push Cart Permit	\$492.00 \$534.00
208	Auto Dealer Events	Smaller Promotional Events \$82.00- \$89.00
		Large Promotional Events \$401.00- \$435.00
209	News rack Permit Fee	\$390.00 \$423.00
210	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

211	Categorical Exemption	No fee
212	Initial Study Deposit***	Fully allocated hourly rate of all personnel with initial \$5,000.00 deposit
213	Draft Initial Study Review Fee (or actual cost if part of a Planned Development, General Plan and/or Town Code Amendment)	\$2,786.00 \$3,023.00
	<i>Engineering Development Review Service Fee</i>	\$1,931.00 \$2,095.00
214	Environmental Impact Report	Consultant's fee

DEVELOPMENT SERVICES

Environmental Assessment Fees (continued)

215	Draft EIR Review Fee	Fully allocated hourly rate of all personnel plus any necessary outside costs
216	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

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

Appeals

220	Fee to appeal Planning Commission decision to Town Council	Per Residential \$438.00 \$475.00
		Per Commercial, multi-family or tentative map \$1,763.00 \$1,913.00
221	Fee to remand applications from Town Council to Planning Commission	Fully allocated hourly rate for all personnel plus additional fees
222	Fee to appeal Director of Community Development or Development Review Committee decision to Planning Commission	Per Residential \$221.00 \$240.00
		Per Commercial \$882.00 \$957.00
223	Tree appeals	\$90.00 \$98.00
224	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

225	Basic Zoning Letter	\$155.00 \$168.00
226	Legal non-conforming verification	\$650.00 \$705.00
227	Reconstruction of legal non-conforming structures (Burndown Letter)	\$276.00 \$299.00

Other Planning Division Fees

228	Fence Height Exceptions	\$276.00 \$299.00
229	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
230	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
231	Consultation	Actual cost on an hourly basis
232	Research Services Minimum Charge	Fully allocated hourly rate for all personnel with initial \$200.00 deposit
233	Building Permit Plan Check Fee	20% of building fee
234	Below Market Price Housing Program In-Lieu Fee	6% of the building permit valuation for the entire project
235	Outdoor Seating Permit	Fully allocated hourly rate for all personnel with initial \$1,000.00 deposit
236	Valet Parking Permit	Fully allocated hourly rate for all personnel with initial \$1,000.00 deposit
237	Parklet Program	Fully allocated hourly rate for all personnel with initial \$1,000.00 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) *

238	Application Fee	\$490.00 \$532.00
239	Under \$20,000.00	15.5% of valuation
240	\$20,000.00 to \$80,000.00	\$3,100.00 \$3,364.00 plus 9% of valuation
241	Greater than \$80,000	\$8,500.00 \$9,223.00 plus 8.5% valuation
242	Each additional plan check beyond three reviews	Fully allocated hourly rate for all personnel

Inspection Fee (Public Improvements & Grading Permits)

243	Under \$20,000.00	7.5% of valuation
244	\$20,000.00 to \$80,000.00	\$1,500.00 \$1,628.00 plus 6.5% of valuation
245	Greater than \$80,000.00	\$5,400.00 \$5,859.00 plus 4.0% of valuation

DEVELOPMENT SERVICES

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

246	Encroachment Permit - Residential	Work up to \$4,000.00 - \$305.00 \$331.00
		Each additional \$2,000.00 - \$160.00 \$174.00
247	Encroachment Permit - Collector/Arterial Streets**	Work up to \$4,000.00 - \$1,580.00 \$1,714.00
		Each additional \$2,000.00 - \$345.00 \$374.00
248	Outside contractor underground utility locating surcharge (actual cost for outside contractor inspection fee may change)	\$95.00
249	Temporary Encroachment Permit	\$150.00 \$163.00
250	Dumpster Permit	\$150.00 \$163.00
251	Storage Permit	\$150.00 \$163.00***

*** 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

252	Inspection Fee - Grading Permits	Single Family Residential \$730.00 \$792.00
		Commercial or Multi Family Residential \$1,135.00 \$1,231.00
253	Inspection Fee - Encroachment Permits and Some Storage Permits	Single Family Residential \$200.00 \$217.00
		Commercial or Multi Family Residential \$325.00 \$353.00
		Plus \$485.00 \$526.00 per LID facility
254	Inspection of Storm Water Treatment Measures	\$500.00 \$543.00 per facility
255	Annual Stormwater/Limited Impact Development (LID) Permit	Per Visit and 1st facility inspection \$485.00 \$526.00
		Every additional facility inspection \$160.00 \$174.00
256	C-3 Permit Hydrologic Calculation	Fully allocated hourly rate for all personnel plus any outside cost and initial deposit of \$3,750.00

DEVELOPMENT SERVICES

Engineering Subdivision Map Checking

257	1-4 lots	\$2,855.00 \$3,098.00*
258	5 or more lots	\$3,995.00 \$4,335.00*

****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

259	Development Review (staff traffic impact analysis or Parking Study)	Actual Cost
		Consultant Report - Consultant Fee
260	Staff Review Fee	\$664.00 \$720.00 plus 10% of the traffic consultant report cost
261	Site Distance Analysis	\$178.00 \$193.00 per review not to exceed two hours. Actual cost for staff time when analysis exceeds two hours.
262	Traffic Impact Mitigation Fee	\$958.00 \$1,039.00 per new average daily trip generated

Storm Drainage Fees

263	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 \$4,228.00 \$4,587.00/ac. Multiple family dwelling units - initial unit \$4,228.00 \$4,587.00/ac. Multiple family dwelling units - each unit after initial (not to exceed \$4,622.00/ac.) \$159.00 \$173.00 Commercial, industrial, hospitals, churches, schools, and others \$5,286.00 \$5,735.00/ac.
264	Building/Grading Permits (Building, Structures, & impervious areas)	New impervious surface area, per sq. ft. \$1.00/sq. ft.

DEVELOPMENT SERVICES

Street Improvement In-Lieu Fee

265	Sidewalks	\$16.00/sq. ft. \$20.00/sq.ft.
266	Curb and Gutter	\$68.00/lf. \$100.00/lf.

Other In-Lieu Fee

267	Trail Improvements	\$16.00/per sq. ft. or determined by Director
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Hauling Permits

268	House Moving Fee	\$3,490.00 \$3,787.00*
269	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)

270	New Buildings and Additions	Residential (per square foot added) \$1.17/sq.ft. \$1.32/sq.ft.*
		Non-residential (per square foot added) \$1.17/sq.ft. \$1.32/sq.ft.*

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

Other Engineering Fees

271	Engineering Reversion to Acreage	\$2,395.00 \$2,599.00 plus initial deposit of \$2,500 for surveyor
272	Engineering Lot Merger	\$3,480.00 \$3,776.00 plus surveyor deposit
273	Engineering Lot Line Adjustments	\$3,480.00 \$3,776.00 plus surveyor deposit
274	Certificate of Compliance	\$3,480.00 \$3,776.00 plus surveyor deposit
275	Abandon Excess Public Right-of-Way & Public Easement	\$4,345.00 \$4,714.00 plus surveyor and valuation consultant and planning services

DEVELOPMENT SERVICES

Other Engineering Fees (continued)

276	Geotechnical Peer Review Fees	Fully allocated hourly rate of all personnel plus any outside costs and initial \$2,500 deposit. Larger projects require an initial deposit of \$4,500 to allow for a site visit by the geotechnical peer review consultant.
277	Separate Instrument Dedication Fee (for dedication via grant deeds and not maps)	\$720.00 \$781.00 plus initial deposit of \$2,500 for surveyor
278	Slurry Seal Fee	\$2.50 per sq.ft.
279	Flood Review Fee	Consultant Cost plus 25% Admin Fee
280	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.

Town Plaza Use Permit

A permit fee is \$55.00 per hour for events that close the Town Plaza entirely to the public. This fee will be charged for the number of hours the Town Plaza cannot be used safely by the public due to the event. Additional fees or deposits may be charged for lawn repair, street closures, and/or additional maintenance, as determined by the Parks and Public Works Director and/or Maintenance Superintendent.

Civic Center Lawn Use Permit

A permit fee is \$55.00 per hour for events that restrict the use of the Civic Center Lawn. Additional fees or deposits may be charged for lawn repair, street closures, and/or additional maintenance, as determined by the Parks and Public Works Director and/or Maintenance Superintendent.

Turf Maintenance Fee

Additional fee added to any Park Use or Special Event Permit, 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.

PARKS AND PUBLIC WORKS SERVICES

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.*

Equipment Hourly Rates as Follows

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

PARKS AND PUBLIC WORKS SERVICES

Equipment Hourly Rates as Follows (continued)

56	Cones	\$0.15
57	Portable Generators	\$28.04

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
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Special Events Fees

59	Staff and equipment for special event requests	Fully allocated hourly rate of all personnel
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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	\$370.00

Massage Permit Fees

10	Initial Application for each Therapist	\$213.00
11	Annual Renewal for each Therapist	\$107.00
12	Massage Establishment Permit (initial and subsequent renewals) (Ord 14.110.075)	\$415.00

Fee covers staff time to process application, review pertinent documents, arrange for fingerprints and photographs to be taken and obtain all necessary approvals.

Special Events

13	ABC Application	No charge
14	No Parking Signs	\$0.46/each
15	Officer Staffing	Fully allocated hourly rate of all personnel
16	Bingo Permit	\$170.00

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

POLICE SERVICES

Motion Picture/Television/Commerical Still Photo

17	For-Profit Groups (each)	\$1,609.00
18	Non-For-profit Groups (each)	\$579.00

Emergency Response Caused By

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

Alarm Fees

21	Commercial Alarm Registration Fee	\$95.00
22	Second False Alarm*	\$170.00
23	Third False Alarm*	\$170.00
24	Fourth False Alarm*	\$170.00
25	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

26	Handicap CVC22507.8/22500(1)	\$37.00
27	Parking Permits	\$10.00

Parking Permit Fees

Residential Parking Permit

28	Annual residential parking permit/per vehicle (Limit 4 per residence)	\$42.00
29	Visitor guest passes	Two (2) complimentary with the purchase of the primary permit
30	Special Event Permit -First permit (one day)	\$10.00
31	Special Event Permit -Each Additional (one day)	\$2.00
32	Replacement permit for vehicle change (within calendar year)	\$10.00
33	Lost permit replacement	\$37.00
34	Damaged permit replacement (with return of permit)	\$18.00

POLICE SERVICES

Parking Permit Fees (continued)

Business Parking Permit

35	Standard Employee annual	\$248.00
36	Lost permit replacement	\$37.00
37	Damaged permit replacement (with return of permit)	\$18.00

Construction Parking Permit

38	One day parking permit per construction vehicle	\$32.00
39	Each additional day per vehicle	\$5.00

Other Police Fees

40	Fingerprinting - per each Livescan application (Plus additional DOJ or FBI fees which are based on the level of service for the application) Fingerprint fees are subject to increase based on DOJ or FBI fees	\$80.00
41	Subpoena Duces Tecum	Per California Evidence Code Section 1563
42	Solicitor/Peddler's Permit	\$55.00 plus fingerprinting
43	Bicycle Licenses (each)	\$3.00
44	Taxicabs Permit	\$185.00 per business
45	Clearance Letter	\$25.00
46	Horse Drawn Vehicle Permit	\$270.00
47	Firearms Storage Fee	\$245.00 Admin Fee plus \$1.00 per firearm per day for storage
48	Vehicle Release	\$235.00
49	Vehicle Repossession Release Fee (Government Code Section 41612)	\$15.00
50	Non-Los Gatos Cite Sign Off	\$27.00
51	Feral Cat Feeder/Trap Permit	\$42.00



FY 2022/23 Fee Consumer Price Index (CPI) and Building Cost Index (BCI) Adjustments				
Fee Name	FY 2019/20 Adopted	FY 2022/23 Proposed at 3.4% CPI (See Attachment 1)	FY 2022/23 Proposed at 5.9% CPI (See Attachment 2)	FY 2022/23 Proposed at 8.5% CPI (See Attachment 3)
General Development Fees				
Address Processing Fee - per address	\$160.00	\$165.00	\$169.00	\$174.00
BMP Document Processing Fee	\$575.00	\$595.00	\$609.00	\$624.00
Annexation Fees				
1 Lot	\$3,010.00	\$3,112.00	\$3,188.00	\$3,266.00
2 Lots	\$1,505.00	\$1,556.00	\$1,594.00	\$1,633.00
3 Lots	\$1,005.00	\$1,039.00	\$1,064.00	\$1,090.00
4 Lots	\$755.00	\$781.00	\$800.00	\$819.00
5 Lot or more	\$600.00	\$620.00	\$635.00	\$651.00
Building Permit Fees				
Fee for issuing/reinstating a Building Permit	\$55.00	\$57.00	\$58.00	\$60.00
Additional Building Permit Fee	\$30.00	\$31.00	\$32.00	\$33.00
Demolition Permit	Residential: \$265.00	Residential: \$274.00	Residential: \$281.00	Residential: \$288.00
	Commercial: \$465.00	Commercial: \$481.00	Commercial: \$492.00	Commercial: \$505.00
New Construction and Addition				
Construction Valuation				
\$1.00 to \$500.00	\$32.99	\$34.00	\$35.00	\$36.00
\$501.00 to \$2,000.00	\$32.99 for the first \$500.00 plus \$4.28 for each additional \$100.00 or fraction thereof, to and including \$2,000.00	\$34.00 for the first \$500.00 plus \$4.42 for each additional \$100.00 or fraction thereof, to and including \$2,000.00	\$35.00 for the first \$500.00 plus \$4.53 for each additional \$100.00 or fraction thereof, to and including \$2,000.00	\$36.00 for the first \$500.00 plus \$4.64 for each additional \$100.00 or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$97.23 for the first \$2,000.00 plus \$19.66 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00	\$101.00 or the first \$2,000.00 plus \$20.29 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00	\$103.00 or the first \$2,000.00 plus \$20.82 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00	\$105.00 or the first \$2,000.00 plus \$21.33 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$549.32 for the first \$25,000.00 plus \$14.18 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00	\$568.00 for the first \$25,000.00 plus \$14.63 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00	\$582.00 for the first \$25,000.00 plus \$15.02 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00	\$596.00 for the first \$25,000.00 plus \$15.39 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$903.83 for the first \$50,000.00 plus \$9.83 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00	\$935.00 for the first \$50,000.00 plus \$10.14 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00	\$957.00 for the first \$50,000.00 plus \$10.41 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00	\$981.00 for the first \$50,000.00 plus \$10.67 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$1,395.23 for the first \$100,000.00 plus \$7.86 for each additional \$1,000.00 or fraction thereof, to and including \$500,000.00	\$1,443.00 for the first \$100,000.00 plus \$8.11 for each additional \$1,000.00 or fraction thereof, to and including \$500,000.00	\$1,478.00 for the first \$100,000.00 plus \$8.32 for each additional \$1,000.00 or fraction thereof, to and including \$500,000.00	\$1,514.00 for the first \$100,000.00 plus \$8.53 for each additional \$1,000.00 or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$4,540.19 for the first \$500,000.00 plus \$6.67 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.00	\$4,695.00 for the first \$500,000.00 plus \$6.88 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.00	\$4,808.00 for the first \$500,000.00 plus \$7.06 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.00	\$4,926.00 for the first \$500,000.00 plus \$7.24 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and over	\$7,874.69 for the first \$1,000,000.00 plus \$4.42 for each additional \$1,000.00 or fraction thereof	\$8,142.00 for the first \$1,000,000.00 plus \$4.56 for each additional \$1,000.00 or fraction thereof	\$8,339.00 for the first \$1,000,000.00 plus \$4.68 for each additional \$1,000.00 or fraction thereof	\$8,544.00 for the first \$1,000,000.00 plus \$4.80 for each additional \$1,000.00 or fraction thereof
Special Services & Inspections				
Inspection outside normal business hours (4 hr. minimum)	\$192.00/hr.	\$199.00/hr.	\$203.00/hr.	\$208.00/hr.
Re-inspection fees	\$160.00/hr.	\$165.00/hr.	\$169.00/hr.	\$174.00/hr.
Inspections for which no fee is specifically indicated (2 hr. minimum)	\$160.00/hr.	\$165.00/hr.	\$169.00/hr.	\$174.00/hr.
Additional plan review required by changes, additions or revisions to plans (1 hr. minimum)	\$152.50/hr.	\$158.00/hr.	\$161.00/hr.	\$165.00/hr.

FY 2022/23 Fee Consumer Price Index (CPI) and Building Cost Index (BCI) Adjustments				
Fee Name	FY 2019/20 Adopted	FY 2022/23 Proposed at 3.4% CPI (See Attachment 1)	FY 2022/23 Proposed at 5.9% CPI (See Attachment 2)	FY 2022/23 Proposed at 8.5% CPI (See Attachment 3)
Services for which no fee is specifically indicated (1/2 hr. minimum)	\$160.00/hr.	\$165.00/hr.	\$169.00/hr.	\$174.00/hr.
Permit/Plan check time extension (per permit) (applies to permits that have not expired)	\$78.00	\$81.00	\$83.00	\$85.00
Express plan review or initial review (1 hr. minimum)	\$160.00/hr.	\$165.00/hr.	\$169.00/hr.	\$174.00/hr.
Application for the Appeals Building Board Review	\$273.00	\$282.00	\$289.00	\$296.00
Temporary Certificate of Occupancy	\$1,095.00	\$1,132.00	\$1,160.00	\$1,188.00
Other Miscellaneous Factors to Determine Construction Valuation				
Convert Garage to habitable space	\$117.00/sq. ft.	\$121.00/sq.ft.	\$124.00/sq.ft.	\$127.00/sq.ft.
Convert unfinished basement or attic to habitable	\$127.00/sq. ft.	\$131.00/sq.ft.	\$134.00/sq.ft.	\$138.00/sq.ft.
Pools/Spas (gunite)	\$76.00/sq. ft.	\$79.00/sq.ft.	\$80.00/sq.ft.	\$82.00/sq.ft.
Siding - aluminum/vinyl/wood	\$32.00/sq. ft.	\$33.00/sq.ft.	\$34.00/sq.ft.	\$35.00/sq.ft.
Commercial Awning or Canopy	Aluminum \$32.00/sq. ft.	\$33.00/sq.ft.	\$34.00/sq.ft.	\$35.00/sq.ft.
	Canvas \$24.00/sq. ft.	\$25.00/sq.ft.	\$25.00/sq.ft.	\$26.00/sq.ft.
Fence or Freestanding Wall (over 6" high)	Wood or metal \$49.00/lf.	\$51.00/sq.ft.	\$52.00/sq.ft.	\$53.00/sq.ft.
	Masonry \$85.00/lf.	\$88.00/sq.ft.	\$90.00/sq.ft.	\$92.00/sq.ft.
Decks/Balcony	\$47.00/sq. ft.	\$49.00/sq.ft.	\$50.00/sq.ft.	\$51.00/sq.ft.
Wood Deck	\$20.00/sq. ft.	\$21.00/sq.ft.	\$21.00/sq.ft.	\$22.00/sq.ft.
Re-roofs	\$3.00/sq. ft.	\$3.00/sq.ft.	\$3.00/sq.ft.	\$3.00/sq.ft.
Retaining Walls	\$107.00/lf.	\$111.00/sq.ft.	\$113.00/sq.ft.	\$116.00/sq.ft.
Special Systems Fees				
Emergency generation, wind power, special HVAC systems, etc.	Plan Review (1 hr. minimum) \$152.50/hr.	Plan Review (1 hr. minimum) \$158.00/hr.	Plan Review (1 hr. minimum) \$161.00/hr.	Plan Review (1 hr. minimum) \$165.00/hr.
	Field Inspection (2 hr. minimum) \$160.00/hr.	Field Inspection (2 hr. minimum) \$165.00/hr.	Field Inspection (2 hr. minimum) \$169.00/hr.	Field Inspection (2 hr. minimum) \$174.00/hr.
Photovoltaic - Roof & Ground Mounted - Residential	Plan Review (1/4 hr. minimum) \$152.50/hr.	Plan Review (1/4 hr. minimum) \$158.00/hr.	Plan Review (1/4 hr. minimum) \$161.00/hr.	Plan Review (1/4 hr. minimum) \$165.00/hr.
	Field Inspection (1 hr. minimum) \$160.00/hr.	Field Inspection (1 hr. minimum) \$165.00/hr.	Field Inspection (1 hr. minimum) \$169.00/hr.	Field Inspection (1 hr. minimum) \$174.00/hr.
Photovoltaic - Roof & Ground Mounted - Commercial	Plan Review (1 hr. minimum) \$152.50/hr.	Plan Review (1 hr. minimum) \$158.00/hr.	Plan Review (1 hr. minimum) \$161.00/hr.	Plan Review (1 hr. minimum) \$165.00/hr.
	Field Inspection (2 hr. minimum) \$160.00/hr.	Field Inspection (2 hr. minimum) \$165.00/hr.	Field Inspection (2 hr. minimum) \$169.00/hr.	Field Inspection (2 hr. minimum) \$174.00/hr.

FY 2022/23 Fee Consumer Price Index (CPI) and Building Cost Index (BCI) Adjustments				
Fee Name	FY 2019/20 Adopted	FY 2022/23 Proposed at 3.4% CPI (See Attachment 1)	FY 2022/23 Proposed at 5.9% CPI (See Attachment 2)	FY 2022/23 Proposed at 8.5% CPI (See Attachment 3)
Electrical Permit Fees				
Fee for issuing/reinstating an Electrical Permit	\$55.00	\$57.00	\$58.00	\$60.00
Additional Electrical Permit Fee	\$25.00	\$26.00	\$26.00	\$27.00
Plan Review & Re-inspection Fees				
Plan review fee	25% of Electrical Permit Fee			
Additional plan review	\$152.50/hr.	\$158.00/hr.	\$161.00/hr.	\$165.00/hr.
Re-inspection fee	\$160.00/hr.	\$165.00/hr.	\$169.00/hr.	\$174.00/hr.
System Fee Schedule				
Private swimming pools	\$63.00	\$65.00	\$67.00	\$68.00
Public swimming pools	\$114.00	\$118.00	\$121.00	\$124.00
Temporary power poles	\$78.00	\$81.00	\$83.00	\$85.00
Temporary distribution system & temporary lighting	\$38.00	\$39.00	\$40.00	\$41.00
Installation of illuminated signs (each)	\$101.00	\$104.00	\$107.00	\$110.00
Unit Fee Schedule				
Receptacle, switch and lights	\$2.00	\$2.00	\$2.00	\$2.00
Residential appliances/new circuits (cook top, oven, range, disposals, clothes dryers, or other motor operated appliances not exceeding one horsepower)	\$6.00	\$6.00	\$6.00	\$7.00
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 <u>Generators/Motors</u>	\$8.00	\$8.00	\$8.00	\$9.00
Power apparatus (generators, transformers, A/C, heat pumps, baking equipment)	Up to 10 KV, each \$16.00	Up to 10 KV, each \$17.00	Up to 10 KV, each \$17.00	Up to 10 KV, each \$17.00
	Over 10 KV not over 50 KV, each \$32.00	Over 10 KV not over 50 KV, each \$33.00	Over 10 KV not over 50 KV, each \$34.00	Over 10 KV not over 50 KV, each \$35.00
	Over 50 KV and not over 100 KV, each \$63.00	Over 50 KV and not over 100 KV, each \$65.00	Over 50 KV and not over 100 KV, each \$67.00	Over 50 KV and not over 100 KV, each \$68.00
	Over 100 KV, each \$84.00	Over 100 KV, each \$87.00	Over 100 KV, each \$89.00	Over 100 KV, each \$91.00
Motors	Up to 10 hp \$16.00	Up to 10 hp \$17.00	Up to 10 hp \$17.00	Up to 10 hp \$17.00
	Up to 25 hp \$32.00	Up to 25 hp \$33.00	Up to 25 hp \$34.00	Up to 25 hp \$35.00
	Up to 55 hp \$63.00	Up to 55 hp \$65.00	Up to 55 hp \$67.00	Up to 55 hp \$68.00
	Over 55 hp \$92.00	Over 55 hp \$95.00	Over 55 hp \$97.00	Over 55 hp \$100.00
Transformers	Up to 5 KVA \$16.00	Up to 5 KVA \$17.00	Up to 5 KVA \$17.00	Up to 5 KVA \$17.00
	Up to 10 KVA \$32.00	Up to 10 KVA \$33.00	Up to 10 KVA \$34.00	Up to 10 KVA \$35.00
	Up to 50 KVA \$53.00	Up to 50 KVA \$55.00	Up to 50 KVA \$56.00	Up to 50 KVA \$58.00
	Over 50 KVA \$77.00	Over 50 KVA \$80.00	Over 50 KVA \$82.00	Over 50 KVA \$84.00
Busways/conduits (per 100 ft)	\$8.00	\$8.00	\$8.00	\$9.00
Service equipment	200 amps or less \$78.00	200 amps or less \$81.00	200 amps or less \$83.00	200 amps or less \$85.00
	201 to 999 amps \$108.00	201 to 999 amps \$112.00	201 to 999 amps \$114.00	201 to 999 amps \$117.00
	Sub-panels \$38.00	Sub-panels \$39.00	Sub-panels \$40.00	Sub-panels \$41.00
Installation of spas or saunas	\$38.00	\$39.00	\$40.00	\$41.00

FY 2022/23 Fee Consumer Price Index (CPI) and Building Cost Index (BCI) Adjustments				
Fee Name	FY 2019/20 Adopted	FY 2022/23 Proposed at 3.4% CPI (See Attachment 1)	FY 2022/23 Proposed at 5.9% CPI (See Attachment 2)	FY 2022/23 Proposed at 8.5% CPI (See Attachment 3)
Other Electrical Fees				
Duplicate job card	\$25.00	\$26.00	\$26.00	\$27.00
Permit extension (applies to permits that have not expired)	\$78.00	\$81.00	\$83.00	\$85.00
Mechanical Permit Fees				
Fee for issuing/reinstating a Mechanical Permit	\$55.00	\$57.00	\$58.00	\$60.00
Additional Mechanical Permit Fee	\$25.00	\$26.00	\$26.00	\$27.00
Plan Review & Re-inspection Fees				
Plan review fee	25% of Mechanical Permit Fee			
Additional plan review	\$152.50/hr.	\$158.00/hr.	\$161.00/hr.	\$165.00/hr.
Re-inspection fee	\$160.00/hr.	\$165.00/hr.	\$169.00/hr.	\$174.00/hr.
Unit Fee Schedule				
Installation, of each heating system, A/C, boiler, compressor or air handler	\$38.00	\$39.00	\$40.00	\$41.00
Each duct repair or alteration	\$11.00	\$11.00	\$12.00	\$12.00
Each fireplace appliance	\$32.00	\$33.00	\$34.00	\$35.00
Each ventilating fan	\$11.00	\$11.00	\$12.00	\$12.00
Installation of separate flue or vents not included with the installation of an appliance	\$11.00	\$11.00	\$12.00	\$12.00
Installation of each hood with mechanical exhaust	Residential \$32.00 Commercial \$114.00	Residential \$33.00 Commercial \$118.00	Residential \$34.00 Commercial \$121.00	Residential \$35.00 Commercial \$124.00
Each new or repair of gas piping system	\$70.00	\$72.00	\$74.00	\$76.00
Each additional gas outlet	\$23.00	\$24.00	\$24.00	\$25.00
Installation of evaporative cooler	\$32.00	\$33.00	\$34.00	\$35.00
Other Mechanical Fees				
Duplicate job card	\$25.00	\$26.00	\$26.00	\$27.00
Permit extension (applies to permits that have not expired)	\$78.00	\$81.00	\$83.00	\$85.00
Plumbing Permit Fees				
Fee for issuing/reinstating a Plumbing Permit	\$55.00	\$57.00	\$58.00	\$60.00
Additional Plumbing Permit Fee	\$25.00	\$26.00	\$26.00	\$27.00
Plan Review & Re-inspection Fees				
Additional plan review	\$152.50/hr.	\$158.00/hr.	\$161.00/hr.	\$165.00/hr.
Re-inspection fee	\$160.00/hr.	\$165.00/hr.	\$169.00/hr.	\$174.00/hr.
System Fee Schedule				
Private swimming pools (including heater, water piping, gas piping)	\$92.00	\$95.00	\$97.00	\$100.00
Public swimming pools (including heater, water piping, gas piping)	\$138.00	\$143.00	\$146.00	\$150.00
Lawn sprinkler system on one meter	\$38.00	\$39.00	\$40.00	\$41.00
Each new or repair of gas piping system	\$70.00	\$72.00	\$74.00	\$76.00
Each drainage, sewer system	\$38.00	\$39.00	\$40.00	\$41.00
Radiant floor heating system	\$114.00	\$118.00	\$121.00	\$124.00

FY 2022/23 Fee Consumer Price Index (CPI) and Building Cost Index (BCI) Adjustments				
Fee Name	FY 2019/20 Adopted	FY 2022/23 Proposed at 3.4% CPI (See Attachment 1)	FY 2022/23 Proposed at 5.9% CPI (See Attachment 2)	FY 2022/23 Proposed at 8.5% CPI (See Attachment 3)
Unit Fee Schedule				
Each plumbing fixture or trap or set of fixtures on one trap	\$11.00	\$11.00	\$12.00	\$12.00
Each sewer cleanout, backflow device	\$11.00	\$11.00	\$12.00	\$12.00
Each septic system abatement	\$114.00	\$118.00	\$121.00	\$124.00
Rainwater systems - per drain (inside building)	\$11.00	\$11.00	\$12.00	\$12.00
Each water heater, water softener	\$32.00	\$33.00	\$34.00	\$35.00
Each grease interceptor (750 gallon capacity)	\$78.00	\$81.00	\$83.00	\$85.00
Each grease trap (1-4 fixtures)	\$44.00	\$45.00	\$47.00	\$48.00
Residential water re-piping	\$114.00	\$118.00	\$121.00	\$124.00
Each ejector/sump pump	\$38.00	\$39.00	\$40.00	\$41.00
Each vacuum breaker/hose bib	\$11.00	\$11.00	\$12.00	\$12.00
Each water piping system repair or replacement	\$24.00	\$25.00	\$25.00	\$26.00
Each additional gas outlet	\$24.00	\$25.00	\$25.00	\$26.00
Other Plumbing Fees				
Duplicate job card	\$25.00	\$26.00	\$26.00	\$27.00
Permit extension (applies to permits that have not expired)	\$78.00	\$81.00	\$83.00	\$85.00
Other Fees				
Duplicate Inspection Card	\$30.00	\$31.00	\$32.00	\$33.00
NPDES Inspection Fee (Charged on all building permits with the potential to generate non-point source storm water runoff during construction)	\$70.00	\$72.00	\$74.00	\$76.00
Architecture and Site Applications - Development Review Committee (DRC) Approval*				
New single family detached (HR and RC zones)	\$8,978.00	\$9,283.00	\$9,508.00	\$9,741.00
<i>Engineering Development Review Service Fee</i>	\$4,151.00	\$4,292.00	\$4,396.00	\$4,504.00
New non-custom single family detached (HR and RC zones) per unit/model, as part of a Planned Development**	\$6,235.00	\$6,447.00	\$6,603.00	\$6,765.00
<i>Engineering Development Review Service Fee</i>	\$4,148.00	\$4,289.00	\$4,393.00	\$4,501.00
New single family or two family units	\$6,187.00	\$6,397.00	\$6,552.00	\$6,713.00
<i>Engineering Development Review Service Fee</i>	\$4,149.00	\$4,290.00	\$4,394.00	\$4,502.00
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**	\$4,421.00	\$4,571.00	\$4,682.00	\$4,797.00
<i>Engineering Development Review Service Fee</i>	\$4,153.00	\$4,294.00	\$4,398.00	\$4,506.00
Minor projects (a development proposal that does not significantly change the size, mass, appearance or neighborhood impact of a structure, property or parking lot)	\$2,243.00	\$2,319.00	\$2,375.00	\$2,434.00
<i>Engineering Development Review Service Fee</i>	\$3,186.00	\$3,294.00	\$3,374.00	\$3,457.00

FY 2022/23 Fee Consumer Price Index (CPI) and Building Cost Index (BCI) Adjustments				
Fee Name	FY 2019/20 Adopted	FY 2022/23 Proposed at 3.4% CPI (See Attachment 1)	FY 2022/23 Proposed at 5.9% CPI (See Attachment 2)	FY 2022/23 Proposed at 8.5% CPI (See Attachment 3)
Architecture and Site Applications - Planning Commission Approval				
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	\$3,168.00	\$3,276.00	\$3,355.00	\$3,437.00
<i>Engineering Development Review Service Fee</i>	\$1,157.00	\$1,196.00	\$1,225.00	\$1,255.00
New two family unit	\$9,437.00	\$9,758.00	\$9,994.00	\$10,239.00
<i>Engineering Development Review Service Fee</i>	\$4,151.00	\$4,292.00	\$4,396.00	\$4,504.00
New nonresidential (includes conceptual Planned Development elevations)	\$10,832.00	\$11,200.00	\$11,471.00	\$11,753.00
<i>Engineering Development Review Service Fee</i>	\$4,151.00	\$4,292.00	\$4,396.00	\$4,504.00
New multiple family (includes conceptual Planned Development elevations)	\$9,847.00	\$10,182.00	\$10,428.00	\$10,684.00
<i>Engineering Development Review Service Fee</i>	\$4,149.00	\$4,290.00	\$4,394.00	\$4,502.00
All other (i.e. exceed FAR, major grading, etc.)	\$5,491.00	\$5,678.00	\$5,815.00	\$5,958.00
<i>Engineering Development Review Service Fee</i>	\$4,151.00	\$4,292.00	\$4,396.00	\$4,504.00
Conditional Use Permits				
Conditional Use Permit	\$6,351.00	\$6,567.00	\$6,726.00	\$6,891.00
<i>Engineering Development Review Service Fee</i>	\$1,351.00	\$1,397.00	\$1,431.00	\$1,466.00
Conditional Use Permit (when consolidated with another application for new development)	\$1,056.00	\$1,092.00	\$1,118.00	\$1,146.00
<i>Engineering Development Review Service Fee</i>	\$774.00	\$800.00	\$820.00	\$840.00
Conditional Use Permit for Minor Restaurant (DRC Approval)	\$3,865.00	\$3,996.00	\$4,093.00	\$4,194.00
<i>Engineering Development Review Service Fee</i>	\$1,160.00	\$1,199.00	\$1,228.00	\$1,259.00
Conditional Use Permit for Major Restaurant (PC Approval) Tier 1	\$6,351.00	\$6,567.00	\$6,726.00	\$6,891.00
<i>Engineering Development Review Service Fee</i>	\$1,736.00	\$1,795.00	\$1,838.00	\$1,884.00
Conditional Use Permit for Major Restaurant (PC Approval) Tier 2 includes alcohol and/or entertainment (must pay #159 below with this application)	\$7,506.00	\$7,761.00	\$7,949.00	\$8,144.00
<i>Engineering Development Review Service Fee</i>	\$1,735.00	\$1,794.00	\$1,837.00	\$1,882.00
Applications that require Town Council Approval (these fees supplement the above established fees)	\$3,012.00	\$3,114.00	\$3,190.00	\$3,268.00
<i>Engineering Development Review Service Fee</i>	\$1,158.00	\$1,197.00	\$1,226.00	\$1,256.00
Planning Division Certificates of Use and Occupancy				
Change of use	\$230.00	\$238.00	\$244.00	\$250.00
Change of occupancy (excluding change of proprietor of a continuing business enterprise)	\$155.00	\$160.00	\$164.00	\$168.00
Sign Application				
New permanent sign	\$310.00	\$321.00	\$328.00	\$336.00
Temporary nonresidential sign	\$99.00	\$102.00	\$105.00	\$107.00
Change of face only	\$155.00	\$160.00	\$164.00	\$168.00
Sign program	\$2,075.00	\$2,146.00	\$2,197.00	\$2,251.00

FY 2022/23 Fee Consumer Price Index (CPI) and Building Cost Index (BCI) Adjustments				
Fee Name	FY 2019/20 Adopted	FY 2022/23 Proposed at 3.4% CPI (See Attachment 1)	FY 2022/23 Proposed at 5.9% CPI (See Attachment 2)	FY 2022/23 Proposed at 8.5% CPI (See Attachment 3)
Administrative Land Use Permit				
Minor telecommunications facility (i.e. microcell, 8,021 lb. or equivalent)	\$1,535.00	\$1,587.00	\$1,626.00	\$1,665.00
Major telecommunications facility which do not require a Conditional Use Permit	\$3,681.00	\$3,806.00	\$3,898.00	\$3,994.00
Other Zoning Approvals Fees				
Variance	\$4,671.00	\$4,830.00	\$4,947.00	\$5,068.00
<i>Engineering Development Review Service Fee</i>	\$1,351.00	\$1,397.00	\$1,431.00	\$1,466.00
Minor Residential Development (see #151)	\$2,243.00	\$2,319.00	\$2,375.00	\$2,434.00
Agricultural Preserve Withdrawal	\$3,810.00	\$3,940.00	\$4,035.00	\$4,134.00
Home Occupation Permit	\$155.00	\$160.00	\$164.00	\$168.00
Accessory Dwelling Unit	\$1,340.00	\$1,386.00	\$1,419.00	\$1,454.00
Subdivisions				
Lot Line Adjustment (DRC Approval)	\$2,128.00	\$2,200.00	\$2,254.00	\$2,309.00
<i>Engineering Development Review Service Fee</i>	\$3,571.00	\$3,692.00	\$3,782.00	\$3,875.00
4 Lots or Less (DRC Approval)	\$8,575.00	\$8,867.00	\$9,081.00	\$9,304.00
<i>Engineering Development Review Service Fee</i>	\$3,960.00	\$4,095.00	\$4,194.00	\$4,297.00
4 Lots or Less (as part of a Planned Development) (DRC Approval)	\$3,541.00	\$3,661.00	\$3,750.00	\$3,842.00
<i>Engineering Development Review Service Fee</i>	\$4,153.00	\$4,294.00	\$4,398.00	\$4,506.00
5 Lots or More	\$9,660.00	\$9,988.00	\$10,230.00	\$10,481.00
<i>Engineering Development Review Service Fee</i>	\$5,115.00	\$5,289.00	\$5,417.00	\$5,550.00
5 Lots or More (as part of a Planned Development) (DRC Approval)	\$4,152.00	\$4,293.00	\$4,397.00	\$4,505.00
<i>Engineering Development Review Service Fee</i>	\$5,118.00	\$5,292.00	\$5,420.00	\$5,553.00
Lot Merger and Reversion to Acreage (DRC Approval)	\$1,055.00	\$1,091.00	\$1,117.00	\$1,145.00
<i>Engineering Development Review Service Fee</i>	\$3,570.00	\$3,691.00	\$3,781.00	\$3,873.00
Condominium	\$7,445.00	\$7,698.00	\$7,884.00	\$8,078.00
Condominium (as part of a Planned Development)	\$3,541.00	\$3,661.00	\$3,750.00	\$3,842.00
Certificate of Compliance (DRC Approval)	\$3,076.00	\$3,181.00	\$3,257.00	\$3,337.00
<i>Engineering Development Review Service Fee</i>	\$2,219.00	\$2,294.00	\$2,350.00	\$2,408.00
VTM applications that require Town Council approval, Subdivision and/or DRC applications that require Planning Commission approval. This fee supplements the above-established fees.	\$2,824.00	\$2,920.00	\$2,991.00	\$3,064.00
Miscellaneous Application Fees				
Push Cart Permit	\$492.00	\$509.00	\$521.00	\$534.00
Auto Dealer Events	Smaller Promotional Events \$82.00 Large Promotional Events \$401.00	Smaller Promotional Events \$85.00 Large Promotional Events \$415.00	Smaller Promotional Events \$87.00 Large Promotional Events \$425.00	Smaller Promotional Events \$89.00 Large Promotional Events \$435.00
News rack Permit Fee	\$390.00	\$403.00	\$413.00	\$423.00
Environmental Assessment Fees				
Draft Initial Study Review Fee (or actual cost if part of a Planned Development, General Plan and/or Town Code Amendment)	\$2,786.00	\$2,881.00	\$2,950.00	\$3,023.00
<i>Engineering Development Review Service Fee</i>	\$1,931.00	\$1,997.00	\$2,045.00	\$2,095.00

FY 2022/23 Fee Consumer Price Index (CPI) and Building Cost Index (BCI) Adjustments				
Fee Name	FY 2019/20 Adopted	FY 2022/23 Proposed at 3.4% CPI (See Attachment 1)	FY 2022/23 Proposed at 5.9% CPI (See Attachment 2)	FY 2022/23 Proposed at 8.5% CPI (See Attachment 3)
Appeals				
Fee to appeal Planning Commission decision to Town Council	Per Residential \$438.00	Per Residential \$453.00	Per Residential \$464.00	Per Residential \$475.00
	Per Commercial, multi-family or tentative map \$1,763.00	Per Commercial, multi-family or tentative map \$1,823.00	Per Commercial, multi-family or tentative map \$1,867.00	Per Commercial, multi-family or tentative map \$1,913.00
Fee to remand applications from Town Council to Planning Commission	Fully allocated hourly rate for all personnel plus additional fees	Fully allocated hourly rate for all personnel plus additional fees	Fully allocated hourly rate for all personnel plus additional fees	Fully allocated hourly rate for all personnel plus additional fees
Fee to appeal Director of Community Development or Development Review Committee decision to Planning Commission	Per Residential \$221.00	Per Residential \$229.00	Per Residential \$234.00	Per Residential \$240.00
	Per Commercial \$882.00	Per Commercial \$912.00	Per Commercial \$934.00	Per Commercial \$957.00
Tree appeals	\$90.00	\$93.00	\$95.00	\$98.00
Zoning Research				
Basic Zoning Letter	\$155.00	\$160.00	\$164.00	\$168.00
Legal non-conforming verification	\$650.00	\$672.00	\$688.00	\$705.00
Reconstruction of legal non-conforming structures (Burndown Letter)	\$276.00	\$285.00	\$292.00	\$299.00
Other Planning Division Fees				
Fence Height Exceptions	\$276.00	\$285.00	\$292.00	\$299.00
Engineering Plan Check Fee				
Application Fee	\$490.00	\$507.00	\$519.00	\$532.00
\$20,000.00 to \$80,000.00	\$3,100.00 plus 9% of valuation	\$3,205.00 plus 9% of valuation	\$3,283.00 plus 9% of valuation	\$3,364.00 plus 9% of valuation
Greater than \$80,000	\$8,500.00 plus 8.5% valuation	\$8,789.00 plus 8.5% valuation	\$9,002.00 plus 8.5% valuation	\$9,223.00 plus 8.5% valuation
Inspection Fee				
\$20,000.00 to \$80,000.00	\$1,500.00 plus 6.5% of valuation	\$1,551.00 plus 6.5% of valuation	\$1,589.00 plus 6.5% of valuation	\$1,628.00 plus 6.5% of valuation
Greater than \$80,000.00	\$5,400.00 plus 4.0% of valuation	\$5,584.00 plus 4.0% of valuation	\$5,719.00 plus 4.0% of valuation	\$5,859.00 plus 4.0% of valuation
Work In or Use of Public Right of Way				
Encroachment Permit - Residential	Work up to \$4,000.00 - \$305.00	Work up to \$4,000.00 - \$315.00	Work up to \$4,000.00 - \$323.00	Work up to \$4,000.00 - \$331.00
	Each additional \$2,000.00 - \$160.00	Each additional \$2,000.00 - \$165.00	Each additional \$2,000.00 - \$169.00	Each additional \$2,000.00 - \$174.00
Encroachment Permit - Collector/Arterial Streets**	Work up to \$4,000.00 - \$1,580.00	Work up to \$4,000.00 - \$1,634.00	Work up to \$4,000.00 - \$1,673.00	Work up to \$4,000.00 - \$1,714.00
	Each additional \$2,000.00 - \$345.00	Each additional \$2,000.00 - \$357.00	Each additional \$2,000.00 - \$365.00	Each additional \$2,000.00 - \$374.00
Temporary Encroachment Permit	\$150.00	\$155.00	\$159.00	\$163.00
Dumpster Permit	\$150.00	\$155.00	\$159.00	\$163.00
Storage Permit	\$150.00***	\$155.00***	\$159.00***	\$163.00***
NPDES				
Inspection Fee - Grading Permits	Single Family Residential \$730.00	Single Family Residential \$755.00	Single Family Residential \$773.00	Single Family Residential \$792.00
	Commercial or Multi Family Residential \$1,135.00	Commercial or Multi Family Residential \$1,174.00	Commercial or Multi Family Residential \$1,202.00	Commercial or Multi Family Residential \$1,231.00
Inspection Fee - Encroachment Permits and Some Storage Permits	Single Family Residential \$200.00	Single Family Residential \$207.00	Single Family Residential \$212.00	Single Family Residential \$217.00
	Commercial or Multi Family Residential \$325.00	Commercial or Multi Family Residential \$336.00	Commercial or Multi Family Residential \$344.00	Commercial or Multi Family Residential \$353.00
	Plus \$485.00 per LID facility	Plus \$501.00 per LID facility	Plus \$514.00 per LID facility	Plus \$526.00 per LID facility
Inspection of Storm Water Treatment Measures	\$500.00 per facility	\$517.00 per facility	\$530.00 per facility	\$543.00 per facility
Annual Stormwater/Limited Impact Development (LID) Permit	Per Visit and 1st facility inspection \$485.00	Per Visit and 1st facility inspection \$501.00	Per Visit and 1st facility inspection \$514.00	Per Visit and 1st facility inspection \$526.00
	Every additional facility inspection \$160.00	Every additional facility inspection \$165.00	Every additional facility inspection \$169.00	Every additional facility inspection \$174.00

FY 2022/23 Fee Consumer Price Index (CPI) and Building Cost Index (BCI) Adjustments				
Fee Name	FY 2019/20 Adopted	FY 2022/23 Proposed at 3.4% CPI (See Attachment 1)	FY 2022/23 Proposed at 5.9% CPI (See Attachment 2)	FY 2022/23 Proposed at 8.5% CPI (See Attachment 3)
Engineering Subdivision Map Checking				
1-4 lots	\$2,855.00*	\$2,952.00*	\$3,023.00*	\$3,098.00*
5 or more lots	\$3,995.00*	\$4,131.00*	\$4,231.00*	\$4,335.00*
Traffic Impact Analysis or Parking Study				
Staff Review Fee	\$664.00 plus 10% of the traffic consultant report cost	\$687.00 plus 10% of the traffic consultant report cost	\$703.00 plus 10% of the traffic consultant report cost	\$720.00 plus 10% of the traffic consultant report cost
Site Distance Analysis	\$178.00 per review not to exceed two hours. Actual cost for staff time when analysis exceeds two hours.	\$184.00 per review not to exceed two hours. Actual cost for staff time when analysis exceeds two hours.	\$189.00 per review not to exceed two hours. Actual cost for staff time when analysis exceeds two hours.	\$193.00 per review not to exceed two hours. Actual cost for staff time when analysis exceeds two hours.
Traffic Impact Mitigation Fee	\$958.00 per new average daily trip generated	\$991.00 per new average daily trip generated	\$1,015.00 per new average daily trip generated	\$1,039.00 per new average daily trip generated
Storm Drainage Fees				
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 \$4,228.00/ac.	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 \$4,372.00/ac.	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 \$4,477.00/ac.	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 \$4,587.00/ac.
	Multiple family dwelling units - initial unit \$4,228.00/ac.	Multiple family dwelling units - initial unit \$4,372.00/ac.	Multiple family dwelling units - initial unit \$4,477.00/ac.	Multiple family dwelling units - initial unit \$4,587.00/ac.
	Multiple family dwelling units - each unit after initial (not to exceed \$4,622.00/ac.) \$159.00	Multiple family dwelling units - each unit after initial (not to exceed \$4,622.00/ac.) \$164.00	Multiple family dwelling units - each unit after initial (not to exceed \$4,622.00/ac.) \$168.00	Multiple family dwelling units - each unit after initial (not to exceed \$4,622.00/ac.) \$173.00
	Commercial, industrial, hospitals, churches, schools, and others \$5,286.00/ac.	Commercial, industrial, hospitals, churches, schools, and others \$5,466.00/ac.	Commercial, industrial, hospitals, churches, schools, and others \$5,598.00/ac.	Commercial, industrial, hospitals, churches, schools, and others \$5,735.00/ac.
Hauling Permits				
House Moving Fee	\$3,490.00*	\$3,609.00**	\$3,696.00**	\$3,787.00**
Construction Activities Mitigation Fee				
New Buildings and Additions	Residential (per square foot added) \$1.17/sq.ft.*	Residential (per square foot added) \$1.19/sq.ft.*	Residential (per square foot added) \$1.26/sq.ft.*	Residential (per square foot added) \$1.32/sq.ft.*
	Non-residential (per square foot added) \$1.17/sq.ft.*	Non-residential (per square foot added) \$1.19/sq.ft.*	Non-residential (per square foot added) \$1.26/sq.ft.*	Non-residential (per square foot added) \$1.32/sq.ft.*
Other Engineering Fees				
Engineering Reversion to Acreage	\$2,395.00 plus initial deposit of \$2,500 for surveyor	\$2,476.00 plus initial deposit of \$2,500 for surveyor	\$2,536.00 plus initial deposit of \$2,500 for surveyor	\$2,599.00 plus initial deposit of \$2,500 for surveyor
Engineering Lot Merger	\$3,480.00 plus surveyor deposit	\$3,598.00 plus surveyor deposit	\$3,685.00 plus surveyor deposit	\$3,776.00 plus surveyor deposit
Engineering Lot Line Adjustments	\$3,480.00 plus surveyor deposit	\$3,598.00 plus surveyor deposit	\$3,685.00 plus surveyor deposit	\$3,776.00 plus surveyor deposit
Certificate of Compliance	\$3,480.00 plus surveyor deposit	\$3,598.00 plus surveyor deposit	\$3,685.00 plus surveyor deposit	\$3,776.00 plus surveyor deposit
Abandon Excess Public Right-of-Way & Public Easement	\$4,345.00 plus surveyor and valuation consultant and planning services	\$4,493.00 plus surveyor and valuation consultant and planning services	\$4,601.00 plus surveyor and valuation consultant and planning services	\$4,714.00 plus surveyor and valuation consultant and planning services
Separate Instrument Dedication Fee (for dedication via grant deeds and not maps)	\$720.00 plus initial deposit of \$2,500 for surveyor	\$744.00 plus initial deposit of \$2,500 for surveyor	\$762.00 plus initial deposit of \$2,500 for surveyor	\$781.00 plus initial deposit of \$2,500 for surveyor

FY 2022/23 Fee Adjustments, Reclassifications, Deletions and Additions		
Fee Name	FY 2019/20 Adopted	FY 2022/23 Proposed
General Development Fees		
Community Benefit	No standard schedule, as offered and applied per project	Delete Fee
Public Art In-Lieu Fee	N/A	1% of building permit valuation
Two-Unit Housing Development	N/A	\$1,340.00
Urban Lot Split	N/A	\$1,340.00
Administrative Fee	N/A	10% of Development Fees
Sidewalks	\$16.00/sq.ft.	\$20.00/sq.ft.
Curb and Gutter	\$68.00/lf.	\$100.00/lf.
Tree Related Fees		
Tree Removal Permit Application	One Tree \$250.00	Add a note that fee will be waived when tree removal is done to implement or maintain Defensible Space
	Additional Tree \$125.00/each	
	If application is denied 50% refund	
Massage Permit Fees		
Initial Application for each Therapist	\$213.00	Delete Fee
Annual Renewal for each Therapist	\$107.00	Delete Fee

RESOLUTION 2022-

**RESOLUTION OF THE TOWN COUNCIL
OF THE TOWN OF LOS GATOS
CONTINUING DEPARTMENT FINES, AND AMENDING CERTAIN FINES FOR FY 2022/23**

WHEREAS, per resolution 2004-97 penalties for violation of the Los Gatos Town Code shall be set forth in a schedule; and

WHEREAS, the last update of the Town of Los Gatos Comprehensive Fine Schedule was adopted on March 19, 2019; and

WHEREAS, those fines currently in effect will remain in effect without interruption, and certain of these shall be increased to reflect best municipal practices.

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

1. That Resolution 2019-011, "Resolution of the Town Council of the Town of Los Gatos Continuing Department Fines, Amending Certain Fines for FY 2019/20" is hereby rescinded; and
2. The Town of Los Gatos Comprehensive Fine Schedule, attached hereto as Exhibit A, shall become effective July 1, 2022.

ATTACHMENT 5

PASSED AND ADOPTED at a regular meeting of the Town Council held on the 15th day of March 2022 by the following vote:

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

DATE: _____

ATTEST:

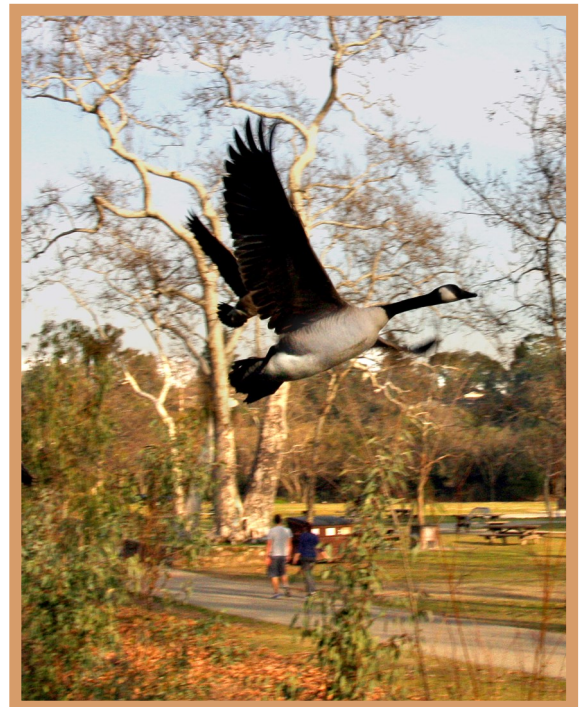
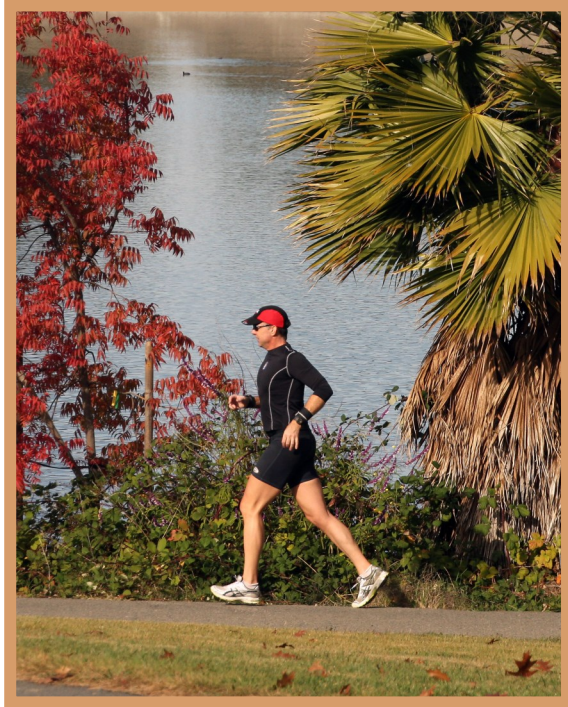
TOWN CLERK OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

DATE: _____



TOWN OF LOS GATOS

CALIFORNIA



Comprehensive Fine Schedule

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FINES/PENALTIES – TOWN CODE VIOLATION

Per resolution 2004-97 penalties for violation of the Los Gatos Town Code shall be set forth as the below schedule, except:

The penalties for all violations of the Town Code not specifically set forth in the below schedule and do not involve violations of local building and safety codes shall be:

1. one hundred dollars (\$100) for first violation;
2. two hundred and fifty dollars (\$250) for second violation;
3. five hundred dollars (\$500) for each additional violation within one year.

The penalties for all violations of the Town Code not specifically set forth in the below schedule and that involve violations of local building and safety codes and are not otherwise designated as misdemeanors shall be:

1. one hundred dollars (\$100) for first violation;
2. five hundred dollars (\$500) for second violation within one year;
3. one thousand dollars (\$1,000) for each additional violation within one year.

The penalties for all knowing and willful violations of the Town Code shall be:

1. five hundred dollars (\$500) for first violation;
2. one thousand dollars (\$1,000) for each additional violation within thirty-six month thereafter.

For all California Vehicle Code violations, please contact the Superior Court of California County of Santa Clara.

FINES/PENALTIES – TOWN CODE VIOLATION

1.30.025(c)	Late Payment of Fines/Penalties	100% of fine
4.10.030(a)	Animal bites, failure to report	\$150.00
4.10.030(c)	Quarantine violation	\$500.00
4.10.075	Animals and Vehicles	
	First offense	\$100.00
	Second offense within 2 years	\$200.00
	Third subsequent offense within 2 years	\$500.00
4.40.005	Restraint of Dogs	\$100.00
4.40.015	Vaccination of dogs and cats	\$250.00
4.40.020	Registration of dangerous dogs	\$250.00
4.80.050	Penalty, abatement	\$100.00
6.20.155	Building permit requirements	\$50.00
6.40.010	Order to vacate or abate	\$100.00
6.80.010	Order to vacate	\$100.00
9.30.015	Storage of certain substances (populated area)	\$100.00
11.40.060	Illegal dumping (outside park)	\$200.00
11.40.060	Single use carry-out bags	
	First violation	\$100.00
	Second violation within 1 year	\$200.00
	For each additional violation within 1 year	\$500.00
13.20.010	Improper storage of hazardous material	\$100.00
13.20.885	Hazardous material	\$100.00
14.40.105	Peddlers / Solicitors	\$100.00
14.100.020(a)	Special event	\$100.00
14.140.085	Short-term rentals	
	First offense	Warning
	Second offense	\$250.00
	Third offense within 12-month period incurs fine and immediate revocation of the short-term rental license	\$500.00
15.10.025	Roller skating in street	\$100.00
15.10.030	Skateboarding or roller skating	\$100.00
15.10.035	Driving on private property	\$100.00
15.30.035	Entering intersections, etc., without sufficient space on other side	\$135.00
15.30.115	Cruising	
	First offense	\$100.00
	Second offense	\$200.00
	Third or subsequent offense within 2 years	\$250.00
15.40.015	Overtime Parking	\$42.00
15.40.060	Sleeping in vehicle after being warned	\$50.00
15.40.065	Vehicle Storage on Street	\$67.00
15.40.070	Commercial Vehicles in Residential Zones	\$67.00
15.40.075	For Sale/Non Emergency Repair	\$42.00
15.40.080	Preferential Parking	\$52.00
15.40.080(b)	Permit Required Area	\$52.00
15.40.080(c)	Fraudulent use of Permit	\$107.00

FINES/PENALTIES – TOWN CODE VIOLATION

SECTION	OFFENSE	AMOUNT
15.40.085	Posted no Parking Special Events	\$42.00
15.40.090	Parking on Parkway	\$42.00
15.40.095	Marked Parking Space	\$42.00
15.40.100	Parking on Grade	\$42.00
15.40.105	Designated Parking VC22507.8	\$292.00
15.40.110	Marked Curb	\$42.00
15.40.275	Parking in Alleys Restricted to Loading or Unloading	\$42.00
15.50.015	Use of crosswalk by pedestrian	\$25.00
15.50.020	Pedestrian other than right angle	\$25.00
15.50.025	Standing in roadway	\$25.00
16.20.010	Curfew noise disturbance	\$500.00
16.20.015	Exterior noise levels for residential zones	\$500.00
16.20.020	Exterior noise levels for multi-family residence	\$500.00
16.20.025	Noise levels for commercial / industrial zones	\$500.00
16.20.030	Public property noise limits	\$500.00
16.20.035	Construction	\$500.00
16.20.040	Amplified sound	\$500.00
16.20.045	Street sales	\$500.00
16.20.050	Animals and birds	
	First offense	\$50.00
	Second offense within 2 years	\$200.00
	Third or subsequent offense within 2 years	\$500.00
16.20.055	Motor vehicles	\$500.00
16.20.060	Powered equipment	\$500.00
16.30.010	Noise limits	\$500.00
18.10.015(a)	Drinking in public	\$100.00
18.10.015(b)	Open container in public	\$100.00
18.10.020	Meetings (disturbing)	\$100.00
18.10.025(2)	Enter / remain in public while intoxicated	\$100.00
18.30.010(a)	Minor possession alcohol at social gathering	\$100.00
18.30.010(b)	Party host allow minor possession of alcohol	\$500.00
18.30.055	Adults, responsibility for juvenile	\$500.00
18.50.010	Crowds, dispersement	\$100.00
18.70.010	Discharge of firearm, etc. in Town	\$200.00
18.70.035	Sling shot	\$200.00
19.10.020(1)-(5)	Certain acts prohibited within park property	\$100.00
19.10.025(1)-(5)	Behavior of persons within park property	\$100.00
19.10.025(6)	Possess or ignite explosive, fireworks, rockets, etc	\$200.00
19.10.025(7)	Make or kindle a fire except in approved locations	\$100.00
19.10.025(8)-(17)	Behavior of persons within park property	\$100.00
19.10.027(1)	Animals in Parks – Dogs off leash	\$100.00
19.10.027(2)-(6)	Animals in parks – Other provisions	\$100.00
19.10.030(1)-(2)	Sanitation requirements	\$100.00
19.10.035(1)-(9)	Use of vehicles in parks (not subject to CVC or other Town Codes)	\$100.00

FINES/PENALTIES – TOWN CODE VIOLATION

SECTION	OFFENSE	AMOUNT
19.10.037(1)-(6)	Use of bicycles in parks (not subject to CVC or other Town Codes)	\$100.00
19.10.037(1)-(6)	Use of skateboards, skates, scooters	\$100.00
19.10.040	Swimming or wadings in parks	\$100.00
19.10.050(1)-(3)	Advertising, sale of merchandise in parks	\$100.00
19.10.055(1)-(2)	Closing hours for parks, overnight activities prohibited	\$100.00
19.10.060	Closing sections of park	\$100.00
22.30.040	Storm water protections	\$100.00
28.20.030	Non-permit fine Taxicabs	\$100.00

FINES/PENALTIES – LOS GATOS CALIFORNIA FIRE CODE

SECTION	OFFENSE	AMOUNT
106.2.1	Failure to obtain inspection-new installation	\$200.00
109.3.2	Failure to comply with notice / order	\$1,000.00
109.3.4	Destruction of signs - Unauthorized Tampering	\$200.00
301.1	Fire hazard prohibited (citations)	\$100.00
110	Unsafe buildings	\$200.00
401.8	Interference with Fire Department	\$200.00
105.1. 1	Unlawful to operate institutions without occupancy permit	\$200.00
503.2	Plans for access roads	\$100.00
507.5	Plans for fire hydrant systems	\$100.00
501.4	Access road and fire hydrant installation timing	\$100.00
507	Hydrant identification-reflective markers	\$100.00
505	Premises identification	\$100.00
901.6	Fire protection in recreational vehicle and mobile home parks	\$100.00
503.4	Closure of fire roads; obstruction-access road	\$200.00
504.2	Posting of signs on exterior doors blocked by storage	\$100.00
506.1	Key box	\$100.00
901.7	Notification of Fire Department for fire alarm servicing	\$100.00
901.8	Tampering with fire equipment	\$200.00
901.8	Tampering with fire hydrant or fire equipment	\$200.00
901.8.1	Tampering with barriers, etc.	\$200.00
507.5.4	Obstructing fire protection equipment	\$100.00
507.5.5	Clear space around hydrants	\$100.00
509.2	Fire extinguishing equipment obstruction	\$100.00
509.2	Fire alarm equipment obstruction	\$100.00
509.1	Identification of fire protection equipment	\$100.00
906	Sale of defective fire extinguishers	\$200.00
907	Fire alarm systems	\$200.00
307.1	Open burning	\$100.00
307.4.1	Bonfires	\$100.00
304.1.1	Accumulation of waste material	\$150.00
315.1	Storage and handling of readily combustible materials	\$100.00
315.3.4	Combustible storage in attics	\$100.00
807.1	Decorative material	\$100.00
801	Atrium furnishings	\$150.00
603.9	Protection of gas meters	\$100.00
603	Heating appliances	\$100.00
308	Use of open flame restricted	\$100.00
305.2	Discarding burning objects	\$100.00
305.2	Hot ashes and other dangerous materials	\$100.00
311.1	Vacant building (maintenance)	\$100.00
1003.6	Exit obstruction	\$200.00

FINES/PENALTIES – LOS GATOS CALIFORNIA FIRE CODE

SECTION	OFFENSE	AMOUNT
1010.1	Exit doors	\$200.00
1013	Exit illumination	\$200.00
1008.1	Lighting requirements-exit	\$200.00
3309	Reporting of fires	\$100.00
202	False alarms	\$100.00
1018.1	Aisles	\$150.00
1024.1	Use of exit ways	\$200.00
1013.1	Marking and lighting of exits	\$150.00
107.6	Overcrowding	\$200.00
308.1	Open flame	\$100.00
2311.2	Storage and use of flammable and combustible liquids in repair garages	\$100.00
2311.2.3.1	Liquids drained from vehicles	\$150.00
2311.3	Source of ignition	\$100.00
2311.2.2	Oily waste materials	\$100.00
2803.1	Open yard storage	\$100.00
2803.2	Dust control	\$100.00
3103.8	Location of tents and air-supported structures	\$100.00
3103.9	Anchorage required	\$100.00
3104.2	Flame-retardant treatment	\$200.00
3104.12/13	Fire extinguishers and other fire protection equipment	\$100.00
3104.14	Occupant load	\$100.00
3103.12	Exits / Means of Egress	\$100.00
3103.12.8	Maintenance of exit ways	\$100.00
3103.12.7	Exit illumination	\$100.00
3104.6	Smoking	\$100.00
3104.7	Open Flame	\$100.00
3104.15	Heating and cooking equipment	\$100.00
3104.17.2	Storage of flammable or combustible liquid	\$150.00
3104.19	Generators	\$100.00
2108.1	Fire protection	\$100.00
2107.3	Solvent storage	\$100.00
2105.1.5.4	Public access Customer area	\$100.00
2105.1.1	Warning label and signs	\$50.00
2403.2.6	Smoking prohibited	\$100.00
2403.2.7	Welding warning signs	\$100.00
2403.2.1	Electrical wiring and equipment	\$100.00
2404.2	Location of spray-finishing operations	\$200.00
2404.3.2	Spray booths	\$100.00
2404.6.1.2	Dry filters – Drying Apparatus	\$100.00
2404.6	Sources of ignition	\$150.00

FINES/PENALTIES – LOS GATOS CALIFORNIA FIRE CODE

SECTION	OFFENSE	AMOUNT
2404.7	Ventilation of spray booths and spraying areas	\$100.00
2404.9	Limited spraying areas	\$50.00
2403.3	Storage and handling of flammable or combustible liquids	\$75.00
2404.4	Fire protection equipment	\$50.00
2404.5	Operation and maintenance	\$50.00
2404.6.1.2	Drying apparatus	\$50.00
2405.2	Location of dip tank operations	\$150.00
2405.7	Ventilation of vapor areas	\$100.00
2405.6	Sources of ignition	\$150.00
2405.4.1	Fire extinguishing equipment	\$100.00
2405.3.4	Dip tank covers	\$100.00
2405.9	Hardening and tempering tanks	\$100.00
2405.11	Coating operations	\$100.00
2407	Electrostatic apparatus	\$150.00
2408	Organic peroxides and dual-component coatings	\$100.00
2408.5	Source of ignition	\$100.00
5906.5.7	Fire extinguishing materials	\$100.00
5906.1	Handling of magnesium fines (fine magnesium scrap)	\$100.00
202	Hot work area	\$100.00
202	Location of cylinders	\$100.00
2905	Process building	\$100.00
2909	Storage of raw material and finished products	\$100.00
2906	Process mills, mixers and kettles	\$100.00
2904.1	Electrical equipment	\$100.00
2904.3	Protection against static electricity and lighting	\$100.00
2903.4	Fire protection	\$100.00
2901.3	Maintenance	\$100.00
2703.1	Emergency control station and alarms	\$100.00
2703.2.3	Piping and tubing	\$100.00
2703.4	Emergency plan	\$100.00
2703.13	Gas detection	\$100.00
2703.10	Fire protection	\$100.00
2703.15.1	Electrical equipment	\$100.00
2703.15.2	Ventilation requirements	\$100.00
2704	General storage requirements	\$100.00
2704.3.1	Inside HPM storage	\$100.00
2704.3.3	Separation of HPM	\$100.00
2705.3	Handling HPM in existing buildings	\$100.00
2705.3	Requirements for HPM gases	\$100.00
2705.3.2	Transportation of HPM in service corridors	\$100.00
2705.3.4	Design of carts and trucks	\$100.00

FINES/PENALTIES – LOS GATOS CALIFORNIA FIRE CODE

SECTION	OFFENSE	AMOUNT
2303.1	Location of dispensing operations	\$100.00
2303.1	Installation of dispensing devices	\$100.00
2304.1	Supervision of dispensing operations	\$100.00
2305.4	Sources of ignition	\$100.00
2305.6	Signs	\$100.00
2305.5	Fire protection	\$100.00
2305.7	Clearance of combustibles	\$100.00
2305.2	Maintenance	\$100.00
2306.2	Storage of fuel	\$100.00
2306.7	Dispensing	\$100.00
2301.5	Electrical equipment	\$100.00
2301.6	Heating equipment	\$100.00
2305.5	Fire protections	\$100.00
2306.7.9	Vapor recovery	\$100.00
2307.3	Attendants	\$100.00
2307.4	LPG dispensing location	\$100.00
2307.5	LPG dispensing equipment	\$100.00
2308.3	Location for CNG dispensing operations	\$100.00
2308.4	Private fueling of vehicles	\$100.00
2308.6	Manual shut off valve	\$100.00
2308.8	Discharge of CNG from vehicle fuel containers	\$100.00
3003.1	Ventilation	\$100.00
606.12.5	Ammonia discharge	\$100.00
606.7	Emergency signs and labels	\$100.00
5303.1	Compressed gas containers, cylinders and tanks	\$100.00
5303.4	Marking	\$100.00
5303.5	Security	\$100.00
5303.6	Valve protection	\$100.00
5303.7	Separation from hazardous conditions	\$100.00
5303.8	Wiring and equipment	\$100.00
5303.9	Service repair	\$100.00
5303.10	Unauthorized use	\$100.00
5303.11	Exposure to fire	\$100.00
5303.12	Leaks, damage or corrosion	\$100.00
5303.13	Surface or unprotected storage areas	\$100.00
5303.15	Lightning	\$100.00
5304	Storage	\$100.00
5305	Use and handling	\$100.00
5306	Medical gas systems	\$100.00
5503.1	Construction of containers	\$100.00
5503.1	Containers	\$100.00

FINES/PENALTIES – LOS GATOS CALIFORNIA FIRE CODE

SECTION	OFFENSE	AMOUNT
5503.2	Pressure relief devices	\$100.00
5503.4	Marking	\$100.00
5503.60	Electrical equipment	\$100.00
5505.1.2	Piping materials and construction	\$100.00
5505.4	Piping materials and construction	\$100.00
5505.5	Handling	\$100.00
2203.2	Housekeeping	\$100.00
2203.1	Smoking and open flames	\$100.00
5701.4	Permit and plans for flammable and combustible liquid storage electrical	\$100.00
5703.2	Fire protection	\$100.00
5703.4	Spill control and secondary containment	\$100.00
5703.5	Labeling and signs	\$100.00
5704.2.1	Change of tank contents	\$100.00
5704.2.3	Labeling and signs	\$100.00
5704.2.4	Sources of ignition	\$100.00
5704.2.5	Explosion control	\$100.00
5704.2.6	Separation from incompatible materials	\$100.00
5704.2.7	Design of tanks, containers and equipment	\$100.00
5704.2.8	Below grade vaults	\$100.00
5704.2.7.6	Inspection, repair, alteration or reconstruction of tanks and piping	\$100.00
5704.2.8.2	Seismic design	\$100.00
5704.2.7.3	Tank vents for normal venting	\$100.00
5704.2.9.6.1	Prohibited locations of above ground tanks	\$200.00
5704.2.9.6.2	Separation of tanks	\$100.00
5704.2.7.4	Emergency of relief venting for tanks	\$100.00
5704.2.7.5	Tank openings other than vents	\$100.00
5704.2.10	Drainage control and diking	\$100.00
5704.3	Container and portable tank storage outside of buildings	\$100.00
5704.2.9.5	Stationary above ground tank storage inside buildings	\$100.00
5704.3.3	Container and portable tank storage inside buildings	\$100.00
5704.2.11	Underground tank storage	\$100.00
5705.2	Liquid transfer	\$100.00
5705.3.6	Cleaning with Class I or II liquids	\$150.00
5706.2	Storage and dispensing at construction sites	\$100.00
5706.2.8	Tank vehicles and vehicle operation	\$100.00
5001.5	Permits required for hazardous materials	\$200.00
5001.5.1	Hazardous material management	\$100.00
5003.2.1	Design of containers, cylinders and tanks	\$100.00
5003.2.2	Piping, tubing, valves and fittings	\$100.00

FINES/PENALTIES – LOS GATOS CALIFORNIA FIRE CODE

5003.2.3	Suitability of equipment	\$100.00
5003.2.4	Installation of tanks	\$100.00
5003.2.5	Empty containers and tanks	\$100.00
5003.2.6	Maintenance	\$100.00
5003.3	Release of hazardous material	\$1,000.00
5003.4	Material safety data sheets	\$100.00
5003.5	Identification signs	\$100.00
5003.6	Signs	\$100.00
5003.7	Sources of ignition	\$100.00
5003.8	Construction requirement	\$100.00
5003.9	General safety precautions	\$100.00
5003.10	Handling and transportation	\$100.00
5001.6	Facility closure	\$100.00
5001.4	Retail and wholesale storage and display	\$100.00
5001.1	Exempt amounts	\$100.00
5004	Storage, general	\$100.00
6004	Toxic and highly toxic compressed gases	\$100.00
6303	Oxidizers	\$100.00
6203	Organic peroxides	\$100.00
6403	Pyrophoric materials	\$100.00
6703	Water relative solids and liquids	\$100.00
6003	Highly toxic and toxic solids and liquids	\$100.00
6603	Radioactive materials	\$100.00
5403	Corrosives	\$100.00
5005.1.1	Separation from hazardous material storage	\$100.00
5004.2	Spill control	\$100.00
5005.1.5	Emergency power	\$100.00
5005.1.6	Supervision	\$100.00
5005.1.7	Lighting	\$100.00
5005.1.8	Fire extinguishing systems	\$100.00
5005.1.9	Ventilation	\$100.00
5304.1	Container position for gases	\$100.00
NFPA 55	Bulk oxygen systems	\$100.00
NFPA 55	Liquid transfer	\$100.00
6405.3	Silane	\$100.00
5005.2	Indoor dispensing and use	\$100.00
5005.3	Outdoor dispensing and use	\$100.00
5005.4	Handling	\$100.00
3205.2	Ignition sources	\$100.00
3205.4	Aisle maintenance	\$100.00
3206.3	Separation of high-piled storage areas	\$100.00

FINES/PENALTIES – LOS GATOS CALIFORNIA FIRE CODE

3206.4	Fire sprinklers	\$100.00
3206.5	Fire detection	\$100.00
3206.6	Building access	\$100.00
3206.7	Smoke and heat removal	\$100.00
3206.8	Hose stations and hose connections	\$100.00
3206.9	Aisles	\$100.00
3206.10	Portable fire extinguishers	\$100.00
3207.2	Fire protection for solid-piled and shelf storage	\$100.00
3207.3	Pile dimensions and height limitations	\$100.00
3208.2	Fire protection for rack storage	\$100.00
3208.3	Flue spaces	\$100.00
3208.5	Extra-high rack storage systems	\$100.00
6103	Installation of equipment	\$100.00
6104	Location of containers	\$100.00
6105	Prohibited use of Lp-gas	\$100.00
6106	Dispensing	\$100.00
6107	Safety devices	\$100.00
6107.2	Smoking and other sources of ignition	\$100.00
6107.3	Clearance to combustibles	\$100.00
6107.4	Protecting containers from vehicles	\$100.00
6108	Fire protection	\$100.00
6109	Storage of portable containers awaiting use or resale	\$100.00
6110	Containers not in service	\$100.00
6111	Parking and garaging tank vehicles	\$100.00
4811.6	Smoking	\$100.00
6504	Film storage	\$100.00
605.9	Use of temporary wiring	\$100.00
605.1	Abatement of electrical hazards	\$100.00
605.8	Electrical motors	\$100.00
605.5	Extension cords	\$100.00
605.4	Multi plug adaptors	\$100.00
605.4.1	Power taps	\$100.00
605.3	Access to switchboards and panel boards	\$100.00
3301	Fire safety during construction	\$100.00
3304	Precautions against fire	\$100.00
5104	Storage of aerosol products	\$100.00
5106	Retail display of aerosol products	\$100.00



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 03/15/2022

ITEM NO: 13

DATE: March 7, 2022
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Adopt the Council Policy Committee's Recommendation to Retain the Current Style of Study Session Action Minutes

RECOMMENDATION:

Adopt the Council Policy Committee's recommendation to retain the current style of Study Session action minutes.

DISCUSSION:

At the Town Council's direction, the Council Policy Committee discussed the style of study session minutes at its February 14th meeting.

No public comment was received and after Committee discussion, the Committee unanimously moved to forward to the Town Council the recommendation to retain the current style of study session action minutes. The recommendation was based primarily on the fact that this is the most common approach taken by local jurisdictions (see Attachment 1 for the report to the Council Policy Committee).

COORDINATION:

The preparation of this report was coordinated with the Town Manager's Office.

FISCAL IMPACT:

None.

ENVIRONMENTAL ASSESSMENT:

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

PREPARED BY: Shelley Neis
Town Clerk

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

PAGE 2 OF 2

SUBJECT: Adopt the Council Policy Committee's Recommendation to Retain the Current Style
of Study Session Action Minutes

DATE: March 7, 2022

Attachments:

1. Council Policy Committee February 14, 2022 Staff Report



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

MEETING DATE: 02/22/2022

ITEM NO: 2

DATE: February 14, 2022
TO: Council Policy Committee
FROM: Laurel Prevetti, Town Manager
SUBJECT: Discuss and Recommend to the Town Council Retaining the Current Style of Study Session Minutes

RECOMMENDATION:

Discuss and recommend to the Town Council retaining the current style of Study Session minutes.

BACKGROUND:

At the December 21, 2021 Town Council meeting, Council requested the Policy Committee review the current style and format of Study Session minutes.

DISCUSSION:

The Policy Committee and Town Council have previously discussed the style of minutes on several occasions, most recently in 2013. On each occasion, the Policy Committee and Town Council have confirmed the use of action minutes.

The three primary reasons for action minutes are: 1) complete video records of Council meetings are available on DVDs and on the Town's website; 2) the actions taken and directions given by Council are required for minutes, and Council and staff's oral remarks are not; and 3) staff time to produce the current form of minutes is considerable (8 to 12 hours per typical meeting, plus additional time for management review) primarily due to the time required to summarize Council and staff comments.

Attachment 1 is a matrix that shows the type of minutes the cities in Santa Clara County use, demonstrating that action style minutes are the standard.

PREPARED BY: Shelley Neis
Town Clerk

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

PAGE 2 OF 2

SUBJECT: Discuss and Recommend to the Town Council Retaining the Current Style of
Study Session Minutes

DATE: February 14, 2022

CONCLUSION:

Staff looks forward to the discussion with the Committee.

COORDINATION:

The preparation of this report was coordinated with the Town Manager's Office.

FISCAL IMPACT:

None.

ENVIRONMENTAL ASSESSMENT:

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

Attachment:

1. Summary of Style of Minutes Santa Clara County

CITY	ACTION	SUMMARY	VERBATIM	NOTES
Campbell	x			No response from Clerk, but appears to include some discussion summary
Cupertino	x			Action for Council, Planning Commission, Parks & Rec (televised); summary for other boards and commissions (non-televised)
Gilroy	x			
Los Altos	x			
Los Altos Hills		x		out sourced due to workload
Los Gatos	x			
Milpitas	x			
Monte Sereno	x			
Morgan Hill	x			
Mountain View	x			
Palo Alto				
San Jose	x			
Santa Clara	x			
Saratoga	x			
Sunnyvale	x			Some discussion summary is included in Board/Commission/Council Subcommittee minutes.

ATTACHMENT 1



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 03/15/2022

ITEM NO: 14

DATE: March 9, 2022
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Approve a Wayfinding Design Concept and Discuss Progress on the
Downtown Parking Roadmap

RECOMMENDATION:

Approve a Wayfinding Design Concept and discuss progress on the Downtown Parking Roadmap.

BACKGROUND:

On October 19, 2021, the Town Council discussed the progress of the pilot Employee Parking Program. After surveying businesses and employees, additional outreach was conducted, and employees were asked to register in advance for a parking permit. Sufficient information is now available to determine the quantity and locations for the employee parking spaces.

On November 16, 2021, Town staff began work with Hunt Design on the Wayfinding and Signage project. Hunt Design has evaluated the existing conditions, reported back to Town staff with their findings, and created wayfinding design concepts.

This report provides the Council with the choice of wayfinding design concepts and an update on the employee parking program and other Parking Study implementation measures (also known as the Parking Roadmap).

DISCUSSION:

Wayfinding Signage Design Options

Through a series of collaborative meetings with Town staff, Hunt Design has developed scale models of several different styles of wayfinding and destination signage for the Town Council to

PREPARED BY: Greg Borromeo and Jim Renelle
Sergeant Parking Program Manager

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

SUBJECT: Approve Wayfinding Design Concept and Discuss Progress on the Downtown Parking Roadmap.

DATE: March 9, 2022

DISCUSSION (continued):

consider. The designs seek to reflect a style that compliments the brand of Los Gatos while providing visibility that captures the eye of the user. Attachment 1 provides illustrations of the design concepts.

The signs will be designed and presented as “families” of like purpose signs. Once the design concept is approved, Hunt Design would continue to work with Town staff to create a standard for each family of signs. This would include gateway signage, destination arrival signage, parking wayfinding, pedestrian wayfinding, and bicycle wayfinding. Using full-size mockup signs, Hunt Design will work with Town staff to determine the best location available for each wayfinding and parking sign.

Once the Council has selected a design concept, Hunt Design will complete the parking signage which will not only direct drivers to parking spaces from the main streets (wayfinding), but also identify parking lot entrances and uses (such as time zones and employee parking within the parking lots). The fabrication and installation of the parking wayfinding signs will be done by a specialized sign vendor through a separate procurement process. Once the design is complete, Hunt Design will provide cost estimates for the project and staff will recommend a scope that fits within the appropriated budget.

Employee Parking Pilot Update

Over 820 Downtown employees and businesses have been approved for an employee parking permit. While this does not represent every employee, it does provide an adequate number to reasonably estimate the quantity and locations needed for employee parking spaces. Employee parking spaces will essentially replace the unlimited time spaces in many of the municipal lots. Additionally, a small number of outlying on-street parking spaces will be used for employee parking.

The number of employee spaces for each area is based on the total number of spaces in the lot and the number of nearby employees registering for a parking permit. Also factored into this calculation is the available number of parking spaces during peak parking times. Lots beyond 90% full at peak received a smaller percentage of employee parking spaces. Based on comments received during in-person outreach, employees historically have been parking in significant numbers in the high demand lots and moving their vehicle a few spaces over throughout their shifts to avoid citations. See Attachment 2 for detailed employee space allotments.

Beyond the initial allotment of nearly 500 employee parking spaces, additional employee spaces may be necessary. These additional spaces will have to be carefully allocated and may

SUBJECT: Approve Wayfinding Design Concept and Discuss Progress on the Downtown Parking Roadmap.

DATE: March 9, 2022

DISCUSSION (continued):

necessitate expanding employee parking in limited numbers into the adjacent residential permit parking zones. There will be a fine balance between allocating employee spaces to meet demand and allowing ample public spaces. As a result, the possession of an employee permit will not guarantee a parking space and employees will always have the option to park without a permit in the outlying parking lots such as the Northside Lot and the Miles Avenue Lot.

Employee permits will intentionally be oversold as not all employees will be utilizing a space at the same time. Once the initial employee spaces are installed, periodic lot occupancy checks will be conducted to ensure that all spaces are fully utilized. Timely adjustments will be made to avoid creating underutilized spaces. A Re-Parking Prohibition may need to be adopted if employees continue to park in spaces intended for visitors and move their vehicle to another space every few hours to avoid citations. The chart below provides an overview of preliminary space allocations.

Location	Current Timed Parking	Current All-Day Parking	Proposed Employee Parking	Proposed Timed Parking	Proposed All-Day Parking	Other Spaces	Total Number of Spaces
Off-Street	470	549	432	391	196	71	1090
On-Street	571	0	54	517	0	0	571
Total	1051	549	486	908	196	71	1661

Employee Parking Space Signage and Markings

Employee parking spaces need to be clearly identified. It is essential that both downtown employees and visitors understand the parameters for using employee parking spaces. A limited number of traditional pole mounted signs along with painted ground markings will be used to identify employee parking spaces. Striping and lettering the parking lot surfaces behind each employee parking stall allows for reducing the total number of poles and parking signs. This will reduce both visual clutter and costs. This combination of signage and markings increases the combined effectiveness of the signs and markings.

The employee parking ground markings, parking stall sign fabrication, and installation will be completed by an outside contractor. A Request for a Quotations (RFQ) will be released later this month, and work is expected to be underway shortly thereafter. The Town's Capital Improvement Program already has funds allocated for this purpose. The completion of the employee parking space work is expected by July 2022. Once the spaces are marked, the employee parking pilot will begin.

SUBJECT: Approve Wayfinding Design Concept and Discuss Progress on the Downtown Parking Roadmap.

DATE: March 9, 2022

DISCUSSION (continued):

Paid Parking and Mobile Payment Application

The creation of employee parking spaces will result in the loss of all unlimited time spaces in all downtown municipal parking lots except the Northside Lot and the Miles Avenue Lot, which will remain unchanged. In some lots, unlimited time spaces not used for employee parking will be converted to 3-hour spaces. With the loss of unlimited time spaces in the core downtown lots, the Town will need to establish a Pay-to-Stay protocol so visitors have a means to stay beyond the 3-hour time limit without moving their vehicle. Visitors wishing to stay beyond the free three hours will pay a nominal fee that will allow them stay in their current parking space. The Pay-to-Stay option requires the creation of a paid parking ordinance, the installation of pay stations, and the implementation of a mobile payment application.

Pay stations allowing both electronic and cash forms of payment will be installed in easily accessible locations between Lots 1 through 5 and in Lot 6. This will reduce the amount of pay stations needed to serve the public. To further reduce the project costs and parking lot disruption, pay stations will be specified with solar power and cellular connectivity. This will eliminate the need to trench the area to install power and data service. A Request for Proposals (RFP) will be issued for the procurement and installation of the pay stations by the end of April 2022.

In addition to the pay stations, a mobile payment application will be procured so visitors can conveniently make payments from their phones or similar mobile devices without having to use a pay station. The mobile application would accept both credit and debit cards. It would also provide notification to visitors that their time is about to expire and allow them to add additional time without going back to their vehicle or a physical pay station. An RFP for the mobile payment application will also be released in April 2022.

For the Town of Los Gatos to establish Pay-to-Stay (metered parking), the Town must adopt a Town Ordinance establishing parking fees. The Town Council would consider a draft ordinance prior to implementation of the program. The recommended rate for Pay-to-Stay parking is \$1 per hour with a maximum daily rate of \$8. This low rate along with the first three hours free should encourage visitors to shop and dine in Downtown Los Gatos. The rate is high enough to encourage employees to participate in the Employee Parking Program and discourage, but not prevent them from using the timed spaces intended for visitors. On-street parking with a time limit of two hours will remain unchanged and not be eligible for the Pay-to-Stay extension.

SUBJECT: Approve Wayfinding Design Concept and Discuss Progress on the Downtown Parking Roadmap.

DATE: March 9, 2022

DISCUSSION (continued):

Digital Parking Occupancy Signage

Lot occupancy counting and digital parking space guidance systems are high impact products that will significantly improve the visitor parking experience. These systems help visitors quickly and efficiently find a parking space. Various types of occupancy counting and guidance technologies are currently available, but all require a significant initial capital investment between \$750,000 to \$2,000,000, including construction costs associated with installations. Some newer technologies can identify individual space occupancy and the length of stay. Most systems closely integrate with the major Pay-to-Stay payment systems currently on the market. Some systems also increase the efficiency of enforcement by remotely alerting staff of specific vehicles in violation.

The installation of these systems will cause a significant disruption in the downtown, including removal and replacing of sidewalk to provide conduit and communications infrastructure. There is an option to incorporate this portion of the program into a future streetscape project. This has several advantages as it could allow for the parking changes already in play to settle out and could allow for efficiencies during construction of a combined streetscape and digital signage program. This also may allow for parking revenue to accumulate as a source of funds for the project.

If the preference is to move forward sooner, staff could issue an Request for Proposal (RFP) for design of this system later this calendar year. Design is anticipated to take six months. The construction of the project is a public works project, subject to formal bidding requirements and is anticipated to take six to nine months after completion of design and appropriation of funds.

CONCLUSION:

As discussed in this report, a summary of the immediate implementation actions for the Downtown Parking Roadmap are listed in the chart on the next page.

SUBJECT: Approve Wayfinding Design Concept and Discuss Progress on the Downtown Parking Roadmap.

DATE: March 9, 2022

CONCLUSION (continued):

Task	4 th Qtr. 2021	1 st Qtr. 2022	2 nd Qtr. 2022	3 rd Qtr. 2022
Employee Wait List	Completed			
Parking Wayfinding		In Progress		
Other Wayfinding		In Progress		
Parking Lot Signage RFQ		In Progress		
Mobile Payment App RFP			Target Time Frame	
Pay Station RFP			Target Time Frame	
Digital Occupancy Count Signage RFP				Pending Council Direction

Following review of this report, Council should:

1. Select a design from Attachment 1 that will be used for the parking wayfinding and other signage;
2. Discuss the progress of the employee pilot parking program and paid parking; and
3. Provide feedback on next steps for a digital parking occupancy count signage program, including options for project funding.

COORDINATION:

This report was coordinated with the Parks and Public Works Department and the Office of Economic Vitality.

FISCAL IMPACT:

None.

ENVIRONMENTAL ASSESSMENT:

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

Attachments:

1. Design Concepts Illustrations (Design Concept A and Design Concept B)
2. Proposed Employee Parking Space Allocation

Modern, squared-off framework (Design Concept A)



Attachment 1 (Wayfinding Design Concepts)

Framework with a stylized arch (Design Concept B)



ELEVATION
SCALE: 3/8" = 1'-0"

Attachment 1 (Wayfinding Design Concepts)

TOWN OF LOS GATOS

PROPOSED EMPLOYEE PARKING SPACE ALLOCATION

Location	Current Timed Spaces	Current All Day Spaces	Current ADA Spaces	Current EV Spaces	Total Spaces	# Employees Registered for a Permit	Proposed Employee Spaces	Proposed Timed Spaces	Proposed All Day Spaces	Proposed ADA Spaces	Proposed EV Spaces	Proposed Total Spaces
Off-Street												
Lot 1	64	51	5	0	120	169	51	64	0	5	0	120
Lot 2	47	32	4	0	83	102	32	47	0	4	0	83
Lot 3	21	24	2	2	49	67	24	21	0	2	2	49
Lot 4 Upper	151	0	8	2	161	N/A	32	119	0	8	2	161
Lot 4 Lower	0	152	0	0	152	116	152	0	0	0	0	152
Lot 5	96	0	7	2	105	119	16	80	0	7	2	105
Lot 6	91	29	7	0	127	200	60	60	0	7	0	127
Northside Lot	0	124	4	18	146	0	0	0	124	4	18	146
Miles Ave Lots	0	57	4	2	63	0	0	0	57	4	2	63
Park Ave Lot	0	41	1	0	42	16	36	0	5	1	0	42
Montebello Lot	0	24	2	0	26	8	20	0	4	2	0	26
Southside Lot	0	15	1	0	16	24	9	0	6	1	0	16
On-Street												
Almendra Ave	15	0	0	0	15	0	7	8	0	0	0	15
Bachman Ave	38	0	0	0	38	0	15	23	0	0	0	38
Broadway	27	0	0	0	27	0	7	20	0	0	0	27
Elm Street	1	0	0	0	1	0	0	1	0	0	0	1
Grays Lane	10	0	0	0	10	0	4	6	0	0	0	10
Lyndon Ave	11	0	0	0	11	0	5	6	0	0	0	11
Main Street	71	0	0	0	71	0	0	71	0	0	0	71
Miles Ave	71	0	0	0	71	0	0	71	0	0	0	71
Montebello Way	19	0	0	0	19	0	0	19	0	0	0	19
Mullen Ave	4	0	0	0	4	0	0	4	0	0	0	4
Petticoat Lane	7	0	0	0	7	0	0	7	0	0	0	7
Santa Cruz Ave	172	0	0	0	172	0	0	172	0	0	0	172
University Ave	80	0	0	0	80	0	0	80	0	0	0	80
Royce Street	13	0	0	0	13	0	6	7	0	0	0	13
Village Lane	32	0	0	0	32	0	10	22	0	0	0	32
	1041	549	45	26	1661	821	486	908	196	45	26	1661