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Sent: Friday, August 02, 2019 11:56 AM

To: Steven Leonardis <SLeonardis@losgatosca.gov>; Marcia Jensen <MJensen@losgatosca.gov>; Marico Sayoc <maricosayoc@gmail.com>; BSpector <BSpector@losgatosca.gov>; Rob Rennie <RRennie@losgatosca.gov>

Cc: Laurel Prevetti <LPrevetti@losgatosca.gov>; Robert Schultz <RSchultz@losgatosca.gov>;

Subject: Agenda Item 7 - Council meeting August 6, 2019

Dear Honorable Mayor and Council Members,

I am extremely concerned about the changes being proposed by the Staff. I urge the Council to reject this poorly conceived and potentially illegal proposal and instruct the Staff to increase their recruiting efforts and to fully comply with the specific terms of Measure G and Resolution 2018 - 056.

Embedding two Council members on the Sales Tax Oversight Committee, by way of their membership on the Finance Committee, does not make this an **independent citizen** committee. Establishing an **independent citizen** Oversight Committee was a core requirement of Measure G. The Town Manager clearly states this in the Background section of her staff memo. Simply because the Town is finding it "challenging" to fill the independent citizen oversight committee is not a reason to gut the oversight mandate in Measure G. This is deeply troubling and goes against the oversight responsibility that was mandated by voters.

Secondly, Resolution 2018-056 which established the Sales Tax Oversight specifically states in Section 11 that "prior to the Town's expenditure of any Sales Tax revenues, the Los Gatos Sales Tax Oversight Committee shall review the Town's proposed expenditures and advise the Town Council on whether such expenditures meet the Town Council's objectives stated in Ordinance 2274 and Measure G". How can Council members on the Sales Tax Oversight Committee advise themselves as members of the Town Council? Clearly this poses a major conflict of interest for the two members on the Oversight Committee who are also Council Members.

Lastly, I want to draw the Council's attention to the specific requirement imposed by section 11 of Resolution 2018-056. The Town is absolutely precluded from expending any Sales Tax revenues until the Sales Tax Oversight Committee has reviewed and advised the Council as to whether such proposed expenditures meet the Town Council's objectives.

In summary, the Staff's proposal seems to be a blatant end run around an independent citizen lead oversight role that was approved by the voters. The sole reason given by the Staff to justify this end run is that filling the available positions is "challenging". Frankly this appears to be of their own making and is not a compelling reason to ignore the will of voters.

I urge this Council to reject this proposal, comply with the wishes of the voters, and instruct the Staff to aggressively recruit qualified candidates.

Thank you.
Phil Koen

ATTACHMENT 6