



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 08/20/2019

ITEM NO: 10

DATE: August 12, 2019
TO: Mayor and Town Council
FROM: Robert Schultz, Town Attorney
SUBJECT: Approve the Policy Committee's Recommendations to Amend Council Policy 2-01 Entitled Town Council Agenda Format and Rules and Policy 2-05 Entitled Planning Commission Policies and Procedures Relating to Public Hearing Time Limits.

RECOMMENDATION:

Approve the Policy Committee's recommendations to amend Council Policy 2-01 entitled Town Council Agenda Format and Rules and Policy 2-05 entitled Planning Commission Policies and Procedures relating to public hearing time limits.

BACKGROUND:

In 1986, the Town Council adopted a Policy entitled Town Council Agenda Format and Rules (Council Policy 2-01). Since then, there have been numerous revisions to the Policy. The Town Council Agenda Format and Rules establish procedures which standardize the Town Council agenda and ensure an orderly meeting. Council Policy 2-05 pertains to the Planning Commission Policies and Procedures.

DISCUSSION:

Since 2001, the Agenda Format and Rules Policy has remained the same regarding the time limits for appellants, applicants, and members of the public to speak during public hearings and states as follows:

Public Hearings. Presentations during the Public Hearings portion of the agenda by appellants and applicants, including any expert or consultant assisting with the presentation, shall be limited to a total of no more than ten (10) minutes for

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Town Attorney

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

PAGE 2 OF 2

SUBJECT: APPROVE THE POLICY COMMITTEE RECOMMENDATIONS TO AMEND COUNCIL
POLICY 2-01 AND POLICY 2-05

DATE: August 12, 2019

DISCUSSION (Cont'd):

all speakers. Appellants and applicants shall be provided no more than five (5) minutes to rebut at the end of the public hearing. Other members of the public testifying at public hearings shall be limited to no more than three (3) minutes.

Based on a recommendation from the Council Policy Committee, on September 20, 2016, the Town Council considered modifying the time limits to five minutes for each of the presentations and three minutes for each of the rebuttals. The Town Council minutes reflect that a motion was made by Council Member Steve Leonardis for the time limits to remain as is in the existing policy. The motion was seconded by Mayor Barbara Spector. The motion passed 3/2 with Vice Mayor Marico Sayoc and Council Member Marcia Jensen voting no.

Since the Policy had not been evaluated for a couple of years, the Policy Committee reviewed the Town Council Agenda Format and Rules on April 9 and June 20, 2019 and is recommending the following changes again:

- Public hearings presentations by appellants and applicants would be changed from 10 minutes to 5 minutes and from 5 minutes to 3 minutes for rebuttal. The Planning Commission Policies and Procedures would also be changed to conform to these time limits.

Attachment 1 is a red-lined version of Council Policy 2-01. The changes to Policy 2-01 recommended by the Policy Committee seek to level the playing field for time limits between appellants, applicants and the public during public hearings. Attachment 2 is a red-lined version of Council Policy 2-05 pertaining to the Planning Commission Policies and Procedures.

ALTERNATIVES:

1. Not approve the recommended amendments.
2. Approve different amendments.
2. Refer the issues back to the Policy Committee with direction.

ATTACHMENTS:

1. Redline changes to Policy 2-01
2. Redline changes to Policy 2-05