

RESOLUTION 2020-

**RESOLUTION OF THE TOWN COUNCIL
OF THE TOWN OF LOS GATOS
AUTHORIZING THE TOWN MANAGER TO EXECUTE THE NORTH 40 IN LIEU
TRAFFIC FEE CREDIT AGREEMENT, NORTH 40 TRANSPORTATION DEMAND
MANAGEMENT AGREEMENT (BELLATERRA) AND NORTH 40
TRANSPORTATION DEMAND MANAGEMENT AGREEMENT (MARKET HALL), IN
SUBSTANTIAL CONFORMANCE WITH THE CONDITIONS OF APPROVAL AND
SUBJECT TO FINAL TOWN ATTORNEY APPROVAL.**

WHEREAS, on August 1, 2017, the Town Council of the Town of Los Gatos approved the Architecture and Site Application S-13-090 and Vesting Tentative Map Application M-13-014, with conditions; and

WHEREAS, those conditions required the Owner or Subdivider to do the following:

1. That the Owner or Subdivider shall enter into and execute an agreement between the Town of Los Gatos and the said Owner or Subdivider on that certain proposed in lieu traffic fee credit agreement ("Credit Agreement") on file in the Office of the Town Clerk, entitled, "North 40 In Lieu Traffic Fee Credit Agreement", wherein the Town and the Owner or Subdivider shall agree to reimburse the construction costs for eligible off-site improvements per the Town's traffic mitigation fee policy.
2. That the Owner or Subdivider shall enter into and execute an agreement between the Town of Los Gatos and the said Owner or Subdivider on that certain proposed traffic demand management agreement ("Bellaterra TDM Agreement") on file in the Office of the Town Clerk, entitled, "North 40 Traffic Demand Management Agreement (Bellaterra)", wherein the Owner or Subdivider shall prepare a Transportation Demand Management (TDM) Plan for the residential and commercial uses for Town approval, within which a minimum of those measures identified in the Specific Plan shall be included.
3. That the Owner or Subdivider shall enter into and execute an agreement between the Town of Los Gatos and the said Owner or Subdivider on that certain proposed traffic demand management agreement ("Market Hall TDM Agreement") on file in the Office of the Town Clerk, entitled, "North 40 Traffic Demand Management Agreement (Market Hall)", wherein the Owner or Subdivider shall prepare a Transportation Demand Management

(TDM) Plan for the residential and commercial uses for Town approval, within which a minimum of those measures identified in the Specific Plan shall be included; and

WHEREAS, the Owner or Subdivider has complied with the conditions of Architecture and Site Application S-13-090 and Vesting Tentative Map Application M-13-014; and

NOW, THEREFORE, BE IT RESOLVED that the Town Manager is hereby authorized to execute the North 40 In Lieu Traffic Fee Credit Agreement, North 40 Traffic Demand Management Agreement (Bellaterra) and North 40 Traffic Demand Management Agreement (Market Hall), in substantial conformance to the Conditions of approval as set forth above and subject to final Town Attorney approval.

PASSED AND ADOPTED at a regular meeting of the Town Council held on the 4th day of August, 2020, by the following vote:

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS
LOS GATOS, CA

ATTEST:

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