



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

MEETING DATE: 03/28/2023

ITEM NO: 1

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

The Town Council Policy Committee 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, February 28, 2023, at 5:00 p.m.

MEETING CALLED TO ORDER AT 5:01 P.M.

ROLL CALL

Members Present: Rob Moore, Matthew Hudes

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

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

1. Approve Draft Minutes of the January 23, 2023 Council Policy Committee.

Approved.

VERBAL COMMUNICATIONS

Abc123 commented that the meeting was not on the calendar system on the Town website.

Lee Quintana commented that the meeting is on the Town's agenda calendar, but not on the monthly calendar.

OTHER BUSINESS

2. Confirm 2023 Work Plan Items for the Council Policy Committee.

Laurel Prevetti, Town Manager, presented the staff report.

Opened public comment.

Lee Quintana commented that the second to last item of reexamining the Policy Committee's enabling resolution should be moved up in importance because it has to do with the role of the Committee itself.

Closed Public Comment.

After discussion, the Committee agreed to adopt the items as listed in loose priority order with staff using discretion to group items together and the following adjustments:

- Move the two items regarding labor negotiations recommended by the Finance Commission (items 4 and 5) down the list to just above the last item;
- Move the item regarding reexamining the Policy Committee's enabling resolution up the list to the #5 position;
- Delete the commercial rent control item; and
- Add a review of Senate Bill 1439 to the review of Ethics and Conflict of Interest Policies item.

3. Discuss and Provide Direction to Potentially Modify Town Council Policy 2-04: Town Council Code of Conduct, Town Council Policy 2-05: Planning Commission Policies and Procedures, Town Council Policy 2-11: Commission Appointments, Residency and Attendance Requirements, and Establishing a Quorum, and the Commissioner Handbook.

Laurel Prevetti, Town Manager, and Gabrielle Whelan, Town Attorney, presented the staff report.

Opened public comment.

Karen Delaney commented that in 2018, she asked the Committee to revise the Code of Conduct, requested that a third party be brought in to investigate violations, and said that the policy should meet or exceed best practices.

Lee Quintana commented that the Code of Conduct policy should be clarified with definitions of minor and major infractions, minor infractions should be handled privately, there should be appropriate actions for varying degrees of major infractions, a third party should investigate major infractions, and the subject of a violation should be treated as an appellant.

Susan Burnett commented that errors in judgment should be defined and that many minor errors should be considered a major error. She commented that errors should be documented as to how they should be handled and that censures should be specified as written or verbal.

Closed Public Comment.

After discussion, the Committee asked staff to return to the Committee with a revised Code of Conduct Policy that includes: a fair process for discipline of varying degrees, specific definitions/examples, clear enforcement direction, a process for the subject of a violation to be able to present facts to the Council, clarification regarding speaking on behalf of a Commission versus as an individual, use of a third party to review major violations, and other adjustments. The Committee asked that staff consolidate disciplinary items to the Code of Conduct and remove similar guidance from the other policies.

ADJOURNMENT

The meeting adjourned at 6:32 p.m.

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

Holly Young, Senior Management Analyst