



**TOWN OF LOS GATOS
COUNCIL MEETING AGENDA
AUGUST 03, 2021
110 EAST MAIN STREET
LOS GATOS, CA**

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

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
AUGUST 03, 2021
7:00 PM**

IMPORTANT NOTICE REGARDING THE AUGUST 3, 2021 MEETING

This meeting is being conducted utilizing teleconferencing and electronic means consistent with State of California Executive Order N-29- 20 dated March 17, 2020, regarding the COVID-19 pandemic. The live stream of the meeting may be viewed on television and/or online at www.losgatosca.gov/AgendasAndVideos. **In accordance with Executive Order N-29- 20, the public may only view the meeting on television and/or online and not in the Council Chamber.**

PARTICIPATION

If you are not interested in providing oral comments in real-time during the meeting, you can view the live stream of the meeting on television (Comcast Channel 15) and/or online at www.LosGatosCA.gov/TownYouTube.

If you are interested in providing oral comments real-time during the meeting, you must join the Zoom webinar:

- Join from a PC, Mac, iPad, iPhone or Android device: click this link <https://us02web.zoom.us/j/84029900295?pwd=VWN2Q2t4K1dXR2dxcE1EK2oxZTIRdz09>. Password: 609048. You can also type in 840 2990 0295 in the “Join a Meeting” page on the Zoom website at <https://zoom.us/join>.
- Join by telephone: Dial: 877-336-1839. Conference code: 969184

During the meeting:

- When the Chair 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, please limit your comments to three (3) minutes, or such other time as the Chair may decide, consistent with the time limit for speakers at a Council meeting.

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.

**TOWN OF LOS GATOS
COUNCIL MEETING AGENDA
AUGUST 03, 2021
7:00 PM**

REMOTE LOCATION PARTICIPANTS

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

MEETING CALL TO ORDER

ROLL CALL

CLOSED SESSION REPORT

COUNCIL / MANAGER MATTERS

CONSENT ITEMS *(Items appearing on the Consent Items are considered routine and may be approved by one motion. Any member of the Council or public may request to have an item removed from the Consent Items for comment and action. A member of the public may request to remove an item from Consent by following 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. Unless there are separate discussions and/or actions requested by Council, staff, or a member of the public, it is requested that items under the Consent Items be acted on simultaneously.)*

1. Approve Council Closed Session Meeting Minutes of June 15, 2021.
2. Approve Council Meeting Minutes of June 15, 2021.
3. Accept Report on Town Manager Approved Actions During the 2021 Town Council Legislative Recess.
4. Consider Approval of a Permanent Sign Permit Application on Property Zoned C-1:PD Located at 110 E. Main Street. APN 529-34-108. Sign Permit Application SN-21-005. Property Owner: Town of Los Gatos. Applicant: Friends Bookstore.
5. Adopt a Resolution Establishing a Housing Element Advisory Board for the 2023-2031 Housing Element Update.
6. Adopt a Resolution to Adopt a List of Projects for Fiscal Year 2021/22 Funded by State Senate Bill 1, the Road Repair and Accountability Act of 2017.
7. Authorize a Contract Amendment with SWCA Environmental Consultants in the Amount of \$26,000 for a Total Revised Contract Amount not to Exceed \$225,828 for Capital Improvement Project 832-4508 Vegetation Management.
8. Receive Update on ARPA Allocations to Nonentitlement Units of Government and the Town's Allocation.

9. a. Adopt a Resolution Required by the California Department of Tax and Fee Administration.
- b. Rescind Resolution 2019-002 A Resolution of the Town Council of the Town of Los Gatos, Authorizing Certain Town Representatives and a Town Contractor Access to Sales, Transactions and Use Tax Records Pursuant to Revenue and Taxation Code Section 7056.
- c. Authorize Amendment and Novation Agreement Between Avenu Insights & Analytics, LLC and MuniServices, LLC for Consultant Services Related to Sales Tax Information and District Tax Information.
10. Authorize the Town Manager to Execute a Contract First Amendment with St. Francis Electric, Inc. for the Traffic Signal and Streetlight Maintenance and Underground Service Alert Locating Services in the Amount of \$8,567, to be Funded from Fiscal Year 2020/21 Parks and Public Works Department – Engineering Development Services Program (5202), for a Total Revised Contract Amount Not to Exceed \$683,567.
11. Endorse the Santa Clara County Cities Association Recommendation for Police Reform.
12. Adopt a Resolution Establishing a Senior Service Committee for Development of a Long-Term Vision and Plan for Senior Service Provision.

VERBAL COMMUNICATIONS *(Members of the public are welcome to address the Town Council on any matter that is not listed on the agenda consistent with the Participation Instructions contained on Page 2 of this 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, their representative, and members of the public may address the Council on any public hearing item consistent with the Participation Instructions contained on Page 2 of this agenda. 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.)*

13. Water Conservation
 - a. Adopt a 45-day Urgency Ordinance Declaring the Existence of a Condition of Drought and Providing for Mandatory Reductions in and Specified Prohibition of Water Use; and
 - b. Direct Staff to Implement or Continue Water Conservation Measures and Activities as Described in the Staff Report.
14. Weed Abatement Program Public Hearing to Consider Objections to the 2021 Weed Abatement Program Assessment Report and Adopt a Resolution Confirming the Report and Authorizing Collection of the Assessment Charges.

OTHER BUSINESS *(Up to three minutes may be allotted to each speaker on any of the following items consistent with the Participation Instructions contained on Page 2 of this agenda.)*

15. Discuss and receive the Police Services Report: January-June 2021.

- [16.](#) Direct the Further Implementation of Mental Health Response Options Within the Police Department.
- [17.](#) Authorize the Town Manager to Execute a Joint Memorandum of Understanding (MOU) Agreement with Santa Clara County Law Enforcement Agencies for Participation and Services Provided by the Santa Clara County Specialized Enforcement Team (SCCSET) Task Force from July 1, 2021 to June 30, 2031.

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 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: 08/03/2021

ITEM NO: 1

**DRAFT
Minutes of the Town Council Special Meeting - Closed Session
June 15, 2021**

The Town Council of the Town of Los Gatos conducted a Special Meeting via Teleconference via COVID-19 Shelter in Place Guidelines on Tuesday, June 15, 2021, to hold a Closed Session at 5:45 p.m.

MEETING CALLED TO ORDER AT 5:45 P.M.

ROLL CALL

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

Absent: Council Member Maria Ristow.

VERBAL COMMUNICATIONS

Wayne Heismoth

- Expressed interest in the Venue for use of the American Legion and the Veteran's Memorial and Support Foundation.

THE TOWN WILL MOVE TO CLOSED SESSION ON THE FOLLOWING ITEM:

1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8)

- a. Property: 43 N Santa Cruz Avenue (APN: 510-44-031)

Negotiating Parties: Town of Los Gatos

Negotiator: Arn Andrews, Assistant Town Manager and Jim Goetz, Potential Seller

Negotiations: Price and terms of potential sale or lease

- b. Property: 4 New York Avenue (Venue) (APN: 529-27-024)

Negotiating Parties: Town of Los Gatos

Negotiator: Arn Andrews, Assistant Town Manager and Los Gatos-Saratoga Union High School District, Potential Buyer and/or Lessee

Negotiations: Price and terms of potential sale or lease

ADJOURNMENT

Closed Session adjourned at 6:48 p.m.

Attest:

Submitted by:

Jenna De Long, Deputy Clerk

Laurel Prevetti, Town Manager



**DRAFT
Minutes of the Town Council Meeting
June 15, 2021**

The Town Council of the Town of Los Gatos conducted a regular meeting via Teleconference via COVID-19 Shelter in Place Guidelines on Tuesday, June 15, 2021, at 7:00 p.m.

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

ROLL CALL

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

Absent: Council Member Maria Ristow.

CLOSED SESSION REPORT

Robert Schultz, Town Attorney, stated Council met in Closed Session as duly noted on the agenda and there is no report.

COUNCIL/TOWN MANAGER REPORTS

Council Matters

- Vice Mayor Rennie stated he attended the Bay Area Air Quality Management District (BAAQMD) Special Board meeting; Silicon Valley Clean Energy Authority (SVCEA) Board, Legislative Committee, and Risk Oversight Committee meetings; Valley Transportation Authority (VTA) Board meeting as an alternate/observer and the Bike Superhighway presentation; Community Health Senior Services Commission (CHSSC) meeting; and Finance Commission meeting with Council Member Hudes.
- Council Member Hudes stated he attended the Conceptual Development Advisory Committee (CDAC) and Finance Commission meetings.
- Council Member Badame stated she attended a meeting with Police Chief Decena and Town Manager Prevetti; CDAC meeting with Council Member Hudes; Finance Commission meeting as an observer; tour of Town offices and facilitates with Town Manager Prevetti; met with KCAT Executive Director and two KCAT Board Members; and met with community members.
- Mayor Sayoc stated she attended the Cities Association of Santa Clara County Board meeting, corresponded with Town residents, and stated she will be agendizing at a future meeting the report from the Cities Association on upcoming Police training.

Manager Matters

- Announced both floors of the library are now open and seating will be available July 19.
- Announced the Summer Reading Program “Summer Colors Your World” for all ages is underway and more information can be found on the Town Library webpage.
- Announced the last COVID-19 popup testing will be held on Monday, June 21 at the Adult Recreation center; appointments are highly recommended.

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

1. Approve the Special Joint Meeting of the Town Council and Youth Commission Study Session Minutes.
2. Approve Council Meeting Minutes of June 1, 2021.
3. Introduce an Ordinance Amending the Los Gatos Town Code to Include Gender-Neutral Pronouns by Eliminating any Gender Preference Language Within the Los Gatos Town Code and Amending Sections Regarding Grammatical Interpretation to Indicate that Whenever a Gender Neutral Personal Pronoun is Used, it Shall be Deemed to Include the Feminine and Masculine Also.
4. Authorize the Town Manager to Execute an Agreement with All City Management Services, Inc., Los Gatos Union School District, and Union School District for Crossing Guard Services from July 1, 2021 through June 30, 2024.
5. Adopt a Resolution Authorizing Continued Participation in the State Abandoned Vehicle Abatement Program that:
 - a. Extends the Santa Clara County Abandoned Vehicle Abatement Services Authority (AVASA) for another 10-year term beginning May 1, 2022 and ending April 30, 2032 and
 - b. Approves the Town’s continued participation in the existing “Agreement for Santa Clara County Abandoned Vehicle Abatement Service Authority” and the collection, by the Department of Motor Vehicles, of one-dollar (\$1.00) vehicle registration fee for this purpose. **RESOLUTION 2021-022**
6. Adopt a Resolution Expressing Support for the Santa Clara County 2020-2025 Community Plan to End Homelessness. **RESOLUTION 2021-023**
7. Authorize the Town Manager to Execute an Agreement for Services with the Los Gatos Chamber of Commerce to Manage the Town’s Visitors Information Center Including a Visit Los Gatos Website, and Assist with Related Community Vitality Initiatives as Outlined in the Scope of Services in an Amount Not to Exceed \$55,000.
8. Adopt Resolutions Establishing the FY 2020/21 and FY 2021/22 Gann Appropriations Limits for the Town of Los Gatos. **RESOLUTION 2021-024 and RESOLUTION 2021-025**
9. Authorize the Town Manager to Amend an Agreement for Employee Safety Compliance and Training Consultant Services with BSI EHS Services and Solutions (West) Inc. (Attachment 1) to:
 - a. Extend the Term of the Agreement through June 2023, and
 - b. Increase the Contract Amount by \$89,361 for a Total Amount not to Exceed \$286,711.

Consent Items - continued

10. Authorize the Town Manager to Execute a Five-year Maintenance Agreement with Accela, Inc. for Cloud Migration, Maintenance, and Support of the Accela Automation Permitting Software System, and Authorize a FY 2021/22 Expenditure Budget Adjustment in the Amount of \$174,093 to Cover the Difference of the Two-year Upfront Payment of \$228,649.
11. Authorize the Town Manager to Execute an Agreement with W. Jeffrey Heid, Landscape Architect, to Provide Services as Landscape Architecture Consultant to the Town.
12. Authorize the Town Manager to Execute an Agreement for Consultant Services with EMC Planning Group Inc. for Preparation of the 2023-2031 Housing Element and Associated Environmental Review Documents.
13. Direct Staff to Add Rainbow Stripes to Two Crosswalks on East Main Street in Front of Town Hall.
14. Authorize the Following Actions:
 - a. Authorize the Town Manager to Negotiate and Execute an Agreement with Los Gatos-Monte Sereno Safe Routes to School in an Amount Not to Exceed \$60,000 for Providing Services Eligible Under 2016 Measure B;
 - b. Establish a New Project Named Measure B Bicycle and Pedestrian Education & Encouragement Program (421-812-0134) in the Fiscal Year 2021/22 Capital Improvement Program (CIP) Budget and Authorize Revenue and Expenditure Budget Adjustments of \$98,344.
15. Authorize the Issuance of a Request for Qualifications for the Americans with Disabilities Act (ADA) Restrooms and Human Resources Offices (CIP No. 812-2117) and ADA Upgrade Public Restrooms – Adult Recreation Building (CIP No. 812-2601) Design Services, and Authorize the Town Manager to Negotiate and Execute a Consultant Services Agreement in an Amount Not-to-Exceed \$100,000.
16. Authorize the Town Manager to Execute a Second Amendment to Extend the Agreement for Services with Elevator Service Company of Central CA, Inc. for Four Months in the Amount of \$7,560, for a Total Agreement Not to Exceed \$66,640.
17. Roadside Fire Fuel Reduction (Project 812-0130):
 - a. Authorize a FY 2021/22 Expenditure Budget Adjustments in the Capital in the Amount of \$75,000 for the Roadside Fire Fuel Reduction Project (411-812-0130); and
 - b. Authorize the Town Manager to Apply for FEMA’s Hazard Mitigation Grant Program, Asking for Funds for Roadside Vegetation Management.
18. Capital Improvement Project 813-0235 Downtown Streetscape Revitalization/ Economic Recovery Efforts:
 - a. Approve a Contract Amendment with AP&I Design, Inc in the Amount of \$42,192 for a Total Contract Amount not to Exceed \$92,192; and
 - b. Approve an Extension to the Application Deadline for Applications to the Parklet Program to July 29, 2021.

Consent Items - continued

Opened public comment.

Kevin Arroyo

- Commented in support of item 13.

C. Roy

- Commented in opposition of items 3 and 13.

Amy Nishide

- Commented in support of items 3 and 13.

Yanwu Zhang

- Commented in opposition of items 3 and 13.

Yvette

- Commented in opposition of items 3 and 13.

Maureen Heath

- Commented in support of items 3 and 13.

Donnalee

- Commented in support of items 3 and 13.

Lynley Kerr Hogan

- Commented in opposition of items 3 and 13.

Karla Albright

- Commented in support of items 3 and 13.

Joseph

- Requested the gender neutralization of the Town Code maintain a high standard including grammatical accuracy and commented in opposition of item 13.

Karen Rubio

- Commented in support of items 3 and 13.

Quincy Scott

- Commented in support of item 13.

Consent Items - continued

Cindy Sheehan

- Commented in opposition of items 3 and 13.

Christie Herrington

- Commented in opposition of item 13.

Sue Ann Lorig

- Commented in support of items 3 and 13.

Kaye

- Commented in opposition of item 13.

Kareem Syed

- Commented in support of items 3 and 13.

Wiggys Sivertsen

- Commented in support of item 13.

Closed public comment.

MOTION: Motion by Council Member Badame to approve consent items 1-18. Seconded by Vice Mayor Rennie.

VOTE: Motion passed unanimously.

VERBAL COMMUNICATIONS

Eden Berg

- Commented in opposition of Critical Race Theory (CRT) and Diversity, Equity and Inclusion (DEI) efforts.

Amy Nishide

- Commented in support of DEI efforts and the Chamber of Commerce's Listen, Learn, Change, Grow campaign.

Lisa Wade

- Commented in support of DEI and anti-racism efforts.

Peter Noymer

- Commented in support of the Listen, Learn, Change, Grow campaign.

Verbal Communication - continued

Quincy Scott

- Requested everyone remain sensitive to others as different perspectives are expressed.

Sasha Balasingam

- Commented in support of the COVID-19 vaccine, the rainbow striping on the crosswalk, and thanked Council for their support of inclusivity.

Sue Ann Lorig, Social Action Committee, Unitarian Universalist Fellowship of Los Gatos Social Action Committee

- Commented in support of anti-racism efforts.

Alicia Cinema Stereo (Spargo)

- Commented in support of the Chamber of Commerce's Listen, Learn, Change, Grow campaign.

Donnalee

- Commented in support of the Chamber of Commerce's Listen, Learn, Change, Grow campaign.

Maureen Javey

- Commented in support of the Chamber of Commerce's Listen, Learn, Change, Grow campaign and DEI efforts.

Karen Rubio, Plant Based Advocates

- Commented in support of DEI efforts.

Shasta Ericson

- Commented on the bullying and racial slurs her son experienced in school and in support of anti-racism and equality efforts.

PUBLIC HEARING

19. Authorize the Following Actions for Landscape and Lighting Assessment Districts No. 1 and 2:

- a. Adopt a Resolution Confirming the Diagram and Assessments and Levying and Authorizing Collection of Assessments for Landscape and Lighting Assessment District No. 1-Blackwell Drive Benefit Zone. **RESOLUTION 2021-026**
- b. Adopt a Resolution Confirming the Diagram and Assessments and Levying and Authorizing Collection of Assessments for Landscape and Lighting Assessment District No. 1-Kennedy Meadows Benefit Zone. **RESOLUTION 2021-027**

Public Hearing Item # 19- continued

- c. Adopt a Resolution Confirming the Diagram and Assessments and Levying and Authorizing Collection of Assessments for Landscape and Lighting Assessment District No. 1-Santa Rosa Heights Benefit Zone. **RESOLUTION 2021-028**
- d. Adopt a Resolution Confirming the Diagram and Assessments and Levying and Authorizing Collection of assessments for Landscape and Lighting Assessment District No. 1-Vasona Heights Benefit Zone. **RESOLUTION 2021-029**
- e. Adopt a Resolution Confirming the Diagram and Assessments and Levying and Authorizing Collection of assessments for Landscape and Lighting Assessment District No. 1-Hillbrook Drive Benefit Zone. **RESOLUTION 2021-030**
- f. Adopt a Resolution Confirming the Diagram and Assessments and Levying and Authorizing Collection of assessments for Landscape and Lighting Assessment District No. 2-Gemini Court Benefit Zone. **RESOLUTION 2021-031**

Stefanie Hockemeyer, Parks and Public Works Executive Assistant, presented the staff report.

Opened public comment.

No one spoke.

Closed public comment.

Council discussed the item.

MOTION: Motion by Vice Mayor Rennie to authorize actions a-f as stated in the staff report. Seconded by Council Member Badame.

VOTE: Motion passed unanimously.

OTHER BUSINESS

20. Receive the Community Health and Senior Services (CHSSC) Report on Senior Service Provision and Assessment Recommendations.

Arn Andrews, Assistant Town Manager, presented the staff report.

Opened public comment.

Tom Picraux

- Commented in support of allocating resources to improve senior services and establishing a study group or workshop.

Other Business Item #20 – continued

Dick Konrad, CHSSC Commissioner

- Commented in support of continuing to identify the needs of seniors and identifying resources through workshops.

Jeffrey Blum, CHSSC Commissioner

- Commented in support of continuing to identify the needs of seniors and identifying resources through workshops, and requested the Town provide monetary resources to improve senior services.

Ann Peterson, Live Oak Adult Day Care Executive Director

- Requested the Town consider improving the existing senior center.

Lee Fagot

- Requested the Council consider researching and collaborating with organizations to identify senior needs by way of workshops and to improve existing facilities.

Nancy Rollett, Los Gatos-Saratoga Recreation Executive Director

- Requested the identification of additional needs and resources, and that LGS Recreation receive additional budget direction from the Council.

Closed public comment.

Council discussed the item.

MOTION: Motion by Vice Mayor Rennie to return to Council with ideas of how to improve the senior services program over the next 12 months utilizing up to \$500,000 of the American Rescue Plan Act (ARPA) funds if senior services are determined to be an eligible use. **Seconded by Council Member Hudes.**

VOTE: Motion passed unanimously.

MOTION: Motion by Council Member Hudes to

- Establish a standing committee that will include: CHHSSC members, Chamber of Commerce members, senior service providers, senior leaders in the community, and Council Members to develop a roadmap through community outreach activity, including workshops that would culminate in a detailed document of how to serve the 60+ community, develop coalitions, identify and prioritize needs and solutions to problems facing the 60+ community which shall also address the value of the ideas, estimated level of effort, timing, and funding requirements; and

Other Business Item #20 – continued

- Return to Council with a list of recommended stakeholders in the form of a resolution. **Seconded by Vice Mayor Rennie.**

VOTE: Motion passed unanimously.

21. Accept the Report and Authorize the Temporary Installation of Traffic Calming Devices for Shannon Road Between Los Gatos Boulevard and Short Road (CIP No. 812-9910 Traffic Calming Projects).

WooJae Kim, Town Engineer, presented the staff report.

Opened public comment.

Teri Kent

- Commented in opposition of the item and requested other measures be considered.

Frank

- Commented in support of the item.

Closed public comment.

Council discussed the item.

MOTION: Motion by Council Member Badame to accept the report and authorize the temporary installation of traffic calming devices for Shannon Road between Los Gatos Boulevard and Short Road.
Seconded by Council Member Hudes.

VOTE: Motion passed unanimously.

22. Provide Direction on the Proposal from Forbes Mill LLC, Requesting a Restaurant Pop-Up at Forbes Mill located at 75 Church Street on Saturdays from June 19 through October 30, 2021.

Monica Renn, Economic Vitality Manager, presented the staff report.

Opened public comment.

Greg Hacker, Forbes Mill Homeowner's Association (HOA) President

- Commented in opposition of the item.

Other Business Item #22 – continued

Joe's Galaxy Tab 57+

- Commented in opposition of the space being used as a restaurant long-term.

Jim Foley

- Commented in support of the project and addressed the concerns of parking, traffic, and noise that were raised by other speakers.

Marilyn Rimmer

- Expressed concerns with potential traffic, noise, parking, safety, and garbage impacts.

John Schweitzer

- Expressed concerns with potential traffic, noise, parking, safety, and garbage impacts.

Lee Quintana

- Expressed concern with potential traffic, noise, parking, safety, and garbage impacts of full-time restaurant usage.

Closed public comment.

Council discussed the item.

MOTION: **Motion** by **Vice Mayor Rennie** to direct staff to work with Forbes Mill LLC and Forbes Mill Condominium Association to set forth agreement parameters for a trial period of two months to include:

- Employee parking to be on Miles Avenue or another lot,
- Property must be vacated by sunset,
- No music allowed,
- A parking attendant must be hired,
- Trash and noise must be monitored, and
- Staff may add parameters as needed.

The item should be brought back to Council if an agreement cannot be reached.

Seconded by **Mayor Sayoc**.

VOTE: **Motion failed 2/2. Council Members Badame and Hudes voting no.**

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SUBJECT: Draft Minutes of the Town Council Meeting of June 15, 2021

DATE: June 16, 2021

Other Business Item #22 – continued

MOTION: Motion by Council Member Hudes to continue this item to a date certain of August 3, 2021 with more details on the proposal including hours of operation, parking, and additional input from neighboring residents. **Seconded by Council Member Badame.**

VOTE: Motion passed unanimously.

VERBAL COMMUNICATIONS - continued

Kerri

- Commented on her experience of not feeling safe and discriminated against for her political ideology and race identity.

ADJOURNMENT

The meeting adjourned at 11:00 p.m.

Respectfully submitted:

Jenna De Long, Deputy Clerk



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 08/03/2021

ITEM NO: 3

DATE: July 22, 2021
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Accept Report on Town Manager Approved Actions During the 2021 Town Council Legislative Recess

RECOMMENDATION:

Staff recommends that the Town Council accept this report on Town Manager approved actions taken during the 2021 Town Council legislative recess.

BACKGROUND:

On June 20, 2019, the Town Council adopted a Resolution (Attachment 1) authorizing the Town Manager to execute the following duties during periods of official Town Council legislative recess in consultation with the Mayor:

1. Approval of plans and specifications for capital projects and authorization to advertise for bids.
2. Award of construction contracts and construction contract change orders in excess of the amount included in the contingency.
3. Execution of agreements and amendments to agreements in excess of \$50,000 that ordinarily require Town Council approval.

DISCUSSION:

The Town Council took an official legislative recess from June 16, 2021 to August 2, 2021. During this recess, and pursuant to authority granted by the Town Council, the Town Manager executed the following actions, in consultation with the Mayor:

PREPARED BY: Janette Judd
Executive Assistant to the Town Manager and Town Council

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

PAGE 2 OF 2

SUBJECT: Accept Report on Town Manager Approved Actions During the
Town Council Legislative Recess

DATE: JULY 22, 2021

DISCUSSION (Continued):

- Agreement with Interwest Consulting Group for Building Plan Check Consulting Services (Community Development Department Memorandum, Attachment 2)
- Agreement with O'Brien Code Consulting Inc. for Building Plan Check Consulting Services (Community Development Department Memorandum, Attachment 3)
- Agreement with Laptops Anytime for Purchase and Maintenance of Laptop Vending Machines (Library Memorandum, Attachment 4)

The Town Manager determined that immediate action on the above items was necessary in order to maintain critical services. The items above have already been approved by the Town Manager and Mayor, and Council members may request additional information or provide additional direction regarding these items.

CONCLUSION:

Staff recommends that the Town Council accept this report on the Town Manager approved actions taken during the 2021 Town Council legislative recess, as authorized by Town Council Resolution 2019-033 and in consultation with the Mayor.

Attachments:

1. Resolution 2019-033
2. Community Development Department Memorandum, Interwest Consulting Group Agreement
3. Community Development Department Memorandum, O'Brien Code Consulting Inc. Agreement
4. Library Memorandum, Laptops Anytime Agreement

RESOLUTION 2019-033

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS
AUTHORIZING THE TOWN MANAGER TO EXECUTE THE FOLLOWING DUTIES
DURING PERIODS OF OFFICIAL TOWN COUNCIL RECESS,
IN CONSULTATION WITH THE MAYOR:
APPROVAL OF PLANS AND SPECIFICATIONS FOR CAPITAL PROJECTS AND
AUTHORIZATION TO ADVERTISE FOR BIDS;
AWARD OF CONSTRUCTION CONTRACTS AND CONSTRUCTION CONTRACT CHANGE
ORDERS IN EXCESS OF THE AMOUNT INCLUDED IN THE CONTINGENCY;
EXECUTION OF AGREEMENTS IN EXCESS OF \$50,000
THAT ORDINARILY REQUIRE TOWN COUNCIL APPROVAL.**

WHEREAS, the Town Council is taking an official legislative recess from June 19, 2019 to August 6, 2019; and

WHEREAS, the Town Council may take official legislative recesses in the future; and

WHEREAS, it is possible that issues may arise during official Town Council recesses that would normally require Town Council approval; and

WHEREAS, in order to avoid the possibility of critical scheduling delays or increased expenses resulting from delays during the official Town Council recess, the Town Manager should be authorized during official Town Council recesses to take certain actions, in consultation with the Mayor.

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Los Gatos, County of Santa Clara, that the Town Manager is authorized, in consultation with the Mayor, during periods of official Town Council recesses, to:

- 1) Approve plans and specifications for capital projects and authorize staff to advertise for bids;
- 2) Award construction contracts and construction contract change orders in excess of the amount included in the contingency; and
- 3) Execute agreements and amendments to agreements in excess of \$50,000 that ordinarily require Town Council approval.

ATTACHMENT 1

PASSED AND ADOPTED at a regular meeting of the Town Council of the Town of Los Gatos, California, held on the 18th day of June, 2019 by the following vote:

COUNCIL MEMBERS:

AYES: Marcia Jensen, Rob Rennie, Marico Sayoc, Barbara Spector, Mayor Steven Leonardis

NAYS: None

ABSENT: None

ABSTAIN: None

SIGNED: 
MAYOR OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA
DATE: 6/20/19

ATTEST:


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

DATE: 6/24/19



MEMORANDUM

Community Development Department

LRP reviewed w/ Mayor,
Mayor approved 6-23-21

TO: Laurel Prevetti, Town Manager *Laurel Prevetti* **Mayor Review** _____

FROM: Joel Paulson, Community Development Director

SUBJECT: First Amendment to an Agreement with Interwest Consulting Group for Building Plan Check Consulting Services

DATE: June 21, 2021

RECOMMENDATION:

Execute a First Amendment to an Agreement with Interwest Consultant Group for building plan check consultant services.

BACKGROUND:

The Town has used Interwest Consulting Group to assist in the processing of plan checks for many years. The original Agreement was for Five Years. A new Request for Proposal has been sent out during this period and is pending review.

DISCUSSION:

The Plan Check consultant provides Building Division plan check services to the Town, providing both non-structural and structural review for building permit applications.

CONCLUSION:

Staff recommends that the Town Manager execute a First Amendment to an Agreement for Consulting Services with Interwest Consulting Group for an additional two months with no monetary value

ENVIRONMENTAL ASSESSMENT:

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

PREPARED BY: Joel Paulson
Director, Community Development

Reviewed as necessary: Town Manager, Assistant Town Manager, Town Attorney, Finance Director

PAGE 2 OF 2

DATE: MONTH Date, 2021

SUBJECT: First Amendment to an Agreement with Interwest Consulting Group for Building
Plan Check Consulting Services

FISCAL IMPACT:

There is no monetary value associated with this First Amendment.

Attachments:

1. First Amendment to Agreement
2. AGR 16.211



MEMORANDUM

Community Development Department

TO: Laurel Prevetti, Town Manager *Laurel Prevetti* **Mayor Review** LRP reviewed w/ Mayor and Mayor approved 6-23-21

FROM: Joel Paulson, Community Development Director

SUBJECT: First Amendment to an Agreement with O'Brien Code Consulting, Inc. for Building Plan Check Consulting Services

DATE: June 22, 2021

RECOMMENDATION:

Execute a First Amendment to an Agreement with O'Brien Code Consulting, Inc. for building plan check consulting services.

BACKGROUND:

The Town has used O'Brien Code Consulting, Inc. to assist in the processing of plan checks for many years. The original Agreement was for five years. A new Request for Proposal has been sent out during this period and is pending review.

DISCUSSION:

The Plan Check consultant provides Building Division plan check services to the Town, providing both non-structural and structural review for building permit applications.

CONCLUSION:

Staff recommends that the Town Manager execute a First Amendment to an Agreement for Consulting Services with O'Brien Code Consulting, Inc. for an additional two months with no monetary value.

ENVIRONMENTAL ASSESSMENT:

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

PREPARED BY: Joel Paulson
Director, Community Development

Reviewed as necessary: Town Manager, Assistant Town Manager, Town Attorney, Finance Director

PAGE 2 OF 2

DATE: June 21, 2021

SUBJECT: First Amendment to an Agreement with O'Brien Code Consulting, Inc. for
Building Plan Check Consulting Services

FISCAL IMPACT:

There is no monetary value associated with this First Amendment.

Attachments:

1. First Amendment to Agreement
2. AGR 16.207



MEMORANDUM

Library Department

TO: LAUREL PREVETTI, TOWN MANAGER *Laurel Prevetti* **MAYOR REVIEW** LRP Reviewed w/ Mayor, Mayor approved 7-21-21

FROM: RYAN BAKER, LIBRARY DIRECTOR

SUBJECT: **EXECUTE AN AGREEMENT WITH LAPTOPS ANYTIME FOR THE PURCHASE AND MAINTENANCE OF LAPTOP VENDING MACHINES**

DATE: JULY 19, 2021

RECOMMENDATION:

It is recommended that the Town Manager execute an agreement with Laptops Anytime in an amount not to exceed \$64,043 for the purchase and maintenance of Library laptop vending machines.

BACKGROUND:

The Library, operating on the regular tech replacement schedule for the department, is due for scheduled replacement of public computers during FY2021-22. The Library will replace 26 public desktop computers and 12 public laptop computers with 36 new public laptop computers. Public use laptops in the Library are checked out, tracked, and returned through Laptops Anytime's laptop vending machines. The Library will need to purchase two additional laptop vending machines with appropriate maintenance plans to accommodate the increased quantity of patron laptops.

DISCUSSION:

The Library has had proven success in using Laptop Anytime's laptop vending machines for the past five years. The use of public laptops has allowed for greater flexibility of space and seating inside the building while maintain a core service that we provide to the community. The two additional laptop vending machines will allow patrons increased access to this service as we continue our reopening process. Funds for this purchase is already included in the FY2021-22 budget as part of the Library's normal tech replacement.

PREPARED BY: RYAN BAKER
Library Director

Reviewed as necessary: Town Manager, Assistant Town Manager, Town Attorney, Finance Director

PAGE 2 OF 2

DATE: JULY 19, 2021

SUBJECT: **EXECUTE AN AGREEMENT WITH LAPTOPS ANYTIME FOR THE PURCHASE
AND MAINTENANCE OF LAPTOP VENDING MACHINES**

FISCAL IMPACT:

Funds have already been allocated in the FY2021-22 budget for this item under program number 2501-61133.

Attachments:

1. Purchase and Service Agreement for Laptops Anytime



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 08/03/2021

ITEM NO: 4

DATE: July 26, 2021
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Consider Approval of a Permanent Sign Permit Application on Property Zoned C-1:PD Located at 110 E. Main Street. APN 529-34-108. Sign Permit Application SN-21-005. Property Owner: Town of Los Gatos. Applicant: Friends Bookstore.

RECOMMENDATION:

Consider approval of a Permanent Sign Permit application on property zone C-1:PD located at 110 E. Main Street (Friends Bookstore).

DISCUSSION:

The Friends Bookstore has submitted an application for an additional permanent wall sign matching their existing wall sign located above the entrance to the bookstore (Attachment 2). The proposed permanent sign would be located on the east elevation of the building, facing the parking lot in front of the Town Library (Attachments 4 and 5). The proposed sign would be constructed from aluminum with a brushed finish. The sign would match the existing sign in materials, finish, dimensions, and mounting (Attachments 6 and 7).

The proposed wall sign has an area of 18.35 square feet. Town Code Section 29.10.135 allows one square foot of sign area for every one lineal foot of primary and secondary frontage. The size of the proposed sign is consistent with the Town Code.

CONCLUSION:

Staff recommends approval of the proposed permanent sign, subject to the conditions of approval in Attachment 3.

PREPARED BY: Sean Mullin, AICP
Associate Planner

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

PAGE 2 OF 2

SUBJECT: Consider Approval of Permanent Sign Permit Application SN-21-005

DATE: July 26, 2021

ALTERNATIVES:

Alternatively, the Town Council can:

1. Continue the matter to a date certain with specific direction; or
2. Approve the application with additional and/or modified conditions; or
3. Deny the application.

FISCAL IMPACT:

There is no fiscal impact from approving the application.

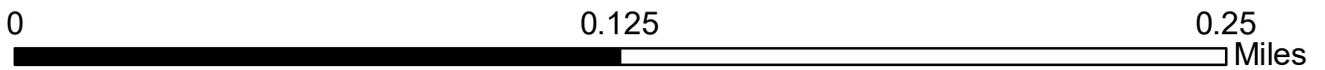
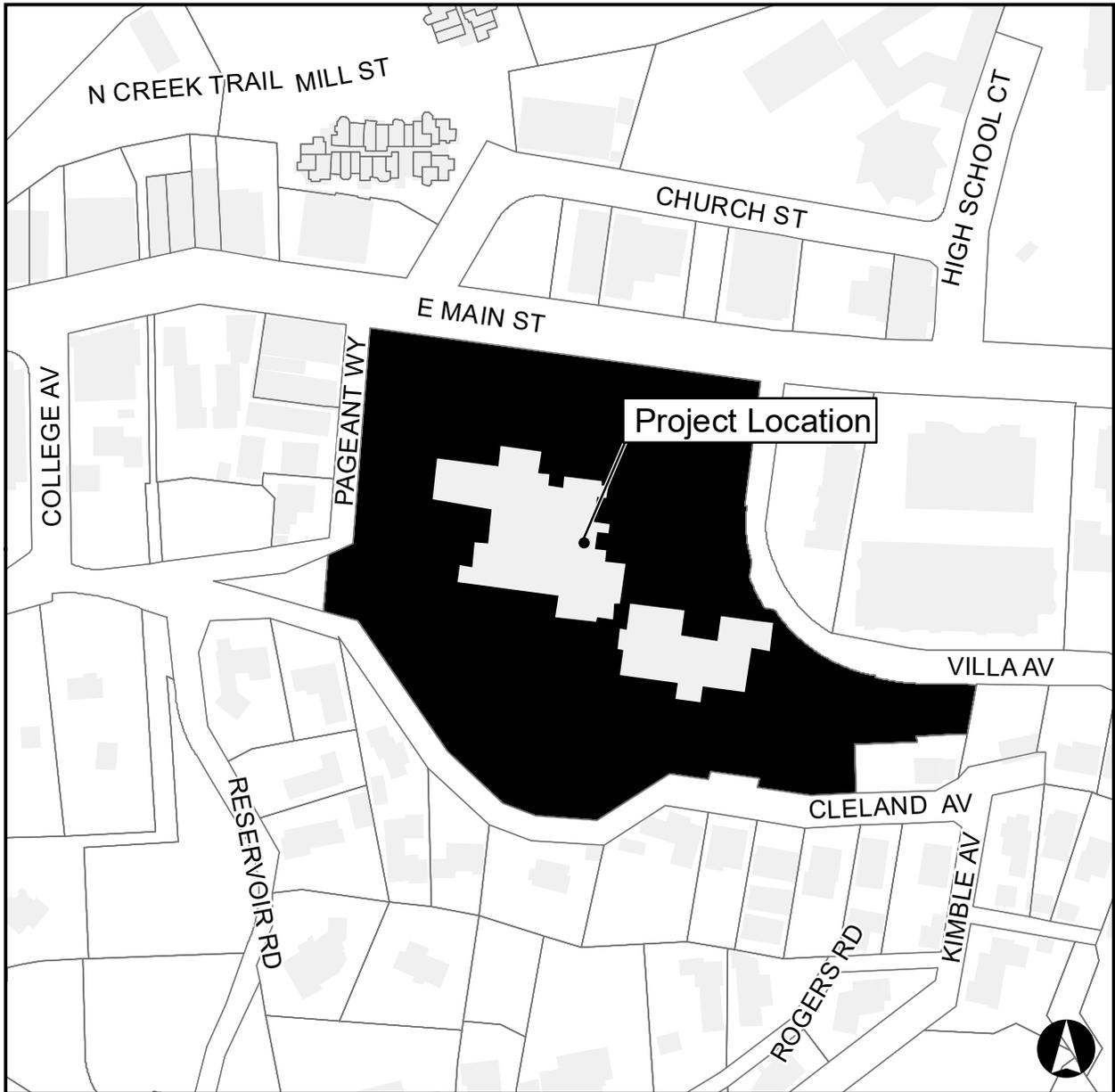
ENVIRONMENTAL ASSESSMENT:

This is a project as defined under CEQA but is exempt under Section 15061 (b)(3) as there is no possibility that the project would have a significant impact on the environment. A Notice of Exemption will not be filed.

Attachments:

1. Location Map
2. Application
3. Recommended Conditions of Approval
4. Site Plan
5. Rendering of proposed sign
6. Project Description
7. Photo of existing sign

110 E. Main Street



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APPLICATION FOR SIGN PERMIT

TOWN OF LOS GATOS - COMMUNITY DEVELOPMENT DEPT.

Civic Center: 110 E. Main Street, Los Gatos, CA 95030

Phone: (408) 354-6874 FAX: (408) 354-7593

Permanent Sign: \$353.40

Temporary Sign: \$ 112.86

Change of Face: \$176.70

Sign Program: \$2,365.50

Building Address: 110 EAST MAIN STREET Zone: _____

Present Use: FRIENDS BOOKSTORE Assessor's Parcel Number(s): _____

Street Frontage: Street Name(s): MAIN STREET

Business Frontage (ft.): Primary Business frontage: MAIN STREET (ft.)

Secondary business frontage: FIESTA (ft.)

Type of Sign Requested: REPEAT ORDER OF SIGN PRESENTLY ABOVE OUR FRONT DOOR
(Attached, time and temperature, ground, freestanding, attraction board, etc.)

Sign Area (sq.ft.) per face: SEE ATTACHED QUOTE 577652 Total: _____ (sq.ft.)

* (NOTE: For individual channeled letters, a six (6) inch margin around the letters will be included in the total sign area)

Sign Height (if freestanding or ground sign): N/A (ft.)

Overhead Clearance (if projecting or marquee sign): N/A (ft.)

Sign Materials (i.e., wood, metal canister, plastic, etc.): BRUSHED ALUMINUM

Describe illumination (if any): N/A Intensity: _____

Is the application in conformance with LG Town Code Chapter 29? Yes No _____

Is the application in conformance with the Commercial Design Guidelines? Yes No _____

If applicable; is the application in conformance with the Sign Program? Yes No _____

Is the application to modify a nonconforming sign? Yes _____ No

Is the application to erect a temporary sign? Yes _____ No

Date temporary sign will be removed? N/A

Prepare a sketch of the sign(s) showing dimensions, copy, colors and placement on the building. If the sign is a freestanding or ground sign, prepare a plot plan for the property which clearly indicates sign placement.

Are there existing signs on the parcel that will remain? Yes No _____

If yes, attach an inventory of all existing signs. The inventory must include the size and the location on the building or property. (The inventory of signs need not be done for shopping centers of more than 30,000 sq. ft. or building area.)

Attach photographs of each wall upon which sign is requested, or each location.

FRIENDS OF LOS GATOS LIBRARY 100 VILLA AVE., LOS GATOS CA 95030
Name of Applicant Address State Zip

MARLENERODMAN@GMAIL.COM 408-483-8103
E-mail Address Phone Number

I hereby certify under penalty of perjury that all application materials and plans are true and correct.

Applicant's Signature: Marlene Rodman Date: 10-31-20

TOWN OF LOS GATOS 110 E MAIN ST., LOS GATOS, CA 95030
Name of Property Owner Address, City, State, Zip Phone Number

Property Owner's Signature: _____ Date: _____

DO NOT WRITE BELOW THIS LINE (FOR DEPARTMENT AUTHORIZATION)

Sign(s) permitted by section(s) _____ of the Zoning Ordinance.

Approval granted: Yes _____ No _____

Planning Division Authorization _____

Date _____

Receipt No. _____

Sign Permit No. _____

COMMENTS: Building or electrical permit(s) may be required to erect signs authorized by this permit.

	PLPERMIT	PLTRACK	PLANAP	TOTAL
New Permanent Sign	\$ 310.00	\$ 12.40	\$ 31.00	\$ 353.40
Temporary Non-Residential	\$ 99.00	\$ 3.96	\$ 9.90	\$ 112.86
Change of Face Only	\$ 155.00	\$ 6.20	\$ 15.50	\$ 176.70
Sign Program	\$ 2,075.00	\$ 83.00	\$ 207.50	\$ 2,365.50

Please note: The information contained in this application is considered part of the public record. Therefore, it will appear in both the public record file for the site address, which upon request, and on the permitting system on the official Town of Los Gatos website at www.losgatosca.gov.

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TOWN COUNCIL -August 3, 2021
CONDITIONS OF APPROVAL

110 E Main Street

Permanent Sign Permit Application SN-21-05

Consider Approval of a Permanent Sign Permit Application on Property Zoned C-1:PD Located at 110 E. Main Street. APN 529-34-108.

PROPERTY OWNER: Town of Los Gatos

APPLICANT: Friends Bookstore.

TO THE SATISFACTION OF THE DIRECTOR OF COMMUNITY DEVELOPMENT:

Planning Division

1. APPROVAL: This application shall be completed in accordance with all of the conditions of approval and in substantial compliance with the approved plans. Any changes or modifications to the approved plans shall be approved by the Community Development Director or the Town Council depending on the scope of the changes.
2. EXPIRATION: The approval will expire two years from the approval date pursuant to Section 29.20.320 of the Town Code, unless the approval has been vested.
3. TOWN INDEMNITY: Applicants are notified that Town Code Section 1.10.115 requires that any applicant who receives a permit or entitlement from the Town shall defend, indemnify, and hold harmless the Town and its officials in any action brought by a third party to overturn, set aside, or void the permit or entitlement. This requirement is a condition of approval of all such permits and entitlements whether or not expressly set forth in the approval, and may be secured to the satisfaction of the Town Attorney.
4. DISCONTINUANCE OF LEASE: In the event that the lease with the Friends Bookstore is discontinued, removal of the wall signs is at the discretion of the Town Manager. Should the Town Manager determine that the wall signs are to be removed, the Friends Bookstore is responsible for removal of the signs and remediation of the existing building, to the satisfaction of the Town Manager.

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Location of existing sign to remain

Location of proposed permanent sign.

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Sign Area: For the purposes of measurement, a six-inch margin around all words and symbols will be included in the perimeter composed of not more than eight (8) straight lines.

Font, size, and materials to match existing sign.

L = 123.5" W = 7.5" - Lettering

L = 135.5" W = 19.5" - With six-inch margin

Sign Area = $135.5" \times 19.5" = 2,642.25/144 = 18.35$ sf

Property frontage = 1,350 feet +/-

Allowed Sign Area = 1,350 sf +/-

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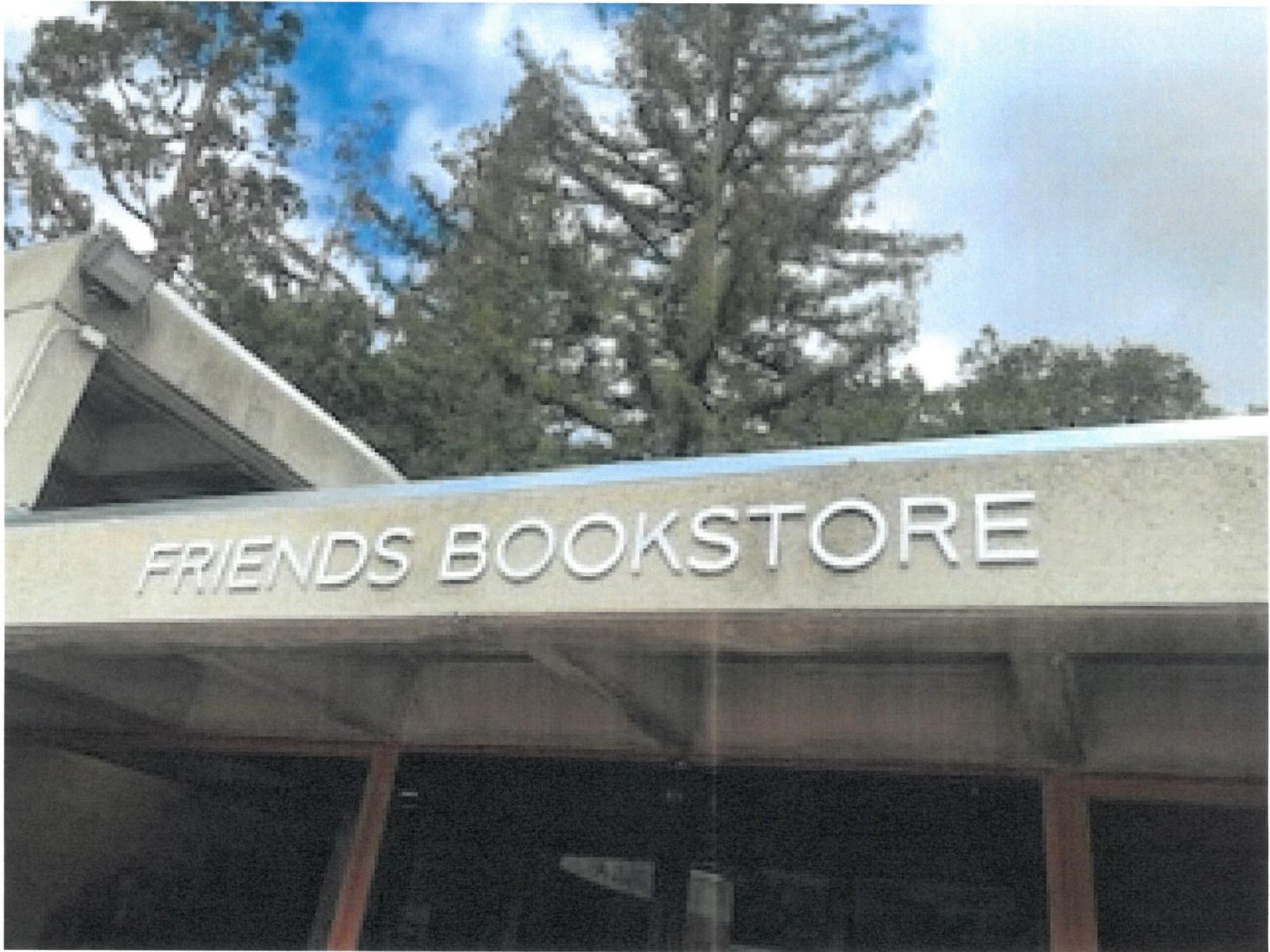
March 10, 2021

Town of Los Gatos

Attached is our application for a permanent sign to be attached to the east side of the building that houses the Friends of Los Gatos Library Bookstore. We hope that the sign will be attached around the corner from the front sign, which is the side facing the library.

The letters will be of the same size, dimension and style as the sign on the front.

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**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 08/03/2021

ITEM NO: 5

DATE: July 27, 2021
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Adopt a Resolution Establishing a Housing Element Advisory Board for the 2023-2031 Housing Element Update.

RECOMMENDATION:

Adopt a Resolution establishing a Housing Element Advisory Board for the 2023-2031 Housing Element update.

BACKGROUND:

The Town of Los Gatos is required to prepare an updated General Plan Housing Element for the period covering 2023-2031 that is certified by the State Housing Community Development Department (HCD) by January 31, 2023. The Housing Element is one of nine state-mandated elements that must be included in every General Plan. The Housing Element assesses housing needs for all income groups within the community and identifies implementation programs to meet those housing needs. Unlike other General Plan elements, the Housing Element must be updated every eight years, rather than every 10 to 20 years, must address statutory requirements regarding its content, and is subject to mandatory review by HCD.

The Town's current (2015-2023) Housing Element was certified by HCD on May 5, 2015 and will serve as a foundation for the preparation of the 2023-2031 Housing Element. The draft Regional Housing Needs Allocation (RHNA) for Los Gatos is 1,993 units for the current planning cycle (RHNA 6), compared to 619 units in RHNA 5, representing a substantial increase from the past planning cycle.

PREPARED BY: Erin Walters
Associate Planner

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

BACKGROUND (continued):

On April 21, 2021, the Town issued a Request for Proposals (RFP) for consultant services for preparation of the 2023-2031 Housing Element. The Town received an independent proposal from one firm, EMC Planning Group, Inc.

On June 15, 2021, the Town Council authorized the Town Manager to execute an agreement for Consultant Services with EMC Planning Group, Inc. to prepare the 2023-2031 Housing Element and associated public engagement and environmental review documents.

In July of 2021, staff and the Town's Housing Element consultant met to discuss the Housing Element update process.

DISCUSSION:

HCD requires communities to maximize public outreach and community involvement during the update of their housing elements. Given the Town's community interest in housing and development related topics, staff is recommending that Council establish a Housing Element Advisory Board (HEAB) to assist with the preparation of the upcoming Housing Element update and to provide recommendations on specific strategies, concepts, and/or policies for accommodating the Town's RHNA 6 cycle of 1,993 housing units for the next eight-year period. The consultant will incorporate these recommendations into the draft of the updated Housing Element.

Attachment 1 contains a draft resolution to establish the HEAB. If the resolution is approved, the HEAB would be comprised of the existing General Plan Committee members and two "at-large" members. Staff has contacted the "at-large" members of the General Plan Update Advisory Committee and two of the "at-large" members expressed interest in participating on the HEAB. Those two members are Susan Moore-Brown and Ryan Rosenberg. The first HEAB meeting is expected to occur in September of 2021.

CONCLUSION:

Staff recommends that the Town Council adopt a resolution to establish the HEAB.

FISCAL IMPACT:

Funding for the Housing Element will come from a combination of a Regional Early Action Planning ("REAP") Grant, a Local Early Action Planning ("LEAP") Grant and the General Plan Update Fund. Sufficient funds are available from these sources.

PAGE 3 OF 4

SUBJECT: Housing Element Advisory Board

DATE: July 27, 2021

COORDINATION:

This report has been coordinated with the Town Manager's Office, Town Attorney's Office, and the Finance Department.

ENVIRONMENTAL ASSESSMENT:

This is not a project defined under California Environmental Quality Act, and no further action is required.

Attachment:

1. Draft Resolution

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RESOLUTION 2021-xxx

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS
ESTABLISHING THE HOUSING ELEMENT ADVISORY BOARD FOR
THE 2023-2031 HOUSING ELEMENT UPDATE**

WHEREAS, the existing (2015-2023) Housing Element was certified by the State Department of Housing and Community Development (HCD) on May 2015; and

WHEREAS, the Town of Los Gatos is required by the State Housing Laws to prepare an update of its existing State Certified Housing Element for the period of 2023-2031; and

WHEREAS, HCD requires communities to maximize public outreach and community involvement during the preparation and updates of housing elements; and

WHEREAS, the Housing Element Advisory Board (HEAB) is intended to be an advisory committee created for the purpose of advising Town staff, providing a forum for public involvement, and making recommendations to the Planning Commission and Town Council on updates to the Housing Element; and

WHEREAS, the Town Council of the Town of Los Gatos desires to formalize the creation of the HEAB, including its purpose, number, and terms, as set forth below, in this Resolution.

NOW, THEREFORE, BE IT RESOLVED, the Town Council of the Town of Los Gatos establishes the HEAB, which shall be advisory to the Town Council and shall operate in the manner hereinafter prescribed:

1. Appointment

The HEAB shall consist of the nine members of the General Plan Committee as established by Council resolution and up to two “at-large” members appointed by the Town Council. The “at -large” members shall be Susan Moore Brown and Ryan Rosenberg. The “at-large” members of the HEAB may not belong to any other established Town Commission, Board, or Committee. The HEAB shall sunset on February 1, 2023, unless extended by Town Council.

ATTACHMENT 1

2. HEAB Role

The HEAB shall serve as an advisory body that provides input on specific tasks associated with the Housing Element update. Council input and direction will be sought at major milestones during the update. The role of the HEAB is to:

- Provide guidance on the development of the Housing Element update;
- Provide additional forum for public involvement;
- Forward milestone products to Town Council;
- Review the Draft Housing Element; and
- Make recommendations to the Planning Commission and Town Council.

3. Meetings

The Chair of the General Plan Committee shall serve as the Chair of the HEAB. The HEAB will determine its schedule (it is anticipated that the Committee will meet no more than twice a month). HEAB members are expected to regularly attend meetings and public workshops. However, it is understood that on occasion, a Board member may not be able to attend the meeting. Three absences in a calendar year may subject the member to expulsion from the HEAB.

4. Conflict of Interest

Upon appointment to the Committee, members are required to file Conflict of Interest forms with the Town Clerk for Disclosure Categories 2,3, and 4 as listed in Town Code Sec. 2.30.615.

5. Powers of Town Council and Planning Commission

Nothing in this resolution shall be construed as restricting or curtailing any of the powers of the Town Council or Planning Commission, or as a delegation to the HEAB of any authority or discretionary powers vested and imposed by law in such bodies.

PASSED AND ADOPTED at a regular meeting of the Town Council of the Town of Los Gatos, California, held on the 3rd day of August, 2021, 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: _____

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**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 08/03/2021

ITEM NO: 5

ADDENDUM

DATE: August 2, 2021
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Adopt a Resolution Establishing a Housing Element Advisory Board for the 2023-2031 Housing Element Update.

REMARKS:

Attachment 2 contains public comment received between 11:01 a.m., Thursday, July 29, and 11:00 a.m. Monday, August 2, 2021.

ATTACHMENTS:

Attachment received with the Staff Report:

1. Draft Resolution

Attachment received with this Addendum:

2. Public Comment received between 11:01 a.m., Thursday, July 29, and 11:00 a.m. Monday August 2, 2021.

PREPARED BY: Erin Walters
Associate Planner

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

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From: Phil Koen

Sent: Saturday, July 31, 2021 1:20 PM

To: Matthew Hudes; Mary Badame; Maria Ristow; Marico Sayoc; Rob Rennie

Cc: Laurel Prevetti; Robert Schultz; Lee Fagot; Catherine Somers;

Subject: Agenda item #5

Dear Town Council members,

I respectfully request that Agenda item #5 be pulled from the consent calendar so the Council can openly and publicly discuss the merit of the Staff proposal on appointing the extremely important and critical Housing Element Advisory Board. There are several troubling aspects to the Staff's proposal.

First, the Staff is recommending that the Committee be appointed through a "consent process", thereby denying the public the right to observe the Council's collective deliberation and measure the rigor of each Council member's thought process. The Staff is recommending a process that some might view as "self-serving" since the Town Manager has "preselected" the Committee members and the Council is being asked to "rubber stamp" the appointees without any public discussion. This is not a healthy deliberation process and should be rejected.

Secondly, the process denies qualified residents the ability to apply and be considered to serve on this very important and powerful Committee. I can not recall a time when Committee members were "preselected" by staff. This process effectively by passes the long standing and proven process of public advertisement, sign up and Council interview for committees which give the public the opportunity to serve the Town. To this very point, the current proposal does not bring new voices to the Housing Element Advisory Board. The Staff proposals guarantees that the proposed members of the Housing Element Advisory Board will be the same members currently serving on the General Plan Update Advisory Committee. There is 100% overlap with no new members being appointed

Further to this point, the State has published recommendations (see attachment) which specifically discuss the make up of an advisory board involved in a general plan update. The State recommends that an advisory board include multiple voices from the community and represent the varied interests that a public engagement process should capture. By having the same individuals who served on the General Plan Update Advisory Committee continue to serve on the Housing Element Advisory Board, there will be no fresh thinking nor expansion of public engagement. The Staff memo clearly stated that the HCD requires communities to maximize public outreach and community involvement during the update of the housing element. The current proposal fails to maximize public outreach.

One last point is the concept of independence. Structurally the proposed Housing Element Advisory Board would be comprised of 2 members of the Town Council and 3 members of the Planning Commission. Both the Planning Commission and the Town Council are part of the approval process for amending a general plan. By having these members serve on the Housing Element Advisory Board, they would be essentially making recommendations to themselves. The central point of having a Housing Element Advisory Board is to have qualified residents that represent varying interests, expand the public engagement process and are independent of the decision makers. Having 50% of the voting Housing Element Advisory Board members on either the Planning Commission or the Town Council reduces the public engagement process and diminishes the ability to have independent public input at a committee level.

ATTACHMENT 2

I would recommend an alternative construct which embraces the State's recommendations, expands public outreach, and ensures continuity with the General Plan Update Advisory Committee. The total number of Board members should be set at 11 with 9 voting members and 2 non-voting Council members. Of the 9 voting members, the Town Council may, but is not required to, appoint up to 4 resident members from the current General Plan Update Advisory Committee. There are currently 7 resident members on the General Plan Update Advisory Committee, so this will allow choice as well as provide continuity. Of the remaining 5 voting members, 2 voting members should be appointed from the Planning Commission (preferably new members and not the same ones who served on the GPUAC) and 3 new members from the public at large who are not currently serving on the GPUAC or the General Plan Committee.

This structure will isolate the Town Council members from voting (just like the Finance Commission) but will allow the Council members to help inform the Housing Element Advisory Board. The 9 voting members will bring a fresh perspective while providing continuity with the GPUAC and most importantly expand public outreach.

In closing, the current Staff proposal is deeply flawed and has the potential to appear "self-serving". I respectfully request that the Council consider and discuss my recommendation. I will not be attending the Council meeting, so please accept this memo as my public comment on the agenda item.

Thank you.

Phil Koen

From: David Goldberg

Sent: Sunday, August 1, 2021 5:13 PM

To: PublicComment <PublicComment@losgatosca.gov>

Subject: Public Comment Agenda Item #5 - Housing Element - Town Council Meeting August 3rd -

Please see my comments for this Tuesday's Town Council meeting at 7pm on Item 5 - Housing Element. Thanks in advance. David Goldberg

Town of Los Gatos 2040 General Plan – Housing Element

Proposed changes to 2040 General Plan – Housing Element significantly intensify the density of Los Gatos to meet the never-ending demands from the State of California for more housing units

The residents of Los Gatos are in consensus in their opposition to these proposals. They are just divided in the best way to fully mitigate or prevent them from taking place.

The real repercussions from such a change will be:

- Impact to the Environment
 - More noise, traffic, pollution, and waste
 - Blocks views of the surrounding Sierra Azules
 - Brings big city problems
- Impact to the current Grid Lock
 - Residents can't back out of their driveways now on weekends
 - Residents are stuck now in traffic during weekday commute hours
 - Trade services hesitant to do business in Los Gatos because of traffic
- Impact to the Infrastructure
 - All utilities to the Town will have to be upgraded substantially
 - Taxes will be raised to pay for these upgrades
- Impact to the Schools
 - The current school enrollment is already over capacity
 - Taxes will be raised to pay to upgrade capacity
 - The North 40 impact has not even kicked in yet

Potential Solutions

- Appeal the State's RHNA Unit Allocation at each and every cycle
 - Don't give up without trying even for marginal improvement
 - Be proactive in stopping the "manhattanization" of Los Gatos
- Don't change the General Plan's housing element
 - You would be giving the State control of property rights right upfront
 - We have a responsibility and duty to preserve the natural beauty of our Town
- Help promote housing units in lower cost locales
 - Where it is already naturally and truly affordable for home buyers
 - These locales want more units and welcome it to uplift their own economy
 - Demand for housing is insatiable In Los Gatos and California
- Help promote an integrated and comprehensive transit solution for the South Bay
 - Create a regional solution to traffic first
- Put the proposed changes to the 2040 General Plan – Housing Element on the Ballot Box

Let the residents decide (democracy) before the Town is transformed!



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 08/03/2021

ITEM NO: 5

DESK ITEM

DATE: August 3, 2021
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Adopt a Resolution Establishing a Housing Element Advisory Board for the 2023-2031 Housing Element Update.

REMARKS:

Per the request of a Councilmember Attachment 3 contains Resolution 2014-004, Establishing a Housing Element Advisory Board for the 2014-2022 Housing Element Update.

ATTACHMENTS:

Attachment received with the Staff Report:

1. Draft Resolution

Attachment received with the Addendum:

2. Public Comment received between 11:01 a.m., Thursday, July 29, and 11:00 a.m. Monday August 2, 2021.

Attachment received with this Desk Item:

3. Resolution 2014-004 - Establishing a Housing Element Advisory Board for the 2014-2022 Housing Element Update.

PREPARED BY: Erin Walters
Associate Planner

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

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RESOLUTION 2014-004

**RESOLUTION OF THE TOWN COUNCIL
OF THE TOWN OF LOS GATOS
ESTABLISHING A HOUSING ELEMENT ADVISORY BOARD FOR
THE 2014-2022 HOUSING ELEMENT UPDATE**

WHEREAS, the Town of Los Gatos is required by the State Housing Laws to prepare an update of its existing State Certified Housing Element in 2014; and

WHEREAS, the updated Housing Element must include plans and policies to show how Los Gatos plans to accommodate the estimated housing needs of residents and business for the next eight year period; and

WHEREAS, the State Department of Housing and Community Development has recommended that communities maximize public outreach and community involvement during the preparation and updates of housing elements; and

WHEREAS, the Town intends to initiate its Housing Element update process in March 2014; and

WHEREAS, the Town Council desires to provide additional opportunities for community input and public involvement as part of the Housing Element update process; and

WHEREAS, the formation of an advisory board to make recommendations to the Town's decision making bodies has been an established method to effectuate and allow greater community input and public involvement.

NOW, THEREFORE, BE IT RESOLVED, that Town Council of the Town of Los Gatos does hereby establish a Housing Element Advisory Board as noted in Exhibit A and that the Board shall automatically be dissolved on December 31, 2014.

PASSED AND ADOPTED at a regular meeting of the Town Council of the Town of Los Gatos, California, held on the 3rd day of February, 2014, by the following vote:

COUNCIL MEMBERS:

AYES: Marcia Jensen, Joe Pirzynski, Diane McNutt, Mayor Steven Leonardis

NAYS:

ABSENT: Barbara Spector

ABSTAIN:

SIGNED:

A handwritten signature in black ink, appearing to read "Steven Leonardis", written over a horizontal line.

MAYOR OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

ATTEST:

A handwritten signature in black ink, appearing to read "Shelley Reis", written in a cursive style.

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

EXHIBIT A

General Plan Committee

Marcia Jensen	Town Council Vice Mayor
Barbara Spector	Town Council Member
Margaret Smith	Planning Commission Chair
Marico Sayoc	Planning Commission Member
Charles Erekson	Planning Commission Member
Barbara Cardillo	Community and Senior Services Commission Member
Todd Jarvis	Business Representative
Bob Beyer	Public Representative
Matthew Hudes	Public Representative

EXHIBIT A

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**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 08/03/2021

ITEM NO: 6

DATE: July 13, 2021
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Adopt a Resolution to Adopt a List of Projects for Fiscal Year 2021/22 Funded by State Senate Bill 1, the Road Repair and Accountability Act of 2017

RECOMMENDATION:

Adopt a resolution (Attachment 1) to adopt a list of projects for Fiscal Year (FY) 2021/22 funded by State Senate Bill 1 (SB1), the Road Repair and Accountability Act of 2017.

BACKGROUND:

SB1, the Road Repair and Accountability Act of 2017, was passed by the State Legislature and signed into law by the Governor in April 2017 to address the significant multi-modal transportation funding shortfalls statewide. SB1 is intended to enable cities and counties to better address significant maintenance, rehabilitation, and safety needs on their local street systems. Maintenance and rehabilitation projects are used to extend the serviceable life of streets. The Town will receive an estimated \$603,952 in Road Maintenance and Rehabilitation Account (RMRA) funding through SB1 in FY 2021/22.

Built into the Road Repair and Accountability Act are accountability and transparency measures, including a requirement that all projects proposed to receive RMRA funding be adopted by the applicable governing body at a regularly scheduled meeting. To comply, the Town must adopt a resolution with a list of projects in the upcoming fiscal year proposed to receive RMRA funding, including a description and the location of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvement.

PREPARED BY: WooJae Kim
Town Engineer

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

SUBJECT: Adopt a Resolution to Adopt a List of Projects for Fiscal Year 2021/22 Funded by State Senate Bill 1 (SB1), the Road Repair and Accountability Act of 2017

DATE: July 13, 2021

DISCUSSION:

For projects in consideration to receive RMRA funding, staff recommends Town road segments that carry heavier traffic loads and volumes, such as arterials that may involve more design scope and construction work to repair and maintain compared to other local roadways. The project list includes future work identified for RMRA funding, so some projects have been carried forward from prior years. Staff has identified the following potential project segments for SB1 funding in need of street repair and maintenance in FY 2021/22 and upcoming years:

Location	Description	Scheduled Completion	Estimated Useful Life
Union Avenue from Blossom Hill Road to Los Gatos-Almaden Road	Placement of rubber cape seal or overlay to maintain pavement surface. This is an arterial road and is critical for transit needs in the Town.	Fall 2022	10 - 25 years
Pollard Road from Quito Road to W. Parr Avenue	Placement of rubber cape seal or overlay to maintain pavement surface. This is an arterial road and is critical for transit needs in the Town.	Fall 2022	10 - 25 years
Quito Road from Bicknell to Woodbank	Placement of rubber cape seal or overlay to maintain pavement surface. This is a collector road and is critical for transit needs in the Town.	Fall 2023	10 - 25 years
Santa Cruz Avenue from Blossom Hill Road to Highway 9	Placement of rubber cape seal or overlay to maintain pavement surface. This is an arterial road and is critical for transit needs in the Town.	Fall 2024	10 - 25 years

The required work on the identified streets may exceed the available SB1 funding. Funding from other sources would be required to complete the projects, such as the General Fund Appropriated Reserves (GFAR) and the County voter-approved 2016 Measure B.

Modifications to the SB1 funding project list are permitted, and staff may recommend modifications when greater needs for funding emerge, for example, due to winter weather impacts. Staff will return with the final proposed project list for FY 2021/22 for Council's approval prior to advertising for construction bid. Construction as part of for the FY 2021/22 Street Repair and Resurfacing project is anticipated to start in the spring or summer of 2022.

One important element associated with SB1 is a continued maintenance of effort (MOE) requirement. The MOE requirement means that local funding for routine street maintenance must not be less than the average of the three base years (2009/10 – 2011/12) as set by SB1. The State continues to refine the calculation and reporting requirements for the MOE, and it is important for the Town to sustain historic maintenance funding levels into the future to avoid risking the annual RMRA appropriation.

PAGE 3 OF 3

SUBJECT: Adopt a Resolution to Adopt a List of Projects for Fiscal Year 2021/22 Funded by State Senate Bill 1 (SB1), the Road Repair and Accountability Act of 2017

DATE: July 13, 2021

CONCLUSION:

Adoption of the recommended resolution would meet the SB1 RMRA funding requirement for proposed project list to allow the continuation of the Town's roadway maintenance through the Capital Improvement Program.

FISCAL IMPACT:

The Town's Proposed FY 2021/22-2025/26 Capital Improvement Program has already included the estimated funds in the Street Repair and Resurfacing project. This action will have no effect on the Town's budget and only identifies the specific streets. SB 1 Funding is disbursed monthly to the Town.

ENVIRONMENTAL ASSESSMENT:

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

Attachment:

1. Resolution

RESOLUTION 2021-

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS
ADOPTING A LIST OF PROJECTS FOR FISCAL YEAR 2021/22
FUNDED BY SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017**

WHEREAS, Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017) was passed by the Legislature and Signed into law by the Governor in April 2017 to address the significant multi-modal transportation funding shortfalls statewide; and

WHEREAS, SB 1 includes accountability and transparency provisions that will ensure the residents of the Town are aware of the projects proposed for funding in the community and which projects have been completed each fiscal year; and

WHEREAS, the Town must adopt a list of all projects proposed to receive funding from the Road Maintenance and Rehabilitation Account (RMRA), created by SB 1 by resolution, which must include a description and the location of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvement; and

WHEREAS, the Town, will receive an estimated \$603,952 in RMRA funding in Fiscal Year 2021/22 from SB 1; and

WHEREAS, this is the fifth year in which the Town is receiving SB 1 funding and will enable the Town to continue essential road maintenance and rehabilitation projects, safety improvements, repairing and replacing aging bridges, and increasing access and mobility options for the traveling public that would not have otherwise been possible without SB 1; and

WHEREAS, the Town used a Pavement Management System to develop the SB 1 project list to ensure revenues are being used on the most high-priority and cost-effective projects that also meet the communities' priorities for transportation investment; and

WHEREAS, the 2016 California Statewide Local Streets and Roads Needs Assessment found that the Town's streets and roads are in a fair condition and this revenue will help

increase the overall quality of the road system and over the next decade will bring Town streets and roads into a good condition;

NOW, THEREFORE, BE IT RESOLVED: The Fiscal Year 2021/22 list of projects planned to be funded with Road Maintenance and Rehabilitation Account revenues include:

Location	Description	Scheduled Completion	Estimated Useful Life
Union Avenue from Blossom Hill Road to Los Gatos-Almaden Road	Placement of rubber cape seal or overlay to maintain pavement surface. This is an arterial road and is critical for transit needs in the Town.	Fall 2022	10 - 25 years
Pollard Road from Quito Road to W. Parr Avenue	Placement of rubber cape seal or overlay to maintain pavement surface. This is an arterial road and is critical for transit needs in the Town.	Fall 2022	10 - 25 years
Quito Road from Bicknell to Woodbank	Placement of rubber cape seal or overlay to maintain pavement surface. This is a collector road and is critical for transit needs in the Town.	Fall 2023	10 - 25 years
Santa Cruz Avenue from Blossom Hill Road to Highway 9	Placement of rubber cape seal or overlay to maintain pavement surface. This is an arterial road and is critical for transit needs in the Town.	Fall 2024	10 - 25 years

PASSED AND ADOPTED at a regular meeting of the Town Council of the Town of Los Gatos, California, held on the 3rd day of August of 2021 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: 08/03/2021

ITEM NO: 7

DATE: July 21, 2021

TO: Mayor and Town Council

FROM: Laurel Prevetti, Town Manager

SUBJECT: Authorize a Contract Amendment with SWCA Environmental Consultants in the Amount of \$26,000 for a Total Revised Contract Amount not to Exceed \$225,828 for Capital Improvement Project 832-4508 Vegetation Management

RECOMMENDATION:

Staff recommends that the Town Council authorize a contract amendment with SWCA Environmental Consultants in the amount of \$26,000 for a total revised contract amount not to exceed \$225,828 for Capital Improvement Project 832-4508 Vegetation Management.

BACKGROUND:

On June 2, 2020 the Town Council authorized an agreement with SWCA to develop a vegetation management plan for the Town's roadsides and open space. SWCA has been working on that plan with staff and is nearing completion.

DISCUSSION:

During the course of establishing the plan, staff directed SWCA to expedite the roadside vegetation management portion of the plan to allow for work to begin in late 2020. Separating the roadside portion and other work associated with incorporating Geographic Information System (GIS) data into the program has increased the project costs.

CONCLUSION:

The additional funds will allow for the completion of this project.

PREPARED BY: Matt Morley
Parks and Public Works Director

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

PAGE 2 OF 2

SUBJECT: Contract Amendment with SWCA Environmental Consultants

DATE: July 21, 2021

COORDINATION:

This report is coordinated with the Finance Department

FISCAL IMPACT:

Funding for this change is budgeted in the Fiscal Year 2021-22 Capital Improvement Program Budget.

ENVIRONMENTAL ASSESSMENT:

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

Attachments:

1. Amendment to the Agreement
2. Original Agreement

FIRST AMENDMENT TO AGREEMENT FOR CONSULTANT SERVICES

This FIRST AMENDMENT TO AGREEMENT FOR CONSULTANT SERVICES is dated for identification this 22nd day of July 2021 and amends that certain AGREEMENT FOR CONSULTANT SERVICES dated June 15, 2020, made by and between the **TOWN OF LOS GATOS**, ("Town,") and SWCA, Incorporated dba SWCA Environmental Consultants ("Consultant").

RECITALS

- A. Town and Consultant entered into an Agreement for Consultant Services on June 15, 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 add to the scope of services and provide additional compensation for The Los Gatos Vegetation Management Plan to reduce fire hazards along Los Gatos roadways and in Los Gatos open space.

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, 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 \$26,000, for a total agreement not to exceed \$225,828.

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:

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

ADDITIONAL SERVICES SUMMARY

Project: Los Gatos Vegetation Management Plan

Project No.: 60857

Project Manager: Mark Brandi

No.	Date	Description of Change	Reason for Change	Time Impact	Cost of Change
1	Summer 2020	Digitized Roadways of Concern	No data available from Town	8 hrs	\$ 1,326.00
2	Summer 2020	Digitized Evacuation Routes	No data available from Town	8 hrs	\$ 1,326.00
3	Summer 2020	Evaluated Evacuation Routes	Expanded extent of evaluation	18 hrs	\$ 2,594.00
4	Summer 2020	Digitized Wildland Urban Interface	No data available from Town	10 hrs	\$ 1,746.00
5	Summer 2020	Project Cost Estimate and Phasing Schedule for Roadways	Client Request - Separate deliverables	31 hrs	\$ 6,620.00
6	Fall 2020	Add Belgatos Park to VMP	Client Request	7.5 hrs	\$ 908.50
7	Winter 2020	Incorporate Ad-Hoc Wildfire Committee Report into VMP	Client Request (after draft VMP completed)	9 hrs	\$ 1,495.00
8	Winter 2020-Spring 2021	Additional meetings due to extended project schedule	Check-in meetings with client	17.5 hrs	\$ 3,762.50
9	Spring 2021	Revise Santa Rosa / Hientz parcel boundaries (base maps/calculations)	Client Request (Town GIS incorrect)	14.5 hrs	\$ 1,665.50
11	Spring 2021	Additional Tables/Contractor guidance packets for each Open Space Area	Client Request for contractors	32.5 hrs	\$ 3,651.50
10	Spring 2021	Sensitive Habitat Mapping	Client Request for contractors	7.25 hrs	\$ 822.75
Total					\$ 25,917.75

Note: This Additional Services Summary does not include time associated with coordinating and incorporating additional rounds of revisions into the VMP document, which would increase the total cost of the additional services that have been provided to-date.



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 08/03/2021

ITEM NO: 7

DESK ITEM

DATE: August 3, 2021

TO: Mayor and Town Council

FROM: Laurel Prevetti, Town Manager

SUBJECT: Authorize a Contract Amendment with SWCA Environmental Consultants in the Amount of \$26,000 for a Total Revised Contract Amount not to Exceed \$225,828 and Extend the Agreement Term Through June 30, 2022 for Capital Improvement Project 832-4508 Vegetation Management

REMARKS:

Staff inadvertently left out the request for an extension to the agreement as part of the contract amendment. It is recommended that Council pull the item to include the extension of June 30, 2022 in the motion.

Also included is the Original Agreement (Attachment 2), which was not uploaded as an attachment to the Staff Report.

Attachment received with the Staff Report:

1. Amendment to the Agreement

Attachments Received with this Desk Item:

1. Amendment to the Agreement - Revised
2. Original Agreement

PREPARED BY: Matt Morley
Parks and Public Works Director

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

FIRST AMENDMENT TO AGREEMENT FOR CONSULTANT SERVICES

This FIRST AMENDMENT TO AGREEMENT FOR CONSULTANT SERVICES is dated for identification this 22nd day of July 2021 and amends that certain AGREEMENT FOR CONSULTANT SERVICES dated June 15, 2020, made by and between the **TOWN OF LOS GATOS**, ("Town,") and SWCA, Incorporated dba SWCA Environmental Consultants ("Consultant").

RECITALS

- A. Town and Consultant entered into an Agreement for Consultant Services on June 15, 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 add to the scope of services and provide additional compensation and to extend the Agreement term for The Los Gatos Vegetation Management Plan to reduce fire hazards along Los Gatos roadways and in Los Gatos open space.

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, which is hereby incorporated by referenced and attached as Exhibit B.

2. Section 2.2 Term and Time of Performance is amended to read:

The contract term is extended to June 30, 2022.

3. Section 2.6 Compensation is amended to read:

Additional compensation for Consultant's professional services shall be \$26,000, for a total agreement not to exceed \$225,828.

4. 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

AGREEMENT FOR CONSULTANT SERVICES

THIS AGREEMENT is made by and between TOWN OF LOS GATOS, a California municipal corporation, (“Town”) and SWCA, Incorporated dba SWCA Environmental Consultants (“Consultant”), whose address is 60 Stone Pine Road, Suite 100, Half Moon Bay, CA 94019 shall be effective on the date that this Agreement is fully executed by the parties hereto (“Effective Date”). This Agreement is made with reference to the following facts.

I. RECITALS

- 1.1 The Town desire to engage Consultant to provide a comprehensive vegetation management plan to reduce fire hazards along Los Gatos roadways and in Los Gatos open space.
- 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 Proposal for Los Gatos Vegetation Management Plan sent to the Town on May 27, 2020, 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 the date of execution to June 30, 2021. Consultant shall perform the services described in this agreement Exhibit A, including the proposed schedule.
- 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 \$199,828**, 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

SWCA, Incorporated dba SWCA
Environmental Consultants
Attn: Mark Brandi
60 Stone Pine Road, Suite 100
Half Moon Bay, CA 94019

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:

Consultant, by:

DocuSigned by:
Laurel Prevetti 6/15/2020
853FEEAZEB39470...
Laurel Prevetti, Town Manager

SWCA, Incorporated dba SWCA Environmental Consultants

Recommended by:

DocuSigned by:
Matt Morley 6/15/2020
BBA0B3B0D8F4484...
Matt Morley
Parks and Public Works Director

Robert L Kroeger
Title Robert Kroeger, Senior Vice President

Approved as to Form:

DocuSigned by:
Robert W. Schultz 6/15/2020
2FE0938555B744C...
Robert Schultz, Town Attorney

Attest:

DocuSigned by:
Shelley Neis 6/15/2020
B9666F65B1F34F6...
Shelley Neis, MMC, CPMC, Town Clerk



Proposal for LOS GATOS VEGETATION MANAGEMENT PLAN

SUBMITTED TO

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



April 16, 2020
Revised May 27, 2020

SUBMITTED BY

SWCA Environmental Consultants
60 Stone Pine Road, Suite 100
Half Moon Bay, CA 94019



ENVIRONMENTAL CONSULTANTS

Sound Science. Creative Solutions.®

60 Stone Pine Road, Suite 100
Half Moon Bay, California 94019
Tel 650.440.4160 Fax 650.440.4165
www.swca.com

April 16, 2020

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

Submitted via email to: mmorley@losgatosca.gov

Re: Town of Los Gatos Vegetation Management Plan

Dear Mr. Morley:

SWCA Environmental Consultants (SWCA) is pleased to submit our proposal to prepare a Vegetation Management Plan and associated environmental documentation for the Town of Los Gatos (Town). We understand that this document is of critical importance to the Town to limit fire danger in a timely manner and ensure the safety of its residents, and we are committed to providing creative and efficient solutions to allow the Town to begin implementing the plan this year.

Over the past 15 years, SWCA has developed and delivered almost 40 Community Wildfire Protection Plans (CWPPs) throughout the United States. Our approach is aligned with the National Cohesive Wildland Fire Management Strategy and Healthy Forest Restoration Act of 2003.

The contract will be managed from SWCA’s Half Moon Bay Office under Principal-in-Charge Megan Peterson. Mark Brandi will serve as the project manager, coordinate the day-to-day execution of the project, and serve as the primary point of contact for the contract. Mr. Brandi’s experience encompasses nearly two decades of natural resources management, design, and permitting, and he is well versed in all aspects of environmental consulting, including vegetation management, public outreach, and environmental review. Mr. Brandi will be supported by SWCA’s in-house team of experts, including fire prevention planning specialists, arborists, and National Environmental Policy Act (NEPA)/California Environmental Quality Act (CEQA) planners. Our in-house expertise will be supplemented by our subconsultants—Carol Henson of Geo Elements and John Justice, former Deputy Chief of Fire Prevention for the Santa Clara County Fire Department. Geo Elements brings extensive on-the-ground experience in all aspects of wildland fire and fuels management throughout the western United States, and Mr. Justice brings invaluable expertise in local wildfire protection practices.

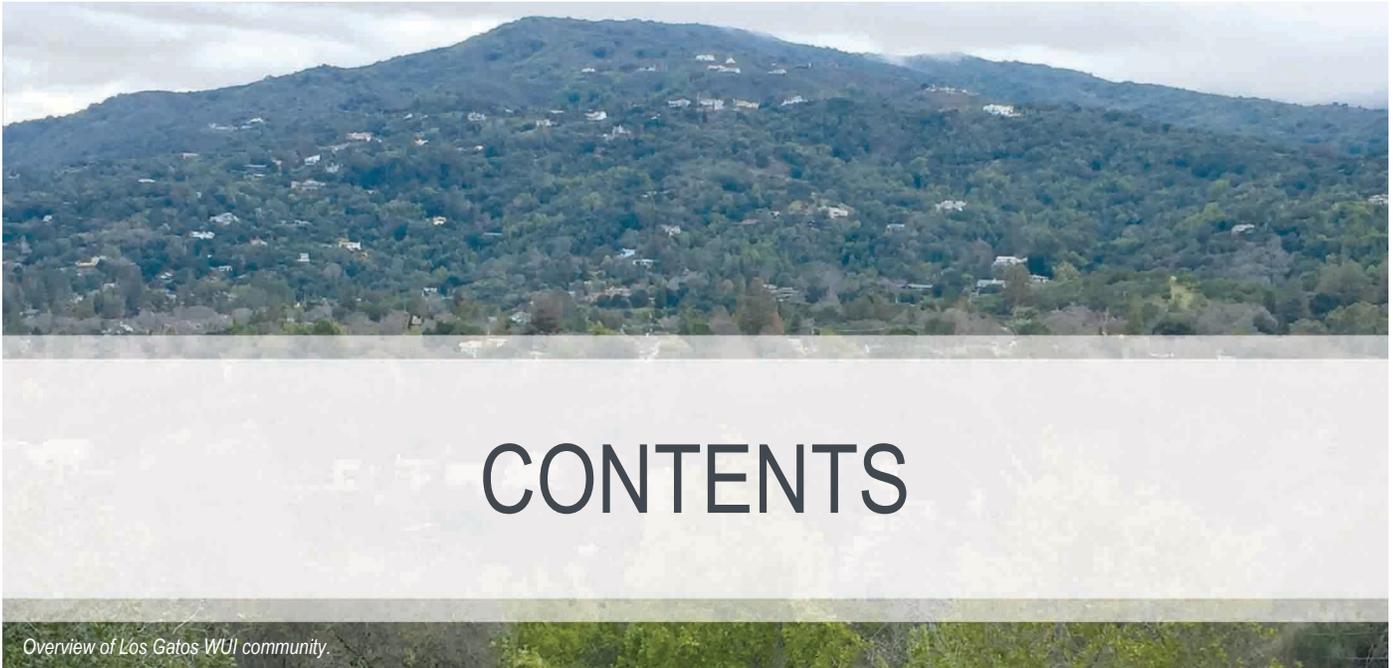
Furthermore, SWCA has a solid understanding of the work required for the project and of the Los Gatos community natural resources, having assisted the Santa Clara County Fire Department with the development of the countywide CWPP in 2016. This plan included a detailed analysis of wildfire hazards within the Town limits and mitigation projects and prioritizations that will directly inform the development of the Vegetation Management Plan.

Thank you for taking the time to review our submission. Should you have any questions or require additional information, please contact me at (650) 440-4160 x 6412 or mark.brandi@swca.com.

Sincerely,

Mark Brandi
Project Manager

Megan Peterson
Principal-In-Charge



CONTENTS

Overview of Los Gatos WUI community.

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A. EXPERIENCE AND QUALIFICATIONS

SWCA ENVIRONMENTAL CONSULTANTS

An employee-owned corporation established in 1981, SWCA Environmental Consultants (SWCA) specializes in providing comprehensive environmental planning, regulatory compliance, and natural and cultural resource management services to businesses and government clients across the United States. We work to understand the full life cycle of each project, from its early inception to completion. In the face of rapid environmental, economic, and societal changes, SWCA provides a comprehensive approach to the challenges your staff face. We offer the Town of Los Gatos (Town) a focused suite of environmental consulting services combined with regional knowledge, professionalism, customer focus, and high-quality service. We apply our motto “**Sound Science, Creative Solutions**” to each of our projects, producing defensible technical results that ensure project success.

Since our founding in 1981, SWCA has grown into a large business with 1,200 employees in 38 offices nationwide, including six offices in California—Half Moon Bay, San Francisco, Sacramento, San Luis Obispo, Pasadena, and San Diego. Our in-house experts include project managers, permitting specialists, California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) planners, fire planners, biologists, archaeologists, paleontologists, architectural historians, technical editors, and geographic information system (GIS) specialists. Our natural and cultural resource specialists are particularly well known for exceptional data collection, analysis, and deliverable production, which ensures our clients receive high-quality environmental documentation.

Drawing on three decades of experience providing environmental services and deep roots in the Bay Area, SWCA offers the ideal combination of local focus, bench strength, and technical expertise.

FIRE RISK ASSESSMENT

For over 16 years, the SWCA team has provided natural and cultural resource management and planning services related to fire and forest management. We have developed 40 Community Wildfire Protection Plans (CWPPs) across the United States and have assisted many communities in coordinating Firewise programs. In 2016, SWCA worked with federal, state, and local stakeholders to prepare the Santa Clara County CWPP, which identifies the accumulation of wildland fuels, development within or near the wildland-urban interface (WUI), rugged terrain, and prolonged dry fire seasons as major sources of wildfire risk in Santa Clara County. In addition to our extensive CWPP work, SWCA has completed multiple Fire Management Plans (FMPs) and accompanying NEPA documents for the National Park Service (NPS), and hazardous fuels reduction planning and accompanying NEPA documents for U.S. Forest Service (USFS) projects across the United States.



Active wildfires can be used to produce better fire behavior modeling to determine behavior patterns.

In addition, SWCA recently prepared a site-specific wildfire assessment to support the Canyon Lane Roadway Improvements Project on behalf of the County of San Mateo. That wildfire assessment evaluated the project's exposure to wildland fire by characterizing the biophysical setting and fuel types, modeled fire behavior in the event that a wildland fire occurred on-site, and provided mitigation measures to reduce the risk of the project causing wildland fire. The results of the wildfire assessment were then used to develop the Wildfire section of the Environmental Impact Report (EIR) for the project.



Our fire planning specialists have considerable experience that we can apply to the development of the Vegetation Management Plan (VMP), including developing risk assessments utilizing the Interagency Fuel Treatment Decision Support System (IFTDSS), FARSITE, FlamMap and BehavePlus. Our GIS team is well equipped and qualified to develop high-quality displays, maps, and map sheets to support the planning effort, as well as other graphic information for meetings.

ARBORIST SERVICES

SWCA provides top-quality arboricultural and horticultural solutions for project permitting and implementation of mitigation/monitoring requirements. Our specialists have the expertise to solve a myriad of tree-related issues in both urban and natural environments, and we employ a diverse group of resource scientists, including Certified Arborists, urban foresters, botanists, and restoration ecologists, who can produce high-quality, cost-effective solutions for our clients, while simultaneously meeting stringent agency requirements. We have provided arborist services to federal, state, and municipal agencies as well as private development companies and landowners.

SWCA's team of arboricultural specialists regularly conduct urban street tree inventories, oak woodland surveys, and tree health assessments, including macrolevel visual health assessments, microbial and fungal diagnoses, and analyses of soil composition and quality. They have developed street tree plans, oak tree mitigation and monitoring plans, habitat restoration plans for oak woodlands, and tree inventory and preservation plans in support of project permitting. Finally, they have implemented numerous mitigation and monitoring programs that included arboricultural components, habitat restoration efforts, native plant landscaping, and tree planting and care.

SWCA's arborists have conducted numerous surveys throughout California for tentative tract maps, parcel maps, and other types of projects. During these surveys, trees are tagged and numbered, and data collected for each tree includes species, height, diameter, canopy spread, physical condition, suggested treatment, and rating, and locations are mapped using Global Positioning System (GPS) devices.

TESTIMONIAL

"We have already recommended SWCA to colleagues. Thank you for producing a great product for us!"

*Jenny Hall
Josephine County Emergency Manager
Rogue Valley Integrated Fire Plan
August 2017*

NATURAL RESOURCES SERVICES

SWCA's California team of biologists includes top scientists, restoration ecologists, and arborists in their fields, respected by their peers and natural resource agency personnel alike. SWCA has a solid understanding of the work required for VMPs, and we have worked on similar vegetation removal projects. SWCA recently prepared Initial Study/Mitigated Negative Declarations (IS/MNDs) for four California Pacific Gas & Electric Company (PG&E) vegetation removal projects—two in San Luis Obispo County and one each in Half Moon Bay and San Benito County. Details for these projects have been provided in **Section B, Relevant Projects**.

In addition, our biologists have extensive project experience, including conducting siting, alternatives, and constraints analyses; recording and documenting pre-project existing biological conditions; conducting wetland and waters delineations; and developing and implementing specialized studies, mitigation and monitoring plans, and environmental compliance programs.

SWCA biologists have a thorough understanding of the diverse ecological systems and processes within the San Francisco Bay region, as well as its many sensitive natural resources, including jurisdictional and sensitive habitats, rare plants and wildlife species, wetland and water resources, and urban forests and native woodlands. Additionally, we are experts in the laws, regulations, and ordinances that protect sensitive natural resources, as well as the associated agency consultation, permitting, and compliance processes.

Vegetation Management

Since 2008, SWCA has been involved in post-fire restoration projects and continues to assist both public and private partners with post-fire recovery and rehabilitation. We frequently work with federal, state, and local governments as well as private landowners on wildfire planning and restoration projects, from helping to secure funding, to assessment of post-fire vegetation recovery, engineering plans for erosion control and hydrological processes, and recommended actions such as vegetation management for infrastructure protection. SWCA can also provide extensive pre-fire planning services that utilize fire behavior modeling and geomorphological modeling to identify natural resources and infrastructure that would be vulnerable to extreme fire behavior. This modeling process can be used to develop mitigation measures and vegetation management strategies to improve overall resiliency to fire and pre-planning to enhance post-fire response.

SWCA encourages accurate preconstruction vegetation evaluations for many of our projects. There are many reasons why these upfront efforts can reduce long-term project costs, including providing a basis for project design and restoration planning, identifying an accurate baseline for stormwater management permit closure following project completion, and characterizing preconstruction conditions on third-party property for the purposes of landowner negotiation, to name a few. In SWCA's experience, one size does not fit all for these efforts—while vegetative cover analysis for the purposes of stormwater permit closure can be effectively approximated using rapid field techniques, we may recommend more detailed, robust methods for other matters such as U.S. Army Corps of Engineers (USACE) Section 404 restoration area monitoring or when working on a demanding land owner's property.



SWCA constructed a ramp to skid vegetation over a creek without heavy equipment.

SWCA's restoration specialists also regularly develop habitat restoration plans that provide specifications that can be implemented by contractors to meet project pre-planning, restoration, or mitigation requirements. These plans will typically include details for vegetation management and removal, grading, soil nutrient and preparation requirements, seed mix and live plant material lists, plant and erosion control installation, irrigation, and monitoring and maintenance activities. We have developed these plans for restoration projects that were required by USACE Section 404 permits, federal land leasing agencies, parks and open space districts, towns, and private property owners. We have qualified field technicians with experience observing restoration and mitigation project implementation who are available to provide services during construction/vegetation management activities. And, following construction, we are frequently asked to conduct post-construction monitoring and reporting. In addition, SWCA restoration specialists work with project proponents to identify long-term maintenance and monitoring programs that will meet the goals of individual vegetation management projects.

Restoration and Conservation

SWCA has successfully developed mitigation, habitat restoration design, and environmental compliance programs for projects ranging in size from single-repair actions to multi-year, multi-million-dollar contracts. Our services include working with regulatory agencies and construction contractors to identify and understand the critical path timelines for environmental elements of projects, ensure environmental compliance of project designs, provide environmental training and education for construction crews, and coordinate and monitor the environmental commitments and mitigation measures as the project is implemented.

Our team also includes specialists who develop mitigation and monitoring plans for jurisdictional habitats and special-status species, plan and implement habitat restoration efforts in upland, riparian, and bayfront ecosystems; and coordinate land acquisition efforts within agency-approved conservation and restoration sites. In addition, SWCA is an industry-recognized expert at wetlands and waters of the U.S. restoration and permitting activities. We have



performed wetland and waterway delineations and successfully worked with various stakeholder groups including counties, regulatory agencies, non-governmental organizations, and private investors (e.g., mitigation bankers) to establish mitigation banks, restoration sites, and permittee-responsible mitigation sites throughout California.

CEQA AND NEPA SERVICES

SWCA excels at preparing objective, technically compliant, legally defensible, and clearly written environmental documents to enable approval and speedy implementation of both public and private projects. Our experienced staff have completed hundreds of CEQA documents, including EIRs, IS/MNDs, Mitigation Monitoring and Reporting Programs (MMRPs), and CEQA findings. NEPA documents completed by our local staff include Environmental Impact Statements (EISs), Environmental Assessments (EAs), Records of Decision (RODs), Finding of No Significant Impact (FONSI) decision documents, and Preliminary EA Reports. Our local team is supplemented, as needed, by our company's readily available team of NEPA experts.

SWCA professionals have managed, written, and produced CEQA and NEPA documentation for projects of all types and sizes. Projects have included general and specific plan amendments; area plans; residential, commercial, mixed-use, and industrial land development; wineries; parks and open space; mining; water resources; telecommunication projects; energy production and distribution; transportation; pipelines, fiber optic cables, and other linear projects; landfills; and natural resources management plans. In addition to preparing entire CEQA and NEPA documents, SWCA has the qualifications and experience to:

- Prepare key technical sections of CEQA and NEPA documents;
- Conduct strategic third-party review of CEQA documents prepared by others;
- Comprehensively administer the CEQA process for agencies needing additional staff resources, including staff reports and presentations; and
- Prepare and implement mitigation monitoring and reporting programs.

SWCA has extensive experience providing CEQA services to numerous Bay Area jurisdictions, including the City and County of San Francisco, City of Vallejo, City of Concord, County of San Mateo, City of Half Moon Bay, and City of South San Francisco. SWCA has also provided other environmental consulting services (e.g., biological and cultural surveys and compliance monitoring) primarily for utility clients for numerous projects located within Santa Clara County. As previously mentioned, SWCA was contracted by the Santa Clara County Fire Department to prepare the County's CWPP in 2016. Given this extensive local and regional experience, SWCA has unsurpassed knowledge of and familiarity with all aspects of environmental review and procedures required by CEQA, as well as many of the challenges facing the Town with respect to environmental review. SWCA is committed to objective, thorough analyses and takes a strategic approach to ensure maximum flexibility through the planning and approval process.

FACILITATION AND PUBLIC INVOLVEMENT

SWCA also provides community relations, facilitation, and public involvement services, either as part of the CEQA or NEPA process, or as stand-alone services. In today's climate of environmental awareness, our clients deal with increasingly complex issues that require integration of science and planning, and often involve a variety of groups with diverse interests.

Our experts can help navigate the complexities of engaging the public. We can also prepare PowerPoint presentations and speaker outlines for planning staff to use during public hearings. Our project managers have facilitated public informational and scoping meetings, coordinated and participated in interagency and focused resource agency meetings, contributed to project outreach and workshop efforts, presented information and responded to questions during formal public hearings, and provided agency staff support by providing written and verbal responses to public comments during the hearing process. SWCA staff are here to help in any way to assist with providing information to the public for a robust and thoughtful public participation process.



Public meeting hosted by SWCA for a CWPP in Santa Clara County, California

SUBCONSULTANTS

GEO ELEMENTS



Geo Elements, LLC is a wildland fire and fuels consulting business. Based in Leeds, Utah, Carol Henson founded Geo Elements, LLC in October 2009, after retiring with almost 30 years of wildland fire and fuels management experience. Geo Elements consists of a team of wildland fire professionals who have extensive on-the-ground experience in all aspects of wildland fire and fuels management throughout the western United States. Their goal is to develop practical solutions for complex issues involving the wildfire environment. These solutions are based on science and the best available technology to assess each situation and address the specific needs of their clients.

JOHN JUSTICE

John Justice is the former Deputy Chief of Fire Prevention at the Santa Clara County Fire Department. He will serve as a local technical expert and community liaison, providing oversight, helping to identify partners and stakeholders, and providing quality control for the final VMP. A trusted figure in the community who has been directly involved with past fire prevention planning efforts in the area, Mr. Justice will help the SWCA team address community concerns and develop wildfire risk mitigation strategies within the town. SWCA worked closely with Mr. Justice in the development of the Santa Clara County CWPP in 2016.



B. RELEVANT PROJECTS

SWCA ENVIRONMENTAL CONSULTANTS

SANTA CLARA COUNTY COMMUNITY WILDFIRE PROTECTION PLAN

SANTA CLARA COUNTY FIRE DEPARTMENT

Contact: Brian Glass, Assistant Fire Chief	Phone: Office: 408.378.4010
Address: 14700 Winchester Boulevard, Los Gatos, CA 95032	Email: brian.glass@sccfd.org



SWCA developed a CWPP and California Department of Forestry and Fire Protection (CAL FIRE) Unit Plan for Santa Clara County, and prepared a comprehensive risk/hazard analysis to identify priority areas for wildfire mitigation and prevention. We facilitated multiple community and agency workshops to gather input on fuel reduction and other mitigation projects across multiple jurisdictions. We also completed WUI assessments to analyze structural ignitability and evacuation concerns.

CITY OF HALF MOON BAY COASTAL VEGETATION MAINTENANCE SERVICES INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

CITY OF HALF MOON BAY

Contact: Douglas Garrison, Senior Planner	Phone: 650.712.5836
Address: 501 Main Street, Half Moon Bay, CA 94019	Email: dgarrison@hmbcity.com



SWCA is preparing an IS/MND pertaining to the issuance of a Coastal Development Permit to support vegetation maintenance (e.g., removing trees and brush) within PG&E's existing rights-of-way (ROW) that contain a high-pressure natural gas transmission pipeline within Half Moon Bay. Vegetation maintenance activities will improve emergency access and allow for routine leak surveys, which are necessary to maintain natural gas pipeline integrity.



GREENBELT FUEL REDUCTION INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

CITY OF MONTEREY

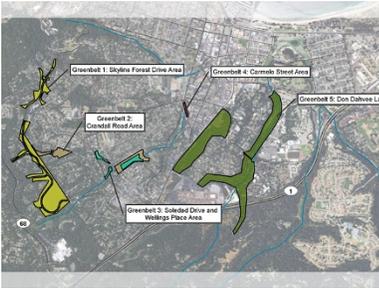
Contact: Kimberly Cole, Community Development Director*

Phone: 831.646.3885

Address: 580 Pacific Street, Monterey, CA 93940

Email: kcole@monterey.org

* Ms. Cole is listed here because the original contact, Elizabeth Caraker, is no long with the City of Monterey.



SWCA worked with the City of Monterey Public Works Department, Planning Department, and Fire Department to develop a fuel reduction plan that included methods for vegetation removal and thinning, elimination and disposal of removed fuel, access for crews and vehicles, staging areas, and environmental sensitivity training for crews. SWCA prepared an IS/MND, which included a comprehensive analysis of potential environmental effects and mitigation options and examination of project consistency with existing zoning, plans, and applicable land use controls.

NATIONAL PARK SERVICE FMP NEPA BLANKET PURCHASE AGREEMENT

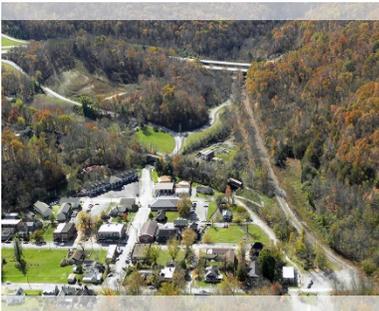
NATIONAL PARK SERVICE

Contact: Becky Brooks, National Fire Planner, U.S. Fish and Wildlife & National Park Service

Phone: 208.387.5345

Address: National Interagency Fire Center, 3833 S. Development Avenue, Boise, ID 83705

Email: becky_brooks@fws.gov



SWCA was selected to develop EAs in support of revised FMPs for multiple parks across the United States. The separate task orders span from 2012 to present and include the Appalachian National Scenic Trail, Jean Laffite National Historical Park and Preserve, 13 National Park Units of the Utah Group Parks, Salinas Pueblo Missions National Monument, Cumberland Gap National Historical Park, Chickamauga and Chattanooga National Military Park, Olympic National Park, and Devils Post Pile National Monument. SWCA's tasks included internal and public scoping, all NEPA compliance, and development of FMPs or Spatial FMPs that address all wildfire and fire prevention actions.

PG&E GAS PIPELINE 306 VEGETATION MANAGEMENT PROJECT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

COUNTY OF SAN LUIS OBISPO

Contact: Kate Shea, Supervising Planner

Phone: 805.781.4097

Address: Department of Planning and Building; 655 Capistrano Ave, Atascadero, CA 93422

Email: kbshea@co.slo.ca.us



SWCA was retained by the County of San Luis Obispo in March 2018 to prepare an IS/MND for the PG&E Gas Pipeline 306 Vegetation Management Project. The project would allow PG&E to perform vegetation maintenance within PG&E's existing ROW in three areas that contained high-pressure natural gas pipelines. The project included a minor use/coastal development permit within the coastal zone of the county near the city of Morro Bay.

SWCA prepared an IS/MND analyzing information provided by PG&E and the County of San Luis Obispo, including coastal zone permit application materials, site plans, cultural and biological resources technical reports, previous agency consultation for the project, past studies

conducted at project sites, and other supporting document information. In coordination with the County of San Luis Obispo and consistent with CEQA requirements, the IS/MND and supporting analysis specifically addressed comments and questions previously raised by PG&E. SWCA completed the draft IS/MND, which was then reviewed and finalized by the County of San Luis Obispo.

This project demonstrated SWCA's ability to work closely with the County of San Luis Obispo on key issues during the environmental review while addressing specific concerns by PG&E. This project was completed within the original budget and on schedule and received permit approval.

PG&E GAS PIPELINE 300A/B VEGETATION MANAGEMENT PROJECT AND INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

PACIFIC GAS & ELECTRIC COMPANY

Contact: Vick Germany, Senior Land Planner

Phone: 925.328.5176

Address: 6111 Bollinger Canyon Road, 3d Floor; Mail Code BR1Y3A; San Ramon, CA 94583

Email: V1G6@pge.com



SWCA was retained by PG&E to provide biological documentation support and an IS/MND for the Line 300A/B Vegetation Management Project. The project included approximately 18 acres of vegetation removal along 25 miles of natural gas transmission line ROW in rural San Benito County. SWCA prepared an IS/MND on behalf of the California Department of Fish and Wildlife (CDFW), as the CEQA lead agency. As part of this process, SWCA worked very closely with PG&E and CDFW in the development of mitigation measures to reduce biological resources impacts yet allow construction to proceed as planned.

SWCA also prepared biological assessments for special-status species such as San Joaquin kit fox, California red-legged frog, California tiger salamander, San Joaquin antelope squirrel, golden eagle, and rare plants. Reports included suggestions on constructability to avoid potential sensitive resources, an analysis of recommended environmental permits, and suggestions for further biological studies and surveys.

The SWCA team prepared an early evaluation for San Joaquin kit fox (federally endangered and state threatened) conforming to the methods outlined by the U.S. Fish and Wildlife Service (USFWS). A desktop review was conducted to identify records of kit fox within 10 miles of the project. Reconnaissance-level field surveys were performed identifying vegetation communities and potential kit fox habitat features. Although no evidence of kit fox was observed during the reconnaissance surveys, it was determined that kit fox have potential to occur within the project area based on the presence of suitable habitat and known occurrences in the project vicinity. SWCA (in conjunction with Biosearch biologists) developed a feasible mitigation plan in order to avoid significant impacts to kit fox.

In addition to the biological constraints review and kit fox evaluation, SWCA assisted PG&E in the development of a CDFW Section 1600 Lake and Streambed Alteration Agreement (LSAA) and development of a mitigation plan for the LSAA.



PG&E PIPELINE PATHWAYS VEGETATION MANAGEMENT PROGRAM ENVIRONMENTAL SUPPORT

PACIFIC GAS & ELECTRIC COMPANY

Contact: Dustin Joseph, Supervisor for Gas Transmission Projects

Phone: 925.415.6890

Address: 6111 Bollinger Canyon Road, Third Floor, San Ramon, CA 94583

Email: D1J4@pge.com



SWCA was retained by PG&E to provide environmental support for PG&E’s Vegetation Management program throughout the PG&E Central Coast region. In support of the Vegetation Management program, SWCA has prepared CEQA documents and environmental permits (e.g., CDFW Section 1602), and provided agency consultation (e.g., USFWS, CDFW) regarding potential impacts to special-status species, wetlands, and sensitive habitats. SWCA has also provided project environmental review for over 50 Vegetation Management projects; each project included desktop review, field habitat assessments, and preparation of a constraints report detailing potential impacts to special-status species, an

assessment of potential resource permits required, and suggested avoidance and minimization measures (AMMs). SWCA provided environmental review for five projects in the Crystal Springs watershed, including impact assessments for special-status wildlife (e.g., California red-legged frog, San Francisco dusky-footed woodrat) and special-status plants (e.g., Marin western flax, fountain thistle, San Mateo thorn-mint). SWCA also conducted preconstruction special-status species surveys, including nesting bird surveys, rare plant surveys, and biological monitoring, during vegetation management activities.

These fast-paced projects required the effective management of a range of activities and workflows and the ability to accurately determine priorities against a large number of pending deliverables. SWCA was able to isolate items with long lead times and submit applications and requests in advance to keep the work progressing and the project on-schedule. SWCA was also able to scope as-needed work in units so that the client could accurately forecast expenditures.

POPE AND HARDIN COUNTY COMMUNITY WILDFIRE PROTECTION PLANS

POPE COUNTY AND HARDIN COUNTIES, ILLINOIS

Contact: Scott Crist, Fire Management Officer, USFS – Shawnee NF, IL

Phone: 618.253.1032

Address: Shawnee National Forest, 50 Highway 145 South, Harrisburg, IL 62946

Email: scott.w.crist@usda.gov



In 2016, SWCA completed a comprehensive CWPP to assist Pope County in reducing the risk of catastrophic wildfire to rural communities. Due to the success of that project, in 2019, SWCA was retained to complete the CWPP for adjacent Hardin County. These counties comprised large areas of National Forest with active forest management and prescribed fire

programs.

Each Core Team was made up of a wide variety of stakeholders, including federal, state, and local agencies and private landowners. Creating the CWPPs involved a collaborative effort that identified and

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“Victoria Amato and the entire [SWCA] team provided excellent service. The team was professional and timely. The final plan looks great!”

Sarah Farmer
Southeastern Illinois Regional Planning and
Development Commission
Popo County CWPP, November 2016

prioritized areas for hazardous fuels reduction and recommended realistic measures that homeowners and communities could take to reduce the ignitability of structures throughout the area. During the planning process, SWCA facilitated a series of public meetings to gain valuable insight on each community’s needs. Existing GIS datasets were integrated to develop a risk assessment framework for the vegetated lands and developed communities within the project areas. The CWPPs were developed to align with the goals of the National Cohesive Wildland Fire Management Strategy (CWS). Our approach provided Pope and Hardin Counties with effective CWPPs that have already been used to secure funding for home hazard assessments, vegetation management projects and resources to bolster wildfire response.

VALENCIA COUNTY COMMUNITY WILDFIRE PROTECTION PLAN

VALENCIA COUNTY			
Contact:	Rob Barr, Wildland Captain, Valencia County, New Mexico	Phone:	505.620.6045
Address:	444 Luna Ave SE, Los Lunas, NM 87031	Email:	rob.barr@co.valencia.nm.us



SWCA worked with the communities of Valencia County, New Mexico, to develop a County-level CWPP that would serve to protect the people, infrastructure, and natural resources of the Rio Grande Valley, including the municipalities of Los Lunas and Belen and the Pueblo of Isleta, from catastrophic wildfire. The CWPP involved considerable public input through organized meetings and attendance at public events.

Work on the Valencia County CWPP integrated existing GIS datasets to develop a risk assessment framework for the forested, agricultural, riparian, and developed communities within the project area.

The Core Team was made up of a wide variety of stakeholders, including federal, state, and local agencies; soil and water conservation districts; environmental advocacy groups; homeowner associations; tribes; and private landowners. Valencia County has successfully used the CWPP to secure funding to develop a community-focused homeowner guide, expand their wildfire program, and initiate a program for individual wildfire hazard assessments. SWCA was retained to update the Valencia County CWPP in 2017/2018, which was revised to align with the goals of the CWS.

TESTIMONIAL

“I would recommend SWCA for developing a working document you can use to meet additional goals and needs in your community regarding WUI issues.”

*Rob Barr, Wildland Captain, Valencia County
Fire Department,
Valencia County CWPP 2012 and
2017 Update*



TORRANCE COUNTY AND CLAUNCH-PINTO SOIL WATER CONSERVANCY DISTRICT COMMUNITY WILDFIRE PROTECTION PLAN UPDATES

TORRANCE COUNTY AND CLAUNCH-PINTO SOIL WATER CONSERVANCY DISTRICT

Contact: Dierdre Tarr, District Manager, Claunch Pinto Soil and Water Conservation District, Torrance County NM **Phone:** 505.847.2243
Address: 1206 South Highway 55, PO Box 129, Mountainair, NM 87036 **Email:** dierdre.tarr@nm.nacdnet.net



Our team prepared two comprehensive collaborative plans that assisted government agencies and communities on the eastern slope of the Manzano Mountains and rural lowlands of Torrance County, New Mexico. The plans included both television and newspaper media exposure and involved a tight, rigorous schedule. This was a controversial planning effort for the community and was a collaborative process.

The CWPP received considerable community and Core Team involvement, with more than 50 people included in the Core Team, more than 100 residents in attendance at public meetings, and more than 150 surveys submitted. The plan also provided the involved communities and the Claunch-Pinto Soil and Water Conservation District with the opportunity to receive future funding for wildfire and WUI mitigation, covering thousands of acres of high-risk areas. This project demonstrates our experience with organizing and facilitating consensus-based planning with diverse stakeholders. SWCA was retained to complete the 5-year CWPP updates.

The Torrance County and Claunch-Pinto Soil Water Conservancy District CWPP that SWCA produced is included in the National Database of State and Local Wildfire Hazard Mitigation Programs as an exemplary CWPP.

TESTIMONIAL

“The [CWPP] meetings were not without controversy, but the SWCA staff handled these meetings very professionally. We received excellent public feedback from all of these meetings.”

*Dierdre Tarr, District Manager,
Claunch-Pinto Soil and Water
Conservation District,
Claunch-Pinto CWPP 2008 and 2016 Update*

AMERICAN RIVER PARKWAY NATURAL RESOURCES MANAGEMENT PLAN

SACRAMENTO COUNTY REGIONAL PARKS

Contact: Liz Bellas, Director **Phone:** 916.875.5925
Address: 10361 Rockingham Drive, Suite 100, Sacramento, CA 95827 **Email:** bellase@saccounty.net



Image courtesy of pxhere.com

Prior to joining SWCA, Mark Brandi and Laura Moran helped the County of Sacramento Regional Parks Department to develop a comprehensive Natural Resources Management Plan (NRMP) for the entire 23-mile American River Parkway in Sacramento County.

Development of the NRMP included extensive data acquisition and review, development of a comprehensive GIS database to track and update the spatial distribution of resources along the river, and mitigation measures to reduce potential impacts to the regionally significant resources of the parkway, including recreation overuse and wildfire risks. Our staff also worked with the Parks Department to streamline the NEPA/CEQA environmental review and permitting process, and to develop a robust public outreach process to engage the local community and stakeholders in the preservation and enhancement of the

parkway. The NRMP document was organized around Biological Resources, Cultural Resources, and Human Resources, and was closely coordinated with other concurrent planning efforts along the river.

BEAR CREEK REDWOODS VEGETATION MANAGEMENT PLANS

MIDPENINSULA REGIONAL OPEN SPACE DISTRICT

Contact: Coty Sifuentes-Winter, Integrated Pest Management Coordinator

Phone: 650.691.1200

Address: 330 Distel Circle, Los Altos, CA 94022

Email: csifuentes@openspace.org



Image by Flickr user Mahmoud Hashemi

Prior to joining SWCA, members of our team, including Mr. Brandi, Ms. Moran, and Lauren Huff, assisted the Midpeninsula Regional Open Space District in undertaking planning studies to open the Bear Creek Redwoods Open Space Preserve just outside of Los Gatos. This work included mapping infestations of invasive plants that would need to be controlled before the preserve was opened and devising an Integrated Pest Management Plan to establish long-term management strategies to control nonnative species and limit fire danger within the preserve. The mapping and Integrated Pest Management (IPM) support were successfully completed by our staff under tight schedule and budget constraints. In addition, our staff assisted the District with a western pond turtle Mitigation and

Management Plan to protect important breeding and nesting habitat adjacent to planned public access areas within the preserve.

OCEANO DUNES HABITAT CONSERVATION PLAN

Contact: Ronnie Glick, Environmental Scientist, California State Parks

Phone: (805) 773-7170

Address: 340 James Way, Suite 270, Pismo Beach, CA 93449-2894

Email: ronnie.glick@parks.ca.gov



Prior to joining SWCA, members of our team, including Ms. Moran and Ms. Huff, worked with the California Department of Parks and Recreation (State Parks) to formulate a strategy to resolve conflicts between the presence of endangered species and recreation within the approximately 5,000-acre Oceano Dunes District in San Luis Obispo County. A Habitat Conservation Plan (HCP) and NEPA/CEQA document were chosen as the best permitting vehicle. The District's park encompasses a large section of the central California coastline, watersheds, and upland terrestrial environments. State Parks' mission is to provide protection for California's natural resources, while providing recreational access to the parks. The

HCP balances these two objectives by developing sound management strategies for the covered species, including the western snowy plover, California least tern, California red-legged frog, tidewater goby, and six listed plant species. Services provided include habitat conservation planning at the federal and state level, NEPA/CEQA environmental permitting, and public outreach. The project requires ongoing consultation with the USFWS and CDFW.

GEO ELEMENTS

Geo Elements specializes in the preparation of CWPPs, Wildland Fire Assessments, Wildland Fire Decision Support Systems (WFDSSs), wildland fire and fuels mitigation strategy development, and development of Cooperative Fire Protection Agreements at the state and local levels. The following includes relevant deliverables and services that members of the Geo Elements, LLC team have provided:

- City of Santa Rosa CWPP (submitted draft CWPP, awaiting approval)
- Consultation with Conejo Recreation and Parks Department on fire recovery and rehabilitation efforts, Thousand Oaks, CA (January 2019)
- A Socio-Ecological Approach to Mitigating Wildfire Vulnerability in the Wildland Urban Interface: A Case Study from the 2017 Thomas Fire, Fire 2019
- A Retrospective Study of Montecito Fire Protection District's Wildland Fire Program during the 2017 Thomas Fire and a CWPP Amendment, Montecito Fire Protection District, CA (October 2018/March 2019)
- Wildland fire technical analysis for the Eastern Goleta Valley/San Marcos Pass Mountainous Communities Community Wildfire Protection Plan, Santa Barbara County, CA (March 2019)
- Fire and Weather Analyses for Fire Danger Operating Plans, California State Office, Bureau of Land Management (June 2016)
- City of Dunsmuir Community Wildfire Protection Plan, Dunsmuir, CA (May 2016)
- Montecito Community Wildfire Protection Plan (February 2016)
- Proposed Coolwater-Lugo Transmission Line, Wildland Fire Assessment—Aspen Environmental Group (2015)
- City of La Verne Community Wildfire Protection Plan (February 2014)
- Management Environmental Review Project Description, City of Goleta Community Wildfire Protection Plan and Butterfly Habitat Plan (October 2013)
- Barry Point Fire Retrospective and Lessons Learned – Winema-Fremont National Forest (February 2013)
- Sevier County Community Wildfire Protection Plans (4) – Acord Lake/Salina Creek, Monroe Mtn/Cove Mtn, Fishlake Basin, and Sevier/Clear Creek/Pahvant (August 2012)
- Revision of Santa Monica Mountain Communities Wildfire Protection Plan (April 2012)
- City of Goleta Community Wildfire Protection Plan (March 2012)
- A Synthesis of Fuel Moisture Collection Methods and Equipment: a Desk and Field Guide, Authors Sue Zahn and Carol Henson (March 2011)
- Wildland Fire Hazard Assessments for Castle Crags State Park and McArthur-Burney Falls State Park, California State Parks and Recreation (March 2010)
- Integrated Wildland Fire Management Plan for Nellis Air Force Base and Nevada Test & Training Range (August 2009)
- A Fire Behavior Analysis to Evaluate Clearance Requirements Around Structures in Ventura County, CA, Poster Session, 2nd Fire Behavior and Fuels Conference (March 2007)
- Validation of 100-Foot Clearance Requirement as it relates to Firefighter Safety, Ventura County Fire Department (2006)
- Rapid-Response Fire Behavior Research and Real-Time Monitoring, Fire Management Today (Summer 2005)
- Real-Time Evaluation of Effects of Fuel-Treatments and Other Previous Land Management Activities on Fire Behavior, Joint Fire Sciences, co-author and fire operations lead (September 2004)
- Santa Anita Canyon Fire Behavior Assessment, Angeles National Forest (September 2004)
- San Bernardino National Forest Fire Behavior and Fuels Assessments, multiple communities within and adjacent to the forest (2003 and 2004)
- Wildland Fuels Management Strategy, Shasta-Trinity National Forest's Forest Fire Management Plan
- Hazard/Risk Assessment for the Trinity Alps Wilderness Fire Restriction Policy, Shasta Trinity National Forest

C. RESUMES

SWCA's **Project Manager Mark Brandi** has nearly 20 years of experience in environmental consulting and landscape architecture and specializes in balancing natural resources with built environments. Mr. Brandi will be supported by **Deputy Project Manager Lauren Huff** and **Natural Resources Lead Laura Moran**, who has decades of experience managing CEQA and NEPA projects for varying agencies throughout California.

SWCA's team also includes a fire resources team including **Fire Ecologists Vicky Amato**—who has a diverse background in fire planning, having worked as Project Manager on the Santa Clara County CWPP and numerous hazardous fuels reduction projects across the West—and **Ari Porter**—who has authored sections for CWPPs and has extensive experience with statistical modeling, geospatial modeling, and analysis using GIS. Lending her experience to the team is **Fire Behavior Modeling Specialist Anne Russell**, the lead GIS specialist for the Santa Clara County CWPP, where she mapped the entire project area and maintained spatial datasets used for analyses and reporting. Ms. Russell has produced wildfire risk assessments for over 30 CWPPs across the country. We also have an International Society of Arboriculture (ISA)-certified **Arborist Erich Schickenberg** on staff, whose experience includes special-status plant surveys, native seed collection, restoration planting, and vegetation community mapping. **Cultural Resources Lead Leroy Laurie** will oversee the cultural resources records review and will contribute to the NEPA/CEQA analysis.

SWCA is joined by two teaming partners who have a strong local presence and extensive experience with fire and fuels management programs—**Carol Henson of Geo Elements, LLC**, and former **Deputy Chief of Fire Prevention for Santa Clara County John Justice**. Ms. Henson has extensive experience in authoring CWPPs and FMPs, providing public prevention education, developing hazardous fuel treatment strategies, writing burn plans, implementing fuel treatment projects, and providing wildland fire and fuels training. Mr. Justice is a prominent figure in the local community and will assist the SWCA team in addressing community concerns and developing wildfire risk mitigation strategies within the town.

Staff resumes are included as **Appendix A**.

C-1. PROJECT LEAD AND AVAILABILITY

MARK BRANDI, PROJECT MANAGER

Mr. Brandi is a landscape architect and restoration ecologist with nearly two decades of experience in landscape architecture and environmental consulting. His professional practice has focused on balancing conservation and development as well as designing landscapes in the context of surrounding ecological systems. Mr. Brandi's primary responsibilities include project management, public outreach, planning and design, and environmental permitting for a wide array of landscape architecture and environmental design projects. These projects include the restoration and management of landscapes and ecosystems, the design of parks and open spaces, and the integration of public access improvements into sensitive habitats. His recent wildland management and fire prevention planning work has included the development of an NRMP for the American River Parkway in Sacramento County, an Invasive Species and Integrated Pest Management Plan for the Bear Creek Redwoods Open Space Preserve outside of Los Gatos, and a firesafe landscape plan for the Lake Chabot Regional Park Campus Modernization Project in Castro Valley.

In addition to our highly qualified project manager, SWCA has more than 30 employees in the Bay Area and 175 employees across California who can mobilize quickly to provide additional services as needed.



Table 1. Staff Availability. Given SWCA's experience, we feel confident that estimated allocations of staff are as accurate as possible and demonstrate our commitment to completion of a successful project.

STAFF MEMBER AND TITLE	% AVAILABILITY
Megan Peterson, Principal-in-Charge / Quality Control/Quality Assurance (QA/QC)	10%
Mark Brandi, Project Manager	60%
Lauren Huff, Deputy Project Manager	60%
Vicky Amato, Fire Ecologist	40%
Ariana Porter, Fire Ecologist	50%
Anne Russell, Fire Behavior Modeling Specialist	20%
Laura Moran, Natural Resource Team Lead	30%
Jessie Henderson-McBean, Biologist	60%
Erich Schickenberg, Arborist	60%
Leroy Laurie, Cultural Resources Lead	15%
Juliet Bolding, Environmental Planner	60%
Anna Belk, GIS Specialist	50%
Jennifer Torre, Project Controller	10%
Carol Henson, Fuel Management Specialist Geo Elements	40%
John Justice, Local Technical Expert Former Deputy Chief of Fire Prevention for Santa Clara County	40%

D-1–5. PROJECT APPROACH

A significant portion of Los Gatos falls within the WUI area; therefore, the Town is seeking a qualified environmental services firm to advance the Town's efforts in reducing wildfire hazards by preparing a VMP that outlines a framework for managing hazardous fuel loads and vegetation. Given the ongoing wildfire-related risks facing California, SWCA is acutely interested in assisting the Town with the preparation of their VMP, NEPA/CEQA environmental review, and associated stakeholder and public outreach efforts for this very important wildfire project. SWCA will assist the Town in developing "project-ready" prescriptions for wildfire risk reduction around the WUI interface. Having developed numerous CWPPs, including the Santa Clara County CWPP, our SWCA team is well equipped to help the Town with the development of a VMP that will prioritize the treatment of wildfire hazard and identify the needed mitigation measures to protect environmental resources. Through a collaborative process that engages the public and stakeholders, the SWCA team will assess and assign priorities for fuel reduction and provide the Town with projects and prescriptions that are NEPA and CEQA compliant.

D-0. ROADWAY VEGETATION MANAGEMENT

In order to address the immediate needs of the Town and begin vegetation management as soon as possible before the peak fire season of 2020, SWCA will work with the Parks and Public Works Department to expedite and fast-track vegetation maintenance along the WUI roadways identified on Figure 2 of the Request for Proposals. These roadways were identified as being of 'High Concern' to hillside residents due to the potential for entrapment during an emergency evacuation in the event of a wildfire in the area.

This initial phase of the project will incorporate various aspects of the subsequent phases of the project described below. SWCA will therefore make every effort to complete this initial phase of the project under the existing cost proposal for the overall project, but will notify the Town if any out of scope work will require a budget augmentation to complete the following tasks:

- Conduct a preliminary review of the Town roadways and identify primary and secondary evacuation routes and other priority locations for vegetation maintenance and clearing. This effort may include an initial site visit by our biologists and arborists to evaluate the current conditions along these high priority roadways.
- Develop a concise project description of the proposed roadway work and evaluate the potential for the work to qualify for a Statutory Exemption (SE) / Categorical Exemption (CE) under the California Environmental Quality Act. Given that FEMA funding will not be used for the roadway work, it is assumed that this initial work will not require NEPA clearance.
- Prepare and submit a concise memorandum that describes how the roadway work qualifies for the SE/CE and an associated Notice of Exemption (NOE) under CEQA. This documentation will establish that no further environmental review is required for the immediate vegetation management along the Town roadways. If the Town chooses to file the NOE it will be subject to a 30-day challenge period, though the Town can choose to proceed with the vegetation management during this timeframe at their own discretion. Nesting birds surveys are not currently included in this Scope of Work, but can be covered under a budget augmentation if the roadway work begins prior to the end of nesting bird season in September.
- Conduct targeted outreach to residents along priority roadways, including the preparation of a public notice describing the roadway work and soliciting feedback about proposed treatment measures.
- Work with the Town to prepare a “Roadway Treatment and Maintenance Plan,” a concise treatment and maintenance plan for roadway vegetation work to guide vegetation management activities. This plan will later be incorporated into the overall Vegetation management Plan for the Town.
- Assist the Town with the development of a Request for Proposals (RFP) to select a Contractor to perform the roadway vegetation management work utilizing the Roadway Treatment and Maintenance Plan as specifications within the RFP.

D-1. PROJECT BACKGROUND AND COMPONENTS

D-1.1. REVIEW EXISTING OPEN SPACE AND DEVELOPED PARKLAND

Existing Data Review and Kick-off Meeting

Once the contract is in place, SWCA will review pertinent Town ordinances, policies, plans, and technical studies relevant to the project. SWCA will also review relevant documents and technical studies associated with the Santa Clara County CWPP, including Annex 9 of the document, which includes the town.

SWCA team staff will participate with the Town in one project kick-off meeting. During the kick-off meeting, SWCA team staff will discuss with the Town the goals and objectives for the project, strategies to streamline the project schedule, and the Town’s current maintenance practices (if any). In addition, SWCA understands that early public outreach efforts within the town have been conducted and have shown that the public is very concerned about wildlife risk, especially related to evacuation routes on roads within the town. As a result, SWCA staff will also discuss these public outreach efforts with the Town in more detail, including public input provided on the project to date and critical issues to address as part of the VMP and the NEPA/CEQA process. This task includes attendance by SWCA Natural Resource Team Lead Ms. Moran, SWCA Project Manager Mr. Brandi, SWCA Deputy Project Manager Ms. Huff, Geo

Elements Fuel Management Specialist Ms. Henson, and Deputy Chief of Fire Prevention for Santa Clara County Mr. Justice.

Assumptions

- SWCA assumes the kick-off meeting will occur via conference call due to the most recent coronavirus disease 2019 (COVID-19) guidance for physical distancing. However, we will carefully monitor new guidance daily to determine if a kick-off meeting at the project site is feasible. The scope can be amended to accommodate an on-site kick-off meeting if current COVID-19 guidance permits.
- SWCA assumes no more than 4 hours will be required for the kick-off meeting.

Biological Resources Literature Review

In order to facilitate the development of the VMP and the NEPA/CEQA documents, SWCA will conduct a review of the existing biological resources in the vicinity of the project. An SWCA biologist will review databases and literature that provide information pertaining to sensitive natural resources that could occur on or in the immediate vicinity of the project. SWCA will review resource occurrence records contained within the California Natural Diversity Database (CNDDB) and the California Native Plant Society (CNPS) Rare Plant Inventory for records of species within the project vicinity. Additional database and mapping resources that will be reviewed will include USFWS Information for Planning and Consultation (IPaC) system and critical habitat maps, U.S. Geological Survey (USGS) topographic quadrangle maps, aerial imagery, vegetation and land use mapping, USFWS National Wetland Inventory (NWI) data, surface water data, and U.S. Department of Agriculture Natural Resource Conservation Service (NRCS) Soil Surveys.

Cultural Resources Records Search

To support the findings of the NEPA/CEQA documentation, SWCA will review the existing cultural resources in the vicinity of the project. SWCA will conduct a California Historical Resources Information System (CHRIS) records search of the project area and up to a 0.5-mile buffer at the Northwest Information Center (NWIC) located at Sonoma State University, which houses cultural resources records for Santa Clara County. The primary purpose of the CHRIS records search is to identify any previously recorded cultural resources known to exist within or adjacent to the project area. In addition to the cultural resources inventory records and reports, an examination will be made of historic maps, Determinations of Eligibility listings, the Office of Historic Preservation (OHP)-prepared Historic Property Data File, and any previously conducted cultural studies within the Area of Potential Effects (APE)/project area. The Historic Property Data File contains listings for the National Register of Historic Places (NRHP), California Register of Historical Resources (CRHR), State Historical Landmarks, local eligibility listings, and California Points of Historical Interest. The records search will also reveal the nature and extent of cultural resources work previously conducted within the project area.

Assumptions

- The potential for cultural resources in the project area is low; therefore, no cultural resources pedestrian surveys will be completed as part of this task.
- A Sacred Lands File Search at the California Native American Heritage Commission (NAHC) will not be required as part of this task due to the low potential for cultural resources in the project area. If this is determined to be necessary during the cultural records search, it can be included under an amended budget.
- SWCA field staff will have full right-of-entry/access to all survey areas.

Reconnaissance Survey

Following the data review, the SWCA team will conduct a reconnaissance-level biological survey in the project area. During the survey effort, an SWCA biologist will map plant communities and habitats, map potentially jurisdictional areas (if present), and identify special-status plant and wildlife species occurrences and suitable habitat, if observed. The location, size, and distribution of resources observed will be mapped using our handheld submeter-accurate

Trimble GPS receivers. As part of this survey, additional SWCA staff will identify fuel characteristics to assign fuel models, as well as document terrain features that could create potentially hazardous conditions in the project area, in the event of a wildfire ignition.

Assumptions

- SWCA assumes up to two SWCA team members will conduct the field survey and the survey will take up to six 8-hour days.
- SWCA assumes the project will not change after initiation of work.
- SWCA field staff will have full right-of-entry/access to all survey areas.
- No jurisdictional delineations will be completed as part of this task.
- No protocol-level species surveys or rare plant surveys will occur under this task. These can be provided under an amended budget.

Cultural Pedestrian Survey (Optional)

If determined to be necessary during the desktop review, SWCA will conduct a cultural resources survey of the direct APE/project area. During the field survey, SWCA archaeologists will conduct an intensive-level survey using pedestrian transects spaced at intervals of 15 meters, covering all exposed portions of the APE/project area. Transect accuracy will be maintained through use of maps, compasses, and handheld submeter-accurate Trimble GPS receivers. In the event cultural resources are discovered, the discoveries will be photo-documented and recorded, and their locations will be mapped using a GPS unit. No artifacts or other materials will be collected during the survey.

D-1.2. DEVELOP VEGETATION MANAGEMENT PLAN

Hazard Assessment Methodology

SWCA developed the wildfire hazard-risk assessment for the Santa Clara County CWPP utilizing robust fire modeling techniques. Annex 9 of the Santa Clara County CWPP includes Los Gatos. Since the time the CWPP was prepared, the fuel conditions in the project area may have changed and therefore SWCA will re-run our fire behavior modeling (utilizing the IFTDSS) to assess potential fire behavior under existing conditions and supplement the earlier risk assessment. In addition, the SWCA team will conduct a GIS analysis to evaluate terrain features, land ownership, ingress and egress, and the area of land within 100 and 300 feet of existing structures (the degree of defensible space). This analysis will identify areas that may be subject to extreme fire behavior when considering weather, fuels, and terrain variables. This assessment will allow for the prioritization of vegetation treatment areas within the project area.

Vegetation Management Plan



Prescribed fire being used to reduce grass loads on public open space land.

The key components to successfully preparing a VMP for the Town will include understanding the existing conditions in the project area (e.g., types and amount of vegetation, adjacency to residential properties, topography, biological resources), understanding the hazard risk in the project area, and engaging the local community for input on their primary concerns. Based on these elements, SWCA, will develop a VMP for the Town to assist them with their efforts to reduce fire hazards within the project area. Given their unique experience in wildland fire, fuels, and risk assessment, SWCA has teamed with Geo Elements to assist with developing a portion of the VMP. We have also teamed with Mr. Justice, the former Deputy Chief of Fire Prevention for Santa Clara County, to provide additional review of the VMP. The VMP will serve to reduce fuel loads and fire ladders within areas that are identified as having

characteristics that increase the risk of wildfire (e.g., highly flammable vegetation, duff, downed trees). The VMP will provide a framework for managing the fuel loads in the project area based on the existing field conditions and the principles of vegetation management for fire hazard reduction. The VMP will identify priority treatment areas based on factors such as proximity to structures, areas along critical access/egress routes, and areas subject to increased ignition potential. The VMP will also identify the best management practices (BMPs) to be implemented during vegetation management activities to reduce or avoid impacts to environmental resources (e.g., biological resources, cultural resources, sensitive receptors) present in the area. The BMPs will, to the extent feasible, be selected to ensure the project impacts can be avoided and/or minimized in order to reduce the costs and time associated with preparing the NEPA/CEQA documents and ensure the project will not require the preparation of an EIS and/or EIR. The VMP will include, at a minimum, the following information:

- An overview and characteristics of each location.
- A plan for ladder fuel reduction.
- A plan for fuel load reduction.
- Specific direction for tree canopy reductions, where necessary.
- Specific plans for addressing invasive species, including plans for removal and for prevention of regrowth.
- Specific strategies to ensure habitat retention.
- Recommendations and options for vegetation removal, including the use of mechanical tools, grazing, and herbicides.
- Recommended methods for fuel disposal, including on-site options and off-site removal.
- Specific plans for soil stabilization to avoid runoff into waterways.
- Recommendations for introduction of native tree and shrub plantings, including recommendations for care.
- Specifications for avoiding introduction of non-native species and disease.
- Identification of optimal work schedule for actual vegetation removal considering environmental constraints.

D-1.3. COMMUNITY ENGAGEMENT

With this project, it will be important for the Town to balance the need for reduced wildfire risk in the project area and protect private property with the desire to protect endangered or sensitive species and other flora and fauna and their habitats and to preserve the aesthetic appearance of the Town-owned open space areas. In addition, early public outreach efforts in the town have indicated that the community is very concerned about wildfire risk, especially related to evacuation routes on roads within the town, and about the schedule for project implementation. For this reason, the

Town will need to foster community input and buy-in for the project. The target audience is expected to include Town and Santa Clara County elected officials, local stakeholder organizations, landowners, immediate neighbors, and general public. SWCA has proven success in building community consensus for wildfire mitigation using a robust public involvement strategy that engages the community and stakeholders in project development. In consultation with the Town, SWCA will identify the target audience and engage interested parties through stakeholder meetings that will be open to the public and advertised using a range of media. SWCA has teamed with Mr. Justice, the former Deputy Chief of Fire Prevention for Santa Clara County, to provide oversight throughout the public outreach process. The Town will benefit from our collaboration with Mr. Justice and from our key staff being located locally and available at short notice.

Due to the proposed timing of the project, SWCA will work with the Town to determine alternatives to conducting in-person community engagement, which may conflict with ongoing COVID-19 meeting/gathering restrictions. SWCA is currently hosting webinar-type Town Council and other public meetings for our clients during the pandemic and can easily convert any of the outreach options listed below to this format. Technology tools we have available include creating a dedicated virtual environment for public engagement, providing secure webinar tools for virtual meetings, creating question and answer (Q&A) forums, and ensuring accessibility with features like live closed captioning during virtual meetings, among others.

It is anticipated that public outreach will include, at a minimum, the following items:

- Posting detailed information on the Town's website.
- Posting information at Town-owned open space trailheads.
- Direct mailing notification and outreach pieces to residents.
- Presenting at community and public meetings.
- Discussing the project at Town Council Meetings.

Engagement Materials

The SWCA team will coordinate with the Town to develop materials/notices, such as meeting notices, postcards, posters for trailheads, and project ideas, for public comment input. All materials will be suitable for posting on the Town's website and various other media outlets.

Community/Stakeholder Meetings

The SWCA team will assist the Town in facilitating at least two stakeholder meetings to gather comments on the project. We propose to gather the stakeholders for a kick-off meeting to request their participation and data that will facilitate preparation of the VMP. Additional meetings may solicit project ideas, present the draft suite of projects and request prioritization of those projects, and/or present the Final VMP and request support of the required approval bodies. We will provide teleconferencing options to facilitate the greatest attendance for those partners who are unable to attend in person.

Town Council Meeting

The SWCA team will assist the Town in facilitating one Town Council meeting to gather comments on the project and present the VMP goals and objectives.



Public meeting hosted by SWCA for a CWPP in Santa Clara County.



Online Media

Given the popularity of online social media, SWCA will develop a Facebook profile page to include background information on the project and provide a forum for discussion and questions related to the VMP.

Online Survey (Optional)

Given the potential for ongoing restrictions on gatherings associated with the COVID-19 pandemic, SWCA can also develop an online survey for town residents to provide feedback on the VMP in a virtual format. This survey may include map-based technology that allows residents to identify specific locations in the town that are of particular concern to be addressed in the planning process. While this task is not currently included in this Scope of Work, it can be added to the community engagement plan as needed under a separate scope and fee.

Assumptions

- The Town will be responsible for printing, developing the mailing list, postage, and mailing all notification postcards.
- The Town will be responsible for printing the posters and placing them in the field.
- The Town will take the lead on the presentations associated with the stakeholder and Town Council meetings and SWCA will provide necessary support.
- Only SWCA two team members will attend each meeting.
- SWCA assumes that no more than 2 hours will be required to attend each meeting.

D-1.4. NEPA/CEQA DOCUMENTS

The scope of work associated with the NEPA and CEQA documents is provided under Section D-3.

D-1.5. PROJECT COST ESTIMATES AND PHASING SCHEDULE FOR MITIGATION

Once the VMP has been accepted by the Town, the SWCA team will prepare a detailed work plan and budget broken down by task and phase for each fiscal year to implement the VMP and any project mitigation required. Our arborist, fire hazard experts, and natural resource specialists will build off of the recommendations in the VMP to rank and prioritize fuel reduction activities within the parameters of seasonal habitat restrictions, access, proximity to housing, etc. We will use this information to compile a Multi-Criteria Decision Analysis (MCDA) matrix that identifies multiple project planning criteria, the proposed phasing schedule and associated costs. The MCDA matrix will assist the Town with scheduling and budgeting for vegetation management/fuel reduction in 2020 and into the future.

D-1.6. IMPLEMENTATION RECOMMENDATIONS

Once the VMP and the NEPA/CEQA documents have been completed, SWCA will work with Geo Elements to identify regulatory permitting, including, but not limited to, wildlife, aquatic, and encroachment permits, that may be required to implement the project. As part of this process, we will develop a clear path and timeline to secure any necessary permits. Our team will also support the development of any requests for proposals (RFPs) for implementation of the project by providing guidance on specifications (e.g., permit requirements, environmental monitoring, timing of implementation) for contractual services to conduct vegetation management activities.



D-1.7. DEVELOP ONGOING MAINTENANCE PLAN

Vegetation management and maintenance for fire hazard reduction will be an ongoing, cyclical process. The SWCA team will be prepare a Maintenance Plan based on the dominant vegetation community/land over type (e.g., grassland, brush/scrub, tree/woodland, invasive species). This approach allows vegetation management techniques outlined in the VMP to be selected based on the needs of each management area. The Maintenance Plan will identify specific treatment standards/tasks for each vegetation community/land cover type. Certain vegetation community/land cover types within the project area will not present a wildfire hazard due to high moisture (e.g., wetland) or other noncombustible conditions like impervious surfaces (e.g., urban) and will not be included in the Maintenance Plan. Due to the dynamic nature of vegetation, especially within the project area, maintenance and routine treatment of vegetation is anticipated to be recommended on an annual basis in order to appropriately manage for wildfire hazards. The Maintenance Plan will also include a prioritization of treatment areas, an estimate of labor hours required to achieve each treatment task, and a detailed schedule for the timing of each treatment task during the year.

TESTIMONIAL

"We found SWCA to be a very professional company which accomplished the project on time and within budget, with their overall work quality exceeding our expectations."

John Pavacic, Executive Director Central Pine Barrens Joint Planning and Policy Commission. Ridge-Manorville-Calverton CWPP, August 2016

D-2. LOS GATOS OPEN SPACE MAPS AND TARGET ROADWAYS

The VMP will cover the town's 234 acres of open space and undeveloped parks and 11 miles of hillside roadways, as shown in Attachment C of the RFP.

D-3. ENVIRONMENTAL REVIEW AND CLEARANCE METHODOLOGY

D-3.1 PROJECT DESCRIPTION

Early development of a project description is the key to a streamlined environmental review process that meets client schedule and budget goals. SWCA will use information collected and developed in D-1 and other data gathered to formulate an accurate description of the project to support the NEPA/CEQA documents. SWCA will also work closely with the Town to develop a project description that accurately and clearly describes the proposed project and provides a single consistent narrative and quantitative basis for analysis of all environmental topics. SWCA will ensure that data requests to the Town are made at an early stage in the process to ensure the NEPA/CEQA processes remain on schedule. The project description will, at a minimum, including the project's location and objectives, existing conditions, and implementation/maintenance requirements that have either temporary or permanent impacts. In an effort to reduce the level of NEPA/CEQA analysis required, the project description will include the BMPs, including those provided in the VMP, that avoid and/or minimize impacts to environmental resources. If feasible, additional BMPs will be added to the project description to avoid the need for any mitigation for environmental resource impacts. The project description will be supported with maps, photos, and graphics as appropriate. SWCA will submit the Draft Project Description to the Town (electronic version) for review and comment prior to finalizing the Project Description for incorporation into the NEPA/CEQA documents.

D-3.2 NEPA DOCUMENTATION

It is SWCA's understanding that the Town applied for federal financial assistance for the project through Federal Emergency Management Agency (FEMA). As a federal agency, FEMA is required to comply with NEPA. Therefore, as part of this task, SWCA will evaluate the impacts of the proposed project on the human environment in accordance with NEPA. As a first step to evaluating the appropriate NEPA document, SWCA will evaluate the possibility of



obtaining a Categorical Exclusion. FEMA has specific Categorical Exclusions under Executive Order 13807. A Categorical Exclusion may also be obtained by incorporating BMPs instead of mitigation, as described in the Project Description task above, to ensure the project will not have a significant effect on the human environment. If these investigations result in a Categorical Exclusion determination, SWCA will proceed with the preparation of a memo report to provide Categorical Exclusion documentation.

If a Categorical Exclusion is not appropriate for the project, SWCA understands that FEMA has prepared the Final Programmatic Environmental Assessment (PEA) for Typical Recurring Actions Resulting from Flood, Earthquake, Fire, Rain, and Wind Disasters in California. Based on our experience with other similar fire management and vegetation management projects in California, it is anticipated that the PEA will adequately address impacts for some resource areas but will not adequately assess all resource areas required for the project. As a result, SWCA assumes that for the project to comply with NEPA, a Supplemental EA (SEA) will be required to tier from the PEA and fully assess the additional impacts to resources not adequately addressed in the PEA. SWCA will prepare the administrative draft SEA and provide it electronically in both Microsoft (MS) Word and Adobe PDF format. SWCA will respond to one round of administrative comment on the SEA and then produce a Public Draft SEA for circulation.

Our approach to NEPA aligns with our CEQA approach as detailed below. Both approaches attempt to streamline the environmental review process and allow for near-term vegetation management activities.

Assumptions

- If a Categorical Exclusion is not available for the project, an SEA will be the appropriate NEPA document.
- The SEA will incorporate the PEA by reference.
- The SEA will be a focused document tiered off the PEA and will not require more than 80 hours to prepare.
- The determination for the NEPA document will be a FONSI; therefore, an EIS will not be required.
- FEMA will be responsible for the posting the Public Draft SEA and reviewing any comments received.
- FEMA will prepare and post the FONSI.

D-3.3 CEQA DOCUMENTATION

The Town, as lead agency, has the ultimate determination on the appropriate CEQA documentation for a potential project. Due to the Town's desire to begin project implementation in Fall 2020, the SWCA team will first evaluate the potential for the project to qualify for a Statutory Exemption under State CEQA Guidelines Section 15260–15285. As a second step, the SWCA team will evaluate the possibility of the project or individual project components with more minor environmental resource impacts qualifying for a Categorical Exemption under State CEQA Guidelines Sections 15301–15332. The SWCA team will also work with the Town to include BMPs in the VMP and Project Description to reduce the impacts of the project on environmental resources and avoid the need for any mitigation for environmental resource impacts, to the extent feasible, so the project or additional project components can qualify for a Categorical Exemption. If the project does not qualify for a Statutory Exemption or Categorical Exemption, based on the RFP, SWCA assumes that the project will fall within the California Vegetation Treatment Program (CalVTP) and the appropriate CEQA document will be a focused Negative Declaration (ND) tiered off of the Programmatic EIR (PEIR) for the CalVTP. Regardless of the level of effort, SWCA proposes to provide the Town with thorough, accurate, and objective input and recommendations throughout the

TESTIMONIAL

"During the update process, Chaves County Staff found that the level of technical ability, professionalism, and warmth had not changed. The update to the Chaves County CWPP was accomplished as smoothly and successfully as the original plan created in December 2009."

*Charlotte Andrade, Chaves County
Community Development Director,
Chaves County CWPP, January 2015*



CEQA review process so that the Town may make the best possible informed decision regarding the appropriate CEQA document for its project.

CEQA Exemption Analysis

CEQA provides several exemptions that may be relevant to the Town's vegetation management for fuel reduction including, but not limited to, the following:

- State CEQA Guidelines Section 15269 Statutory Exemption for Emergency Projects, including emergency repairs to publicly or privately owned service facilities necessary to maintain service essential to the public health, safety, or welfare and/or specific actions necessary to prevent or mitigate an emergency.
- State CEQA Guidelines Section 15301 Class 1 Categorical Exemption for the operation, repair, maintenance, or minor alteration of existing facilities involving negligible or no expansion of an existing use.
- State CEQA Guidelines Section 15304 Class 4 Categorical Exemption for minor public or private alterations in the condition of land, water, and/or vegetation that do not involve removal of healthy, mature, or scenic trees except for forestry and agricultural purposes.¹

The difference between a Statutory Exemption and Categorical Exemption under CEQA is important. In general, a Statutory Exemption bypasses the typical environmental review and can be used regardless of whether the project has a potential impact on the environment. In contrast, a Categorical Exemption is subject to certain exceptions and other limitations (per State CEQA Guidelines Section 15300.2) that can prevent the use of a Categorical Exemption. For example, Class 1 and Class 4 Categorical Exemptions are rendered invalid if there is a reasonable possibility the exempted activity will have a significant effect on the environment due to unusual circumstances (e.g., significant impacts to biological or cultural resources). A statutory exemption is not subject to such limitations.

The SWCA team will begin investigations to determine if the project qualifies for a Statutory Exemption under State CEQA Guidelines Section 15269. If the project does qualify for this Statutory Exemption, the SWCA team will prepare a short (1-page) memo documenting the conditions for the project to be eligible for exemption and we will complete a Notice of Exemption (NOE) form and provide it to the Town for submission to the Santa Clara County Clerk's Office.

If the project does not qualify for a Statutory Exemption under CEQA, the SWCA team will determine if any project components will be eligible for a Categorical Exemption. Our initial investigations will focus on determining if the project will have a potentially significant impact environmental resources including, but not limited to, biological and cultural resources. If these investigations do not uncover conditions that will make the project component ineligible for a Categorical Exemption, SWCA will proceed with the preparation of a memo report to provide Categorical Exemption documentation. The Categorical Exemption memo will note the appropriate class of exemption and document that the project does not meet an exception to a Categorical Exemption (State CEQA Guidelines Section 15300.2). In the Categorical Exemption memo, SWCA will specify that the project will not result in:

- Significant effects;
- Cumulative impacts;
- Damage to scenic resources;

¹ This Categorical Exemption includes fuel management activities within 30 feet of structures to reduce the volume of flammable vegetation, provided that the activities will not result in the taking of endangered, rare, or threatened plant or animal species or significant erosion and sedimentation of service waters. This exemption also applies to fuel management activities within 100 feet of a structure if the public agency having fire protection responsibility for the area has determined that 100 feet of fuel clearance is required due to extra hazardous fire conditions.



- Substantial adverse change to a historical resource; and/or
- An impact to a hazardous waste site.

The draft CEQA Categorical Exemption and NOE will be prepared and submitted to the Town for review. SWCA will incorporate comments and submit the final Categorical Exemption to the Town. SWCA will also prepare an NOE and provide it to the Town for submission to the Santa Clara County Clerk's Office.

Programmatic Environmental Impact Report Consistency Analysis/Focused Negative Declaration

The PEIR for the CalVTP functions to streamline CEQA review of later activities associated with the CalVTP. SWCA will use the Project-Specific Analysis (PSA) associated with the PIER to evaluate whether the Town VMP qualifies within the scope of the PEIR or requires additional environmental documentation or its own independent environmental review. This evaluation will include the following:

- Determine whether the project is consistent with the description of activities contained within the CalVTP and whether the effects on the environment were covered in the PEIR.
- If the project has new impacts not addressed in the PEIR, determine if the project will cause any substantially more severe significant impacts than were addressed in the PEIR or if a new mitigation measures or alternative that is substantially different from those in the PEIR.

The PSA will serve as the Initial Study for new impacts associated with the project. In accordance with the CalVTP reporting requirements, SWCA will submit the completed PSA to CAL FIRE along with, at a minimum, the project location, project size, treatment activities, and contact information for the project.

If the project does not cause a new impact and is consistent with the PEIR, then the project will be considered within the scope of the PEIR and no additional environmental documentation will be required. SWCA will document this determination through substantial evidence based on the PSA in a short memo and provide it to the Town. SWCA will also assist the Town in preparation of the Notice of Determination (NOD). Up to one round of review by the Town is assumed under this task. SWCA assumes that the Town will be responsible for any filing fees with the County Clerk's office. This task will only be performed if no further analysis is necessary and will take the place of the ND described below.

Based on the RFP and our preliminary desktop review, we anticipate that at least one impact not covered by the PEIR may occur, such as biological resources or visual resources, but that any impact will be less than significant, and no mitigation will be required. As a result, SWCA will prepare a focused ND tiered off the PEIR for the project. The focused ND will be limited to the impact(s) not within the scope of the PEIR. Additional details on the scope of work associated with the ND follow.

Assumptions

- Based on the RFP and preliminary desktop review of the project all environmental impacts are expected to be reduced to less than significant. Therefore, a focused ND tiered off the PEIR for CalVTP will be the appropriate CEQA document for the project.
- When preparing the ND, if the project is found to have significant unavoidable impacts, SWCA will stop work immediately and notify the Town to determine an appropriate path forward, such as making modifications to the PD to avoid the WUIs and be able to move forward with all impacts being less than significant or preparing a different CEQA document (e.g., PEIR-focused MND or EIR per PSA).



Administrative Draft Negative Declaration

SWCA will work closely with the Town to prepare an administrative draft IS/ND pursuant to the 2019 State CEQA Guidelines Sections 15063 and Sections 15070–15075 for all project components that are not Categorically Exempt. Preparation of the IS/ND will include a project description and a preliminary assessment of all resource areas as required by State CEQA Guidelines Appendix G. The administrative draft ND will be provided electronically in both MS Word and Adobe PDF format.

Assumptions

- The Draft ND will be submitted in electronic format (MS Word and Adobe PDF) only.
- Information from the field surveys will be incorporated directly into the ND and technical reports will not be prepared as part of this scope of work.
- One round of consolidated comments from the Town will be incorporated into the subsequent Public Draft ND.
- If necessary, it's assumed that Assembly Bill (AB) 52 compliance would be conducted by the Town.

Public Draft Negative Declaration

SWCA will respond to one round of administrative comments on the IS/ND and then produce a Public Draft ND for circulation. Per the RFP, we will provide the Town up to 20 printed copies (as needed) of the Public Draft ND for direct mailing to recipients in accordance with State CEQA Guidelines Section 15072. We will also provide one electronic version so the Town can make additional copies of the document and post the document to their website as necessary for public review. SWCA assumes the Town will be responsible for developing the mailing list, postage, and mailing all the documents.

Assumptions

- The Town will not have any substantial comments on the Draft ND.

Public Notices

SWCA will prepare the Notice of Intent (NOI) to Adopt the ND that the Town can use to fulfill the public noticing requirements of State CEQA Guidelines Section 15072. SWCA will provide text that the Town can use to provide public noticing consistent with CEQA requirements (e.g., newspaper publication, direct mailers, posting of notice on- and off-site). As indicated under the Public Draft ND scope, we assume that distribution of the public notice and availability of the document for public review will be the responsibility of the Town.

SWCA will prepare the Notice of Completion (NOC) for the State Clearinghouse, along with 15 copies of the document on CD for state agency review. Our budget includes staff time to prepare and send the package via FedEx to the State Clearinghouse.

Final Negative Declaration

At the close of the public review period, the SWCA team will review and categorize the comments received on the ND during the 30-day public review period and coordinate with the Town to develop a response strategy. We assume one conference call up to 1 hour in length to develop a response strategy. As determined appropriate, SWCA will prepare draft responses to public comments on the ND, make any necessary clarifying text changes to the ND, and compile the final ND. The draft responses and the final ND will be subject to one round of review by the Town and revisions by

TESTIMONIAL

"We submitted a proposal to begin implementation of the Pope County CWPP. We were able to lift the recommendations right out of the CWPP for the proposal. Thanks for helping us get that done."

*Scott Crist, USFS Fuels Specialist,
Pope County CWPP,
January 2017*

SWCA prior to finalization of the ND. For budgeting purposes, we have assumed that response to comments will require up to 10 hours of SWCA team staff time.

Within 5 working days after the Town approves the project and adopts the ND, SWCA will assist the Town in preparation of the NOD. Up to one round of review by the Town is assumed under this task. SWCA assumes that the Town will be responsible for any filing fees with the County Clerk's office.

Attendance at Public Hearings

SWCA staff will attend one public hearing for the adoption of the ND. The budget includes preparation for and attendance by two SWCA staff members at the public hearing. No additional expenses for presentation materials are included.

D-4. PROJECT IMPLEMENTATION SUPPORT

As described in the Scope of Work above, the SWCA team will also provide recommendations for consultant support of the project during implementation of the initial fuel reduction and ongoing maintenance activities. These services may include any required endangered species or jurisdictional waters permitting, environmental monitoring and reporting, stormwater compliance, arborist support during fuel-reduction activities, encroachment or access permit support, and GIS database development.

D-5. ADDITIONAL INFORMATION

In addition to SWCA's suite of specialized planning, scientific and technical services, we also offer several specialized support services in-house to assist with project implementation, including, but not limited to, the following:

ENVIRONMENTAL MONITORING

SWCA provides comprehensive monitoring services to help ensure that all environmental requirements associated with permits and plans are met. With an integrated team of biologists, cultural resource specialists, and paleontologists, we excel at quickly mobilizing and managing field crews for monitoring and/or data recovery.

SWCA's team of environmental monitoring experts is familiar with all aspects of project implementation. We can address the environmental concerns and provide QA/QC and project-specific training to assist in establishing and maintaining regulatory compliance.



Tree Clearing in Half Moon Bay.

GEOGRAPHIC INFORMATION SYSTEMS

SWCA provides many GIS services tailored to our clients' requirements. Our objective is to provide seamless integration of geospatial information with planning, management, and decision needs. Our geospatial technology professionals have great experience and knowledge in geospatial data creation, analysis, visualization, reporting, mapping, web and mobile application development, and are proficient with industry-standard GIS software, such as ESRI, including ArcGIS Enterprise/Portal, ArcGIS Desktop, ArcGIS Pro, and ArcGIS Online web and mobile platform. SWCA's GIS team consists of over 50 GIS professionals throughout the company with a wide range of expertise in spatial analysis, photogrammetry, drone/Unmanned Aircraft Systems (UAS) systems, remote sensing, and programming/scripting, and in the use and customization of ESRI web and mobile data collection apps, such as ArcGIS Collector, Survey123, and Workforce to streamline the collection and integration of field collected data. In addition, our GIS specialists can create comprehensive databases that can be utilized by our clients to track changing field conditions and the effectiveness of project implementation and maintenance over time.

SAFETY PROGRAM



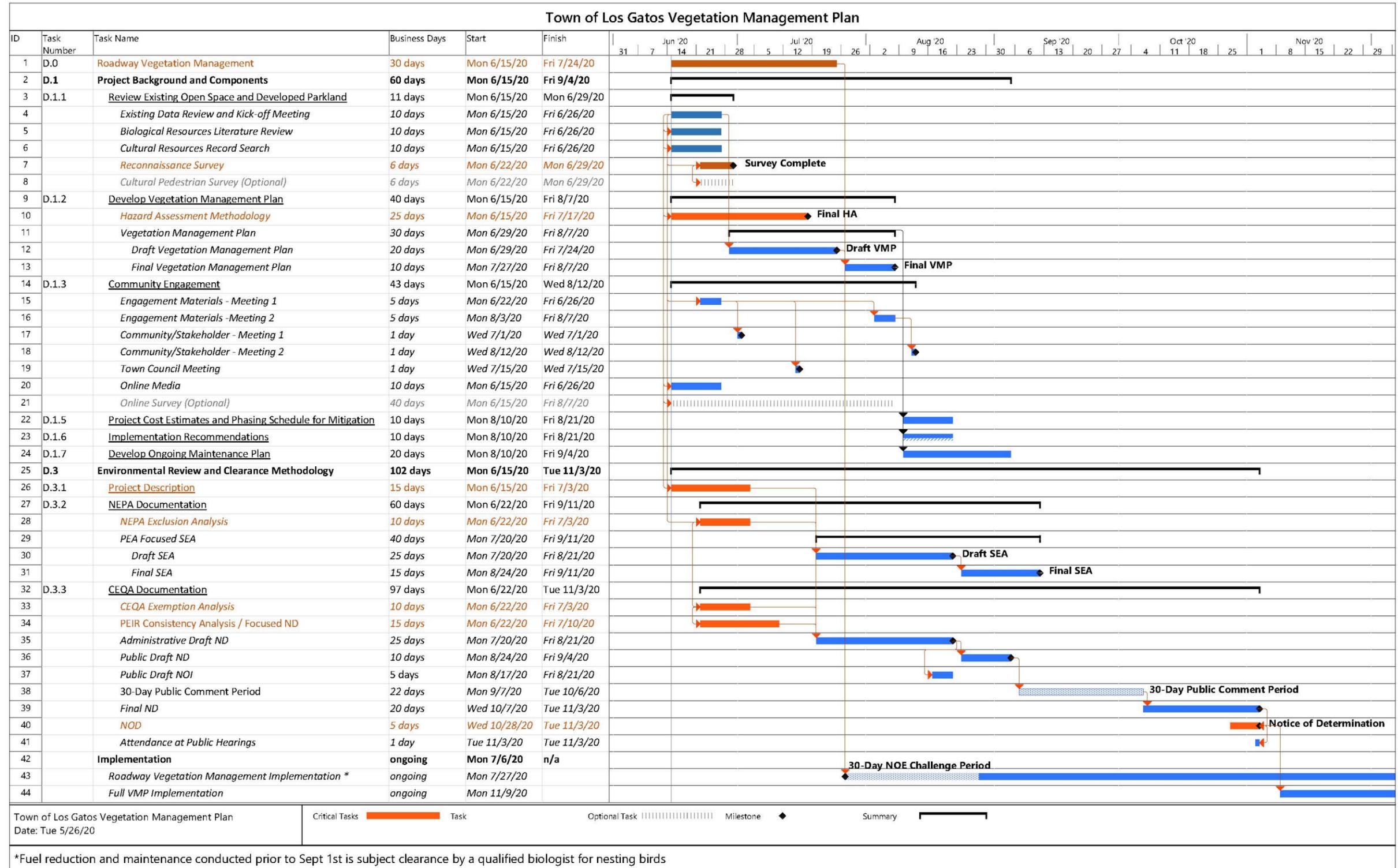
Proud Member

Safety is an integral part of the success of any project. At SWCA, safety is everyone's responsibility and an integral part of our company culture. All SWCA project work adheres to our safety motto: Safety by Choice, Not by Accident. Although our team, including subconsultant personnel, will respond quickly to project needs and issues, our priority and responsibility is personnel safety and reducing or eliminating exposure to safety risks.

Our safety mission includes supporting SWCA's office and field activities by actively supporting a safe and healthy work environment for all employees. This is accomplished through training, increasing awareness, and providing and coordinating specific programs and processes that minimize safety, health, and environmental hazards for our employees, clients, and visitors in a manner consistent with, and in most cases greater than, industry standards.

E-1-3 PROJECT SCHEDULE

The following project schedule is preliminary in nature and is based on the scope of work outlined in the RFP and the assumptions in this proposal. The schedule is therefore subject to change in the event that the scope or assumptions change during the course of work. SWCA understands that the Town would like to make every effort to begin implementation of fuel reduction activities in the Fall of 2020. To meet or exceed this timeline, this preliminary schedule endeavors to complete the VMP by the summer and, at a minimum, to identify preliminary maintenance activities that can be covered under a Categorical Exclusion/Exemption to allow work to begin while the remainder of the environmental review process is completed.





E-4. RECOMMENDATION FOR FORMAL PROGRESS REPORTS

Communication is the key to successfully completing any project. Project Manager Mr. Brandi’s project management style is rooted in ensuring ongoing communication coupled with problem-solving skills that make the Town’s job easier. Continual communication is essential to successful CEQA and NEPA project planning. The value of regular meetings between the Town team and contractors cannot be overestimated. Additionally, regular communication with any cooperating agencies and the interested public is also essential. While this communication cannot guarantee that all parties will agree with or support a decision, establishing an environment in which all parties recognize that their voice is heard can help to achieve consensus during the project.

SWCA has worked on complicated projects that had over 50 cooperating agencies (and multiple additional interested parties). These experiences have resulted in lessons learned in establishing clear communication pathways, developing roles and responsibilities, and coordinating and facilitating meetings. As part of our project management planning, SWCA develops a communication plan that outlines appropriate communications and project briefings for cooperating agencies or other interested parties (as necessary/appropriate).

Regular communication is essential to ensure that all parties involved are working with the most up-to-date and accurate information. The SWCA Team understands that reliability, strong relationships, and trust are essential to good communication. To help build our relationship with the Town, we will use management tools to maintain clear project communications, such as conducting regular team calls, using our secure electronic file transfer protocol (FTP) system, and providing diagrams of the “chain of command” within our team (including our teaming partners). Rapid and direct communication regarding safety, public interaction, field logistics, and schedule issues will flow directly from SWCA to Town staff. These actions will prevent rework, as all involved parties will constantly be informed of the various aspects of the project.

Based upon the expedited preliminary schedule for the project that is included with this proposal, SWCA recommends that we provide formal progress reports to the Town on a bi-weekly basis (twice per month). These formal reports will be formatted in a concise memorandum format and will summarize recent communications between the SWCA team and the Town and will outline all new work that has been completed since the last progress report was issued.

F. EXCEPTIONS

SWCA takes no exception to the contents of Attachment B – Standard Agreement.

G. RATE SHEET

2020 LABOR CATEGORIES AND BILLING RATES

PRINCIPALS & PROJECT MANAGEMENT STAFF

Principal-in-Charge.....	\$285–398	Project Manager VII.....	\$131.00
Project Manager XII.....	\$205.00	Project Manager VI.....	\$119.00
Project Manager XI.....	\$187.00	Project Manager V.....	\$109.00
Project Manager X.....	\$171.00	Project Manager IV.....	\$99.00
Project Manager IX.....	\$153.00	Project Manager III.....	\$89.00
Project Manager VIII.....	\$142.00		



CONSULTING SERVICES

Cultural Resources		Air Quality	
Environmental Resources		Graphics / Media Production	
Paleontology		GIS / CADD Resources	
Scientific Resources		Technical Writing / Editing	
Planning Resources		Principal Investigator	
Information Technology		Training / Facilitation	
Subject Matter Expert.....	\$210–324	Specialist V.....	\$109.00
Specialist XII.....	\$205.00	Specialist IV.....	\$99.00
Specialist XI.....	\$187.00	Specialist III.....	\$89.00
Specialist X.....	\$171.00	Specialist II.....	\$79.00
Specialist IX.....	\$153.00	Specialist I.....	\$67.00
Specialist VIII.....	\$142.00		
Specialist VII.....	\$131.00	Technician II.....	\$55.00
Specialist VI.....	\$119.00	Technician I.....	\$47.00

ADMINISTRATIVE

Administrative VIII.....	\$125.00	Administrative IV.....	\$77.00
Administrative VII.....	\$113.00	Administrative III.....	\$66.00
Administrative VI.....	\$101.00	Administrative II.....	\$53.00
Administrative V.....	\$89.00	Administrative I.....	\$42.00

Direct expenses are subject to a 5% administrative markup and subcontractor expenses are subject to a 10% administrative markup. These rates do not apply to depositions or testimonies at administrative hearings and trials. Such activities fall under our Expert Witness rates, which vary by state.

Overtime is invoiced at 1.2 times standard rates.

Per Diem is billed at the GSA rate in place at the time of billing. Mileage is billed at the IRS mileage rate in place at the time of billing.

H. ADDITIONAL DOCUMENTATION

Whether your community needs assistance coordinating a Firewise program (which focuses on grass-roots organizing, neighborhood assessments of fire hazards, and public outreach and education), a CWPP, or an FMP, SWCA’s fire experts can facilitate the planning process for everything from large-scale regional plans to plans for small communities.

With more than 10 years of experience completing CWPPs and FMPs throughout the West and Pacific Northwest, SWCA emphasizes collaborative planning among federal, state, and county government agencies; non-governmental agencies; and community members. SWCA has team members on staff who hold National Wildfire Coordinating Group (NWCWG) qualifications and red cards, and all SWCA CWPPs meet the requirements of the 2003 Healthy Forest Restoration Act. SWCA also holds an NPS Blanket Purchase Agreement contract for completion of FMPs in support of EAs across the United States (see **Section B, Relevant Projects**).

Examples of a few of our Fire Plans can be found here: <https://www.swca.com/services/environmental-planning/wildfire-planning-services>.



I. COST PROPOSAL

SUMMARY COST TABLE¹

PHASE/TASK/SUBTASK	ESTIMATED COST
Phase D-0. Roadway Vegetation Management	Included Below ²
Phase D-1. Project Background and Components	
Task D-1.1. Review Existing Open Space and Developed Parkland	\$29,292
Task D-1.2. Develop Vegetation Management Plan	\$52,964
Task D-1.3. Community Engagement	\$24,005
Task D-1.4. NEPA/CEQA Documents	See Phase D-3
Task D-1.5. Project Cost Estimates and Phasing Schedule for Mitigation	\$14,740
Task D-1.6. Implementation Recommendations	\$7,794
Task D-1.7. Develop Ongoing Maintenance Plan	\$11,828
Phase D-2. Los Gatos Open Space Maps and Target Roadways	
Phase D-3. Environmental Review and Clearance Methodology	
Task D-3.1 Project Description	\$7,108
Task D-3.2 NEPA Documentation	\$12,396
Task D-3.3 CEQA Documentation	\$39,701
PROJECT TOTAL	\$199,828

Notes:

- 1) Cost estimates are based on our current understanding of the tasks as described in the RFP and our experience providing similar services. All tables include a 5% markup on expenses.
- 2) This initial phase of the project will incorporate various aspects of the subsequent phases of the project described below. SWCA will therefore make every effort to complete this initial phase of the project under the existing cost proposal for the overall project, but will notify the Town if any out of scope work will require a budget augmentation.

PHASE D-1. PROJECT BACKGROUND AND COMPONENTS

TASK D-1.1. REVIEW EXISTING OPEN SPACE AND DEVELOPED PARKLAND

Labor Expenses			
Project Role	Rate	Hours	Estimated Cost
Megan Peterson, Principal-in-Charge / QA/QC	\$275	-	\$-
Mark Brandi, Project Manager	\$210	10	\$2,100
Lauren Huff, Deputy Project Manager	\$205	12	\$2,460
Vicky Amato, Fire Ecologist	\$119	2	\$238
Ariana Porter, Fire Ecologist	\$67	-	\$-
Anne Russell, Fire Behavior Modeling Specialist	\$109	8	\$872



Town of Los Gatos Vegetation Management Plan

Laura Moran, Natural Resource Team Lead	\$225	8	\$1,800
Jessie Henderson-McBean, Biologist	\$119	54	\$6,426
Erich Schickenberg, Arborist	\$142	54	\$7,668
Leroy Laurie, Cultural Resources Lead	\$153	12	\$1,836
Anna Belk, GIS Specialist	\$119.00	16	\$1,904
Jennifer Torre, Project Controller	\$125.00	-	\$-
Carol Henson, Fuel Management Specialist	\$120	6	\$720
John Justice, Local Technical Expert	\$125.00	6	\$750
Total Labor			\$26,774
Direct Expenses			
Description	Unit	Rate	# of Units
Copies – B&W (in-house)	Per Copy	\$0.10	-
Copies – Color (in-house)	Per Copy	\$1.00	-
Records Search Fees	Per Each	\$500	1
Total Direct Expenses			\$500
Travel Expenses			
Description	Unit	Rate	# of Units
Mileage	Per Mile	\$0.58	1,600
Per Diem	Per Day	\$55	16
Total Travel Expenses			\$1,800
TOTAL COST FOR TASK D-1.1.			\$29,292

TASK D-1.2. DEVELOP VEGETATION MANAGEMENT PLAN

Labor Expenses			
Project Role	Rate	Hours	Estimated Cost
Megan Peterson, Principal-in-Charge / QA/QC	\$275	4	\$1,100
Mark Brandi, Project Manager	\$210	32	\$6,720
Lauren Huff, Deputy Project Manager	\$205	48	\$9,840
Vicky Amato, Fire Ecologist	\$119	32	\$3,808
Ariana Porter, Fire Ecologist	\$67	24	\$1,608
Anne Russell, Fire Behavior Modeling Specialist	\$109	24	\$2,616
Laura Moran, Natural Resource Team Lead	\$225	20	\$4,500
Jessie Henderson-McBean, Biologist	\$119	20	\$2,380
Erich Schickenberg, Arborist	\$142	24	\$3,408
Leroy Laurie, Cultural Resources Lead	\$153	-	\$-
Anna Belk, GIS Specialist	\$119.00	-	\$-
Jennifer Torre, Project Controller	\$125.00	-	\$-
Carol Henson, Fuel Management Specialist	\$120	112	\$13,440
John Justice, Local Technical Expert	\$125.00	16	\$2,000
TOTAL COST FOR TASK D-1.2.			\$52,964



TASK D-1.3. COMMUNITY ENGAGEMENT

Labor Expenses				
Project Role	Rate	Hours	Estimated Cost	
Megan Peterson, Principal-in-Charge / QA/QC	\$275	-	\$-	
Mark Brandi, Project Manager	\$210	36	\$7,560	
Lauren Huff, Deputy Project Manager	\$205	14	\$2,870	
Vicky Amato, Fire Ecologist	\$119	6	\$714	
Ariana Porter, Fire Ecologist	\$67	-	\$-	
Anne Russell, Fire Behavior Modeling Specialist	\$109	-	\$-	
Laura Moran, Natural Resource Team Lead	\$225	8	\$1,800	
Jessie Henderson-McBean, Biologist	\$119	12	\$1,428	
Erich Schickenberg, Arborist	\$142	-	\$-	
Leroy Laurie, Cultural Resources Lead	\$153	-	\$-	
Anna Belk, GIS Specialist	\$119.00	52	\$6,188	
Jennifer Torre, Project Controller	\$125.00	-	\$-	
Carol Henson, Fuel Management Specialist	\$120	-	\$-	
John Justice, Local Technical Expert	\$125.00	24.00	\$3,000	
Total Labor			\$23,860	
Travel Expenses				
Description	Unit	Rate	# of Units	Charge
Mileage	Per Mile	\$0.58	240	\$138
Per Diem	Per Day	\$55	-	-
Total Travel Expenses				\$138
TOTAL COST FOR TASK D-1.3.				\$24,005

TASK D-1.4. NEPA/CEQA DOCUMENTS

The scope of work associated with the NEPA and CEQA documents is provided under Section D-3.

TASK D-1.5. PROJECT COST ESTIMATES AND PHASING SCHEDULE FOR MITIGATION

Labor Expenses				
Project Role	Rate	Hours	Estimated Cost	
Megan Peterson, Principal-in-Charge / QA/QC	\$275	4	\$1,100	
Mark Brandi, Project Manager	\$210	16	\$3,360	
Lauren Huff, Deputy Project Manager	\$205	8	\$1,640	
Vicky Amato, Fire Ecologist	\$119	2	\$238	
Ariana Porter, Fire Ecologist	\$67	-	\$-	
Anne Russell, Fire Behavior Modeling Specialist	\$109	-	\$-	
Laura Moran, Natural Resource Team Lead	\$225	2	\$450	
Jessie Henderson-McBean, Biologist	\$119	16	\$1,904	
Erich Schickenberg, Arborist	\$142	24	\$3,408	
Leroy Laurie, Cultural Resources Lead	\$153	-	\$-	
Anna Belk, GIS Specialist	\$119.00	-	\$-	



Jennifer Torre, Project Controller	\$125.00	-	\$-
Carol Henson, Fuel Management Specialist	\$120	20	\$2,400
John Justice, Local Technical Expert	\$125.00	-	\$-
TOTAL COST FOR TASK D-1.5.			\$14,740

TASK D-1.6. IMPLEMENTATION RECOMMENDATIONS

Labor Expenses			
Project Role	Rate	Hours	Estimated Cost
Megan Peterson, Principal-in-Charge / QA/QC	\$275	-	\$-
Mark Brandi, Project Manager	\$210	2	\$420
Lauren Huff, Deputy Project Manager	\$205	12	\$2,460
Vicky Amato, Fire Ecologist	\$119	2	\$238
Ariana Porter, Fire Ecologist	\$67	-	\$-
Anne Russell, Fire Behavior Modeling Specialist	\$109	-	\$-
Laura Moran, Natural Resource Team Lead	\$225	4	\$900
Jessie Henderson-McBean, Biologist	\$119	-	\$-
Erich Schickenberg, Arborist	\$142	8	\$1,136
Leroy Laurie, Cultural Resources Lead	\$153	-	\$-
Anna Belk, GIS Specialist	\$119.00	-	\$-
Jennifer Torre, Project Controller	\$125.00	-	\$-
Carol Henson, Fuel Management Specialist	\$120	20	\$2,400
John Justice, Local Technical Expert	\$125.00	-	\$-
TOTAL COST FOR TASK D-1.6.			\$7,794

TASK D-1.7. DEVELOP ONGOING MAINTENANCE PLAN

Labor Expenses			
Project Role	Rate	Hours	Estimated Cost
Megan Peterson, Principal-in-Charge / QA/QC	\$275	-	\$-
Mark Brandi, Project Manager	\$210	16	\$3,360
Lauren Huff, Deputy Project Manager	\$205	24	\$4,920
Vicky Amato, Fire Ecologist	\$119	-	\$-
Ariana Porter, Fire Ecologist	\$67	-	\$-
Anne Russell, Fire Behavior Modeling Specialist	\$109	-	\$-
Laura Moran, Natural Resource Team Lead	\$225	8	\$1,800
Jessie Henderson-McBean, Biologist	\$119	-	\$-
Erich Schickenberg, Arborist	\$142	8	\$1,136
Leroy Laurie, Cultural Resources Lead	\$153	4	\$612
Anna Belk, GIS Specialist	\$119.00	-	\$-
Jennifer Torre, Project Controller	\$125.00	-	\$-
Carol Henson, Fuel Management Specialist	\$120	-	\$-
John Justice, Local Technical Expert	\$125.00	-	\$-
TOTAL COST FOR TASK D-1.7.			\$11,828



PHASE D-2. LOS GATOS OPEN SPACE MAPS AND TARGET ROADWAYS

The Vegetation Management Plan will cover the Town's 234 acres of open space and undeveloped parks and 11 miles of hillside roadways, as shown in Attachment C of the RFP.

PHASE D-3. ENVIRONMENTAL REVIEW AND CLEARANCE METHODOLOGY

TASK D-3.1 PROJECT DESCRIPTION

Labor Expenses			
Project Role	Rate	Hours	Estimated Cost
Megan Peterson, Principal-in-Charge / QA/QC	\$275	2	\$550
Mark Brandi, Project Manager	\$210	2	\$420
Lauren Huff, Deputy Project Manager	\$205	8	\$1,640
Vicky Amato, Fire Ecologist	\$119	2	\$238
Ariana Porter, Fire Ecologist	\$67	-	\$-
Anne Russell, Fire Behavior Modeling Specialist	\$109	-	\$-
Laura Moran, Natural Resource Team Lead	\$225	2	\$450
Jessie Henderson-McBean, Biologist	\$119	-	\$-
Erich Schickenberg, Arborist	\$142	-	\$-
Leroy Laurie, Cultural Resources Lead	\$153	-	\$-
Juliet Bolding, Environmental Planner	\$131	20	\$2,620
Anna Belk, GIS Specialist	\$119.00	10	\$1,190
Jennifer Torre, Project Controller	\$125.00	-	\$-
Carol Henson, Fuel Management Specialist	\$120	-	\$-
John Justice, Local Technical Expert	\$125.00	-	\$-
TOTAL COST FOR TASK D-3.1.			\$7,108

TASK D-3.2 NEPA DOCUMENTATION

Labor Expenses			
Project Role	Rate	Hours	Estimated Cost
Megan Peterson, Principal-in-Charge / QA/QC	\$275	2.00	\$550
Mark Brandi, Project Manager	\$210	2.00	\$420
Lauren Huff, Deputy Project Manager	\$205	6.00	\$1,230
Vicky Amato, Fire Ecologist	\$119	2.00	\$238
Ariana Porter, Fire Ecologist	\$67	-	\$-
Anne Russell, Fire Behavior Modeling Specialist	\$109	-	\$-
Laura Moran, Natural Resource Team Lead	\$225	2.00	\$450
Jessie Henderson-McBean, Biologist	\$119	4.00	\$476
Erich Schickenberg, Arborist	\$142	4.00	\$568
Leroy Laurie, Cultural Resources Lead	\$153	8.00	\$1,224
Juliet Bolding, Environmental Planner	\$131	48.00	\$6,288
Anna Belk, GIS Specialist	\$119.00	8.00	\$952
Jennifer Torre, Project Controller	\$125.00	2.00	\$550



Carol Henson, Fuel Management Specialist	\$120	-	\$-
John Justice, Local Technical Expert	\$125.00	-	\$-
TOTAL COST FOR TASK D-3.1.			\$12,396

TASK D-3.3 CEQA DOCUMENTATION

Labor Expenses				
Project Role	Rate	Hours	Estimated Cost	
Megan Peterson, Principal-in-Charge / QA/QC	\$275	8	\$2,200	
Mark Brandi, Project Manager	\$210	20	\$4,200	
Lauren Huff, Deputy Project Manager	\$205	64	\$13,120	
Vicky Amato, Fire Ecologist	\$119	-	\$-	
Ariana Porter, Fire Ecologist	\$67	-	\$-	
Anne Russell, Fire Behavior Modeling Specialist	\$109	-	\$-	
Laura Moran, Natural Resource Team Lead	\$225	32	\$7,200	
Jessie Henderson-McBean, Biologist	\$119	-	\$-	
Erich Schickenberg, Arborist	\$142	-	\$-	
Leroy Laurie, Cultural Resources Lead	\$153	-	\$-	
Juliet Bolding, Environmental Planner	\$131	80	\$10,480	
Anna Belk, GIS Specialist	\$119.00	-	\$-	
Jennifer Torre, Project Controller	\$125.00	14	\$-	
Carol Henson, Fuel Management Specialist	\$120	-	\$-	
John Justice, Local Technical Expert	\$125.00	-	\$-	
Total Labor			\$37,200	
Direct Expenses				
Description	Unit	Rate	# of Units	Charge
Copies – B&W (in-house)	Per Copy	\$0.10	3,000	\$300
Copies – Color (in-house)	Per Copy	\$1.00	215	\$215
Overnight Delivery	Per Each	\$100	2	\$200
Total Direct Expenses				\$751
TOTAL COST FOR TASK D-3.3.				\$39,701

APPENDIX A:

Resumes

MARK BRANDI, MDes, R.L.A., CERP, PROJECT MANAGER

Mr. Brandi is a registered Landscape Architect (RLA) and Certified Ecological Restoration Practitioner (CERP) with nearly two decades of experience in environmental consulting, planning, and design. His professional practice has focused on balancing conservation and development and on integrating people and communities with the natural environment.

Mr. Brandi's primary responsibilities include project management, planning and design, permitting, and implementation support for a wide array of landscape architecture and environmental design projects. These projects include the restoration of landscapes and ecosystems, the planning and design of parks and open spaces, and the integration of public access improvements into sensitive habitats.

YEARS OF EXPERIENCE

17

EXPERTISE

Restoration Ecology

Landscape Planning

Landscape Architecture

Biological Assessments

Environmental Permitting

EDUCATION

MDes, Landscape Planning and Ecology; Harvard University Graduate School of Design; 2004

B.S., Landscape Architecture; University of California, Davis; 2000

REGISTRATIONS / CERTIFICATIONS

Certified Ecological Restoration Practitioner (CERP), California; Society for Ecological Restoration

Landscape Architect, California No. 5591

Qualified SWPPP Practitioner / Developer (QSP/QSD), California No. 4145; California Stormwater Quality Association

AWARDS / HONORS

Merit Award for Excellence in the Study of Landscape Architecture

SELECTED PROJECT EXPERIENCE (* denotes project experience prior to SWCA)

* **American River Parkway Natural Resources Management Plan; Sacramento County Regional Parks; Sacramento, Sacramento County, California.** Role: Project Manager. Managed development of a comprehensive management plan to balance preservation of natural and cultural resources with enhancement of recreation and other human uses of parkway.

* **Bear Creek Redwoods Vegetation Management Plans; Midpeninsula Regional Open Space District; Bear Creek Redwoods Open Space Preserve, Santa Clara County, California.** Role: Restoration Ecologist. Assisted with development of invasive species management plan, integrated pest management plan, and mitigation and monitoring plan for sensitive species adjacent to public access areas.

* **Lake Chabot Regional Park Campus Modernization Firesafe Landscape Plan, Castro Valley, Alameda County, California.** Role: Landscape Architect / Restoration Ecologist. Developed firesafe landscape design plan that utilized native fire-resistant plants, provided defensible space around proposed structures, and reduced wildfire risk.

* **Suncrest Dynamic Reactive Power Support Project; Confidential Client; San Diego County, California.** Role: Restoration Ecologist. Provided expertise in restoration of habitats where unavoidable impacts are required to implement project, balancing habitat creation goals with critical fire safety requirements for the region.

* **Tolay Lake Regional Park Master Plan; Sonoma County Parks; Sonoma County, California.** Role: Restoration Ecologist / GIS Specialist. Provided subject matter expertise in restoration and enhancement of aquatic and terrestrial habitats, and identified and mapped sensitive resources and recreation opportunities on-site.

* **Calero County Park Trails Master Plan; Santa Clara County Parks; Santa Clara County, California.** Role: Project Manager. Supported trail planning to avoid sensitive resources and managed stormwater compliance requirements to protect water quality during implementation of park Trails Master Plan.

* **Stevens Creek Corridor Master Plan; Cupertino Parks and Recreation; Cupertino, Santa Clara County, California.** Role: Restoration Ecologist. Identified opportunities to incorporate riparian and upland habitat restoration into overall Master Plan for site.

- * **Marin County Parks Inclusive Access Plan; Marin County Parks and Open Space; Marin County, California.** *Role: Project Manager. Managed development of inclusive access plan and environmental review process to improve access to parks and open space preserves for users of all abilities, including identification of sensitive resources for initial pilot projects across Countywide park system.*
- * **Red Barn Public Access Area Improvements; Midpeninsula Regional Open Space District; La Honda Creek Open Space Preserve, San Mateo County, California.** *Role: Project Manager. Managed consultant team effort to document existing site conditions and to design public access improvements that are sensitive to natural resources and agricultural heritage of site.*
- * **Joseph D. Grant County Park California Red-Legged Frog and California Tiger Salamander Pond Improvements; Santa Clara County Parks; Santa Clara County, California.** *Role: Landscape Architect / Restoration Ecologist. Identified and evaluated opportunities to restore and enhance a series of ponds for California red-legged frog and California tiger salamander.*
- * **Three Creeks Trail; City of San Jose; San Jose, Santa Clara County, California.** *Role: Task Manager. Led Habitat Conservation Plan permitting and Stormwater Pollution Prevention Plan process for project and provided trail design support including development of a native plant palette and green infrastructure adjacent to trail.*
- * **Santa Clara County Bridges Riparian Restoration Project; Santa Clara County, California.** *Role: Deputy Project Manager. Managed creation of native riparian habitat adjacent to 12 county bridges that required routine scour repairs within jurisdictional wetlands and waters.*
- * **Alum Rock Pond and Stream Restoration Project; Waste Management of California; San Jose, Santa Clara County, California.** *Role: Deputy Project Manager. Managed pond and stream restoration within footprint of former reservoir and dam to support California red-legged frog and California tiger salamander and assisted with performance monitoring for created stream and riparian habitats.*
- * **Bear Gulch Upper Diversion Fish Passage Project; California Water Service; Woodside, San Mateo County, California.** *Role: Restoration Ecologist. Assisted with planning, design, permitting, and stormwater compliance to implement fish ladder for steelhead trout around existing drinking water diversion dam.*
- * **Beresford Creek and Los Gatos Creek Mitigation Projects; Peninsula Corridor Joint Powers Board; San Mateo and San Jose, San Mateo and Santa Clara Counties, California.** *Role: Landscape Architect / Restoration Ecologist. Assisted with environmental permitting, creek mitigation design, construction observation, and performance monitoring for creek, wetland, and riparian mitigation areas associated with trackway improvement projects along the rail corridor.*
- * **Coyote Point Eastern Promenade Renovation; San Mateo County Parks; Coyote Point Recreation Area, San Mateo County, California.** *Role: Project Manager. Managed CEQA, regulatory permitting, and landscape design for renovation of shoreline promenade within recreation area, including native plant palette of shoreline and coastal bluff species.*
- * **Fitzgerald Marine Reserve Coastal Trail and Beach Access Improvements; San Mateo County Parks; Moss Beach, San Mateo County, California.** *Role: Deputy Project Manager. Managed permitting and design of low-impact public access improvements through sensitive riparian and wetland areas supporting California red-legged frog.*
- * **Yosemite Slough Tidal Marsh Restoration and Park Improvements Project; California State Parks Foundation; San Francisco, San Francisco County, California.** *Role: Deputy Project Manager. Managed regulatory permitting and design of restored tidal marsh, park improvements, and Bay Trail design on former urban brownfield site.*
- * **Belle Aire Tidal Marsh Restoration Project; Private Landowner; South San Francisco, San Mateo County, California.** *Role: Project Manager. Currently managing feasibility study to implement large-scale tidal marsh restoration project along San Francisco Bay shoreline that would increase resiliency to sea level rise and climate change.*
- * **Kirby Canyon Recycling and Disposal Facility Wetland Creation; Waste Management of California; San Jose, Santa Clara County, California.** *Role: Deputy Project Manager. Managed environmental permitting and design of habitats to support California red-legged frog and Mount Hamilton thistle, and assisted with performance monitoring for created seasonal wetland and riparian habitats.*

LAUREN HUFF, M.S., DEPUTY PROJECT MANAGER

Ms. Huff is a senior wildlife biologist and project manager and has been working in the scientific fields for over 15 years. She has been involved in all aspects of projects, including project management, field surveys, endangered and threatened species surveys, siting/constraints analysis, document preparation, agency coordination and negotiations, impact analysis, and mitigation planning. She has experience in performing and managing reconnaissance-level site surveys, habitat assessments, wetland delineations, nesting bird surveys and monitoring, construction monitoring and permit compliance, and mitigation monitoring and compliance. She also has extensive experience in NEPA, CEQA, aquatic resources, federal Endangered Species Act (FESA) Section 7 and Section 10, and other permitting.

Ms. Huff has extensive knowledge of federal and state regulations, including the FESA, Magnuson-Stevens Fisheries Act, Clean Water Act, Migratory Bird Treaty Act, Porter-Cologne Act, California Endangered Species Act, and California Fish and Game Code.

YEARS OF EXPERIENCE

15

EXPERTISE

NEPA compliance

CEQA compliance

Environmental Permitting

Endangered Species Act Section 7 and Section 10

EDUCATION

M.S., Conservation Biology; University of Minnesota; 2009

B.S., Animal Physiology and Neuroscience; University of California San Diego; 2001

REGISTRATIONS / CERTIFICATIONS

Adult First Aid/CPR/AED; 2019

Certified Wetland Delineator; 2011

PERMITS

CDFW Scientific Collection permit, Number SC-11361.

TRAINING

Project Management; 2020

Advanced Hydric Soils; 2014

Endangered Species Act Section 7 Workshop; 2013

SELECTED PROJECT EXPERIENCE (* denotes project experience prior to SWCA)

*** Oceano Dunes State Vehicular Area Habitat Conservation Plan; MIG; San Luis Obispo County, California.** Endangered Species Act and other regulatory compliance for the operation of the Oceano Dunes State Vehicular Recreation Area. *Role: Senior Biologist/Deputy Project Manager. Prepared Habitat Conservation Plan (HCP) for impacts to western snowy plover, California least tern, California red-legged frog, tidewater goby, and listed plants; prepared wildlife and vegetation sections of Environmental Assessment (EA) for NEPA and biological portions of Environmental Impact Report (EIR) CEQA; coordinated with U.S. Fish and Wildlife Service (USFWS) on impacts and mitigation; reviewed and provided guidance on previous informal consultation with National Oceanic and Atmospheric Administration's National Marine Fisheries Service (NOAA Fisheries) regarding Central California Coast steelhead in HCP area, and assisted with discussions and negotiations with California Department of Wildlife (CDFW) regarding preparation of Natural Community Conservation Plan (NCCP).*

*** Bear Creek Redwoods Vegetation Management Plans; Midpeninsula Regional Open Space District; Bear Creek Redwoods Open Space Preserve, Santa Clara County, California.** Sensitive resource protection and mitigation near the Alma College Trailhead and invasive plant mapping and management planning at Bear Creek Redwoods Open Space Preserve. *Role: Senior Biologist. Assisted with development of invasive species management plan, integrated pest management plan, and mitigation and monitoring plan for western pond turtle adjacent to public access areas.*

*** San Mateo Grade Separation Project; Caltrain; San Mateo County, California.** Environmental planning, permitting, and construction monitoring for construction of a grade separation for 28th and 31st Avenues and raising of the train tracks about 25th Avenue to provide new access to a planned transit village the City of San Mateo will construct. *Role: Senior Biologist. Conducted a wetland delineation and prepared a Jurisdictional Determination Report; prepared wetlands, floodplains, water quality, and endangered species sections of Categorical Exclusion determination for NEPA; and prepared Section 7 FESA consultation letters and Mitigation Monitoring Plan.*

- * Bear Gulch Upper Diversion Fish Passage Project; California Water Services; San Mateo County, California.** Construction monitoring and environmental compliance during construction of a fish ladder to allow passage of Central California Coast steelhead. *Role: Senior Biologist/Project Manager. Managed construction monitoring and preconstruction surveys; ensured compliance with resource agency permit conditions; corresponded with resource agencies, including USFWS, NOAA Fisheries, U.S. Army Corps of Engineers (USACE), CDFW, and Regional Water Quality Control Board (RWQCB) regarding project changes and special-status species impacts; and prepared post-construction reports for resource agencies to document compliance with permit conditions. Special-status species of concern include Central California Coast steelhead, California red-legged frog, San Francisco gartersnake, California giant salamander, San Francisco dusky-footed woodrat, and nesting birds.*
- * Hercules New Town Center Project; City of Hercules; Contra Costa County, California.** CEQA documentation for the construction of a Safeway shopping center in the City of Hercules. *Role: Senior Biologist/Project Manager. Prepared CEQA addendum to February 2009 Final EIR.*
- * Hillsborough Storm Drain Repair Project; Town of Hillsborough; San Mateo County, California.** Environmental assessment, permitting, and construction monitoring and compliance for the re-routing and repair of storm drains in the Town of Hillsborough. *Role: Project Manager/Senior Biologist. Conducted habitat assessment for three locations where storm drain repairs are planned; prepared Biological Resources Reports documenting sensitive resources in project area; prepared Biological Assessment for USFWS assessing impacts to California red-legged frog; prepared and secured USACE, RWQCB, and CDFW permits and coordinated with resource agencies to amend permits; evaluated opportunity for a CEQA Categorical Exemption and prepared Categorical Exemption memo; and managed preconstruction surveys and construction monitoring.*
- * Walnut Park Expansion Low-Effect Habitat Conservation Plan Project; City of Walnut; Los Angeles County, California.** Endangered Species Act compliance for the construction of the City of Walnut Park expansion. *Role: Senior Biologist. Prepared low-effect HCP for impacts to coastal California gnatcatcher and assisted in mitigation negotiations with USFWS and City of Walnut.*
- * Menlo Park Equalization Basin Project; Freyer Laureta, Inc.; San Mateo County, California.** Biological constraints analysis for the improvement of the Menlo Park Equalization Basin to bring it out of the Federal Emergency Management flood zone. *Role: Senior Biologist. Conducted biological constraints analysis for biological resources, including special-status species (i.e., Central California Coast steelhead, longfin smelt, California least tern, western snowy plover, California Ridgway's rail, western burrowing owl, saltmarsh harvest mouse, and nesting birds) and sensitive habitat (i.e., Central California Coast steelhead critical habitat, North American green sturgeon critical habitat, and essential fish habitat), and assisted with scheduling and preparing documentation for interagency meeting with USACE, USFWS, RWQCB, and NOAA Fisheries.*
- * Sunnyvale Pump Station Project; Pacific Gas and Electric Company; Santa Clara County, California.** Environmental permitting for the placement of an existing high-pressure gas regulator and approximately 60-foot-long portion of the associated natural gas pipe to Sunnyvale Substation in the northeastern portion of the City of Sunnyvale. *Role: Project Manager / Senior Biologist. Managed preparation of a Joint Aquatic Resources Permit application and Biological Assessment for submittal to permitting agencies.*
- * Annual Bay Waters Maintenance Program; Pacific Gas and Electric Company; San Francisco Bay Area, California.** Permitting and biological monitoring for the annual repair and maintenance of existing boardwalks and towers, installation of new boardwalks that are needed to access transmission towers, and the repair of existing transmission towers in the San Francisco Bay. *Role: Assistant Project Manager / Senior Biologist. Managed environmental compliance and biological monitoring activities for annual maintenance of transmission towers; prepared Joint Aquatic Resources Permit Applications for USACE, CDFW, RWQCB, and San Francisco Bay Conservation and Development Commission; conducted biological surveys and habitat assessments; prepared Biological Assessments for impacts to North American green sturgeon, Central California Coast steelhead, delta smelt, California least tern, western snowy plover, California Ridgway's rail, and salt marsh harvest mouse for USFWS and NOAA Fisheries; conducted biological monitoring; prepared and conducted environmental trainings; and conducted agency coordination on project changes, non-compliances, and mitigation negotiations.*

MEGAN PETERSON, B.A., PRINCIPAL-IN-CHARGE / QA/QC LEAD

Ms. Peterson has more than 23 years of professional experience in virtually every aspect of environmental program management for large-scale construction and infrastructure projects. She is highly knowledgeable about state and federal regulatory processes and has managed and contributed to a wide range of environmental documents, including, biological, hydrological, and archaeological technical reports, construction implementation and restoration plans, numerous federal and state agency permit applications, proponent's environmental assessments in compliance with the California Public Utilities Commission's General Order (GO) 131-D, NEPA Environmental Assessments, and CEQA IS/MNDs and EIRs. Ms. Peterson has also successfully managed compliance programs for complex and controversial projects, overseeing many disciplines, staff members, subcontractors, and contributors. Her years of field experience have proved highly beneficial during the planning and regulatory approval process to ensure successful project implementation during construction.

YEARS OF EXPERIENCE

23

EXPERTISE

Environmental program management
 Environmental document preparation (CEQA/NEPA)
 Federal and state permit acquisition
 Environmental compliance management, inspection, and training
 Stream and wetland protection and restoration
 Erosion and sediment control
 Permitting and regulatory strategy
 Restoration and revegetation

EDUCATION

B.A., Environmental Studies and Economics; University of California Santa Cruz; 1996

TRAINING

Water System Improvement Program, Construction Management Workshop (8 hours), San Francisco Public Utilities Commission

QSD/QSP Training (3 days); passed QSD exam and certification in process, Qualified SWPPP Developer and Practitioner (QSD/QSP) Training – certification in process

Certified Professional in Erosion and Sediment Control Training (8 hours)

SELECTED PROJECT EXPERIENCE (* denotes project experience prior to SWCA)

Canyon Lane Roadway Improvements EIR; County of San Mateo; Redwood City, San Mateo County, California. SWCA is preparing an EIR and technical background studies, including a rare plant study, an air quality analysis, fire modeling due to the project's location at the Wildland Urban Interface, a biological resources report, and a cultural resources study, for the improvement of Canyon Lane, development of a single-family residence on one parcel, and future development of residences on 11 parcels. The project also involves the construction of new utilities, including a waterline and an underground distribution line. *Role: Project Director. Provided QA/QC and overall CEQA strategy.*

Line 300A/B Vegetation Management Environmental Services; PG&E; San Benito County, California. SWCA provided biological support for the project, which included approximately 18 acres of vegetation removal along 25 miles of natural gas transmission lines 300A and 300B rights-of-way. SWCA prepared biological assessments for special-status species such as San Joaquin kit fox, California tiger salamander, golden eagle, and rare plants. In addition to the biological resource reports prepared, SWCA prepared an IS/MND in compliance with CEQA, prepared a Section 1602 Lake and Streambed Alteration Agreement (LSAA), and developed the mitigation plan for the LSAA. *Role: Project Director. Conducted contract oversight and QA/QC of project deliverables.*

Pipeline Safety Enhancement Plan Vegetation Management General Environmental Services; PG&E; Multiple Counties, California. SWCA provided environmental services in support of PG&E's Vegetation Management program throughout the PG&E Central Coast region, including preparation of CEQA documents, environmental permit preparation, environmental review, preconstruction biological surveys, biological monitoring/training, and agency consultation regarding potential impacts to special-status species (e.g., California red-legged frog, California tiger salamander, San Joaquin kit fox, federally listed salmonids), and associated habitat. *Role: Project Director. Conducted contract oversight and review and QA/QC of project deliverables.*

Half Moon Bay Drainage Maintenance Biological Services; City of Half Moon Bay; San Mateo County California. SWCA prepared a Biological Resources Evaluation (BRE) for the completion of routine maintenance activities within 22 drainages located within the City's jurisdiction. Routine maintenance activities included vegetation

TRAINING (CONT'D)

Nationwide Permits Complete (2 days),
Wetland Training Institute, Inc.

Construction Stormwater Workshop
(8 hours)

Water System Improvement Program,
Construction Management Information
System (CMIS) User Training (8 hours),
San Francisco Public Utilities
Commission

management, sediment removal, and culvert cleanout. SWCA also assisted the City with permit application preparation, conducted surveys for California red-legged frog and San Francisco garter snake, provided support with MND preparation and comment response, and developed an MMRP. *Role: Project Director. Provided QA/QC and permitting and regulatory strategy.*

City of Half Moon Bay General Plan Update; Dyett & Bhatia; Half Moon Bay, San Mateo County, California. SWCA prepared an Existing Conditions Report and EIR sections for the project, which included updates to the Land Use, Conservation, Open Space, Noise, and Housing Elements. SWCA assessed aesthetics, light, and glare; biological resources; cultural resources; geology, soils and seismicity; and hydrology and water quality impacts. *Role: Project Director. Provided overall QA/QC of deliverables.*

Kehoe Ditch Feasibility Study; Callander Associates Landscape Architecture; Half Moon Bay, San Mateo County, California. SWCA is providing environmental permitting and cultural resources assessments for a feasibility study examining alternatives to remove invasive vegetation, restore habitat, reduce flooding potential, and provide erosion control along a portion of Kehoe Ditch. SWCA produced a permitting review memo and participated in City staff and City Council vetting meetings to present the proposed solutions. *Role: Project Principal. Provided overall QA/QC of deliverables.*

PV Water Projects Environmental Permitting and Document Support; Pajaro Valley Water Management Authority; Santa Cruz and Monterey Counties, California. SWCA is providing environmental permitting and environmental documentation for multiple water distribution and recycled water facility projects, which have included construction of additional water storage tanks and upgrades to PV Water's existing water treatment facility and the addition of new distribution pipelines to better serve Santa Cruz and Monterey County agricultural customers. SWCA has prepared multiple addendums in compliance with CEQA, a CEQA-Plus environmental document addendum, Section 106 and CEQA archaeological surveys and reports, consultation assistance with the SHPO, wetland delineations, biological technical reporting, permitting, and preparation assistance for funding applications. *Role: Project Director. Conducted contract oversight, review and QA/QC of staff deliverables, and regulatory and permitting guidance.*

Aimco Storm Drain Restoration Project Biological Assessment; AIMCO Esplanade Avenue Apartments, LLC.; Pacifica, San Mateo County, California. SWCA prepared a Biological Assessment suitable for use by the USACE during Section 7 consultation with the USFWS and NOAA Fisheries. Special-status species reviewed included western snowy plover, Coho salmon, and Chinook salmon. *Role: Project Director. Provided overall QA/QC review of deliverables.*

* **Water System Improvement Program – Bioregional Habitat Restoration Program; San Mateo County, California; San Francisco Public Utilities Commission.** *Role: Regional Environmental Compliance Manager. Oversaw development and restoration of five mitigation sites within San Francisco Peninsula watershed to remove invasive vegetation and trees and create or enhance habitat for special-status species, including California red-legged frog and San Francisco garter snake. Team of botanists and biologists were responsible for QA of contractors' implementation of mitigation efforts as described in Mitigation Monitoring Plans and regulatory permits. Mitigation activities included invasive tree and weed species removal, native grassland and coastal prairie enhancement, seasonal wetland and riparian corridor creation and/or enhancement, and willow riparian habitat reestablishment, among others.*

* **Water System Improvement Program – Peninsula Region Projects; San Francisco Public Utilities Commission; San Mateo and San Francisco Counties, California.** *Role: Regional Environmental Compliance Manager for Peninsula Region. Oversaw various stages of compliance programs for 10 seismic reinforcement and water system improvement projects on San Francisco Peninsula and within Peninsula watershed; managed team of up to eight environmental inspectors and over 25 biological and archaeological monitors; coordinated preconstruction surveys, monitoring, and relocation for special-status species, including California red-legged frog, San Francisco garter snake (no relocation), Central Coast steelhead, San Francisco dusky-footed woodrat, nesting raptors, and migratory birds, among others; led region's stormwater compliance efforts, including submittal of online Permit Registration Documents, Notices of Termination, and Annual Reports; conducted site inspections and effluent sampling; reviewed contractors' SWPPPs; coordinated with RWQCB on various stormwater and dewatering issues; coordinated prehistoric and historic cultural resource monitoring, testing, and data recovery; oversaw receiving water quality monitoring and agency reporting efforts for potable water discharges; and prepared minor project modifications requiring CEQA review and associated permit amendments.*

VICTORIA AMATO, M.S., FIRE ECOLOGIST

Ms. Amato is a natural resources planner with a diverse background in fire ecology and resource management. She has been project manager on 40 Community Wildfire Protection Plans (CWPPs) across the United States in a range of ecosystems. She has considerable experience working with public and private stakeholders, having facilitated multiple outreach meetings, sometimes in controversial settings. She has extensive experience in the development of CWPP risk assessments utilizing fire behavior modeling programs and on-the-ground assessments.

Ms. Amato has worked with a variety of land management agencies across the western United States, including the U.S. Forest Service (USFS), Bureau of Land Management (BLM), USFWS, and National Park Service (NPS), studying hazardous fuel reduction, Wildland Urban Interface (WUI) fire mitigation, fire behavior modeling, and monitoring of burned areas.

YEARS OF EXPERIENCE

16

EXPERTISE

Fire Management Planning

Wildfire risk assessment

Natural resources management

Forest ecology and management

Fire effects monitoring

Habitat monitoring

Community outreach and youth training

EDUCATION

M.S., Forestry, e: Fire Ecology/Habitat Management; Colorado State University; Fort Collins, Colorado; 2006

M.S., Natural Resource Management; University of Edinburgh, Scotland; 2003

B.S. with honors, Geography; University of Exeter, England; 2000

TRAINING

National Incident Management System –IS-00700a, FEMA

USDA Forest Inventory Analysis Training; 2010

Wildland Firefighter Refresher and Arduous Fitness Test, Valencia County Fire Department; 2019-2021

S130/190 Basic Wildland Firefighter ICS for Single Resources and Initial Action Incident, ICS-200, FEMA.

1-100 Introduction to the Incident Command System, FEMA

Ms. Amato is Contract Manager on a contract with the NPS to develop Fire Management Plans (FMPs) and accompanying NEPA documentation for park units across the United States. SWCA has developed FMPs and EAs for parks, including the entire Appalachian Trail and 13 park units in Utah. She has developed and implemented post-fire monitoring plans and was the primary author for a peer-reviewed article discussing the effects of thinning on burn severity in the journal *Forest Ecology and Management*. She has also worked on multiple forest restoration projects and NEPA compliance work on USFS, BLM, NPS, and tribal lands. Through these projects, Ms. Amato has developed her understanding of forest management in a range of cover types, as well as gained valuable experience in the evaluation of fire risk and mitigation. She has been part of SWCA's Science Leadership Program since 2015, sharing this knowledge and experience with her peers and coworkers.

SELECTED PROJECT EXPERIENCE

Santa Clara County Community Wildfire Protection Plan; Santa Clara County Fire Department; Santa Clara County, California. SWCA developed a high-end CWPP and Unit Plan for the County that incorporates a multitude of agencies and jurisdictions. SWCA coordinated all stakeholder and community meetings and facilitating an extensive outreach effort through an online survey portal and other online media. The CWPP comprises a comprehensive risk/hazard analysis that includes an assessment of wildland and urban fuels. *Role: Project Manager. Managed project and served as primary author.*

Canyon Lane Roadway Improvements EIR; County of San Mateo; Redwood City, San Mateo County, California. SWCA is preparing an EIR and technical background studies, including a rare plant study, an air quality analysis, fire modeling due to the project's location at the WUI, a biological resources report, and a cultural resources study, for the improvement of Canyon Lane, development of a single-family residence on one parcel, and future development of residences on 11 parcels. The project also involves the construction of new utilities, including a waterline and an underground distribution line. *Role: Fire Ecologist. Developed wildfire assessment and fire behavior analysis to inform EIR development.*

Lake Wildwood Wildfire Risk Assessment; Under the Trees, Inc.; Nevada County, California. SWCA worked with Under the Trees to develop a wildfire risk assessment for a high-density residential population in northern California. SWCA utilized robust fire behavior modeling tools to identify priority areas for fuel treatment. *Role: Project Manager. Managed project and served as primary author.*

TRAINING (CONT'D)

S290- Intermediate Wildland Fire Behavior Fire Fighter Type II- "red-carded" 2019-2020

NEPA Navigator Training, Archer Institute of Environmental Training; 2012

Forest Vegetation Simulator, Rocky Mountain Research Station; 2006

Teaching Assistant, Forest Management and Silviculture, Colorado State University; 2006

FIREWISE Communities, 2007

Comprehensive NEPA, SWCA Environmental Consultants; 2007

FIREMON Training, U.S. Forest Service; 2003

MEMBERSHIPS

Member, Association for Fire Ecology

Member, International Association of Wildland Fire

South Sacramento Restoration Project EIS; New Mexico Department of Game and Fish and U.S. Forest Service; Otero, New Mexico. SWCA is developing an Environmental Impact Statement (EIS) for a landscape-scale, 20-year forest restoration project on USFS lands in the Sacramento Mountains. SWCA is responsible for facilitating meetings with agencies and the public and drafting resource specialist reports and the draft and Final EIS. *Role: Environmental Specialist. Served as NEPA resource writer for Native Vegetation Communities and Fire and Fuels Specialist Report.*

Santa Fe County Community Wildfire Protection Plan (and 5-year Plan Revision); Santa Fe County and City of Santa Fe; Santa Fe County, New Mexico. SWCA worked with the County and City to develop a CWPP that incorporated risk and hazard assessments of WUI areas. SWCA worked in close cooperation with the USFS in order to identify fuel treatments to complement existing and planned fuel reduction efforts in the Santa Fe Watershed. *Role: Planner / Fire Specialist. Served as primary author.*

Pope and Hardin Counties Community Wildfire Protection Plans; Southeastern Illinois Regional Planning Development Commission; Pope and Hardin Counties, Illinois. SWCA developed CWPPs for these adjacent counties, which included extensive community involvement, close work with the USFS Fire and Fuels Specialists, and the integration of existing GIS datasets to deliver recommendations for realistic measures to reduce the ignitability of structures throughout the area and reduce hazardous fuels. *Role: Project Manager. Managed project and served as primary author.*

Ridge-Manorville-Calverton Community Wildfire Protection Plan; Central Pine Barrens Joint Planning and Policy Commission; Suffolk County, New York. SWCA developed a detailed community-scale CWPP in order to address wildfire hazards that threatened

residents and watershed health in the Central Pine Barrens Region of Long Island. The project involved extensive public outreach, multiple stakeholder meetings, and a detailed fine-scale wildfire risk and hazard assessment. *Role: Project Manager. Managed project and served as primary author.*

McKean and Elk Counties Community Wildfire Protection Plans; McKean County and Elk County; McKean and Elk Counties, Pennsylvania. SWCA assisted the neighboring Counties with developing two CWPPs for the protection of life and property from wildfire. SWCA convened and facilitated Core Team meetings of agency specialists and developed a risk assessment for communities at risk from fire. The Team developed two Draft and Final documents using input from Core Team members and members of the public throughout both counties. *Role: Project Manager. Managed project and served as primary author.*

Sandoval County Community Wildfire Protection Plan (and 5-Year Plan Revision); Sandoval County; Sandoval County, New Mexico. SWCA employed collaborative development and strong public involvement techniques to prepare this comprehensive CWPP that the County could use to effectively seek funding for implementation. Further, SWCA was retained to complete a 5-year update to the original plan. *Role: Project Manager. Managed project and served as primary report author.*

Claunch-Pinto Soil and Water Conservation District and Torrance County Community Wildfire Protection Plan (and 5-Year Plan Revision); New Mexico. SWCA produced two high-profile plans that coordinated the needs of government agencies and multiple communities and enabled the client to receive future funding for wildfire and WUI mitigation; one of these CWPPs is included in the National Database of State and Local Wildfire Hazard Mitigation Programs as an example of an exemplary CWPP. Further, SWCA was retained to complete the 5-year updates of the plans. *Role: Lead planner / Fire Specialist. Served as primary author.*

Otero County Community Wildfire Protection Plan; Multiple Agencies; Otero County, New Mexico. SWCA worked with a large multi-agency working group to develop a CWPP that would address catastrophic fire risk in a diverse WUI. SWCA developed an intricate wildfire risk and hazard assessment that required refining of an existing fuel classification layer to incorporate recent and planned fuel treatment projects on local and landscape scales. The CWPP involved collaborative planning that incorporated a large range of stakeholders. The CWPP is being used to implement recommended fuel reduction projects in a number of high-risk watersheds. *Role: Project Manager. Managed project and served as primary author.*

ARI PORTER, M.S., FIRE ECOLOGIST

Ms. Porter is an environmental specialist in natural resources, providing project support across the western United States. She has over 4 years of experience in project management, client relationships, public outreach, scientific research, technical writing, and field operations in Colorado and Utah.

Ms. Porter has a Master's in ecology from Colorado State University. Her thesis work focused on aspen regeneration in relation to topographic variables after severe wildfire in Colorado. She has extensive experience in creating and using Bayesian statistical models in R, as well as in geospatial modeling and analysis using GIS. This work led her to collaborate with federal, state, and local entities to restore forest systems after wildfire.

YEARS OF EXPERIENCE

4

EXPERTISE

Terrestrial ecology

Post-fire forest monitoring and restoration (primarily Rocky Mountain systems)

GIS spatial analysis and modeling in forest systems

Bayesian statistical modeling in R - biology and ecology

Ecological restoration (forests post-disturbance)

EDUCATION

M.S., Ecology; Colorado State University, Fort Collins, Colorado; 2019

B.A. with distinction, Biology, c: Ecology and Evolution; Colby College, Waterville, Maine; 2015

Overseas Studies, Wildlife Management Studies, Kenya and Tanzania; School for Field Studies, Beverly, Massachusetts; 2013

REGISTRATIONS / CERTIFICATIONS

Wilderness First Responder, Utah; 2015

CPR/First Aid, Utah; 2015

TRAINING

Natural Resource Management and Policy; Colorado State University; 2018

AWARDS / HONORS

Kurt Gerstle Fellowship

SELECTED PROJECT EXPERIENCE (* denotes project experience prior to SWCA)

Santa Fe County Community Wildfire Protection Plan Update; Santa Fe County; Santa Fe, Santa Fe County, New Mexico. SWCA is providing support services to update Santa Fe County's Community Wildfire Protection Plan (CWPP) and improve fuel reduction, public education and outreach, fire response, and emergency management. *Role: Environmental Specialist / Technical writer/editor. Found federal, state, and local funding sources supporting CWPP development, and developed post-fire response resources.*

Confidential Transmission Line Implementation Support; Confidential Client; Utah. SWCA is performing preconstruction surveys for sensitive species and rare plants for a proposed transmission line extending approximately 400 miles from Wyoming to Utah. *Role: Environmental Specialist / Field Technician. Assisted with Uinta Basin hookless cactus (Sclerocactus wetlandicus) surveys in Uintah Basin on BLM land.*

Confidential Transmission Project Local and State Permitting Support; Confidential Client; Wyoming. SWCA is providing county, state, and federal permitting support for a proposed transmission line running approximately 400 miles from Wyoming to Utah. *Role: Environmental Specialist / Technical writer/editor. Assisting with Wyoming state permit application authorship.*

Confidential Wind Energy Project; Confidential Client; Kansas. SWCA provided preconstruction desktop analysis support for the site characterization of a proposed wind farm in southwestern Kansas. *Role: Environmental Specialist. Assisted with site characterization report authorship.*

Aurora High Point East Pinyon and Dandelion Draw Wetland Delineation; Aurora High Point Metro District; Aurora, Adams County, Colorado. SWCA performed aquatic resource inventories in support of Clean Water Act Section 404. *Role: Environmental Specialist / Field Technician. Assisted with preconstruction wetland delineation and data collection.*

Gaylord PA-64 Wetland Delineation; Westside Investment Partners, Inc.; Aurora, Colorado. SWCA performed aquatic resource inventories in support of Section 404 of the Clean Water Act. *Role: Environmental Specialist. Field Technician: assisted with preconstruction wetland delineation and data collection.*



*** Master's Thesis: Quaking Aspen Regeneration; Hayman Fire, Colorado.** Designed, planned, and managed a multiyear project examining aspen regeneration after high-intensity, extensive wildfire in relation to topographic variables. Ms. Porter presented results to diverse audiences of forest managers, scientists, and community members. The project aimed to inform forest managers with data on important locations for Quaking aspen conservation. *Role: Master's Student. As the creator and manager of this project, she saw that the project was completed on time, serving as a communication bridge between forest managers, scientists, and her team of three field technicians. She completed 3 months of field surveys (conifer species and aspen), several months of lab work processing tree cores, and wrote a manuscript that is currently in preparation for publishing.*

ANNE RUSSELL, B.S., GIS SPECIALIST

Ms. Russell is the GIS Technical Lead for SWCA's Rockies Region. She provides leadership as a subject matter and technical expert for the Rockies GIS team through high-level project management and coordination, marketing and business development, training, and development of standards and protocols and GIS processes and workflows. Ms. Russell's expertise for wildfire projects includes providing GIS support to CWPPs, advanced fire behavior and risk assessment modeling, and custom fuel model development.

Ms. Russell contributes data management and GIS deliverables for NEPA, biological, and cultural resource assessments for diverse projects including land management, transmission, oil and gas pipeline projects, and wetland and endangered species habitat mitigations. She is also an experienced graphic designer, with multiple and diverse design projects experience. Her technical expertise includes proficiency with ESRI ArcGIS Pro, ArcInfo Workstation and Desktop, ESRI ArcGIS Online, ESRI Spatial Analyst and 3-D Analyst extensions, IFTDSS, and Microsoft Office applications.

YEARS OF EXPERIENCE

13

EXPERTISE

Geographic Information Systems

Data management and systems

General and urban wildlife biology

Environmental Safety and Health

Visual Resource Management (VRM)

Graphic design

EDUCATION

A.A.S., Geographic Information Technology; Albuquerque Technical Vocational Institute; 2007

A.A.S., Environmental Safety and Health; Albuquerque Technical Vocational Institute; 2005

B.S., Biology; Juniata College, Pennsylvania; 2002

Overseas Studies; University of Newcastle; Newcastle, Australia; 2001

TRAINING

30-hour OSHA General Industry Training; 2002

40-hour Hazardous Waste Operations Training; 2003-2004

8-hour Confined Space Entry Training; 2003-2004

SELECTED PROJECT EXPERIENCE

Lake Wildwood Community Wildfire Protection Plan Fire Modeling; Under the Trees, Inc.; Lake Wildwood, Nevada County, California. SWCA provided custom fuel mapping, risk assessment, and fire behavior analysis for a community wildfire protection for Lake Wildwood in Nevada County, California. *Role: GIS Lead. Developed custom fuel model, fire behavior models, and composite risk assessment, and created and edited maps for project and reports.*

Santa Clara County Community Wildfire Protection Plan; Santa Clara County Fire Department; Santa Clara County, California. SWCA developed a high-end CWPP and Unit Plan for the County that incorporates a multitude of agencies and jurisdictions. SWCA coordinated all stakeholder and community meetings and facilitated an extensive outreach effort through an online survey portal and other online media. The CWPP comprises a comprehensive risk/hazard analysis that includes an assessment of wildland and urban fuels. *Role: GIS Specialist / Lead. Created and edited maps and posters for project and reports; maintained spatial datasets used for analyses and reporting; and coordinated scheduling, products, quality control, and spatial data organization with Project Manager and other team members.*

Kenai Peninsula Borough Environmental Services; Kenai Peninsula Borough Purchasing and Contracting Department; Kenai Peninsula Borough, Alaska. SWCA is combining over 17 community-level CWPPs into one landscape-level CWPP that will serve the entire Kenai Peninsula. This includes preparing a story map to gather information from the public as well as disseminate information to the rural and remote communities in the project area. *Role: GIS Lead. Compiling CWPP data into landscape-level data sets, preparing story map and report maps, and coordinating with project team to manage and schedule GIS work.*

Santa Fe County Community Wildfire Protection Plan Update; Santa Fe County; Santa Fe County, New Mexico. SWCA is updating the County's existing CWPP (developed by SWCA in 2008), and also preparing a story map to help engage the public with the document. *Role: GIS Lead. Developing custom data for fire model, fire behavior outputs, and fire risk assessment model; preparing story map and report maps; and coordinating with client and project team to manage and schedule GIS datasets and deliverables.*

Grant County Community Wildfire Protection Plan Update; Grant County; Grant County, New Mexico. SWCA updated the County's 2015 CWPP, which included a new approach to risk assessment modeling using the Interagency Fuel Treatment Decision Support System (IFTDSS) to build landscapes and create fire behavior outputs. *Role: GIS Lead. Developed fire behavior outputs and fire risk assessment model, and prepared report maps.*

Elk and McKean Counties Community Wildfire Protection Plans; Elk County and McKean County; Elk and McKean Counties, Pennsylvania. SWCA was selected by McKean and Elk Counties to develop a Countywide CWPP for each county. *Role: GIS Specialist/Lead. Created and edited maps and posters for project and reports; compiled and maintained spatial datasets used for analyses and reporting; developed risk assessment model; and coordinated scheduling, products, quality control, and spatial data organization with Project Manager and team members.*

Pope and Hardin Counties Community Wildfire Protection Plans; Southeastern Illinois Regional Planning Development Commission; Pope and Hardin Counties, Illinois. SWCA developed CWPPs for these adjacent counties, which included extensive community involvement, close work with the USFS Fire and Fuels Specialists, and the integration of existing GIS datasets to deliver recommendations for realistic measures to reduce the ignitability of structures throughout the area and reduce hazardous fuels. *Role: GIS Specialist/Lead. Created and edited maps and posters for the project and reports; compiled and maintained spatial datasets used for analyses and reporting; developed risk assessment model; and coordinated scheduling, products, quality control, and spatial data organization with Project Manager and other team members.*

Valencia County Fire Maps; Valencia County, New Mexico; County of Valencia. SWCA assisted Valencia County in developing logistical georeferenced pdf maps for use online, on tablets, and in the field by fire officials. *Role: GIS Specialist/Lead. Organized and compiled spatial datasets, developed maps, worked with the client to ensure accuracy and appropriate representation of spatial datasets, and trained the client in use of ArcMap to update the map sets.*

Mobile Wildland Fire Workshop Development; Claunch-Pinto Soil and Water Conservation District; Torrance County, New Mexico. SWCA assisted the District in the development of a mobile wildland wildfire educational workshop. *Role: Graphic Designer. Designed and edited large multi-panel mobile poster display; coordinated with Project Manager and Team for content editing, compilation, and design components; and designed and edited associated handouts and other materials.*

Bernalillo County Community Wildfire Protection Plan; Bernalillo County, New Mexico; Middle Rio Grande Conservancy District. As this CWPP spanned four counties within the Middle Rio Grande Conservancy District, SWCA's recommendations were based on our performance of a comprehensive risk assessment that incorporated numerous data layers collected from municipal, tribal, county, state, and federal agencies. The project was completed within budget and on schedule. *Role: GIS / CADD Technician. Created and edited maps and posters for project and reports.*

BLM New Mexico Lease Sale Environmental Assessment Support; U.S. Bureau of Land Management; New Mexico, Kansas, Oklahoma, and Texas. SWCA is working with BLM New Mexico Lease Sale to further develop and support issues-based Environmental Assessments for oil and gas lease sales for the BLM in multiple states. *Role: GIS Lead. Compiling and managing large multi-state Enterprise geodatabases and other datasets; using those data for detailed site analysis and calculations; preparing calculations files and maps for project team and reports.*

Estancia Basin Watershed Monitoring; Claunch-Pinto Soil and Water Conservation District; Bernalillo and Torrance Counties, New Mexico. For this 5-year contract, SWCA monitored forest and watershed health in relation to forest thinning on the eastern slopes of the Manzano Mountains to evaluate the effectiveness of thinning treatments. *Role: Data Manager. Developed data management system; managed multiple datasets; performed data analysis for fire, water, and forest thinning projects; and assisted with field work and site maintenance.*

LAURA MORAN, B.S., B.L.A./M.U.P., SENIOR ECOLOGICAL RESTORATION TEAM LEAD

Ms. Moran is a specialist in natural resources management and ecological restoration with over 30 years of experience consulting with federal, regional, and local jurisdictions on environmental projects throughout California. She got her early training as a biologist at a small engineering firm, working on everything from site planning to construction documents. She brings her analytical, managerial, and policy-making skills to bear on projects dealing with ecological restoration, climate change adaptation, wetland delineation and mitigation, habitat conservation, and landscape level natural resource planning.

YEARS OF EXPERIENCE

34

EXPERTISE

Ecological restoration

Biology

Wetland delineation and restoration and mitigation design

Climate change

Permitting

CEQA

NEPA

EDUCATION

B.L.A./M.U.P. Program; City University of New York; 1988

B.S., Biology; St. Lawrence University; 1985

REGISTRATIONS / CERTIFICATIONS

California Climate College; California Department of Fish and Wildlife

Habitat Evaluation Procedure (HEP) Certification; U.S. Fish and Wildlife Service

California Rapid Assessment Methodology (CRAM) Certified

Wetland Delineation Certification

Managing Habitats for CA Red-Legged Frog Certification

Climate Smart Riparian Restoration Certification

Ms. Moran's focus is on feasibility and implementation so that degraded habitats and environments are restored and functioning at a higher level. She has directed environmental impact analyses (CEQA/NEPA), biological resource inventories, multi-agency permitting, vulnerability assessments, and habitat restoration and monitoring plans. She plays a pivotal role in integrating the work of multiple specialties to help resource agencies and project proponents achieve their sustainability and resilience goals while balancing environmental stewardship and project design. Under Ms. Moran's management, staff have created multiple vegetation management, habitat conservation, mitigation, and restoration plans from concept through construction within a variety of sensitive California habitats.

SELECTED PROJECT EXPERIENCE (* denotes project experience prior to SWCA)

*** American River Parkway Natural Resources Management Plan; Sacramento County Regional Parks; Sacramento, California.** *Role: Principle in Charge. Senior oversight of a comprehensive management plan to balance preservation of natural and cultural resources with the enhancement of recreation and other human uses of parkway, which is designated as a Wild and Scenic River. Large component of plan addresses best practices for vegetation management pertaining to fire risk reduction, invasive species control, and native revegetation for post-fire and flood control mitigation areas. NEPA/CEQA, permitting, grant support and interagency coordination.*

*** Meadowood Estates Subdivision Project, EIR, FMP/VMP; San Mateo County.** *Role: Principal Biologist. Worked with project proponent's biologist and Central County Fire Department to develop Fire Management and Vegetation Management plans for preliminary construction and final lot construction in the WUI to meet requirement of Governor Gavin Newsom's issued Executive Order N-05-19. Plans balanced special-status plant and animal species, jurisdictional drainages, and oak woodland preservation with state and County guidelines for fire risk reduction through vegetation management. These plans were incorporated into EIR and its MMRP.*

*** Bear Creek Redwoods Vegetation Management Plans; Midpeninsula Regional Open Space District; Bear Creek Redwoods Open Space Preserve, Santa Clara County, California.** *Role: Senior Restoration Ecologist. Assisted with development of invasive species management plan, integrated pest management plan, and mitigation and monitoring plan for sensitive species adjacent to public access areas. Provided focused habitat restoration and enhancement plans for western pond turtle.*

AWARDS / HONORS

On the River's Edge Competition, Salt Lake County, Utah "Jordan Rising" - Winner People's Choice and Conservation Innovation Awards

MEMBERSHIPS

SER, CNPS, SWS

* **Lake Chabot Regional Park Campus Modernization Firesafe Landscape Plan; Castro Valley, Alameda County, California.** Role: Landscape Architect / Restoration Ecologist. Developed firesafe landscape design plan that utilized native fire-resistant plants, provided defensible space around proposed structures, and reduced wildfire risk

* **Bear Gulch Upper Diversion Fish Passage, Woodside, San Mateo County, California** Role: Principal Biologist/Restoration Specialist. Conducted oversight of environmental permitting, biological monitoring, and stormwater compliance required to construct fish passage improvement project to benefit steelhead trout; prepared habitat mitigation plan, tree preservation plan, and long-term operations and maintenance

monitoring and vegetation management plan; and worked closely with Cal Water on agency coordination and compliance, including long-term mitigation plan for water diversion projects.

* **Los Gatos Creek Bridge and Guadalupe River Restoration Projects; San Jose, Santa Clara County, California.** Role: Principal Restoration Specialist. Revised and adapted existing restoration plans to provide feasible restoration components to benefit steelhead, western pond turtle, and California red legged frog habitat adjacent to bridge improvements along the railroad corridor; working with CalTrain on long-term mitigation strategy for cumulative project impacts along corridor; providing grant assistance for stewardship and education programs to improve safe, clean access to watershed resources; and provided post-fire recovery (homeless source) vegetation management strategy as part of long-term monitoring and maintenance program. Los Gatos Creek Bridge restoration is in year 3 of monitoring.

* **Coyote Point Eastern Promenade Renovation Project, Coyote Point Recreation Area, San Mateo County, California.** Role: Restoration, Permitting, and Biology Lead. Managed biological and regulatory permitting tasks for renovation of shoreline promenade within recreation area; provided specifications for native plant species to replace/supplement recreation area renovation landscape; prepared tree removal and maintenance plan to coincide with County Park's Vegetation Management Plan policies for risk reduction; and provided grant support.

* **Tolay Lake Master Plan; Sonoma County Parks; Sonoma County, California.** Role: Senior Biologist / Restoration Specialist. Led review of biological and hydrological studies to identify opportunities and constraints for enhancement of wide range of habitat types, and identified serpentine habitat with opportunities to restore and enhance habitat for California tiger salamander, California red-legged frog, and ponded, seasonal, and riparian wetlands. Habitat restoration goals and identified projects were incorporated into master plan. Master Plan EIR was certified in January 2019.

* **Stevens Creek Corridor Parks Master Plan; Cupertino, Santa Clara County, California.** Role: Senior Biologist / Restoration Specialist. Led biological studies, stream and meadow restoration opportunities and constraints analysis, regulatory permitting support, and environmental education opportunities for master plan. Restoration focuses on McClellan Ranch Preserve portion of project, which provides opportunities for stream, wetland, meadow, off channel pond, and upland habitat restoration for variety of special-status species.

* **Joseph D. Grant County Park California Red-Legged Frog and California Tiger Salamander Pond Improvements. Santa Clara County, California.** Role: Principal Biologist / Restoration Specialist. Oversaw population data review and analysis to plan for restoration and enhancement of series of ponds for benefit of California red-legged frog and California tiger salamander, and ranked feasibility of pond restoration relative to climate change water budget projections.

* **Former Oak Knoll Naval Hospital Site; Oakland, Alameda County, California.** Role: Senior Project Manager / Restoration Lead. Prepared biological assessment and conceptual creek restoration plan, tree mitigation, and open space management plan for proposed development of hospital site; coordinated interagency permitting for project; participated in public outreach sessions; coordinated with City planning staff; prepared biological resources section and contributed to hydrology section of supplemental EIR, completed in 2007; and created mitigation and monitoring plan for complex project involving all phases of proposed buildout through 2017 (demolition, remediation, restoration, construction, and monitoring). Key biological issues included Alameda whipsnake habitat monitoring, 1.3 miles of riparian wetland restoration, oak woodlands, and native grasslands preservation and enhancement.

JESSIE HENDERSON-MCBEAN, B.S., BIOLOGIST

Ms. Henderson-McBean is a biologist with biological resource experience throughout the Bay Area, Central Coast, and Central Valley. She is an experienced biological surveyor who uses various sampling techniques and protocols to conduct environmental inspections, preconstruction surveys and biological monitoring for a variety of projects. Her experience includes extensive surveys in the Carrizo Plains focusing on nesting bird, avian point count, and avian fatality surveys, as well as radio telemetry tracking, wildlife camera deployment, spotlighting surveys for San Joaquin kit fox, and spotlighting and crepuscular surveys for burrowing owl.

Ms. Henderson-McBean has completed focused preconstruction surveys, biological technical reports, and conducting habitat assessments for numerous species throughout the San Francisco Bay Area, including burrowing owl, Swainson's hawk, western snowy plover, California red-legged frog, San Francisco garter snake, San Francisco dusky-footed woodrat, western pond turtle, California tiger salamander, Santa Cruz long-toed salamander, salt marsh harvest mouse, and Ridgway's rail.

YEARS OF EXPERIENCE

10

EXPERTISE

Environmental compliance and construction monitoring

Natural resource surveys

Bird behavior/nesting surveying and identification

California red-legged frog, San Joaquin kit fox, burrowing owl preconstruction surveys

San Joaquin kit fox and burrowing owl spotlighting nighttime surveys

EDUCATION

B.S., Wildlife, Fish and Conservation Biology; University of California, Davis; 2012

PERMITS

California Department of Fish and Wildlife Scientific Collecting Permit (SC13432); 2016

TRAINING

California Red-legged Frog Workshop, Alameda County Resource Conservation District; 2015

California Tiger Salamander Workshop, Elkhorn Slough Coastal Training Program; 2014

Burrowing Owl Workshop Training, Elkhorn Slough Coastal Training Program; 2014

SELECTED PROJECT EXPERIENCE (* denotes project experience prior to SWCA)

Enhanced Vegetation Management Program; Utility Client; Multiple Counties, California. SWCA provided on-call support for the AWRP/EVM Program by deploying experienced natural resource and cultural resource specialists, often under rapid response times, to basecamps throughout the client's service territory. SWCA was tasked with conducting field coordination, botanical surveys, special-status species surveys, wetland and riparian mapping, cultural resource identification and flagging, environmental trainings, biological and cultural monitoring, and meetings with local land management agencies. *Role: Biologist. Coordinated with environmental leads and on-site basecamp leads, conducted preconstruction surveys, provided environmental awareness training to crews, and performed biological monitoring during tree trimming and removal work.*

*** City of Santa Cruz North Coast Pipeline Phase 3, Rehabilitation Project; Santa Cruz County.** The North Coast Pipeline Phase 3 Rehabilitation Project replaced approximately 16,500 linear feet of raw water transmission main supplying municipal water to the City of Santa Cruz. Running parallel to Highway 1, this project crossed and impacted California red-legged frog habitat. *Role: Designated Biologist. Acted as designated biologist, approved by USFWS and CDFW to handle and relocate California red-legged frog under project Biological Opinion (08EVEN00-2015-F-0416); conducted daily sweeps of access roads and work areas for rare plants and sensitive wildlife including California red-legged frog and provided guidance on adjusting work activities for avoidance; and observed over 300 California red-legged frogs, from larvae to adults, during course of monitoring road grading, vegetation clearing, excavations, and Best Management Practice installation activities.*

PV Water Blend Well Improvements Project Environmental Permitting and Documentation Support; Pajaro Valley Water Management Agency; Monterey and Santa Cruz Counties, California. SWCA provided environmental permitting and document sufficiency assessments for a water management project in Watsonville. The project included construction of additional water storage tanks and a disk filtration system within the agency's existing water treatment facility and the addition of two new distribution pipelines to better serve Santa Cruz and Monterey County customers. *Role: Biologist. Performed preconstruction surveys for California red-legged frog and*

MEMBERSHIPS

Member, The Wildlife Society; 2014–present

Member, Raptor Research Foundation, 2015–present

nesting birds; provided bi-weekly nesting bird surveys throughout the nesting bird season for duration of project construction; worked with contractor throughout construction activities to avoid impacts to nesting birds; and created environmental training brochure and provided environmental awareness trainings to contractor.

AIMCO Storm Drain Restoration Project Biological Assessment; AIMCO Esplanade Avenue Apartments, LLC; Pacifica, San Mateo County, California. SWCA prepared a Biological Assessment suitable for use by the USACE during Section 7 consultation

with the USFWS and NOAA Fisheries. Special-status species reviewed included western snowy plover, Coho salmon, and Chinook salmon. *Role: Biologist. Conducted nesting bird surveys focusing on western snowy plover.*

Santa Clara Valley Water District Biological Monitoring; Ranger Pipelines Inc.; San Jose, Santa Clara County, California. SWCA provided nesting bird surveys, nesting bird deterrence, and ongoing biological monitoring services for a water pipeline project site supporting nesting red-tailed hawk. SWCA also provided environmental awareness program training. *Role: Biologist. Conducted nesting bird and raptor surveys throughout project construction, and provided monitoring of red-tailed hawk nest and guidance to contractor to adjust work activities for avoidance.*

Travis Air Force Base Gas Pipeline System Upgrade Project; PG&E; Solano County, California. SWCA provided biological surveys and monitoring services to assure compliance with mitigation measures from the Project ERTC. Species of concern include: Contra Costa goldfields, vernal pool tadpole shrimp, California tiger salamander, burrowing owl and nesting birds. *Role: Biologist. Performed preconstruction surveys for sensitive species presence and nesting birds. Providing monitoring for special-status species during construction activities, crew environmental awareness training, communicating with the client about project concerns and producing daily activity reports.*

L-191-1 Site 7 Pipeline Replacement Biological Monitoring; PG&E; Contra Costa County, California. SWCA provided biological survey and monitoring services to assure compliance with mitigation measures from the Project Environmental Release To Construction and East Bay Regional Park Encroachment Permit. Species of concern included Alameda whipsnake and nesting birds. *Role: Biologist. Provided monitoring for special-status species during construction activities and crew environmental awareness training, communicated with client about project concerns, and produced daily activity reports.*

PG&E's Valve Automation / Valve Repair and Replacement Program Environmental Services; Surf 2 Snow Environmental Resource Management; Multiple Counties, California. SWCA provided environmental services in support of the program throughout PG&E's service territory, including preparation of permit applications, agency consultation, project biological review, preconstruction nesting bird surveys, special-status species surveys, and biological monitoring/training. *Role: Biologist. Conducted preconstruction surveys for sensitive species presence and nesting birds/raptors, conducted crew environmental awareness training and special-status species monitoring during construction activities, and produced daily activity reports.*

1300 Block Cedar Street Paving Project Biological Study; Walt Wyckoff; Montara, San Mateo County, California. SWCA completed a biological study, consisting of background research and a site visit, and prepared a biological report. *Role: Biologist. Conducted habitat assessment surveys for California red-legged frog and San Francisco garter snake.*

South Lake Solar Project Environmental Impact Report; County of Fresno Planning Department; Fresno, Fresno County, California. SWCA is preparing an EIR for an up to 80-megawatt (MW) photovoltaic solar energy facility, up to 80 MW battery storage system, and 70 kilovolt (kV) overhead generation tie line on an approximately 585 acres in western Fresno County. Key issues addressed in the EIR included air quality impacts resulting from construction emissions, biological impacts from the loss of Swainson's hawk foraging habitat, and the potential for cumulative impacts caused by the project. *Role: Biologist. Drafted EIR biological resources section.*

ERICH SCHICKENBERG, B.S., ARBORIST

Mr. Schickenberg received a Bachelor of Science degree in Botany from San Francisco State University in 2012. His studies focused on plant taxonomy, plant anatomy, plant ecology, and mycology. He has worked in a wide variety of habitats throughout California, and his experience includes special-status plant surveys, invasive species management, restoration monitoring, native seed collection, restoration planting, mitigation land monitoring, and vegetation community mapping. Mr. Schickenberg has extensive experience providing biological services to quarry and mining projects, including the Santa Clara County Permanent Quarry project in Cupertino.

Mr. Schickenberg has training in wetland delineation and plant pathogen identification, and extensive experience working with various sensitive wildlife species, including San Francisco garter snake, California red-legged frog, California tiger salamander, salt marsh harvest mouse, and Alameda whipsnake. He is also an International Society of Arboriculture (ISA)-certified arborist and an expert in environmental compliance, including biological monitoring and stormwater inspection.

YEARS OF EXPERIENCE

7

EXPERTISE

Project management
Special-status flora and fauna surveys
Plant ecology
Restoration planning and monitoring

EDUCATION

B.S., Botany; San Francisco State University, San Francisco, California; 2012

REGISTRATIONS / CERTIFICATIONS

ISA Certified Arborist No. #WE-10211A

TRAINING

40-hour basic wetland delineation
California Department of Fish and Wildlife rare plant survey protocols
Carex Workshop
Brassicaceae Workshop
Forest Diseases Workshop

SELECTED PROJECT EXPERIENCE (* denotes project experience prior to SWCA)

* **Permanente Quarry; Cupertino, Santa Clara County, California.** Managed multiple aspects of Santa Clara County SMARA Conditions of Approval (COA) compliance of long-term Reclamation Plan at 3,500-acre quarry. *Role: Biologist. Coordinated subcontractors; conducted tree and plant surveys, storm water management and compliance, BMP installations, mining safety, and restoration and reclamation compliance; prepared COA compliance report presented to County on annual basis; and assisted in monitoring of revegetation test plots and associated data analysis.*

* **Bat Emergence Surveys and Breeding Bird Surveys; Confidential Client; Santa Clara County, California.** *Role: Biologist. Assisted with systematic area-confined breeding bird nest searches for confidential client conducting geologic exploration in grassland, chaparral, forested and riparian habitats, and conducted breeding bird surveys along historic and green-field access roads prior to grading activities and within proposed drill pads. When nests were discovered, established buffers using construction flagging and conducted monitoring to determine when breeding activities were complete or nests predated. Worked closely with project personnel to ensure no nests were lost as result of standard operations, and assisted with bat emergence surveys to determine if bat roosts were present in any proposed work areas prior to work initiation.*

* **Santa Clara County Bridge Scour Biological Studies and Permitting; Santa Clara County, California.** *Role: Biologist. Oversaw team conducting vegetation monitoring for 12 bridge sites and prepared annual vegetation monitoring reports.*

* **Santa Margarita Quarry Expansion Project; Hanson Aggregates; Santa Margarita, San Luis Obispo County, California.** Hanson Aggregates is applying for a modification to an existing Conditional Use Permit and seeking approval for a Reclamation Plan Amendment to expand the existing operations of the Santa Margarita Quarry, a hard-rock

aggregate mining facility. *Role: Biologist. Conducted oak woodland assessment and assisted with preparation of oak woodland mitigation plan to identify suitable coast live oak woodlands for preservation, in compliance with County of San Luis Obispo compensatory mitigation requirements pursuant to CEQA.*

* **Pilarcitos Quarry Biological Surveys; Vulcan Materials Company; San Mateo County, California.** The Pilarcitos Quarry is a 53-acre aggregate mining facility located on approximately 593 acres just east of Half Moon Bay. As part of the planned expansion and ongoing operations, and in compliance with the USFWS Biological Opinion (81420-2008-F-0294-1), West Coast Aggregates placed a

conservation easement on 192.5 acres of the northern portion of the property, and constructed two mitigation ponds to provide habitat for federally listed California red-legged frog and San Francisco garter snake. *Role: Biologist. Conducted invasive weed mapping and California red-legged frog surveys during post-construction monitoring of on-site biological resources, and successfully identified California red-legged frog on-site during surveys.*

* **Antonio Mountain Ranch Mitigation Bank; Placer County, California.** *Role: Biologist. Performed hydrologic monitoring of aquatic resources and performed brachiopod surveys in support of completing mitigation bank enablement requirements on a site containing extensive vernal pool, perennial marsh, and seasonal wetland habitat*

* **Breuner Marsh Restoration Project; East Bay Regional Parks District; Contra Costa County, California.** This project involved the restoration of previously filled tidal marsh habitats, enhancement of marsh transition zones, and creation of seasonal wetlands and passive recreation opportunities on over 150 acres of land. The site contains large expanses of tidal marsh wetlands and associated federally endangered species such as salt marsh harvest mouse and Ridgeway's (California) clapper rail. *Role: Biologist. Approved by USFWS project biological monitor; monitored for salt marsh harvest mouse and Ridgeway's rail during various project activities; monitored extensive wetland vegetation removal phase, which included observation of over 130 salt marsh harvest mice; and implemented avoidance measures to prevent take of animals during the vegetation removal process.*

* **Mare Island Dry Dock Fish Salvage; Vallejo, California.** Mothballed vessels from the National Defense Reserve Fleet in Suisun Bay are brought to the dry docks at the former Mare Island Naval Shipyard to be recycled under contract by Allied Defense Recycling. In accordance with permit requirements of the USFWS, NOAA Fisheries, and CDFW, biologists are required to be present during final stages of dewatering to salvage (rescue) stranded fish from the dry dock. Captured fish were placed in aerated holding coolers, identified to species, counted, and measured before being returned to the Mare Island Channel of the Napa River. *Role: Biologist. Assisted in multiple salvages and has captured and identified several native and invasive fish species.*

* **Sherman Island Whale's Mouth Wetland Restoration Project; Ducks Unlimited, Inc. and California Department of Water Resources; Sacramento County, California.** This is a habitat restoration project on Sherman Island, located in the extreme western Delta near the confluence of the Sacramento and San Joaquin Rivers, would restore approximately 600 acres of palustrine wetlands on lands owned by the Department of Water Resources (DWR), which are currently managed for flood-irrigated pasture lands. This project is part of ongoing restoration efforts by DWR to stop or reverse subsidence in the delta, create wildlife habitat, and sequester atmospheric carbon. *Role: Biologist. Assisted with permitting process, overseeing several special-status plant surveys and assisting with associated reports.*

* **San Vicente Redwoods Public Access Plan; Santa Cruz County, California.** The San Vicente Redwoods is an approximately 8,500-acre property located in the Santa Cruz Mountains. The Conservation Vision for the property envisions integration of preservation, restoration, and sustainable timber harvesting with research, education, and recreation, and is the result of a successful collaboration between Land Trust of Santa Cruz County and Save the Redwoods League, with additional assistance from six other organizations. *Role: Biologist. Assisted with biological resources surveys for planned extensive multi-use trail system on property.*

* **Wavecrest Coastal Trail Northern and Southern Alignments; Half Moon Bay, San Mateo County, California.** *Role: Biological Monitor. Conducted biological monitoring during construction activities for California red-legged frog, San Francisco garter snake, and San Francisco dusky-footed woodrat; conducted preconstruction wildlife surveys and led a special-status plant survey for Choris' popcorn flower; involved in Southern Alignment portion of project and assisted with preparation of biological constraint analysis for wildlife and Environmentally Sensitive Habitat Areas (ESHAs), and results of analysis were incorporated into trail location and design planning to limit impacts to ESHAs and wildlife species.*

LEROY LAURIE, B.S., CULTURAL RESOURCES LEAD

Mr. Laurie is an archaeologist and cultural resources lead with cultural resource project experience throughout California and Nevada. He has conducted work in a variety of cultural and geographic regions including, but not limited to, the Sierra Nevada, Great Basin, San Joaquin Valley, Central and Coast Ranges, Mojave and Sonoran Deserts, San Francisco Bay area, and Yosemite Valley. In addition to the organization and execution of field projects, he has been the primary or contributing author to several planning-level documents for large- and small-scale projects.

Mr. Laurie has worked on a variety of cultural resources studies and has helped manage and implement several Phase I and Extended Phase I studies. He has authored or co-authored numerous technical reports and cultural resources sections for EIRs, Environmental Assessments, and Expanded Initial Studies. Mr. Laurie has technical experience in archaeological fieldwork, laboratory analyses, archaeological testing plans, and graphics and mapping. He has been the primary point of contact for Native American coordination for CEQA and NHPA Section 106 compliance projects.

YEARS OF EXPERIENCE

18

EXPERTISE

Archaeology

Report preparation

Cultural resources analysis

Mapping

Graphic Design

Molluscan Identification and Analysis

EDUCATION

B.S., Social Sciences, e: Env.

Geography, m:

Anthropology/Geography; California Polytechnic State University, San Luis Obispo; 2001

PERMITS

USDA Forest Service Archaeological Investigations Permit (LAR9058), Field Director; SCE Service Territory within Federal Lands

USDA Forest Service Archaeological Investigations Permit (BDFSWCA01), Field Director; San Bernardino National Forest - San Jacinto and Arrowhead Ranger Districts

U.S. Bureau of Land Management Cultural Resource Use Permit (CA-17-23), Field Director; CA

SELECTED PROJECT EXPERIENCE

Enhanced Vegetation Management Program; Utility Client; Multiple Counties, California. SWCA provided on-call support for the AWRR/EVM Program by deploying experienced natural resource and cultural resource specialists, often under rapid response times, to basecamps throughout Client's service territory. SWCA was tasked with conducting field coordination, botanical surveys, special-status species surveys, wetland and riparian mapping, cultural resource identification and flagging, environmental trainings, conducting biological and cultural monitoring, and meeting with local land management agencies. *Role: Cultural Resources Specialist. Conducted records search, Native American Consultation, and background and archival research.*

North American Electric Reliability Corporation Priority II Environmental Services; Pacific Gas and Electric Company; Various Counties, California. SWCA provided environmental management and biological support services to assist Pacific Gas and Electric Company (PG&E) with programmatic support for the National Electric Reliability Corporation (NERC) compliance program on the modification of over 400 electric transmission structures on approximately 60 transmission lines throughout California. For each NERC project, SWCA completed a resource constraints review and analysis, identified permits and regulatory approvals, addressed California Public Utilities Commission (CPUC) General Order 131-D compliance, and drafted release to construction documents. Additional services included resource surveys, construction monitoring, and GIS mapping. *Role: Archaeologist. Assessed cultural resources sensitivity and risk for hundreds of PG&E transmission line infrastructure improvement projects; provided management recommendations; conducted necessary fieldwork; and prepared desktop reviews and cultural resources reports.*

Confidential Electric Transmission Project Proponent's Environmental Assessment; Confidential Client; San Luis Obispo County, California. SWCA is providing planning and permitting support for a new 230 kV/70 kV substation, 8 miles of new aboveground 70 kV power line, 6 miles of reconductoring of a 70 kV line, and a 230 kV interconnection. Services include cultural, biological, and paleontological resource surveys; PEA preparation; permit to construct application filing and noticing; and post-filing CEQA and permitting support. The application for Permit to Construct was filed in

TRAINING

First Aid / CPR Certification, American Red Cross; 2008

Competent Person / Trench Safety Certification (8-Hour), United Rentals; 2007

MEMBERSHIPS

Member, Society for California Archaeology

January 2017 and the PEA is under CEQA review (Application No. A.17-01-023). *Role: Cultural Resources Lead. Conducted records search, Native American Consultation, and background and archival research, and prepared archaeological technical reports.*

Morro Bay-Templeton 230kV Tower 0/4 Replacement Project Extended Phase I of a Portion of CA-SLO-499; PG&E; Morro Bay, San Luis Obispo County, California.

SWCA conducted an Extended Phase I study including the excavation of 14 shovel test units within the project's Area of Direct Impact. *Role: Cultural Resources Specialist. Conducted records search, Native American Consultation, and background and archival research; acted as field director for excavations; and prepared technical report summarizing findings and providing management recommendations.*

Diablo Canyon Power Plant 500 kV Tower and Owner-Controlled Area Camera

Tower Access Project Environmental Services; PG&E; San Luis Obispo County, California. SWCA conducted biological and cultural resources surveys, reporting, training, and monitoring for the project. *Role: Cultural Resources Specialist. Conducted records search, Native American Consultation, and background and archival research, and prepared archaeological technical report.*

Alamo Water Tank Replacement Environmental Services; Golden State Water Company; Los Osos, San Luis Obispo County, California. SWCA is preparing technical studies and the CEQA environmental document for the demolition and replacement of an existing 84,000-gallon bolted steel reservoir with a new 84,000-gallon welded steel reservoir, as well as construction of a driveway to provide access to the site, in the community of Los Osos. *Role: Cultural Resources Specialist. Conducted archaeological survey and Native American outreach.*

Bello Bridge Replacement Environmental Services; Quincy Engineering Inc.; Pismo Beach, San Luis Obispo County, California.

SWCA is providing environmental services, including preparation of all CEQA/NEPA documentation, technical studies, and permitting, for the replacement of the Bello Street bridge over Pismo Creek in the city of Pismo Beach. Due to sensitive archaeological resources in the area, SWCA also performed an Extended Phase I Archaeological Survey of the project area. *Role: Cultural Resources Specialist. Conducted archaeological survey and Expanded Phase I, and prepared associated technical reports.*

Butano Creek Bridge Feasibility Study; Quincy Engineering Inc.; Pescadero, San Mateo County, California. SWCA compiled background data for the project, ultimately proposing a two-phased approach to complete the feasibility-level environmental evaluation of the project consisting of an initial constraint memorandum, mapping, and a detailed environmental review to be incorporated into the study. SWCA also prepared a Preliminary Environmental Analysis Report to determine initial environmental constraints for incorporation into the Draft Feasibility Study Report. *Role: Cultural Resources Specialist. Reviewed background materials, conducted literature review, and prepared constraints document.*

Seawall Archaeological and Biological Monitoring; City of Pismo Beach; Pismo Beach, San Luis Obispo County, California.

SWCA conducted archaeological and biological monitoring for the Emergency Upper-Bluff Stabilization Project in Pismo Beach, which included stabilizing the natural coastal bluff erosion taking place along the bluff edge of Price Street, threatening to undermine the road and sidewalk and impact existing utility pipelines and other infrastructure. *Role: Cultural Resources Specialist. Conducted archaeological monitoring during stabilization.*

Concord Reuse Project Environmental Impact Report; City of Concord; Concord, Contra Costa County, California. SWCA is currently preparing an EIR for the Concord Reuse Project (CRP) Specific Plan for the City of Concord. The CRP Specific Plan addresses a phased mixed-use development on approximately 2,300 acres of the former Concord Naval Weapons Station site. The project would include up to 13,000 residential units and 8.4 million square feet of commercial/campus/institutional uses, and greenway and park uses. SWCA successfully published the Notice of Preparation on schedule and under budget. *Role: Cultural Resources Specialist. Conducted records search, Native American Consultation, and background and archival research, and prepared archaeological technical report.*

ANNA BELK, M.A., GIS SPECIALIST

Ms. Belk is the GIS specialist that provides support for projects in northern California. She provides maps, analysis, and survey collection resources for project managers and SWCA clients. Ms. Belk has a background in environmental science related to climate and ocean science and using GIS for natural resource and conservation planning. She is an experienced user of ESRI ArcGIS pro, ArcMap, ArcGIS online, Collector, Survey123, and ENVI software, and has additional technical training in spatial analysis using R, programming using python, and remote sensing.

YEARS OF EXPERIENCE

3

EXPERTISE

Esri GIS mapping software and programming

EDUCATION

M.S., Climate Science: Ocean Atmospheric Dynamics; University of California Berkeley; 2019

Graduate Certificate Program, Geographic Information Science and Technology; University of California Berkeley; 2019

B.S., Marine Science; University of California Berkeley; 2017

Certification, Business for Arts, Sciences, and Engineering; Hass School of Business BASE Program; 2017

TRAINING

ESRI Geospatial Data Management

AWARDS / HONORS

Prior ESRI GIS Dangermond Fellow

SELECTED PROJECT EXPERIENCE (* denotes project experience prior to SWCA)

Fire Fuel and Invasive Weed Reduction Program Environmental Compliance; Sewer Authority Mid-Coastside; Half Moon Bay, San Mateo County, California.

SWCA is providing environmental compliance services including herding coordination and monitoring for the Sewer Authority Mid-Coastside (SAM) Fire Fuel and Invasive Weed Reduction Program in Half Moon Bay. *Role: GIS Specialist. Produced maps, analysis, and relevant data based on project needs, and organized mapping and data collection efforts for site visits where necessary.*

Concord Reuse Project Specific Plan CEQA Analysis; City of Concord; Concord, Contra Costa County, California.

SWCA is currently preparing an EIR for the Concord Reuse Project (CRP) Specific Plan. The CRP Specific Plan addresses a phased mixed-use development on approximately 2,300 acres of the former Concord Naval Weapons Station site. The project would include up to 13,000 residential units and 8.4 million square feet of commercial/campus/institutional uses, and greenway and park uses. *Role: GIS Specialist. Produced maps, analysis, and relevant data based on project needs, and organized mapping and data collection efforts for site visits where necessary.*

Chanticleer Park Phase I Development Stormwater Pollution Prevention Plan; Granite Construction Company; Santa Cruz, Santa Cruz County, California.

SWCA is providing permitting support including the preparation of a Stormwater Pollution Prevention Plan (SWPPP), SWPPP inspections, and pH/turbidity monitoring for a park improvement project. *Role: GIS Specialist. Produced maps, analysis, and relevant data based on project needs, and organized mapping and data collection efforts for site visits where necessary.*

Pacific Gas and Electric Company Community Pipeline Safety Initiative Initial Study/Mitigated Negative Declaration; City of Half Moon Bay; Half Moon Bay, San Mateo County, California.

SWCA is preparing an Initial Study/Mitigated Negative Declaration (IS/MND) pertaining to the issuance of a Coastal Development Permit to support vegetation maintenance (e.g., removing trees and brush) within PG&E's existing rights-of-way that contain a high-pressure natural gas transmission pipeline within Half Moon Bay. Vegetation maintenance activities would improve emergency access and allow for routine leak surveys, which are necessary to maintain natural gas pipeline integrity. *Role: GIS Specialist. Produced maps, analysis, and relevant data based on project needs, and organized mapping and data collection efforts for site visits where necessary.*

PV Water Coastal Distribution System F-Line Expansion Planning Support; Pajaro Valley Water Management Agency; Watsonville, Santa Cruz County, California. SWCA is preparing a CEQA Addendum and technical background studies for the PV water coastal distribution system pipeline expansion. *Role: GIS Specialist. Produced maps, analysis, and relevant data based on project needs, and organized mapping and data collection efforts for site visits where necessary.*

Magnolia Street Initial Study/Mitigated Negative Declaration; City of Half Moon Bay; Half Moon Bay, San Mateo County, California.

SWCA prepared an IS/MND and supporting technical studies, including a biological resources evaluation, addendum to the biological resources evaluation, and wetland and waters delineation and assessment for the construction of two residences and a fire truck turnaround on a dead end street. In order to achieve CEQA compliance, SWCA prepared the MND and requisite technical studies for submittal to the Half Moon Bay Planning Department. SWCA prepared deliverables on accelerated schedule and worked closely with the project planner to deliver defensible documents. *Role: GIS Specialist. Produced maps, analysis, and relevant data based on project needs, and organized mapping and data collection efforts for site visits where necessary.*

Estrella Substation and Paso Robles Area Reinforcement Project Permitting and Licensing Support; Confidential Client; Paso Robles, San Luis Obispo County, California.

SWCA is providing permitting and licensing support, including preparation of a Proponent's Environmental Assessment (PEA), for a new 230/70 kV substation, 7 miles of new aboveground 70 kV power line, 3 miles of reconducted 70 kV line, and a 230 kV interconnection. Services include cultural, biological, and paleontological surveys; PEA preparation; Permit-to-Construct (PTC) application filing support and noticing; and post-filing CEQA and permitting support. *Role: GIS Specialist. Produced maps, analysis, and relevant data based on project needs, and organized mapping and data collection efforts for site visits where necessary.*

Highland Estates Environmental Compliance Support Services; County of San Mateo; San Mateo, San Mateo County, California.

SWCA is providing oversight and ensuring compliance with a Mitigation Monitoring and Reporting Program (MMRP) and Project Conditions of Approval in conjunction with the certified Final EIR. Highland Estates Development I, LLC has set aside 93 acres of land for the construction of a total of 11 houses on a 97-acre parcel in the San Mateo Highlands area of unincorporated San Mateo County. *Role: GIS Specialist. Produced maps, analysis, and relevant data based on project needs, and organized mapping and data collection efforts for site visits where necessary.*

Suncrest Dynamic Reactive Power Support Project Planning and Permitting Support; Confidential Client; San Diego County, California. [Client is still confidential] SWCA is currently providing planning and permitting support for a dynamic reactive power support facility and associated 230-kV transmission line in California. Services include routing and siting support; alternatives analysis; cultural, biological, and paleontological surveys; preparation of a Proponent's Environmental Assessment; certificate of public convenience and necessity application filing and noticing; and post-filing CEQA and permitting support. SWCA also provided WEAP training and environmental compliance services during the construction phase. *Role: GIS Specialist. Produced maps, analysis, and relevant data based on project needs. Organized mapping and data collection efforts for site visits where necessary.*

Marquette Residential Development Mitigated Negative Declaration; Pizzulli Associates, Inc.; Los Angeles, Los Angeles County, California. SWCA prepared an MND and supporting technical studies, including a tribal cultural resources study, historical resources assessment, biological assessment, and air quality analysis in support of the proposed project in Pacific Palisades. The proposed project includes the demolition of two residences and the construction of eight new single-family homes. In order to achieve CEQA compliance, SWCA prepared the MND and requisite technical studies for submittal to the Los Angeles Department of City Planning. SWCA prepared deliverables on accelerated schedule and worked closely with the project owner to deliver defensible documents. *Role: GIS Specialist. Produced maps, analysis, and relevant data based on project needs, and organized mapping and data collection efforts for site visits where necessary.*

Zzyzx Block Valve Mojave National Preserve Environmental Services; Kinder Morgan Contracting Services LLC; Mojave National Preserve, San Bernardino County, California. SWCA has provided natural and cultural resources and land planning services for Kinder Morgan pipeline maintenance projects in Imperial, San Diego, Riverside, San Bernardino, and Kern Counties. Our specialists have conducted sensitive species surveys, mapping, and reporting; prepared jurisdictional wetland determinations and associated permitting; conducted cultural resource studies; developed NEPA and CEQA documents such as EAs for operations and maintenance; provided on-site construction monitoring and construction crew natural resource training; and provided expertise to avoid impacts and comply with federal and state regulations for threatened, endangered, and sensitive resources. *Role: GIS Specialist. Produced maps, analysis, and relevant data based on project needs, and organized mapping and data collection efforts for site visits where necessary.*

JENNIFER PEREZ TORRE, B.A., PROJECT CONTROLLER

Ms. Perez Torre has 25 years of administrative experience, including supporting and assisting attorneys in case management, logistics, accounting, record keeping, and policy analysis. She organizes and implements field team staffing, including support in recruitment and hiring, timesheet and attendance, expenses/allowances, and payroll questions. She also supports project set-up and review, resources allocation and multi-project scheduling, budget tracking, invoicing, health and safety compliance, file organization and documentation management, and project closeout. Ms. Perez Torre has experience reviewing and compiling data, establishing schedules, arranging meetings, and preparing status reports.

YEARS OF EXPERIENCE

25

EXPERTISE

Coordination

Scheduling

Budget tracking and forecasting

Large document control

Policies and procedures

Preparing agendas

Local, state, and federal court rules and procedures

EDUCATION

B.A., Psychology; Texas Tech University, Lubbock, Texas; 2003

SELECTED PROJECT EXPERIENCE (* denotes project experience prior to SWCA)

Santa Clara County Community Wildfire Protection Plan; Santa Clara County Fire Department; Santa Clara County, California. SWCA developed a high-end CWPP and Unit Plan for the County that incorporates a multitude of agencies and jurisdictions. SWCA coordinated all stakeholder and community meetings and facilitating an extensive outreach effort through an online survey portal and other online media. The CWPP comprises a comprehensive risk/hazard analysis that includes an assessment of wildland and urban fuels. *Role: Project Coordinator. Participated in stakeholder meetings and public outreach meetings.*

Enhanced Vegetation Management Program; Utility Client; Multiple Counties, California. SWCA provided on-call support for the AWRR/EVM Program by deploying experienced natural resource and cultural resource specialists, often under rapid response times, to basecamps throughout Client's service territory. SWCA was tasked with conducting field coordination, botanical surveys, special-status species surveys, wetland and riparian mapping, cultural resource identification and flagging, environmental trainings, conducting biological and cultural monitoring, and meeting with local land management agencies. *Role: Project Controller. Developed project structure, billing guidelines, and field logistic guidelines; prepared progress reports and managed invoicing; and provided field coordination and safety compliance.*

Fire Fuel and Invasive Weed Reduction Environmental Compliance Services; Sewer Authority Mid-Coastside; Half Moon Bay, San Mateo County, California. SWCA provided environmental compliance services including herding coordination and monitoring for the Sewer Authority Mid-Coastside (SAM) Fire Fuel and Invasive Weed Reduction Program in Half Moon Bay. *Role: Project Controller. Managed contract, budget, and invoicing, and coordinated project logistics, field staffing, and safety compliance.*

Vegetation Management and Fire Abatement Program Biological Services; City of Half Moon Bay; Half Moon Bay, San Mateo County, California. SWCA provided biological resources services including surveys and reporting for the City Vegetation Management and Fire Abatement Program. *Role: Project Controller. Managed contract, budget, and invoicing, and coordinated project logistics, field staffing, and safety compliance.*

Canyon Lane Roadway Improvements EIR; County of San Mateo; Redwood City, San Mateo County, California. SWCA is preparing an EIR and technical background studies for the project for the improvement of Canyon Lane, which includes development of a single-family residence on one parcel, and future development of residences on 11 parcels, as well as the construction of new utilities, including a waterline and an underground distribution line. *Role: Project Controller. Managing budget and invoicing; preparing progress reports, change orders, and reallocation of existing funds; and coordinating project logistics, field staffing, and safety compliance.*

Highland Estates Environmental Compliance Support Services; County of San Mateo; San Mateo, San Mateo County, California. SWCA is providing oversight and ensuring compliance with a Mitigation Monitoring and Reporting Program (MMRP) and Project Conditions of Approval in conjunction with the certified Final EIR. Highland Estates Development I, LLC has set aside 93 acres of land for the construction of a total of 11 houses on a 97-acre parcel in the San Mateo Highlands area of unincorporated San Mateo County.

Role: Project Controller. Managing budget and invoicing; preparing progress reports, change orders, and reallocation of existing funds; and coordinating project logistics, field staffing, and safety compliance.

PV Water Recycled Water Facility Treatment Compliance Support; Pajaro Valley Water Management Agency; Multiple Counties, California. SWCA provided document sufficiency assessments, environmental document, environmental permitting, and technical studies support for three separate water management projects located in Watsonville and Moss Landing. SWCA prepared a CEQA-Plus environmental document addendum, two CEQA addendums, NHPA Section 106 and CEQA archaeological surveys and reports, provided consultation assistance with the SHPO; and conducted Extended Phase I archaeological presence absence testing, a wetland delineation, and biological technical reporting; provided preparation assistance for funding applications; and managed environmental compliance monitoring, preconstruction surveys, and field staff training. *Role: Project Coordinator. Provided field coordination; prepared progress reports; and managed budget and invoicing.*

CSU Dominquez Hill Master Plan; WSP USA INC.; San Bernardino County, California. SWCA conducted technical studies and prepared EIR sections for compliance with state and federal statutes, particularly CEQA and NEPA, in support of the 2019 Master Plan. Technical work included a desktop archaeological sensitivity study and a preliminary jurisdictional delineation. *Role: Project Coordinator. Provided project management support including field coordination, budget management, and invoicing.*

Monterey Sewer Rehabilitation Packages 3, 5, 6 Construction Monitoring; City of Monterey; Monterey, Monterey County, California. SWCA provided environmental support services for over 100 sewer repair projects throughout Monterey, including biological and cultural environmental compliance monitoring, preconstruction surveys, archaeological surveys and reports, field staff training, and report preparation to document CEQA mitigation and monitoring requirements. *Role: Project Coordinator. Provided project management support including field coordination, budget management, and invoicing.*

Green Beanworks Solar Projects C and D Initial Study/Mitigated Negative Declaration; sPower Development Company, LLC; Lancaster and Palmdale, Los Angeles County, California. SWCA provided biological resources services for a proposed solar generation facility and a 500-foot buffer surrounding the project site. SWCA conducted a biological constraints analysis (BCA) for the projects, which provided the technical basis for the planning-level assessment of potential impacts to biological resources that had the potential to result from project implementation, and supported the Conditional Use Permit from the City of Lancaster. After completion of the BCA, SWCA prepared two IS/MNDs satisfying the CEQA review. *Role: Project Coordinator. Provided project management support including field coordination, budget management, and invoicing.*

Confidential Electric Transmission Project Proponent's Environmental Assessment; Confidential Client; San Luis Obispo County, California. SWCA is providing planning and permitting support for a new 230 kV/70 kV substation, 8 miles of new aboveground 70 kV power line, 6 miles of reconductoring of a 70 kV line, and a 230 kV interconnection. Services include cultural, biological, and paleontological resource surveys; PEA preparation; permit to construct application filing and noticing; and post-filing CEQA and permitting support. The application for Permit to Construct was filed in January 2017 and the PEA is under CEQA review (Application No. A.17-01-023). *Role: Project Controller. Coordinating project logistics, field staffing, safety compliance, accounting, and recordkeeping; developing project structure, billing guidelines, and budget tracking system for multiple-client project; and preparing monthly forecasts, monthly progress reports, and change orders.*

Carol Henson
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Summary of Qualifications

I have over thirty-eight years of experience in all phases of wildland fire and fuels management, which include over 29 years with the Forest Service. I've served in various capacities on engines and hotshot crews promoting to Battalion Chief and Forest Fuels Officer prior to my final position as a Fire Management Specialist for an Enterprise Team with the Washington Office.

My expertise includes fire behavior modeling, weather analysis, risk and hazard assessments, development of wildfire hazard mitigation strategies, and community wildfire protection planning.

Professional Experience

Geo Elements, LLC, October 2009 - present

I own and operate a wildland fire and fuel consulting business. Serve as fire management specialist and principle author on wildland fire and fuels related plans and reports, community wildfire protection plans, risk and hazard mitigation specialist, development of wildfire mitigation strategies including structure hardening and vegetation management, and firesafe planning. Conduct fire behavior modeling and weather data analysis in support of wildfire hazard and risk assessments. I've managed a range of projects, including twelve community wildfire protection plans, a wildland fire urban interview case study, and a myriad of other wildfire related projects.

My duties include all aspects of business including customer service, billing, marketing, sales, purchasing, accounting, contracting, and hire and supervise subcontractors.

U.S. Forest Service, WO, Adaptive Management Services Enterprise Team, May 2003 to Oct 2009

Served as project manager for a variety of wildland fire and fuels projects including fire behavior assessments, fire behavior modeling, fire behavior research, fire management plans, fuels technical input for environmental analyses, validating requirements for structure protection, multiple National Fire Plan success stories, and coordinated with multiple federal, state, and local agencies. Utilized ESRI ArcGIS for multiple projects.

U.S. Forest Service, Los Padres National Forest, July 1997 to May 2003

Served as Santa Barbara Ranger District and the Los Padres National Forest Fuels Officer where I was responsible for overall program management including the budget, program planning, and supervising a team of four. Duties included developing a forest-wide fuel treatment strategy that included planning and implementing numerous fuel treatment projects across the 1.7 million acre forest that led to 5-year program of work.

Wrote multiple burn plans of various complexity, managed a complex prescribed fire burn program, provided formal and informal fire and safety training, utilized ESRI ArcView to develop database and spatial historical forest fuel treatment maps, provided public education on fire and hazardous fuels, provided technical input for NEPA; provided technical input for forest land

management plans. Also, contracted and coordinated with local, state, and federal agencies and served on numerous Forest Service and public committees involved with various fuels and fire-related issues. Represented the Forest on the Santa Barbara County Fire Safe Council.

U.S. Forest Service, Lassen National Forest, July 1994 to July 1997

Served as Assistant District Fire Management Officer/Suppression Battalion Chief where I supervised and provided oversight for 16 employees including engines, prevention technicians, and a lookout. My duties included acting as a duty officer, district fire training coordinator, maintained several fire databases for the district, and coordinated and scheduled projects assigned to district suppression personnel.

U.S. Forest Service, Sierra National Forest, October 1991 to July 1994

Served as Assistant District Fire Management Officer/Suppression Battalion Chief where I supervised and provided oversight for 14 employees including engines and a prevention technician. Served as duty officer, district fire training coordinator, prepared district preparedness plans and fire reports, and coordinated and scheduled projects assigned to district suppression personnel.

U.S. Forest Service, Angeles National Forest, December 1977 to July 1991

Served in a variety of field level fire management positions including engine crewmember, hotshot crewmember, squad boss, assistant fire engine operator, engine operator, engine captain, and hotshot captain in fire suppression duties. Supervised engine and hotshot crews in all aspects of wildfire suppression, prescribed burning, and forest project work.

Certifications and Training

I've held a variety of fireline positions. My National Wildfire Coordinating Group red card qualifications included Incident Commander Type 3, Fire Behavior Analyst, Division/Group Supervisor, Burn Boss II, Strike Team Leader Crews and Engines, Field Observer, Situation Unit Leader, and Crewboss. Attended CA Fire Safe Planner training, S-590 Fire Behavior Analyst, Fire History Workshop, Farsite Workshop, RX-310 Fire Effects, WFDSS – Region 5 training, and a myriad of other fire and fuels related training.

Education

Colorado State University, Technical Fire Management, 18 units

College of the Canyons, General Education, 9 units

Glendale Community College, Aviation, 3 units

Pasadena City College, Forestry & Fire, 3 units

Other experience

Although no longer current, I was certified as a single-engine private pilot in a Cessna 152 and 172 aircraft.

JOHN JUSTICE

1111 Broadway Santa Cruz, Ca · 408.896.6878

jjustice95062@gmail.com

EXPERIENCE

AUGUST 2018 – TO DECEMBER 2019

ASSISTANT FIRE CHIEF, SANTA CLARA COUNTY FIRE DEPARTMENT

Duties included strategic oversight of the Fire Department, including the budget, and the Operations, Planning and Administration, Prevention, Support Services, and Training divisions. Also worked closely with the Business Services Division and the Personnel Services Division.

DECEMBER 2012 TO AUGUST 2018

DEPUTY FIRE CHIEF/ PREVENTION SANTA CLARA COUNTY FIRE DEPARTMENT

Provide oversight of the division which, which included construction document reviews, construction inspections, maintenance inspections, hazardous material inspections, urban runoff inspections, community education, and investigations.

Provided oversight of contracts for services including the West Valley Clean Water (inspection) Program, providing fire marshal services for all of the County of Santa Clara and Stanford University.

Served in an advisory position to the Santa Clara County FireSafe Council. Secured a grant for the Countywide Community Wildfire Protection Plan, and oversaw the creation and adoption of the CWPP. Served as the President of the Santa Clara County Fire Chiefs' Fire Marshals' Association for 3 years.

DECEMBER 2011 TO DECEMBER 2012

DEPUTY FIRE CHIEF/ SUPPORT SERVICES SANTA CLARA COUNTY FIRE DEPT

Plan, organize and budget for the ongoing and future needs of the Departments facilities, fleet, and supplies. The facilities included 17 fire stations, headquarters, a training facility, a fleet maintenance shop and a craftworkers shop. The fleet included approximately 50 fire apparatus and 50 sedans, pickup trucks and vans.

FEBRUARY 2009 TO DECEMBER 2012

BATTALION CHIEF SANTA CLARA COUNTY FIRE DEPARTMENT

Assigned to the Bay Area Urban Areas Security Initiative (UASI) management team, serving as program manager for the CBRNE (chemical, biological, radioactive, nuclear, explosive) and Training and Exercise projects. Duties included managing numerous antiterrorism grants throughout the bay area's law enforcement, fire, emergency medical and emergency management communities. Major exercises included Golden Guardian 2010, and multiple Urban Shield events.

DEBEMBER 2000 TO FEBRUARY 2009

SENIOR HAZARDOUS MATERIALS SPECIALIST SANTA CLARA COUNTY FIRE DEPT

Provided oversight of the Department's hazardous materials regulatory section, which included hazardous material business plans, underground storage tanks, plan reviews, construction and maintenance inspections, urban runoff inspections, and investigations. Duties included writing quarterly and annual reports on various programs to local and state agencies and supervising staff.

EDUCATION

DECEMBER 1980

B.S. BUSINESS ADMINISTRATION, CALIFORNIA STATE UNIVERSITY, CHICO

MAY 1993

HAZARDOUS MATERIALS MANAGEMENT CERTIFICATE, UNIVERSITY OF CALIFORNIA SANTA CRUZ



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 08/03/2021

ITEM NO: 8

DATE: July 20, 2021
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Receive Update on ARPA Allocations to Nonentitlement Units of Government and the Town's Allocation

RECOMMENDATION:

Receive update on ARPA allocations to Nonentitlement Units (NEUs) of Government and the Town's allocation.

BACKGROUND:

On March 29, 2021, the Town Council received a staff report describing the American Rescue Plan Act (ARPA), and receipt on March 10, 2021, of notification from Congressional Representative Eshoo's Office that Los Gatos will receive \$5,688,630 based on a modified version of the Community Development Block Grant formula.

The ARPA delineated local governments which generally have populations below 50,000 as nonentitlement units of local government (NEUs). Unlike other ARPA allocation recipients NEUs were programmed to receive their allocations directly from the State. The ARPA requires that States and territories allocate funding to NEUs in an amount that bears the same proportion as the population of the NEU bears to the total population of all NEUs in the State.

DISCUSSION:

Based on the State Finance Department's proportional population calculations, the Town is now slated to receive \$7,229,744 of which the first tranche payment of \$3,614,872 was received on July 13, 2021. Given the States proportional population calculation the Town's allocation will increase by \$1,541,114.

PREPARED BY: Arn Andrews
Assistant Town Manager

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

DISCUSSION (continued):

To date, the Town Council has pledged a total of \$5,106,898 in eligible ARPA allocations with \$2,122,846 of ARPA funding currently unallocated. Pledged allocations total \$1,831,452 toward assistance to households, small businesses, nonprofits, and impacted industries such as hospitality and \$3,275,446 toward the provision of governmental services to the extent of revenue reduction due to the pandemic. While staff tracks Council commitments by fiscal year for accounting purposes, ARPA funding does not need to be expended until December 31, 2024 and can remain fluid until that time. As an example, if FY 2021/22 revenue budget projections perform better than anticipated, then the current commitment of ARPA funding toward provision of governmental services would be less and the funding can be diverted to other eligible uses.

	FY 2020/21	FY 2021/22
Estimated ARPA Funds	\$3,614,872	\$3,614,872
Replace Revenue Reduction	\$1,362,910	\$1,912,536
Economic Development		
• Parklets	\$250,000	\$550,000
• CUP Fee waiver	\$50,000	
• ADA Fee waiver		\$25,000
• Destination Marketing		\$55,000
Nonprofit/Public Assistance		
• Rent Waiver		\$341,452
• Direct Grants	\$60,000	
• Enhanced Senior Services		\$500,000
Total Allocations	\$1,722,910	\$3,383,988
Total ARPA Funds Unallocated	\$1,891,962	\$230,884

CONCLUSION:

Staff will continue to monitor ARPA guidance for the allocation of funding toward eligible uses and any Council funding commitments.

PAGE 3 OF 3

SUBJECT: ARPA Allocation Update

DATE: July 19, 2021

COORDINATION:

This staff report was coordinated with the Town Manager, Town Attorney, and Director of Finance.

FISCAL IMPACT:

None

ENVIRONMENTAL ASSESSMENT:

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



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 08/03/2021

ITEM NO: 9

DATE: July 21, 2021
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: a. Adopt a Resolution Required by the California Department of Tax and Fee Administration.
b. Rescind Resolution 2019-002 A Resolution of the Town Council of the Town of Los Gatos, Authorizing Certain Town Representatives and a Town Contractor Access to Sales, Transactions and Use Tax Records Pursuant to Revenue and Taxation Code Section 7056.
c. Authorize Amendment and Novation Agreement Between Avenu Insights & Analytics, LLC and MuniServices, LLC for Consultant Services Related to Sales Tax Information and District Tax Information.

RECOMMENDATION:

- a. Adopt a Resolution required by the California Department of Tax and Fee Administration (Attachment 1).
- b. Rescind Resolution 2019-002 A Resolution of the Town Council of the Town of Los Gatos, authorizing certain Town representatives and a Town contractor access to sales, transactions and use tax records pursuant to Revenue and Taxation Code Section 7056 (Attachment 2).
- c. Authorize Amendment and Novation Agreement between Avenu Insights & Analytics, LLC and MuniServices, LLC for consultant services related to sales tax information and district tax information (Attachment 3).

BACKGROUND:

Los Gatos voters approved Measure G at the November 6, 2018 election. The passage of Measure G added Chapter 2.60 of the Los Gatos Town Code establishing a one-eighth cent (0.125%) local (i.e., District) transactions and use tax. The tax will remain in effect for 20 years.

PREPARED BY: Stephen Conway
Finance Director

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

PAGE 2 OF 2

SUBJECT: Adoption of resolution required by the California Department of Tax and Fee Administration

DATE: July 21, 2021

BACKGROUND (cont'd):

On January 15, 2019, the Town Council adopted two resolutions regarding the implementation of the new district sales tax (Measure G).

DISCUSSION:

The Town of Los Gatos received notice from Avenu MuniServices LLC that the California Department of Tax and Fee Administration's (CDTFA) Legal Department is now requiring that all Sales, Transaction, and Use Tax contracts and resolutions consistently reference the same company name, MuniServices LLC, to properly comply with Revenue and Taxation Code section (RTC) 7056, section, subdivision (b).

Through acquisition, the company name has varied at times; however, MuniServices LLC is and always has been the registered legal entity. For that reason, the CDTFA issued a ruling that any contracts and/or resolutions that do not reference the company name of MuniServices LLC must be corrected. CDTFA Legal has agreed that this can be done with a contract novation agreement referencing our existing contract, which they have previously approved. Additionally, an updated resolution will need to be provided for the same purpose to ensure consistency on all documentation so that we have no interruption in receiving our sales tax data.

CONCLUSION:

Council should move for the adoption of the attached resolution and authorization of the attached amendment.

FISCAL IMPACT:

There is no fiscal impact to adopting this resolution and amending the contract.

ENVIRONMENTAL ASSESSMENT:

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

Attachments:

1. Draft Resolution authorizing examination of Sales or Transactions and Use Tax Records
2. Resolution 2019-002 A Resolution of the Town Council of the Town of Los Gatos, authorizing certain Town representatives and a Town contractor access to sales, transactions and use tax records pursuant to Revenue and Taxation Code Section 7056
3. Amendment and Novation Agreement between Avenu Insights & Analytics, LLC and MuniServices, LLC for consultant services related to sales tax information and district tax information

RESOLUTION 2021 -

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS AUTHORIZING EXAMINATION OF SALES OR TRANSACTIONS AND USE TAX RECORDS

WHEREAS, pursuant to Resolution 2019-001 and 2019-002 the Town of Los Gatos (Town) entered into a contract with the California Department of Tax and Fee Administration (Department) to perform all functions incident to the administration and collection of sales or transactions and use taxes; and

WHEREAS, pursuant to Revenue and Taxation Code section 7270, the Town entered into a contract with the California Department of Tax and Fee Administration (Department) to perform all functions incident to the administration and collection of transactions and use taxes; and

WHEREAS, the Town Council of the Town of Los Gatos deems it desirable and necessary for authorized officers, employees and representatives of the Town to examine confidential sales or transactions and use tax records of the Department pertaining to sales or transactions and use taxes collected by the Department for the Town pursuant to that contract; and

WHEREAS, Section 7056 of the California Revenue and Taxation Code sets forth certain requirements and conditions for the disclosure of Department records, and Section 7056.5 of the California Revenue and Taxation Code establishes criminal penalties for the unlawful disclosure of information contained in, or derived from, the sales or transactions and use tax records of the Department;

NOW, THEREFORE, BE IT RESOLVED, the Town

Section 1. That the Town Manager, Assistant Town Manager, Town Attorney, Finance Director, Finance and Budget Manager, Budget Analyst, Accountant Analyst, Community Development Director, Economic Vitality Manager, and other officer or employee of the Town designated in writing by the Town Manager to the California Department of Tax and Fee Administration is hereby appointed to represent the Town with authority to examine sales or transactions and use tax records of the Department pertaining to sales or transactions and use taxes collected for the Town by the Department pursuant to the contract between the Town and the Department.

Section 2. The information obtained by examination of Department records shall be used only for purposes related to the collection of Town sales or transactions and use taxes by the Department pursuant to that contract, and for purposes related to the following governmental functions of the Town:

ATTACHMENT 1

- (a) Budget
- (b) Planning
- (c) Economic Development
- (d) Transportation Planning
- (e) Business License

The information obtained by examination of Department records shall be used only for those governmental functions of the Town listed above.

Section 3. That MuniServices, LLC. is hereby designated to examine the sales or transactions and use tax records of the Department pertaining to sales or transactions and use taxes collected for the Town by the Department. The person or entity designated by this section meets all of the following conditions, which are also included in the contract between the Town and MuniServices, LLC:

- a) has an existing contract with the Town to examine those sales or transactions and use tax records;
- b) is required by that contract to disclose information contained in, or derived from, those sales or transactions and use tax records only to the officer or employee authorized under Section 1 of this resolution to examine the information.
- c) is prohibited by that contract from performing consulting services for a retailer during the term of that contract;
- d) is prohibited by that contract from retaining the information contained in, or derived from those sales or transactions and use tax records, after that contract has expired.

BE IT FURTHER RESOLVED that the information obtained by examination of Department records shall be used only for purposes related to the collection of Town sales or transactions and use taxes by the Department pursuant to the contract between the Town and the Department and for those purposes relating to the governmental functions of the Town listed in section 2 of this resolution.

Section 4. That this resolution supercedes all prior resolutions of the Town Council of the Town of Los Gatos adopted pursuant to subdivision (b) of Revenue and Taxation Code section 7056, specifically Resolution 2019-002 is hereby rescinded.

NOW, THEREFORE, BE IT RESOLVED:

PASSED AND ADOPTED at a regular meeting of the Town Council of the Town of Los Gatos, California, held on the 3rd day of August, 2021, 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: _____

RESOLUTION 2019-002

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS,
AUTHORIZING CERTAIN TOWN REPRESENTATIVES AND A TOWN CONTRACTOR
ACCESS TO SALES, TRANSACTIONS AND USE TAX RECORDS
PURSUANT TO REVENUE AND TAXATION CODE SECTION 7056**

WHEREAS, pursuant to Los Gatos Town Code Section 2.60.040, the Town of Los Gatos entered into a contract with the California Department of Tax and Fee Administration (CDTFA) to perform all functions incident to the administration and operation of the District (local) sales and use taxes; and

WHEREAS, the Town Council of the Town of Los Gatos deems it desirable and necessary for authorized representatives of the Town to examine confidential sales, transactions and use tax records of the CDTFA pertaining to sales, transactions and use taxes collected by the CDTFA for the Town pursuant to that contract; and

WHEREAS, California Revenue and Taxation Code Section 7056 sets forth requirements and conditions for the disclosure of CDTFA records, and establishes criminal penalties for the unlawful disclosure of information contained in, or derived from, the sales, transactions and use tax records of the CDTFA; and

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Los Gatos:

SECTION 1. The following Town Representatives are hereby authorized to receive and review sales, transactions and use tax records, for the Town of Los Gatos from the California Department of Tax and Fee Administration:

1. Town Manager
2. Assistant Town Manager
3. Town Attorney
4. Finance Director
5. Finance and Budget Manager
6. Budget Analyst
7. Accountant Analyst

ATTACHMENT 2

8. Community Development Director
9. Economic Vitality Manager
10. Other officer or employee of the Town of Los Gatos designated in writing by the Finance Director to the CDTFA

SECTION 2. The following independent contractor for the Town of Los Gatos is hereby also authorized to receive and examine sales, transactions and use tax records for the Town of Los Gatos:

1. Avenue Insights/MuniServices

SECTION 3. The Town of Los Gatos hereby certifies that Avenue Insights/MuniServices:

1. Has an existing contract with the Town of Los Gatos to receive sales, transactions and use tax records; and
2. Is required by that contract to disclose information contained in, or derived from, those sales, transactions and use tax records only to an officer or employee of the Town who is authorized by this resolution to examine the information; and
3. Is prohibited by that contract from performing consulting services for a retailer during the term of that contract; and
4. Is prohibited by that contract from retaining the information contained in, derived from those sales, transactions and use tax records, after that contract has expired.

SECTION 4. Information obtained by examination of CDTFA records shall be used only for purposes related to the collection of local sales, transactions and use taxes by the CDTFA pursuant to the contract, and for Municipal Revenue Forecasting.

SECTION 5. This resolution supersedes all previous authorizations.

PASSED AND ADOPTED at a regular meeting of the Town Council of the Town of Los Gatos, California held on the 15th day of January 2019, by the following vote:

COUNCIL MEMBERS:

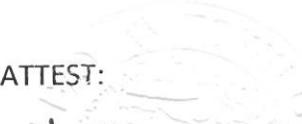
AYES: Marcia Jensen, Rob Rennie, Marico Sayoc, Barbara Spector, Mayor Steven Leonardis

NAYS: None.

ABSENT: None.

ABSTAIN: None.

SIGNED: 
MAYOR OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA
DATE: 1/18/19



ATTEST:

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

DATE: 1/18/19

AMENDMENT AND NOVATION AGREEMENT BETWEEN
AVENU INSIGHTS & ANALYTICS, LLC.

AND

MUNISERVICES, LLC

THIS AMENDMENT AND NOVATION AGREEMENT (the "Novation") is between Avenu Insights & Analytics, LLC (the "Assigning Party"), and MuniServices LLC, (the "Assuming Party") both Delaware limited liability companies, with offices located at 5680 Trinity Parkway, Suite 120, Centreville VA 20120, and the Town of Los Gatos, an instrumentality of the State of California, 110 E. Main Street, Los Gatos, CA 95030 ("Remaining Party"), (together, the "Parties") is entered into this 5th day of March 2021 (the "Novation Effective Date").

THE PARTIES MUTUALLY AGREE AS FOLLOWS:

The parties intend that this Amendment to that certain Agreement between Avenu Insights & Analytics, LLC. and The Town of Los Gatos, of the state of California, entered into on January 15, 2019 (the "Agreement") as amended, (attached hereto as Exhibit A) for Sales or Transactions and Use Tax Services to be a novation and that the Assuming Party be substituted for the Assigning Party. The Remaining Party recognizes Assuming Party as Assigning Party's successor-in-interest in and to the Agreement. By this Agreement, the Assuming Party becomes entitled to all rights, title, and interest of the Assigning Party, in and to the Assigned Agreement in as much as Assuming Party is the substituted party to the Assigned Agreement as of and after the Effective Date. Remaining Party and Assuming Party shall be bound by the terms of the Assigned Agreement in every way as if Assuming Party is named in the novated Assigned Agreement in place of Assigning Party as a party thereto.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the Effective Date.

ASSUMING PARTY

MUNISERVICES, LLC

By:_____

Name:_____

Title:_____

ASSIGNING PARTY

AVENU INSIGHTS & ANALYTICS, LLC

By _____

Name: _____

Title: _____

REMAINING PARTY

TOWN OF LOS GATOS

By: _____

Name: _____

Title: _____

Attest:

By: _____

EXHIBIT A



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 08/03/2021

ITEM NO: 10

DATE: July 21, 2021

TO: Mayor and Town Council

FROM: Laurel Prevetti, Town Manager

SUBJECT: Authorize the Town Manager to Execute a Contract First Amendment with St. Francis Electric, Inc. for the Traffic Signal and Streetlight Maintenance and Underground Service Alert Locating Services in the Amount of \$8,567, to be Funded from Fiscal Year 2020/21 Parks and Public Works Department – Engineering Development Services Program (5202), for a Total Revised Contract Amount Not to Exceed \$683,567

RECOMMENDATION:

Authorize the Town Manager to execute a contract first amendment with St. Francis Electric, Inc. for the Traffic Signal and Streetlight Maintenance and Underground Service Alert (USA) Locating Services in the amount of \$8,567, to be funded from Fiscal Year (FY) 2020/21 Parks and Public Works Department – Engineering Development Services Program (5202), for a total revised contract amount not to exceed \$683,567.

BACKGROUND:

The Town of Los Gatos utilizes contractual services for the maintenance and repair of traffic signals and streetlights and for the USA locating services within the Town jurisdiction. Traffic signal and streetlight contractual services include repairs on as needed basis, periodic inspections, testing of the equipment, and lamp replacements. USA locating services involve identifying and marking Town underground infrastructure on site for USA request calls received prior to any digging operations. Municipalities and utility companies are responsible to locate and mark their underground utilities present within the area of digging operations specified with each USA call. Staff has determined that contractual services would be the most cost-effective delivery method due to technical expertise and specialty equipment required.

PREPARED BY: WooJae Kim
Town Manager

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

BACKGROUND (Continued):

On September 15, 2020, the Town Council authorized an execution of a five-year agreement with St. Francis Electric, Inc. to provide traffic signal and streetlight repair/maintenance and USA locating services for a total agreement amount not to exceed \$675,000. For the five fiscal years starting FY 2020/21, the annual contract or purchase order amount to St. Francis Electric would be limited to \$135,000. A new purchase order would be issued at the beginning of each fiscal year through FY 2024/25.

DISCUSSION:

Due to an exceptionally busy construction year in the Town in FY 2020/21, the number of USA request tickets received well exceeded the number anticipated relative to past years. The annual purchase order amount of \$135,000 for St. Francis Electric was exceeded by \$8,567, mainly due to a large number of USA location services provided for private developments, work by utility companies, and Town capital improvement projects.

The Parks and Public Works Department FY 2020/21 Operating Budget for Engineering Development Program (5202) has sufficient funds remaining to cover the \$8,567 overage in the annual purchase order amount. Additional funds are needed to pay the final invoice from St. Francis Electric for the FY 2020/21 purchase order.

Staff will continue to closely monitor the contractual services provided by St. Francis Electric to anticipate potential cost overages in a timely manner for Council considerations.

CONCLUSION:

The Town Council's authorization of the contract amendment for the traffic signal and streetlight maintenance and USA locating services would allow staff to pay the final FY 2020/21 invoice from St. Francis Electric and continue their services through the next fiscal year.

COORDINATION:

This report is coordinated with the Finance Department

FISCAL IMPACT:

There are sufficient funds available in the FY 2020/21 Parks and Public Works Engineer Development Program (5202) Operating Budget for the contract amendment.

PAGE 3 OF 3

SUBJECT: Contract First Amendment with St. Francis Electric, Inc.

DATE: July 21, 2021

ENVIRONMENTAL ASSESSMENT:

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

Attachments:

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

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:

Laurel Prevetti
Town Manager

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

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 Money 9/30/2020
Matt Money, Director of Parks and Public Works

St. Francis by:

DocuSigned by:
Guy Smith 9/30/2020
4B1EB3DD40B2494...
Vice President
Title

Approved as to Form:

DocuSigned by:
Robert W. Schultz 10/6/2020
2FE09385558744C
Robert Schultz, Town Attorney

Attest:

DocuSigned by:
Shelley Neis 10/6/2020
B9666F65B1F34F6...
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: 08/03/2021

ITEM NO: 11

DATE: July 21, 2021
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Endorse the Santa Clara County Cities Association Recommendation for Police Reform

RECOMMENDATION:

Endorse the Santa Clara County Cities Association recommendation for police reform.

BACKGROUND:

The Santa Clara County Cities Association consists of all 15 cities within the County. For 2021, Mayor Sayoc is the President of the Association Board and as the Los Gatos Town Manager, I serve as an Ex Officio member of the Board to support the President.

Every year, the Cities Association identifies its work plan priorities. For calendar year 2020 and 2021, the Board has focused on racial justice, transportation, housing/unhoused, and other matters. Board members participate on subcommittees for each topic area. Mayor Sayoc is a member of the Racial Justice Subcommittee which has identified a series of recommendations and action items on affordable housing, police reform, and hate crimes against the Asian and Pacific Islander community. The Cities Association Board asked each member agency to review the police reform recommendations and provide input to the Board for consideration at its August meeting.

DISCUSSION:

Working with the Police Chiefs in Santa Clara County, the Subcommittee identified a single recommendation to begin to rebuild trust with the community in light of national events involving police use of force. The Subcommittee is recommending that all public safety departments within the County be encouraged to complete Virtual Reality Decision and Tactics (VRDT) training. VRDT simulates real-world police encounters and incorporates lessons

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

DISCUSSION (Continued):

learned into the training curriculum, such as cultural competency, de-escalation, critical decision-making, peer intervention, and implicit bias training. The technology would allow for controversial police incidents that occur across the country to be turned into virtual reality simulations almost instantaneously after they occur, allowing Officers to learn from real life mistakes, and train for real world situations. VRDT technology increases efficiency in scenario-based training and allows Officers to train with their equipment (e.g., handgun, Taser, flashlight, etc.).

For Los Gatos, the Police Department purchased a VRDT trainer with grant funds from the California Commission on Police Officer Standards and Training (POST). This equipment is expected to arrive in September 2021 and will be used for training for all sworn personnel, strengthening the Officers' abilities to de-escalate and improve field decision-making in challenging situations.

CONCLUSION:

The Town's endorsement of the Subcommittee's police reform recommendation would support other agencies in pursuit of this technology.

COORDINATION:

This report was coordinated with the Police Chief and Town Attorney.

FISCAL IMPACT:

Endorsing the recommendation has no fiscal impact as the Town is already implementing it.

ENVIRONMENTAL ASSESSMENT:

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



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 08/03/2021

ITEM NO: 12

DATE: July 15, 2021
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Adopt a Resolution Establishing a Senior Service Committee for Development of a Long-Term Vision and Plan for Senior Service Provision

RECOMMENDATION:

Adopt a Resolution establishing a Senior Service Committee for development of a long-term vision and plan for senior service provision.

BACKGROUND:

On March 2, 2021, the Town Council held a joint session with the Community Health and Senior Service Commission (CHSSC) to hear the Commission's goals for the coming year. The Council indicated its strong interest in the work of the Commission in light of the inclusion of senior services as a new Council Strategic Priority for FY 2021-2023.

Councilmembers requested that the Commission review the current senior service provision in Town and help identify any gaps that exist in senior services. On June 15, 2021, the Town Council received the Community Health and Senior Service Commission's (CHSSC) assessment report (Attachment 1) on senior service provision in Los Gatos. At the conclusion of the discussion, Council provided direction to staff through two motions.

The first motion was for staff to return to Council with ideas of how to improve the senior services program over the next 12 months utilizing up to \$500,000 of the American Rescue Plan Act (ARPA) funds. The CHSSC and staff are currently reviewing this direction and will return to Council on August 17, 2021 with recommendations.

The second motion was to establish a standing committee that would examine in depth the longer-term issues presented by the CHSSC, prepare a "road map" or plan, and address any additional issues the Committee identifies. The motion directed that the Committee should

PREPARED BY: Arn Andrews
Assistant Town Manager

Reviewed by: Town Manager and Town Attorney

BACKGROUND (continued):

develop a long-term vision and strategic plan through extensive community outreach, including workshops, that would culminate in a comprehensive report of how best to serve the needs of the Town's older adult community. The Committee should leverage the breadth of Committee membership and existing coalitions in the identification and prioritization of needs and develop recommended solutions. The Committee should take into consideration the value proposition of recommendations, estimated level of effort, potential providers and service provision models, availability and timing of service delivery, and future funding requirements.

DISCUSSION:

This staff report addresses Council's direction to establish a new Senior Service Committee in the form of a Resolution (Attachment 2) and to discuss the major elements of the scope of work to prepare the road map or plan.

Proposed Committee

In 2017, the Town Council previously authorized the creation and appointment of a seven-member Task Force to proceed with the World Health Organization Age-Friendly application process. The Age-Friendly Task Force was comprised of the following community representation:

- Town of Los Gatos Library Board Member - Lyn Dougherty
- Live Oak Nutrition Center, Director - Mary Goulart
- Los Gatos-Saratoga Recreation, Director of Recreational Services - Cindy McCarthy
- Jewish Community Center of Silicon Valley, Director of Adult Programming - Cherie Ravel
- El Camino Hospital, Director of Community Health and Older Adult Services - Margaret Wilmer
- Coldwell Banker Realty, Partner Callahan Real Estate Group - Don Callahan
- Town of Los Gatos Community and Senior Services Commission Chair - Tom Picraux

Based on Council direction and the prior Age-Friendly initiative, staff recommends the following composition for the Senior Service Committee:

- Community Health and Senior Service Commission – Two (2) members Chair/Youth Commissioner
- Councilmembers – Two (2) Councilmembers Hudes and Rennie
- Service Club Representation – One (1) member Diane Goldberg (primary)/Nancy Pearson (alternate) Kiwanis Club
- Chamber Representation – One (1) member Catherine Somers

DISCUSSION (continued):

- Service Provider Representation – Two (2) members Kathy Milinarich (Live Oak Nutrition) /Lisa Lenoci (Live Oak Daycare)
- Senior Community Leaders – Two (2) members Tom Picraux and Maureen Heath
- County Department of Aging Representation – One (1) member Diana Miller
- Healthcare Provider Representation – One (1) member Grace Benlice (Director of Care Coordination) El Camino Hospital

While Council’s original motion included the entirety of the CHSSC, staff is recommending two members from the Commission, the Chair and the Youth Commissioner. Given the breadth of stakeholders identified in the motion, the Committee would have sufficient voices of the older adult community and would be of a size to allow meaningful discussion amongst its members. The full CHSSC would be kept apprised of the work of the Committee, providing ample input into the process and planning document.

Proposed Work Plan

As outlined in Attachment 1, the CHSSC developed both short-term and long-term proposals for Council consideration. The Committee should use the initial issues and long-term proposals identified by the CHSSC as a baseline Committee workplan. In addition, as the Committee evaluates approaches to the issues identified and new elements emerge, they should be incorporated into the Committee workplan.

	Issue(s)	Long Term Proposal(s)
Communication/ Marketing	No dedicated budget or centralized senior communication in relevant mediums	<ul style="list-style-type: none"> • Develop longer range marketing plan for available senior services.
Facility	Existing facility currently supports limited dedicated senior activity and is not competitive with neighboring jurisdictions facilities	<ul style="list-style-type: none"> • Construction of new facility or complete renovation of existing facility • Establish 501c3 Senior Council (or other exploratory body) to initiate fundraising and awareness for a new senior center
Service Coordination and Centralization	Currently no centralized oversight for coordinating existing services	<ul style="list-style-type: none"> • Provide funding to whatever service provider solution is pursued

	Issue(s)	Long Term Proposal(s)
Service Expansion	Due to Covid related budget impacts LGS Rec currently has 0.5 FTE dedicated to senior services	<ul style="list-style-type: none"> • Provide funding to whatever service provider solution is pursued
Volunteer Opportunities	No centralized platform for senior volunteer opportunities	<ul style="list-style-type: none"> • Encourage LGS Rec or other service provider to recruit volunteers from their membership

The Committee should establish a monthly meeting schedule with regular reporting on progress to the CHSSC and an initial progress report to Council in six months' time. Assistant Town Manager Andrews would be assigned as the Committee liaison who will be tasked with coordinating meeting agendas, staff reports, Committee presentations, and other assignments as necessary.

The Committee should work toward completion of an initial final report within one years' time to coincide with the expiration of short-term gap funding toward the expansion of senior services. The findings of the report should be based on best practices of similar communities, and extensive community and service provider outreach. The Committee Report should be structured around identified primary strategic goals and accompanied with relevant actionable items. The identified goals in the report should be presented in order of initial priority focus. Goal priority need not reflect the attainment of one goal prior to initiating another but rather provide a function of prioritizing initial senior needs over others. The Committee Report should note which goals and action items are capable of being addressed concurrently, and which are not.

Lastly, in addition to the prioritization of goals, action items should be individually ranked into either Priority 1 (within 2 years) or Priority 2 (within 3 to 5 years). The priority ranking of action items should be a byproduct of establishing reasonable and attainable actions as opposed to signifying certain action items are less important than others.

CONCLUSION:

Council should consider the staff recommendation for the Committee composition and associated draft Resolution establishing a Senior Service Committee for development of a long-term vision and plan for senior service provision.

COORDINATION:

This staff report was coordinated with the Town Manager and Town Attorney

PAGE 5 OF 5

SUBJECT: Resolution Adopting a Senior Service Committee

DATE: July 15, 2021

FISCAL IMPACT:

None at this time.

ENVIRONMENTAL ASSESSMENT:

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

Attachments:

1. CHSSC Council Report
2. Draft Resolution



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 06/15/2021

ITEM NO: 20

DATE: June 9, 2021
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Receive the Community Health and Senior Services Report on Senior Service Provision and Assessment Recommendations

RECOMMENDATION:

Receive the Community Health and Senior Services (CHSSC) Report on Senior Service Provision and Assessment Recommendations.

BACKGROUND:

In 2001 the Town launched a pilot senior services program with a dedicated Senior Center within the Neighborhood Center, a Senior Coordinator staff position, and funding for case management services. The Senior Center program remained as a part of the Community Services Department until 2009. In 2009, partially in response to budgetary constraints due to the recession, the Town partnered with Los Gatos-Saratoga Community Education and Recreation (LGS Rec) for the provision of senior services (Attachment 1). The partnership became fully operational in FY 2010/11, resulting in increased revenue and decreased staffing and operating costs.

As part of lease agreement (Attachment 2) with LGS Rec, the Town required that LGS Rec maintain and expand senior services at the Neighborhood Center. The lease stipulates that LGS Rec provision services/programs to include services/programs similar in scope to the following:

- Wednesday afternoon movies (once per month)
- Wednesday games program (weekly)
- Senior center dances (once per quarter)
- Bus trips (once per quarter)
- Senior Thanksgiving dinner (one per year)

PREPARED BY: Arn Andrews
Assistant Town Manager/CHSSC Liaison

Reviewed by: Town Manager and Town Attorney

BACKGROUND (continued):

- Senior picnic (one per year)
- Senior show (one per year)
- Senior Center newsletter (bi- monthly)
- Information and referral to other agencies (ongoing)
- Recreation classes will be expanded significantly as demand warrants. Examples include: language, arts and crafts, computer, and other special interest classes.

In addition to the arrangement with LGS Rec, the Town has traditionally funded other senior service provision through the annual community grant program. Of note, the Town provides grants for senior nutrition, senior day care services, and rent assistance.

On March 2, 2021, the Town Council held a joint session with the Community Health and Senior Service Commission (CHSSC) to hear the Commission's goals for the coming year. The Council indicated its strong interest in the work of the Commission in light of the inclusion of senior services as a new Council Strategic Priority for FY 2021-2023.

Councilmembers requested that the Commission review the current senior service provision in Town and help identify any gaps that exist in senior services. Councilmembers and Commissioners identified the following areas of service provision interest/concern for Commission review.

Communication and Information:

- Better identification/communication with seniors using media that seniors use (e.g., print)
- Increased centralized coordination among service providers (local, regional)

Housing:

- Move down housing options for seniors

Community Support and Health Services:

- Increased senior isolation due to COVID
- Need for a plan to assist seniors with the vaccination process

Social Participation:

- Low senior engagement/programming relative to other Santa Clara County cities
- Development of a state-of-the-art activity/community center

Civic Participation and Employment:

- Increase/leverage senior volunteer engagement in Town
- Dedicated staffing resources to supplement volunteers

BACKGROUND (continued):

Senior Plan Development:

- Develop roadmap for implementation of senior services as a strategic priority
- Consideration of service provision business models in other communities

At the conclusion of the meeting, Mayor Sayoc appointed Vice Mayor Rennie to be a Council Liaison to the Commission and requested that the Commission report back to the Town Council on June 15, 2021.

DISCUSSION:

Since that time the Commission accelerated their meeting schedule to accommodate the Mayor’s request to report back at the June 15, 2021, Town Council meeting. The Commission’s work has focused on meeting with service providers to address the issues raised by the Town Council and Commission, understand existing service provision, review alternative business models, identify service gaps, and discuss potential recommendations to fill any gaps.

To date the Commission received presentations from the following service providers:

March 23, 2021 – Los Gatos Saratoga Recreation 55+, Live Oak Senior Nutrition

April 13, 2021 – West Valley Community Services, Saratoga Area Senior Coordinating Council

April 27, 2021 – Santa Clara County Department of Aging and Adult Services, Los Gatos Library

May 11, 2021 – City of Cupertino Senior Center

The table below summarizes the multitude of services provided by Commission presenters and other regional providers:

Service Provider	Food Assistance	Rent/Fin Assistance	Socialization And Events	Recreation and Education	Case Mgt	Other Assistance (tax, legal)
LGS Rec 55+	Yes	No	Yes	Yes	Yes	Yes
Live Oak Senior Nutrition	Yes	No	Yes	No	No	No
West Valley	Yes	Yes	No	No	Yes	Yes
Saratoga Area Senior Coordinating Council (SASCC)	Yes	Yes (directory)	Yes	Yes	Yes	Yes

Santa Clara County Dept Aging	Yes	Yes (directory)	No	No	Yes	Yes
Los Gatos Library	No	No	Yes	Yes	No	No
Cupertino Senior Center	Yes (during Covid)	Yes (directory)	Yes	Yes	Yes	Yes
Live Oak Adult Day Care	Yes	No	Yes	No	Yes	No
Sourcewise	Yes	Yes (directory)	No	No	Yes	Yes
Bay Area Older Adults	No	No	Yes	Yes	No	No

As the table illustrates, the Los Gatos senior community has access to a considerable regional ecosystem of senior and intergenerational service provision. In addition to reviewing existing services, the Commission researched the business models of other service providers as illustrated in the table below:

Business Model	LGS Rec 55+	SASCC	Campbell 50+	Los Altos 50+	Cupertino 50+
Membership	83 (5,418 since 2016)	2,000	1,100	1,500	1,500 (2,400 pre pandemic)
Membership Fee	\$25	\$25	\$25	\$30	\$23 - \$28 (Resident/Non)
Facility	Leased (Town subsidy)	City Owned/Funded	City Owned	City Owned	City Owned
Budget	\$100k	\$1.2M	\$771k FY21 \$503k FY22	\$393k	\$2.5M (includes \$350k discontinued case mgt program)
Funding	Subsidies from For Profit Arm	Grants, Fees, Subsidies, Donations	General Fund (GF) & Fees	GF & Fees	GF & Fees
Staffing	0.5 FTE (1 Consultant)	5 FTE	2.29 FTE (3 FTE reduction FY22)	1.0 FTE, 3 PT	6.0 FTE, 15 PT
Publication	Yes/Email (weekly)	Yes/Print & Email (monthly)	Yes/Print & Email (quarterly)	Yes/Print & Email (bi-monthly)	Yes/Mail & Email (bi-monthly)

Transportation	RYDE Eligible	Yes/RYDE Program	RYDE Eligible	Yes/On The Move Program	RYDE Eligible
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DISCUSSION (continued):

On May 25, 2021 and June 8, 2021, the CHSSC reviewed the information received from service providers, discussed elements of the data presented, received feedback from Council Liaison Rennie, heard public testimony, and initiated discussions of potential senior service provision recommendations for Town Council consideration. The Commission acknowledged that certain recommendations could have budgetary constraints and may require separate short and long-term proposals. Of note, the Commission and Council liaison recognized the significant difference in dedicated funding toward senior services relative to peer organizations and agencies. It should also be noted that while the Commission had general consensus regarding the identified issues, Commissioners had a spectrum of proposals to ameliorate the issues identified. The following table illustrates the areas identified by the Commission for Council consideration.

	Issue(s)	Short Term Proposal(s)	Long Term Proposal(s)
Communication/ Marketing	No dedicated budget or centralized senior communication in relevant mediums	<ul style="list-style-type: none"> • Fund/Leverage distribution of SASCC “Outlook” publication • Develop and fund a unique Los Gatos senior publication • Leverage Caring About Resident Elders (C.A.R.E.) program • Increase market awareness through a variety of marketing experimentation • Leverage Youth Commission social media skills 	<ul style="list-style-type: none"> • Develop longer range marketing plan for available senior services based on acceptance of marketing experimentation

<p>Facility</p>	<p>Existing facility currently supports limited dedicated senior activity and is not competitive with neighboring jurisdictions facilities</p>	<ul style="list-style-type: none"> • Perform cosmetic and functional updates (interior/exterior) to existing facility • Explore partnering with newer existing facilities in Town to volunteer space 	<ul style="list-style-type: none"> • Construction of new facility or complete renovation of existing facility • Establish 501c3 Senior Council (or other exploratory body) to initiate fundraising and awareness for a new senior center
<p>Service Coordination and Centralization</p>	<p>Currently no centralized oversight for coordinating existing services</p>	<ul style="list-style-type: none"> • Provide additional funding to LGS Rec toward senior service staffing • Provide funding to a new service provider • Create position(s) within the Town • Assess the strengths and weaknesses of current LGS Rec business model relative to others • Determine preferred senior service provision business model 	<ul style="list-style-type: none"> • Provide funding to whatever service provider solution is pursued
<p>Service Expansion</p>	<p>Due to Covid related budget impacts LGS Rec currently has 0.5 FTE dedicated to senior services</p>	<ul style="list-style-type: none"> • Provide additional funding to LGS Rec toward senior service staffing • Provide funding to a new service provider • Create program and position(s) within the Town 	<ul style="list-style-type: none"> • Provide funding to whatever service provider solution is pursued

Volunteer Opportunities	No centralized platform for senior volunteer opportunities	<ul style="list-style-type: none">• Leverage CHSSC to identify and promote volunteer opportunities• Leverage Community Based Organizations, schools, and Youth Commission	<ul style="list-style-type: none">• Encourage LGS Rec or other service provider to recruit volunteers from their membership
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CONCLUSION:

Council should review the CHSSC recommendations and provide any guidance to staff on areas for proposed implementation. Based on the areas identified for implementation staff will return to Council with a detailed implementation plan.

COORDINATION:

This staff report was coordinated with the Town Manager, Town Attorney, and Community Health and Senior Service Commission.

FISCAL IMPACT:

None at this time; however, Council’s direction may have fiscal impacts.

ENVIRONMENTAL ASSESSMENT:

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

Attachments:

1. 2009 Staff Report
2. LGS Rec Lease Agreement
3. Public Comment Received by 11:00 a.m. June 10, 2021

RESOLUTION 2021-

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS ESTABLISHING THE SENIOR SERVICE COMMITTEE

WHEREAS, On January 26, 2021, the Town Council of Los Gatos established “Engaging Seniors” as a Strategic Priority of FY 2021-2023; and

WHEREAS, On March 2, 2021, the Town Council held a joint session with the Community Health and Senior Service Commission (CHSSC) to hear the Commission’s goals for the coming year. In light of the inclusion of senior services as a new Council Strategic Priority for FY 2021-2023 Councilmembers requested that the Commission review the current senior service provision in Town and help identify any gaps that exist in senior services; and

WHEREAS, On June 15, 2021, the Town Council received the Community Health and Senior Service Commission’s (CHSSC) assessment report on senior service provision in Los Gatos; and

WHEREAS, Upon receiving the report the Town Council directed staff to establish a standing committee that would examine in depth the longer-term issues presented by the CHSSC; and

WHEREAS, The Committee should develop a long-term vision and strategic plan through extensive community outreach, including workshops, that would culminate in a comprehensive report of how best to serve the needs of the Town’s older adult community. The Committee should leverage the breadth of Committee membership and existing coalitions in the identification and prioritization of needs and develop recommended solutions. The Committee should take into consideration the value proposition of recommendations, estimated level of effort, potential providers and service provision models, availability and timing of service delivery, and future funding requirements; and

WHEREAS, The following individuals and organizations have committed to joining the Committee and establishing a long-term vision and strategic plan for senior service provision in Los Gatos:

- Community Health and Senior Service Commission – Two (2) members Chair/Youth Commissioner
- Councilmembers – Two (2) Councilmembers Hudes and Rennie
- Service Club Representation – One (1) member Diane Goldberg (primary)/Nancy Pearson (alternate) Kiwanis Club
- Chamber Representation – One (1) member Catherine Somers
- Service Provider Representation – Two (2) members Kathy Milinarich (Live Oak Nutrition) /Lisa Lenoci (Live Oak Daycare)
- Senior Community Leaders – Two (2) members Tom Picraux and Maureen Heath

- County Department of Aging Representation – One (1) member Diana Miller
- Healthcare Provider Representation – One (1) member Grace Benlice (Director of Care Coordination) El Camino Hospital

THEREFORE, BE IT RESOLVED:

1. There is hereby a Senior Service Committee for the Town
 - a. The Committee shall be advisory to the Town Council and shall operate in a manner hereinafter described.
2. Membership/Organization
 - a. The Commission shall consist of twelve (12) members. Membership composition shall be two (2) CHSSC Commissioners, two (2) Councilmembers, one (1) service club representative, one (one) Chamber representative, two (2) service provider representatives, two (2) senior community leaders, one (1) County representative, and one (1) healthcare provider representative.
 - b. Committee members shall serve without compensation.
 - c. The Committee shall hold monthly regular meetings.
 - d. The Committee shall establish a regular time and location for its meetings and shall otherwise call and conduct its meetings in compliance with the provisions of the Ralph M. Brown Act (Government Code Sections 54950 and following).
 - e. Staff services as required shall be provided to the Committee by the Town Managers Office, or designee, who shall also serve as Secretary of the Committee without vote.
 - f. Meeting attendance requirements will conform with all current Town Resolutions and Policies.
 - g. A record of all minutes and resolutions of the Committee shall be kept and shall be a public record.
3. Powers and Duties.

The duties of the Senior Service Committee shall be to:

 - a. Act in an advisory capacity to the Town Council in the development of a long-term vision and strategic plan for senior service provision; and related topics as directed by the Town Council or requested by Town staff.
4. Not to affect powers of the Town Council. Nothing in this resolution shall be construed as restricting or curtailing any of the powers of the Town Council, or as a delegation to the Senior Service Committee of any of the authority or discretionary powers vested and imposed by law in such Council.

PASSED AND ADOPTED at a regular meeting of the Town Council of the Town of Los Gatos, California, held on the 3rd day of August 2021 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: 08/03/2021

ITEM NO: 13

DATE: July 19, 2021
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Water Conservation

- a. Adopt a 45-day Urgency Ordinance Declaring the Existence of a Condition of Drought and Providing for Mandatory Reductions in and Specified Prohibition of Water Use; and
- b. Direct Staff to Implement or Continue Water Conservation Measures and Activities as Described in the Staff Report.

RECOMMENDATION:

Staff recommends that the Town Council authorize the following actions related to water conservation:

- a. Adopt a 45-day Urgency Ordinance (Attachment 1) declaring the existence of a condition of drought and providing for mandatory reductions in and specified prohibition of water use; and
- b. Direct staff to implement or continue water conservation measure and activities as described in the staff report.

BACKGROUND:

On June 9, 2021, Valley Water's Board of Directors adopted Resolution 21-86 declaring an emergency water shortage and calling for water savings of 15 percent compared to 2019 usage. Valley Water is a governmental agency that serves as the primary water "wholesaler" covering most of Santa Clara County and all of the Town of Los Gatos. The San Jose Water Company (SJWC) is a private utility company that serves as the primary water "retailer" serving residents and businesses in the Town of Los Gatos. Both the SCVWD and SJWC are subject to regulatory and drought requirements of the California State Water Resources Control Board (CSWRCB) and the California Public Utilities Commission (CPUC). Neither Valley Water nor SJWC have authority to enforce regulations at the local level. It is through partnerships with local

PREPARED BY: Matt Morley
Parks and Public Works Director

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

BACKGROUND (continued):

regulatory agencies like the Town that enforcement can occur. In order to have an enforcement tool, the Town must pass an ordinance, as recommended in this report.

DISCUSSION:

Urgency Ordinance

An "Urgency Ordinance" allows for the adoption of the ordinance and immediate enforcement, without typical noticing prior to the ordinance being considered by the Town Council. An Urgency Ordinance requires a four-fifths majority for adoption and lasts for up to 45 days. The Town Council may extend the ordinance for a period of ten months and fifteen days, subject to noticing and public hearing requirements. Adoption of an Urgency Ordinance also requires that the Ordinance be published in a newspaper within 15 days of adoption.

The proposed Urgency Ordinance (Attachment 1) provides for a number of conservation measures, similar to those recommended by Valley Water. Some elements of the Urgency Ordinance include:

- Limits watering of ornamental landscapes or lawns to a maximum of three days a week and before 9:00 a.m. or after 5:00 p.m.
- Prohibits potable water use that results in flooding or runoff in gutters or streets.
- Allows individual private washing of cars only with a hose that includes a shut off nozzle.
- Prohibits the use of potable water for washing of buildings, driveways, sidewalks, etc.
- Prohibits the use of potable water for filling or refilling swimming pools.
- Requires restaurants to serve water to patrons only upon request.
-

As in the past, Town staff will work with partners at SJWC and Valley Water to educate residents of the urgent need to conserve. Enforcement actions will remain an option only where flagrant non-compliance exists.

Town Leading by Example

As in the past, the Town has led the way in conservation efforts. Many previous efforts, including low flow toilets and aerators on faucets, remain in place. Over the summer, staff implemented a number of additional conservation efforts as follows:

- Launched a dedicated web page and marketing campaign - #DroughtReadyLG at www.losgatosca.gov/DroughtReadyLG.com
- Reduced fountain hours at Plaza Park and Town Hall, with signage identifying the reduced hours and reason. The fountains are set up to recycle water, so the only loss is

DISCUSSION (continued):

from evaporation and reduced hours will achieve the targeted 15% savings. Plaza fountain hours will reduce from noon to 6 p.m. daily to noon to 3 p.m. daily. Town Hall fountain will reduce from 7 a.m. to 8 p.m. daily to noon to 3 p.m. daily.

- Reduced irrigation of turf at Town facilities, including parks. During the last drought, the Town established zones in each park where some areas were allowed to get brown and some areas were kept reasonably green to allow for continued recreational use. This will be implemented over the next several weeks and maps will be posted at the parks to demonstrate these efforts. This effort alone will result in the greatest reduction in water use for the Town.
- Reduced irrigation in median islands with varying water levels depending on plant needs.
- Discontinued downtown sidewalk pressure washing.
- Coordinated with Valley Water for an irrigation audit of Town Parks to identify other potential areas for savings.
- Requested 2019 water usage data from San Jose Water and initiated tracking of municipal accounts to help understand utilization and progress towards meeting the 15% reduction target.
- Began preparation of a “how to” video for downtown planter volunteers to help them take advantage of the efficient drip irrigation that is in place.

The Town Council may wish to provide direction on these or additional measures.

CONCLUSION:

Adoption of an Urgency Ordinance and implementation of Town conservation efforts will allow for immediate action towards community-wide water savings to achieve the 15 percent targeted reduction.

COORDINATION:

This project has been coordinated with Code Compliance staff in the Community Development Department.

FISCAL IMPACT:

Minimal costs for outreach will be absorbed by the Parks and Public Works Department Operating Budget.

PAGE 4 OF 4

SUBJECT: Water Conservation

DATE: July 19, 2021

ENVIRONMENTAL ASSESSMENT:

This is not a project as defined under CEQA and is categorically exempt from CEQA pursuant to CEQA Guideline 15307 (Actions by Regulatory Agencies for Protection of Natural Resources).

Attachment:

1. Draft Urgency Ordinance

**DRAFT
ORDINANCE**

**AN URGENCY ORDINANCE OF THE TOWN OF LOS GATOS
DECLARING THE EXISTENCE OF A CONDITION OF WATER SHORTAGE
AND PROVIDING FOR MANDATORY REDUCTIONS IN AND SPECIFIED PROHIBITIONS OF
WATER USE**

WHEREAS, on June 9, 2021 Valley Water passed a resolution declaring a water shortage emergency condition calling for water restrictions; and

WHEREAS, Valley Water set a target of fifteen percent reduction in water use from 2019 levels; and

WHEREAS, on July 8, 2021, Governor Newsom signed a proclamation expanding the regional drought state of emergency to include Santa Clara County; and

WHEREAS, the drought has had a substantial impact on Town residents and their property, and these impacts may worsen if water consumption is not reduced substantially; and

WHEREAS, the Town's future water allocation is likely to be reduced significantly if water consumption is not reduced now.

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF LOS GATOS FINDS AND ORDAINS:

SECTION I

The Council finds and declares that the State of California and the Town of Los Gatos are continuing to experience severe drought conditions that require immediate and decisive action for the preservation of public peace, health and safety. The Council further finds that delay in adopting an ordinance to further reduce water waste will further exacerbate the drought conditions. The Council further finds that urgent action is needed to comply with the requirements that Valley Water and the State of California recommend. Accordingly, the Council finds that an urgency ordinance is warranted to address these conditions.

SECTION II

The Council finds and determines that a state of drought and water shortage exists throughout the Santa Clara Valley. Water conservation measures are necessary and water consumption must be reduced by fifteen percent. Failure to reduce water consumption would contribute to the existing water shortage. The following measure is necessary to preserve the health and safety of the people of Los Gatos.

SECTION III

- A. The following uses of water are classified as "nonessential or unauthorized" and are prohibited:
- (1) Watering of ornamental landscapes or lawns with potable water beyond maximum level of three days a week and watering before 9:00 A.M. or after 5:00 p.m.
 - (2) Excessive use of water: when a utility has notified the customer in writing to repair a broken or defective plumbing, sprinkler, watering or irrigation system and the customer has failed to affect such repairs within five business days, the utility may install a flow restriction device.
 - (3) Use of potable water that results in flooding or runoff in gutters or streets.
 - (4) Individual private washing of cars with a hose except with the use of a positive action shut-off nozzle. Use of potable water for washing commercial aircraft, cars, buses, boats, trailers, or other commercial vehicles at any time, except at commercial or fleet vehicle or boat washing facilities operated at a fixed location where equipment using water is properly maintained to avoid wasteful use.
 - (5) Use of potable water for washing buildings, structures, driveways, patios, parking lots, tennis courts, or other hard-surfaced areas, except in the cases where health and safety are at risk.
 - (6) Use of potable water for construction purposes unless no other source of water or other method can be used.
 - (7) Use of potable water for decorative fountains or the filling or topping off of decorative lakes or ponds. Exceptions are made for those decorative fountains, lakes, or ponds which utilize recycled water.
 - (8) Use of potable water for the filling or refilling of swimming pools.
 - (9) Service of water by any restaurant except upon the request of a patron.
- B. The taking of any action in violation of this ordinance shall be subject to an administrative penalty of up to \$500 for each day in which the violation occurs. Citations for violations may be issued by any member of the Police Department, the Town's Code Enforcement Officer, and any other personnel designated by the City Manager, based on observation of the violation or resulting conditions, such as wet areas outside the allowable irrigation areas. Citations shall be issued to the person or persons named on the Water Department account for that property. If the resident is not present to receive it, a citation may be served by mail or posted on a prominent location on the property. The administrative penalty shall be payable within 10 days to the Town Water Department and, if not paid within 10 days, shall be added to the water user's bill.
- C. Any person desiring to contest a citation may file an appeal. As a condition to the filing of the appeal, all outstanding penalties must be paid in full. If the appeal is upheld, the penalty will be refunded.

SECTION IV

The Council finds and declares that the adoption of the water waste reduction measures herein is categorically exempt from CEQA pursuant to CEQA Guideline 15307 (Actions By Regulatory Agencies For Protection of Natural Resources).

SECTION V

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held to be unconstitutional or otherwise invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the Town of Los Gatos hereby declares that it would have adopted the remainder of this ordinance, including each section, subsection, sentence, clause, phrase, or portion irrespective of the invalidity of any other article, section, subsection, sentence, clause, phrase, or portion.

SECTION VI

The Council hereby declares that the foregoing is an urgency ordinance necessary for the immediate preservation of the public peace, health and safety of the Town of Los Gatos and its residents and shall take effect immediately upon passage by a four- fifths majority of the City Council

SECTION VII

This ordinance shall be printed and posted upon the three (3) official bulletin boards of theTown of Los Gatos.

This Ordinance was passed an adopted at a regular meeting of the Town Council of the Town of Los Gatos on August 3, 2021.

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS
GATOS, CALIFORNIA

ATTEST:



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 08/03/2021

ITEM NO: 14

DATE: July 28, 2021
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Weed Abatement Program Public Hearing to Consider Objections to the 2021 Weed Abatement Program Assessment Report and Adopt a Resolution Confirming the Report and Authorizing Collection of the Assessment Charges

RECOMMENDATION:

Conduct a public hearing to consider objections to the 2021 Weed Abatement Program Assessment Report (Attachment 1) and adopt a resolution (Attachment 2) confirming the report and authorizing collection of the assessment charges.

BACKGROUND:

The Weed Abatement Program is a different, but complimentary program to the Brush Abatement Program, that works to protect the Town by preventing fire hazards created by vegetative growth and the accumulation of combustible debris with the goal of voluntary compliance.

The Town of Los Gatos Municipal Code Chapter 11, Article II et seq requires property owners to prevent potential fire hazards based on the California Health & Safety Code to provide protection for the property and any nearby structures by clearing hazards according to Minimum Fire Safety Standards. It also authorizes the County to remove the weeds if the property owner fails to do so and to recover costs through an assessment on the property tax bill for each parcel.

Typically, a property is placed in the program after a County inspector identifies a potential fire hazard on the premises. Fire Departments, Code Enforcement, Public Works, and other public agencies can also submit complaints to the County. Once a parcel is placed in the program, it will remain until it displays compliance for three consecutive years, at which point it will be removed.

PREPARED BY: Stefanie Hockemeyer
Executive Assistant, Parks and Public Works

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

PAGE 2 OF 3

SUBJECT: Weed Abatement Program Public Hearing to Consider Objections to the 2021
Weed Abatement Program Assessment Report and Adopt a Resolution
Confirming the Report and Authorizing Collection of the Assessment Charges
DATE: July 28, 2021

BACKGROUND (continued):

The Program is administered by the County on behalf of the Town and is funded from fees assessed on the properties included on the assessment list. Every year while in the program, each of the property owners are charged an annual compliance inspection fee and some incur costs for additional inspections, administrative, and abatement fees.

On December 1, 2020, the Town Council passed Resolution 2020-046 (Attachment 3) declaring hazardous vegetation (weeds) a public nuisance, providing for their abatement, and setting January 19, 2021 as a public hearing date for the annual program. The County mailed property owners a notice of the January 19, 2021 Public Hearing for the Los Gatos jurisdiction along with guidelines on the Los Gatos Weed Abatement Program.

DISCUSSION:

The 2021 Weed Abatement Assessment Report list includes assessment charges for the annual compliance inspection fee of \$84, and any additional inspection, administrative, and abatement fees as described in Attachment 4. The attached resolution affirms these costs and acknowledges the costs will be assessed by the County Tax Collector against the respective properties.

The Town of Los Gatos mailed property owners a notice of the August 3, 2021 Public Hearing for the Los Gatos jurisdiction, including detailed information on the assessment charges and contact information for potential questions pertaining to the assessments (Attachment 5). This public hearing is an opportunity to allow property owners who are on the assessment report to object to the assessment.

CONCLUSION:

Staff recommends that the Council conduct a public hearing to consider objections to the 2021 Weed Abatement Program Assessment Report and adopt a resolution confirming the report and authorizing collection of the assessment charges.

COORDINATION:

This program has been coordinated with the County's Consumer and Environmental Protection Agency (CEPA) - Weed Abatement Program.

PAGE 3 OF 3

SUBJECT: Weed Abatement Program Public Hearing to Consider Objections to the 2021
Weed Abatement Program Assessment Report and Adopt a Resolution
Confirming the Report and Authorizing Collection of the Assessment Charges

DATE: July 28, 2021

FISCAL IMPACT:

Funds allocated in the adopted Operating Budget cover the cost of publishing the legal notices for the program. The County's cost to administer and carry out the program are recovered through the tax roll assessment charges levied against the properties included in the assessment report.

ENVIRONMENTAL ASSESSMENT:

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

Attachments:

1. 2021 Weed Abatement Program Assessment Report.
2. Resolution 2021-XXX Confirming the Report and Authorizing Collection of the Assessment Charges.
3. Resolution 2020-046 Declaring Hazardous Vegetation (Weeds) a Public Nuisance and Providing for their Abatement.
4. County Letter to Property Owners (December).
5. Town Letter to Property Owners (July).
6. Public Comment Received.

2021 WEED ABATEMENT PROGRAM
ASSESSMENT REPORT
CITY OF LOS GATOS

SITUS	APN	OWNERS ADDRESS	TAXROLL AMT
831 POLLARD	406-26-011	LAM, MITCHELL	\$550.00
0 CALLE MARGUERITA	409-04-049	GUPTA, MOHIT AND APAN, PARUL	\$2,533.00
rail wedgewood	409-04-052	UNION PACIFIC CORPORATION	\$2,992.00
0	409-08-001	UNION PACIFIC CORPORATION	\$4,234.00
935 CASTLEWOOD	409-11-021	YAMAGUCHI, JUDY C TRUSTEE	\$84.00
17291 WEDGEWOOD	409-14-013	SAFFARIAN, BABAK TRUSTEE & ET AL	\$84.00
14316 MULBERRY	409-15-005	SAWHNEY, CHANDANDEEP AND BHATIA, MONTY	\$84.00
14311 MULBERRY	409-15-038	LEE, KWANGHO AND YUNSUN	\$84.00
16245 BURTON	424-06-115	SWENSON, C B TRUSTEE	\$550.00
0 BURTON	424-06-116	SWENSON, C B TRUSTEE	\$84.00
14823 LOS GATOS	424-07-065	14823 LGB LLC	\$84.00
15545 BENEDICT	424-20-008	NELSON VICTORIA S	\$2,031.00
15710 WINCHESTER	424-27-013	DONNELLY, TESSA I ET AL	\$550.00
18481 OVERLOOK	510-40-019	ZHAN, LUCY AND ABRAHAMSSON, KLAS J	\$84.00
0 LAUREL	510-41-068	GERTRIDGE, JOHN H ET AL	\$550.00
110 WOOD	510-47-038	COVIA COMMUNITIES	\$550.00
138 WOOD	510-47-044	FRENKEL, LILY M AND DRAA, JUSTIN S	\$84.00
779 BLOSSOM HILL	523-04-037	BLANTON, LOUISE C TRUSTEE	\$84.00
15931 BLOSSOM HILL	523-25-028	TERRY, NAKA K	\$84.00
16009 STEPHENIE	523-26-006	CAPRIOLA, JOAN C TRUSTEE	\$84.00
263 PINEHURST	523-43-019	GORMAN, ROBERT L AND THERESA A	\$84.00
15941 QUAIL HILL	527-02-006	KHOSRAVI, ARVIN AND MOZAFAR, FIROUZEH J TRUSTEE	\$84.00
72 DRYSDALE	527-02-007	DIEP, JOHN AND ALLISON	\$84.00
145 DRYSDALE	527-03-003	ZUKIN, MARGARET S TRUSTEE	\$84.00
0 GUM TREE	527-03-007	QUINT, ROBERT A TRUSTEE & ET AL	\$84.00
15790 BLOSSOM HILL	527-07-006	TAI, CHAIN CHANG AND HOH, BAO LIAN	\$84.00
16200 GREENRIDGE	527-15-001	ORMANDY, ROMAN AND BIBIANA TRUSTEE	\$84.00
16084 GREENRIDGE	527-15-002	LUU, RICHARD T	\$84.00
0 LARGA VISTA	527-16-013	GUEVARA, MARIA E TRUSTEE & ET AL	\$550.00

14960 LARGA VISTA	527-16-016 PROUTY, PAUL ROBERT AND KYMBERLY KAY TRUSTEE	\$84.00
14850 BLOSSOM HILL	527-18-014 O'DEEGAN, STEVE	\$550.00
401 SURMONT	527-20-002 BATE, ROSEMARY S	\$3,154.00
LAND ALTA TIERRA	527-55-042 OHM VICTOR J AND VANNA J	\$84.00
NO SITUS	529-06-072 CROSS CREEK LOS GATOS LLC	\$84.00
615 BLOSSOM HILL	529-16-026 DUNN PROPERTIES LP ETAL	\$2,607.00
0 BELLA VISTA	529-21-010 MASTERSON, ANTHONY D ET AL	\$84.00
0 BELLA VISTA	529-23-003 CHOI, HYUNG MEE AND RUNYAN, PETER	\$84.00
0 BELLA VISTA	529-23-015 PETERS, JAKE C AND KATHERINE H TRUSTEE	\$1,863.40
0 BELLA VISTA	529-23-016 ROSS, DANIEL LEE TRUSTEE	\$1,863.40
0 BELLA VISTA	529-23-019 HARLAN, MARILYN S TRUSTEE	\$1,235.40
0 BELLA VISTA	529-23-020 SHANKER, BENJAMIN J AND SHARI	\$1,116.60
0 RESERVOIR	529-29-066 KIDDER, VASILIKI	\$84.00
148 CLELAND	529-34-043 HATTAR, MARIE C	\$84.00
0 (VACANT)	529-39-047 ST WARD PROPS LP	\$2,506.00
16336 SHADY VIEW	532-03-034 COULSON, ALLAN A AND ADRIANA C TRUSTEE	\$84.00
16386 HILOW	532-04-080 GOVINDASWAMY, GANAPATHY AND GANAPATHY, MALARVIZHI	\$84.00
16541 ENGLEWOOD	532-07-020 DENISON, MICHAEL R	\$84.00
16666 TOPPING	532-09-018 LIN, ARTHUR W AND CHANG, CHRISTINE	\$84.00
0 TWIN OAKS	532-16-006 SURREY FARMS GROUP LLC	\$84.00
16510 KENNEDY	532-17-025 MCKENZIE, JACLYN J TRUSTEE	\$84.00
16461 KENNEDY	532-17-027 WALL, RYAN COMFORT TRUSTEE & ET AL	\$550.00
16481 KENNEDY	532-17-028 HAKHU, JAI K AND NALINI	\$84.00
248 JARED	532-34-071 PAN, SAM SHIWEI	\$84.00
17511 PHILLIPS	532-39-009 UPLIFT FAMILY SERVICES	\$550.00
17652 TOURNEY	537-04-043 YU, MARGARET AND ROLANDI, MARCO	\$84.00
15220 KENNEDY	537-15-004 IYAR, SUBRAH S TRUSTEE	\$84.00
14050 SHANNON	537-17-027 LEIRER, VON OTTO AND PERZOW, CARRIE JOY TRUSTEE	\$550.00
233 FORRESTER	537-21-010 JACKSON STREET EQUITIES LLC	\$84.00
229 FORRESTER	537-22-011 SATIA, JAGAT B AND INDIRA	\$84.00
155 WOODDED VIEW	537-23-028 OWNBHEY, DOUGLAS V TRUSTEE	\$84.00
210 WOODDED VIEW	537-23-046 CUNNINGHAM, JAMES F TRUSTEE	\$550.00
15876 SHANNON	537-26-009 LIVE WELL HOMES INC	\$550.00
15760 SHANNON	537-26-018 KELLERMANN, MARC ET AL	\$550.00

16060 CERRO VISTA

537-30-004 BREZOCZKY, BLASIUS TRUSTEE & ET AL

\$84.00

RESOLUTION 2021-

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS
ADOPTING REPORT DESCRIBING PARCELS OF REAL PROPERTY,
AND SHOWING AMOUNT OF HAZARDOUS VEGETATION (WEEDS)
ABATEMENT ASSESSMENTS TO BE COLLECTED ON THE
SECURED PROPERTY TAX ROLL OF THE TOWN OF LOS GATOS IN
THE COUNTY OF SANTA CLARA, FOR 2021**

WHEREAS, the Town Council of the Town of Los Gatos, pursuant to Sections 39501 and 39502 of the Government Code of the State of California, has adopted by ordinance a procedure for the abatement of hazardous vegetation (weeds) and the collection of the charges therefore on the tax roll, as contained in Chapter 11, Article II, Sections 11.20.010 through 11.20.45 of the Los Gatos Town Code; and

WHEREAS, pursuant thereto, Resolution No. 2020-046 declaring weeds a public nuisance and providing for their abatement, was adopted by the Town Council on December 1, 2020; and

WHEREAS, pursuant to notice duly and regularly given, the public hearing was held with respect thereto on January 19, 2021, considering objections to the proposed abatement of hazardous vegetation (weeds) for properties listed on the 2021 Weed Abatement Commencement Report and ordering abatement of weeds as a public nuisance, was adopted by the Town Council; and

WHEREAS, a written report has been filed with the Town Clerk of the Town of Los Gatos, containing a description of each parcel of real property, and showing the amount of the charge to be collected on the secured property tax roll with respect thereto, computed in conformity with the charges prescribed by said ordinance; and

WHEREAS, the Town Clerk has set the 3rd day of August 2021, utilizing teleconferencing, as the time and place when and where said Town Council would hear and consider all objections or protest, if any, to said report.

RESOLVED, by the Town Council of the Town of Los Gatos, County of Santa Clara, State of California, that the Town Council does hereby find and declare:

1. That notice of said public hearing was duly and regularly published and given as required by Section 11.20.035 of the Los Gatos Town Code and as otherwise required by law; and

2. All persons desiring to be heard during said hearing were given an opportunity to do so, all matters and things pertaining to said report were fully heard and considered by the Town Council, and all protests and objections, if any, are hereby overruled.

FURTHER RESOLVED, that said report, and each charge thereon, with any charges that may be noted on the face of said report pursuant to action taken by this Town Council, is hereby confirmed and approved.

FURTHER RESOLVED, that the charges are affirmed and shall be assessed against the real properties listed on the property tax bill if not sooner paid.

PASSED AND ADOPTED at a regular meeting of the Town Council of the Town of Los Gatos, California, held on the 3rd day of August 2021, 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: _____

RESOLUTION 2020-046

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS DECLARING CERTAIN HAZARDOUS VEGETATION GROWING IN THE TOWN OF LOS GATOS TO BE A PUBLIC NUISANCE, DESCRIBING PROPERTIES WHERE SUCH NUISANCE EXISTS; ORDERING ABATEMENT AND SETTING A PUBLIC HEARING DATE OF JANUARY 19, 2021 TO CONSIDER OBJECTIONS FOR PROPOSED ABATEMENT

WHEREAS, Section 39501 and Section 39502 of the Government Code of the State of California authorize the Town of Los Gatos to prescribe a procedure for compelling the owner, lessees or occupant of buildings, grounds, or lots to remove hazardous vegetation (weeds) from such buildings or grounds and adjacent sidewalks, and, upon his failure to do so, to remove such hazardous vegetation (weeds) at owner's expense, making the cost thereof a lien upon such property; and

WHEREAS, the Town of Los Gatos, by ordinance, has adopted such a procedure, codified in Chapter 11, Article II, Sections 11.20.010 through 11.20.045 of the Los Gatos Town Code.

NOW, THEREFORE, BE IT RESOLVED: that the Town Council hereby finds that hazardous vegetation "weeds," as that term is defined in Section 11.20.010, are growing upon and adjacent to private property within the Town of Los Gatos, and declares that all hazardous vegetation (weeds) growing upon any private property or properties, and in any sidewalk street, or alley within the Town of Los Gatos are a public nuisance and should be abated.

BE IT FURTHER RESOLVED that unless such nuisance be abated by the destruction or removal of such hazardous vegetation (weeds) within thirty (30) days after the adoption of this resolution, or within the time specified in a written agreement with the Town of Los Gatos Director of Parks and Public Works, or his representative, whichever time shall be later, as provided in Chapter 11, Article II, of the Los Gatos Town Code, the Town of Los Gatos shall cause such nuisance to be abated, and the expense thereof assessed upon the lots and lands from which, or in the front and rear of which, such hazardous vegetation (weeds) shall have been destroyed or removed, such expense constituting a lien upon such lots or lands until paid, and to be collected upon the next tax roll upon which general municipal taxes are collected.

BE IT FURTHER RESOLVED that the Director shall execute a "Notice to Destroy Hazardous Vegetation (Weeds)" in the form set forth in Section 11.20.020(b) and shall cause same to be published and posted in the manner prescribed by Section 11.20.020(c).

BE IT FURTHER RESOLVED that on the 19th day of January, 2021 at a meeting of the Town Council beginning at 7:00 p.m. in the Council Chambers of the Civic Center, 110 E. Main Street, Los Gatos, California, a public hearing will be held during which all property owners in the Town of Los Gatos having any objections to the proposed destruction or removal of such hazardous vegetation (weeds) will be heard and given due consideration.

PASSED AND ADOPTED at a regular meeting of the Town Council of the Town of Los Gatos, California, held on the 1st day of December 2020 by the following vote:

COUNCIL MEMBERS:

AYES: Rob Rennie, Marico Sayoc, Barbara Spector, Mayor Marcia Jensen

NAYS: None

ABSENT: None

ABSTAIN: None

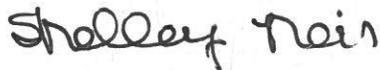
SIGNED:



MAYOR OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

DATE: 12/2/20

ATTEST:



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

DATE: 12/4/2020



1553 Berger Drive
Building 1
San Jose, CA 95112
(408) 282-3145
Fax (408) 286-2460

AFFIDAVIT OF MAILING

**Notice of Public Hearing for the Jurisdictions of:
Los Gatos**

Milton Kumre, declares as follows: That he is a citizen of the United States, over the age of 18 years, that at all times herein mentioned was an employee/agent of the County of Santa Clara.

Milton Kumre, deposited in the United States Post Office, California, a Notice of Hearing, a copy of which is attached hereto. That said mailing list has been provided by the applicant and lists the owners of property who are entitled to Notice of Hearing. That on said day, there was a regular communication by United States mail between San Jose, California and the addresses shown on the attached mailing list.

I declare under penalty of perjury that
the foregoing is true and correct.

Date: 12/7/2020

By: 

1553 Berger Drive
Building 1
San Jose, CA 95112
(408) 282-3123

County of Santa Clara

Consumer and Environmental Protection Agency
Weed Abatement Division



1553 Berger Drive
Building 1
San Jose, CA 95112
(408) 282-3145
Fax (408) 286-2460

December 7, 2020

IMPORTANT NOTICE TO ABATE WEEDS

Dear Property Owner:

To protect your property and the surrounding area from possible fire, your jurisdiction (city or County if in unincorporated areas) contracts with the County of Santa Clara to operate a Weed Abatement Program. You are receiving this notice and information because our staff has determined that your parcel is part of this Program. Please read the information carefully and contact us for clarification or additional information.

Your jurisdiction has or will adopt a resolution declaring your property as one that may contain fire hazards from weeds or other debris. Following this action, your jurisdiction will conduct a public hearing to consider an abatement order, which would require you to remove any hazardous vegetation or combustible debris prior to the deadline in the attached abatement schedule. The public hearing will be held on the date and location stated in the attached notice and provides an opportunity for you to raise any objections or concerns with this requirement.

If you believe your parcel includes an environmentally sensitive habitat, please check the box and provide additional information on the reply form to assist us in determining the best approach to abating your property.

If, after the public hearing, the Weed Abatement Program is approved for your property, the County is authorized by your city and the California Health and Safety Code sections 14875-14922 to inspect your property to confirm that the property has been cleared of hazards according to Minimum Fire Safety Standards (see enclosed brochure). Inspections will begin after the abatement deadline for your jurisdiction. This notice does not relieve you of your responsibility to complete the necessary work prior to the deadline for your jurisdiction. You will be responsible for an annual fee of \$84 to cover the cost of this compliance inspection.

If you fail to complete the abatement work prior to our inspection of your property, you will be responsible for an inspection fee of \$466 per parcel; and your property will be scheduled for abatement by the County contractor. You will be assessed a County administrative fee of \$809 per parcel plus the County's cost of abatement if the County completes this work. If you complete the abatement work before the County contractor, you will not incur further charges.

The County will use the least costly method of abatement considering the physical characteristics of your property and any other environmental or related concerns. Fees are detailed in the attached price list. The total amount will be included as a special assessment on your property tax bill following confirmation of the charges by your city or the County if parcel is not in a city at a public hearing?. This hearing would be scheduled in late spring/summer 2021 with the exact date determined by your jurisdiction. Jurisdictions

Board of Supervisors: Mike Wasserman, Cindy Chavez, Otto Lee, Susan Ellenberg, S. Joseph Simitian
County Executive: Jeffrey V. Smith

post hearing information at a physical location (typically at a city hall building or other government center and most jurisdictions also publish this information on their websites) at least three days prior to the meeting.

You can avoid all costs, other than the annual compliance fee, by completing the abatement work yourself according to Minimum Fire Safety Standards (see enclosed brochure) prior to the abatement deadline for your jurisdiction and maintaining the Minimum Fire Safety Standards for the duration of fire season, which typically runs March Through October. Parcels will be removed from the program after three consecutive years of voluntary compliance (work completed by property owner prior to the deadline and confirmed by our inspection).

In preparation for this program, please complete and return the enclosed Reply Form by January 15, 2021 so we are notified of your plans for abating your property.

If you designate in your reply that you intend to abate the weeds yourself, you need to complete the abatement before the deadline listed on the attached abatement schedule and maintain fire-safe conditions for the duration of the fire season. Responding that you intend to provide maintenance yourself does not release you from this responsibility to have the maintenance *completed* before your deadline and *repeated* as necessary to maintain Minimum Fire Safe Standards. The County will abate hazardous vegetation as required after the deadline for your jurisdiction at your cost.

Enclosed you will find the following information:

- ✓ **Reply Form specific to your property. Please complete and return by January 15, 2021.**
- ✓ **Notice to Destroy Weeds informing you of an upcoming public meeting (that you must attend if you have any objections to the proposed removal of hazardous vegetation or debris from your property. Your Jurisdiction may offer the ability for you to participate in this meeting virtually; please confirm directly with your jurisdiction.**
- ✓ **Weed Abatement Program Schedule for your city with current County abatement fees.**
- ✓ **County of Santa Clara Weed Abatement Brochure.**

Please be aware that any abatement performed by the County must comply with all applicable regulations. If your property falls within an area designated as a possible habitat for burrowing owls or any other protected species of bird or animal, the methods used to remove vegetation may be regulated by specific laws or local ordinances.

If you are no longer the owner of the property identified by this mailing, please notify us immediately at (408) 282-3145. If you sell your property after the date of this letter, it is your responsibility to notify the new owner and to include the obligation to pay any abatement costs in your agreement of sale. Without taking this action, you will be responsible for all-hazard abatement charges assessed to the property.

Our goals are voluntary compliance with the Minimum Fire Safety Standards and all properties remain safe from fire. If you have any questions or need on-site advice to help you achieve compliance with the Minimum Fire Standards, please call us at (408) 282-3145.

Sincerely,

DocuSigned by:

23BC95461D52437...
Jo Zientek, Director
Consumer and Environmental Protection Agency

Notice to Destroy Weeds

NOTICE IS HEREBY GIVEN that on December 1, 2020, pursuant to the provisions of Section 11.20.020 of the Town Code of the Town of Los Gatos, the Town Council of said Town adopted a Resolution declaring that all weeds growing upon any private property or in any street, sidewalk or alley, as defined in Section 11.20.020 of such code, constitute a public nuisance, which nuisance must be abated by the destruction or removal thereof.

NOTICE IS FURTHER GIVEN that property owners shall within thirty days after the adoption of such resolution, or within the time specified in a written agreement with the Director of Parks and Public Works of the Town of Los Gatos, or the Director of Parks and Public Works' representative, whichever time shall be later, remove all such weeds from their property, the abutting sidewalks, and the abutting half of the street in front, and alleys, if any, behind such property, and between the lot lines thereof as extended, or such weeds will be destroyed or removed and such nuisance abated by the Town of Los Gatos, in which case the cost of such destruction or removal will be assessed upon the lots and lands from which, or from the front or rear of which, such weeds shall have been destroyed or removed; and such cost will constitute a lien upon such lots or lands until paid, and will be collected upon the next tax roll upon which general municipal taxes are collected. All property owners having any objections to the proposed destruction or removal of such weeds are hereby notified to attend a meeting of the Town Council of such Town to be held in the Council Chambers of said Town at 110 East Main Street, Los Gatos, California, on **Tuesday, January 19, 2021 at 7:00 p.m.**, or as soon thereafter as the matter can be heard, when their objections will be heard and given due consideration. *The language and format for this notice is required by California Health and Safety Code Sections 14891 Et. Seq.*

LOS GATOS WEED ABATEMENT PROGRAM SCHEDULE

January 19, 2021	Public hearing to consider objections to Abatement List.
April 15, 2021	<u>PARCEL ABATEMENT DEADLINE</u> Parcel must be free from hazardous vegetation by this date or Inspector will order abatement.
July-August, 2021	Assessment Hearing to protest abatement charges (Date subject to change, please confirm with City Clerk)

2021 COUNTY WEED ABATEMENT FEES

Properties in the Weed Abatement Program, you will be responsible for an annual inspection fee of \$84.00 per parcel.

Please be advised that the property owner of any parcel found to be non-compliant on or after the March 1st deadline will be charged a processing fee of \$466.00 and the property will be scheduled for abatement by the County contractor. If you complete the abatement work before the County contractor performs the abatement, you will not incur further charges. Should the abatement work be performed by a County contractor, you will be assessed the contractor's charges plus a County administrative fee of \$809.00 per parcel.

2021 COUNTY CONTRACTOR'S WEED ABATEMENT PRICE LIST

A) Disc Work**

PARCEL SIZE:	<u>1st Disc</u>	+ <u>2nd Disc</u>	= <u>Total Discs</u>
0-12,500 sq.ft.	<u>\$399.80</u>	<u>\$160.73</u>	<u>\$560.53</u>
12,501sq.ft.- 43,560sq.ft.	<u>\$399.80</u>	<u>\$160.73</u>	<u>\$560.53</u>
Larger than 1 Acre	<u>\$290.41</u>	<u>\$141.83</u>	<u>\$432.24</u> (PER ACRE)

** It is required that parcels be disced twice a year. The cost for the first discing is higher due to additional work normally required during the first discing.

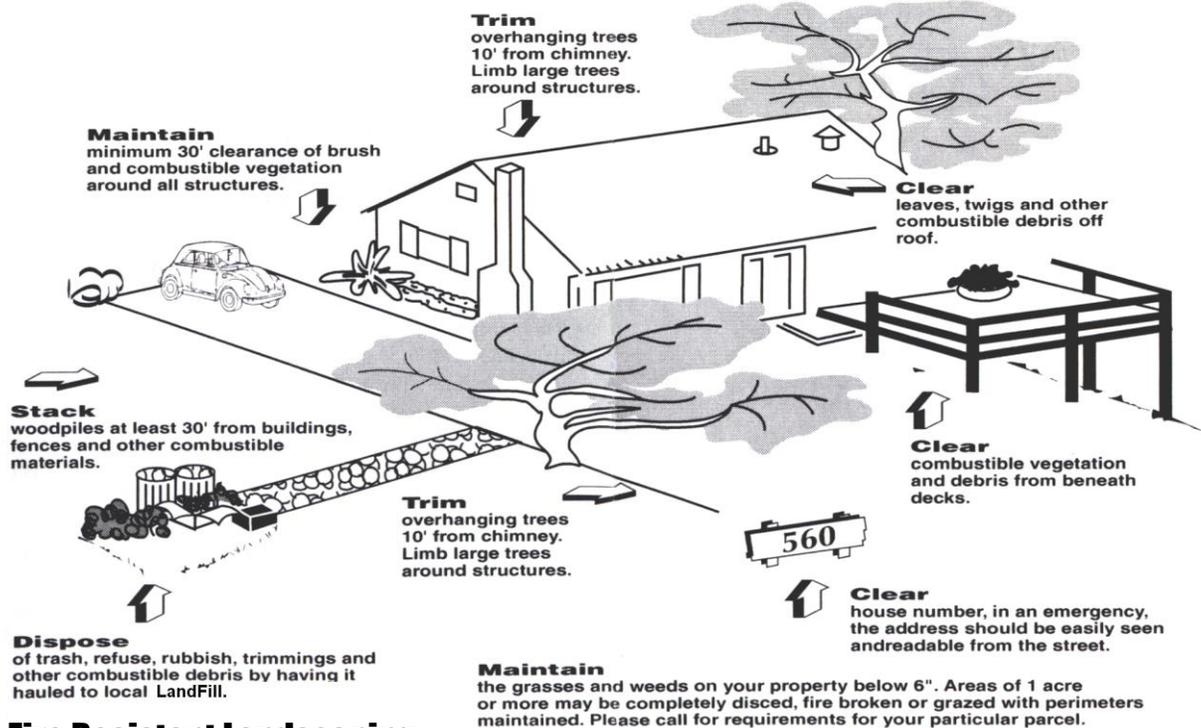
B) HANDWORK	<u>\$5.40 PER 100 Square Feet (SF)</u>
C) FLAIL	<u>6 Foot Mower \$6.89 PER 1,000 SF</u>
MOWING	<u>12 Foot Mower \$6.89 PER 1,000 SF</u>
D) LOADER WORK	<u>\$165.20 PER HOUR</u>
E) DUMP TRUCK	<u>\$152.49 PER HOUR</u>
F) BRUSH WORK	<u>\$5.16 PER 100 SF</u>
G) DEBRIS REMOVAL	<u>\$52.49 PER HOUR</u>
H) DUMP FEE	<u>100%</u>

Added to orders with debris removal at 100% of the dump site charge.

***Please note this program does not offer herbicide application as a method of abatement.**

MINIMUM FIRE SAFETY STANDARDS

1. **Vegetation must not exceed 6 inches in height any time after the compliance deadline.**
2. Maintain grasses and weeds below 6 inches for 10 feet horizontally on both sides of all roadways, including driveways and access routes. Roads and Driveways must maintain a clearance of 10' W by 13'6" H for all vegetation
3. Clear flammable vegetation a minimum of 30 feet around any structure, occupied or not. Ornamental vegetation should be kept clear of dead material. Some conditions, such as slopes, may require up to a 100-foot clearance.
4. Parcels one acre or less shall be completely abated. Parcels over one acre up to five acres require 30-foot clearance around structures and perimeter property lines. Additional 30-foot cross fuel breaks may also be required.
5. Parcels larger than five acres require 30-foot clearance around structures and perimeter property lines in addition to 30-foot cross fuel breaks as needed to separate the remaining vegetation into sections no larger than five acres.
6. Keep property clear of accumulation of combustible debris, such as trash, wood, and dead vegetation. Stacked firewood and neatly piled yard waste is not considered to be combustible debris.
7. Keep vegetation cleared from under the eaves of houses.
8. Trim tree branches to at least 10 feet away from chimney.
9. Clear leaves, pine needles and debris from roof and gutters.



Fire Resistant Landscaping

The following is a partial list of fire resistant plants that you may choose to use around your home to reduce the risk of fire. Contact your local nursery for selections appropriate to your area. All grasses, including those purportedly fire resistant, must be maintained below 6" in height.

Trees:

African Sumac
per

Shrubs:

Bearberry
Carmel Creeper
Carolina Cherry
Catalina Cherry

Escallonia

Hopseed Bush
Lemonade Berry

Groundcover:

Aaron's Beard
Australian Daisy
Candytuft
Sterile Capeweed

Freeway Daisy

Rock rose (except Gum Variety)

Fire Safety Through Vegetation Management

Santa Clara County
Consumer and Environmental
Protection Agency

Weed Abatement Program



1553 Berger Drive #1
San Jose, Ca 95112
Phone (408) 282-3145
Fax: (408) 286-2460

SCC.WeedAbatement@cep.sccgov.org

The Santa Clara County Weed Abatement Program

The Santa Clara County Consumer and Environmental Protection Agency and your city are working together to protect your community from fire. We need your help. Please read and follow the directions provided in this brochure regarding fire prevention on your property. The purpose of the Weed Abatement Program is to prevent fire hazards posed by vegetative growth and the accumulation of combustible materials.

The Weed Abatement program is entirely funded from fees charged to residents. Fees will be assessed for any property in the program. This is to cover the cost of the compliance inspection for the property. Properties that fail the compliance inspection will be charged a failed inspection fee, even if the resident completes the weed abatement. If the property requires abatement by the County contractor, the property owner will be responsible for the actual cost of abatement plus an administrative fee. Properties that meet and maintain the minimum fire safety standards will not be charged other than the annual fee.

Program staff annually inspect parcels at the beginning of the fire season, which is typically in March or April depending on your jurisdiction. If the parcel is not in compliance at the time of inspection, the property owner will be charged a failed inspection fee, and the owner will be sent a courtesy notice as a reminder to abate the weeds. If the weeds are not abated by the property owner, the work will be completed by the County contractor. The property owner will pay the contractor's fees plus a County administrative fee. All fees will be included in your property tax bill.

Our Goal Is Voluntary Compliance

Property Owner's Responsibilities

- Do not allow a fire hazard to exist on your property. The Minimum Fire Safety Standards (MFSS) in this brochure give you guidelines to follow in order to maintain your property and protect against a fire hazard. **Please contact our office if you need guidance or have any questions regarding the requirements!**
- Make arrangements to have your property maintained throughout the year. Contractors can be found in the yellow pages. You may choose to have the County contractor maintain your property. A current price list is included in your packet.
- Please complete and return the Reply Form provided in your mailing packet by the date on the form. Indicate your preference regarding performance of weed abatement services.

Program Staff Responsibilities

- Weed Abatement Inspectors will perform periodic inspections on all parcels included in the Santa Clara County Weed Abatement Program. Properties that fail the compliance inspection will be charged a failed inspection fee, even if the resident completes the weed abatement.

- Inspectors will order the County contractor to perform all necessary abatement work on any parcel where the MFSS are not met. An attempt will be made to give the owner a courtesy notice prior to releasing the work order.
- The County contractor uses several methods of abatement including discing and handwork. The property owner is free to select whatever method they choose, provided the MFSS of all federal, state and local laws are met.
- The Weed Abatement Program will place inspection costs and the charges for County contractor services plus a County administrative fee on the property owner's tax bill during the next fiscal year.

Burrowing Owls

These small owls nest in abandoned ground squirrel burrows. Discing collapses the burrows and kills the young. These owls are listed as a state Species of Special Concern and are protected by the federal Migratory Bird Treaty Act. If you suspect burrowing owls on your property you **must** use another form of weed abatement such as mowing or weed-eating. If you request the County perform abatement services, please notify program staff or your City if burrowing owls are known to exist on your property.

Frequently Asked Questions

Q. Why have I received an Abatement Notice?

A. Typically, a property is placed on the program if a Weed Abatement Inspector identified a potential fire hazard on the property. Fire Departments and other agencies also submit complaints to the Weed Abatement Program.

Q. What is required of me now that I am in the Program?

A. All property owners are required to maintain their property free of fire hazards throughout the year.

Q. The grasses planted on my property are fire resistant. Are they exempt from the Weed Abatement program?

A. No. Even grasses that possess some fire resistant qualities are not fire proof, and they can add fuel to any site that is subject to a fire. Additionally, fire resistant grasses are rarely found in a pure, homogenous stand but rather are usually found to occur mixed with other common introduced annual grasses that are highly flammable and hazardous in a fire event. Finally, many grasses occur in Santa Clara County and species identification is difficult in the field, especially after the spring when the reproductive portions required for identification have dried and dispersed. Weed Abatement Inspectors can only focus on the presence of grasses and weeds on your property and the Minimum Fire Safety Standards, and not on grass species identification. Therefore, all grasses are required to be below 6 inches in height.

Q. What is the SC County Weed Abatement Program?

A. This is a monitoring program and our primary objective is voluntary compliance. See the first two paragraphs of this brochure for further specifics.

More FAQ:

Q. How long will I be on the Program?

A. Your property will remain on the Program for three years. If no hazards are found during that time, your property may be removed from the program.

Q. How much will this cost me?

A. There will be an annual fee to cover the cost of the compliance inspection. If the parcel does not meet the MFSS when it is first inspected in the spring, or if work is required by the County contractor, you will be charged additional fees. Our goal is to ensure that the MFSS are met at the lowest possible cost to the property owner.

Q. How will I be billed?

A. Any charges for the inspection and any abatement work performed will appear as a special assessment on your next property tax bill.

Q. Why have you performed work on my property while the vegetation is still green?

A. Grass, weeds or piles of combustible debris have been declared a public nuisance by your jurisdiction. Abating fire hazards in the spring minimizes the volume of combustible material before the hazards increase and dries out completely during the peak fire season.

Q. Will you notify me prior to beginning abatement work?

A. Property owners are responsible for preventing fire hazards on their property. If the MFSS have been met, but further work is necessary, you will receive notice prior to the County contractor performing the work. If the MFSS have **not** been met, an attempt will be made to give the owner a courtesy notice prior to initial abatement.

Q. Where can I find someone to provide abatement services?

A. Weed Abatement contractors can be found in the Yellow Pages under "Weed Control Services" or "Discing Services". You may have the County contractor perform the necessary work; see your mailing packet for a current price list as administrative costs are charged.

Q. How can I get additional information or assistance regarding the specific requirements for my property?

A. Weed Abatement Inspectors are available to assist you and answer your questions. Please call our Customer Service line at (408) 282-3145 to schedule a consultation with program staff or to obtain additional information.

Q. I have Grazing Animals do I need to perform abatement?

A. Grazing animals do not absolve you of your responsibilities to provide a fire safe condition on your property. You will need to check with our office to determine if grazing is adequate or if additional work is required.



TOWN OF LOS GATOS

PARKS AND PUBLIC WORKS DEPARTMENT
PHONE (408) 399-5770

SERVICE CENTER
41 MILES AVENUE
LOS GATOS, CA 95030

July 14, 2021

RE: **NOTICE OF PUBLIC HEARING ON AUGUST 3, 2021, AT 7:00 P.M. TO CONSIDER THE 2020 WEED ABATEMENT PROGRAM ASSESSMENT REPORT AND ADOPT A RESOLUTION CONFIRMING THE REPORT AND AUTHORIZING COLLECTION OF THE ASSESSMENT CHARGES**

You are receiving this letter because you own a parcel that is included in the 2021 Weed Abatement program. On December 1, 2020, the Town Council authorized the initiation of the annual Weed Abatement program.

The Town Council of the Town of Los Gatos has scheduled a public hearing on August 3, 2021 to consider the 2021 Weed Abatement Assessment Report and Adopt a Resolution Confirming the Report and Authorizing the Collection of the Assessment Charges.

The attached Assessment Report reflects the charges that will be assessed on your tax roll. A copy of the letter you received in December 2020 describing the charges is attached for your reference.

If you have questions about the program or proposed charges, we encourage you to contact the Santa Clara County Weed Abatement Department **PRIOR** to the public hearing at 408-282-3145. By contacting the County (who manages the program for the Town), you will be able to discuss any concerns you may have, with the intent of achieving resolution prior to the public hearing procedure.

IMPORTANT NOTICE: This meeting is being conducted utilizing teleconferencing and electronic means consistent with State of California Executive Order N-29-20 dated March 17, 2020, regarding the COVID-19 pandemic; and in accordance with Executive Order N-29-20, the public may only participate in the meeting on television and/or online and not in the Council Chambers.

When the meeting agenda is posted, it will include instructions for the participation in the public process. The live stream of the meeting may be viewed on television and/or online at www.LosGatosCA.gov/TownYouTube

Town Council reports related to the Weed Abatement program may be viewed on the Town's website at www.LosgatosCA.gov – under the Agenda & Minutes page. The Council dates that contain these reports are December 1, 2020, January 19, 2021, and August 3, 2021 (8/3 will be available for public review three days prior to the meeting).

Persons wishing to protest the proposed assessment report and/or collection of assessment charges may do so by mailing the protest to the Town Clerk 110 E. Main Street, Los Gatos, CA 95030; emailing to the Town Clerk - Clerk@LosGatosCA.gov, or attending the public hearing by teleconference and speaking. Any written protest must be received by the Town Clerk no later than 11:00 a.m. on August 3, 2021, as described above. Protests must identify the grounds for the protest, the person filing the protest, and the property owned by the person filing the protest.

All INTERESTED PERSONS are encouraged to appear at the Public Hearing and be heard. If anyone wishes to challenge the action on the above application in court, they may be limited to raising only those issues they or anyone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the Town Council at, or prior to, the Public Hearing. **Deadline for all written correspondence is 11:00 a.m. the day of the meeting.**

Sincerely,

Stefanie Hockemeyer

STEFANIE HOCKEMEYER

Executive Assistant, Parks and Public Works

2021 WEED ABATEMENT PROGRAM
ASSESSMENT REPORT
CITY OF LOS GATOS

SITUS	APN	OWNERS ADDRESS	TAXROLL AMT
831 POLLARD	406-26-011	LAM, MITCHELL	\$550.00
0 CALLE MARGUERITA	409-04-049	GUPTA, MOHIT AND APAN, PARUL	\$2,533.00
rail wedgewood	409-04-052	UNION PACIFIC CORPORATION	\$2,992.00
0	409-08-001	UNION PACIFIC CORPORATION	\$4,234.00
935 CASTLEWOOD	409-11-021	YAMAGUCHI, JUDY C TRUSTEE	\$84.00
17291 WEDGEWOOD	409-14-013	SAFFARIAN, BABAK TRUSTEE & ET AL	\$84.00
14316 MULBERRY	409-15-005	SAWHNEY, CHANDANDEEP AND BHATIA, MONTY	\$84.00
14311 MULBERRY	409-15-038	LEE, KWANGHO AND YUNSUN	\$84.00
16245 BURTON	424-06-115	SWENSON, C B TRUSTEE	\$550.00
0 BURTON	424-06-116	SWENSON, C B TRUSTEE	\$84.00
14823 LOS GATOS	424-07-065	14823 LGB LLC	\$84.00
15545 BENEDICT	424-20-008	NELSON VICTORIA S	\$2,031.00
15710 WINCHESTER	424-27-013	DONNELLY, TESSA I ET AL	\$550.00
18481 OVERLOOK	510-40-019	ZHAN, LUCY AND ABRAHAMSSON, KLAS J	\$84.00
0 LAUREL	510-41-068	GERTRIDGE, JOHN H ET AL	\$550.00
110 WOOD	510-47-038	COVIA COMMUNITIES	\$550.00
138 WOOD	510-47-044	FRENKEL, LILY M AND DRAA, JUSTIN S	\$84.00
779 BLOSSOM HILL	523-04-037	BLANTON, LOUISE C TRUSTEE	\$84.00
15931 BLOSSOM HILL	523-25-028	TERRY, NAKA K	\$84.00
16009 STEPHENIE	523-26-006	CAPRIOLA, JOAN C TRUSTEE	\$84.00
263 PINEHURST	523-43-019	GORMAN, ROBERT L AND THERESA A	\$84.00
15941 QUAIL HILL	527-02-006	KHOSRAVI, ARVIN AND MOZAFAR, FIROUZEH J TRUSTEE	\$84.00
72 DRYSDALE	527-02-007	DIEP, JOHN AND ALLISON	\$84.00
145 DRYSDALE	527-03-003	ZUKIN, MARGARET S TRUSTEE	\$84.00
0 GUM TREE	527-03-007	QUINT, ROBERT A TRUSTEE & ET AL	\$84.00
15790 BLOSSOM HILL	527-07-006	TAI, CHAIN CHANG AND HOH, BAO LIAN	\$84.00
16200 GREENRIDGE	527-15-001	ORMANDY, ROMAN AND BIBIANA TRUSTEE	\$84.00
16084 GREENRIDGE	527-15-002	LUU, RICHARD T	\$84.00
0 LARGA VISTA	527-16-013	GUEVARA, MARIA E TRUSTEE & ET AL	\$550.00

14960 LARGA VISTA	527-16-016 PROUTY, PAUL ROBERT AND KYMBERLY KAY TRUSTEE	\$84.00
14850 BLOSSOM HILL	527-18-014 O'DEEGAN, STEVE	\$550.00
401 SURMONT	527-20-002 BATE, ROSEMARY S	\$3,154.00
LAND ALTA TIERRA	527-55-042 OHM VICTOR J AND VANNA J	\$84.00
NO SITUS	529-06-072 CROSS CREEK LOS GATOS LLC	\$84.00
615 BLOSSOM HILL	529-16-026 DUNN PROPERTIES LP ETAL	\$2,607.00
0 BELLA VISTA	529-21-010 MASTERSON, ANTHONY D ET AL	\$84.00
0 BELLA VISTA	529-23-003 CHOI, HYUNG MEE AND RUNYAN, PETER	\$84.00
0 BELLA VISTA	529-23-015 PETERS, JAKE C AND KATHERINE H TRUSTEE	\$1,863.40
0 BELLA VISTA	529-23-016 ROSS, DANIEL LEE TRUSTEE	\$1,863.40
0 BELLA VISTA	529-23-019 HARLAN, MARILYN S TRUSTEE	\$1,235.40
0 BELLA VISTA	529-23-020 SHANKER, BENJAMIN J AND SHARI	\$1,116.60
0 RESERVOIR	529-29-066 KIDDER, VASILIKI	\$84.00
148 CLELAND	529-34-043 HATTAR, MARIE C	\$84.00
0 (VACANT)	529-39-047 ST WARD PROPS LP	\$2,506.00
16336 SHADY VIEW	532-03-034 COULSON, ALLAN A AND ADRIANA C TRUSTEE	\$84.00
16386 HILOW	532-04-080 GOVINDASWAMY, GANAPATHY AND GANAPATHY, MALARVIZHI	\$84.00
16541 ENGLEWOOD	532-07-020 DENISON, MICHAEL R	\$84.00
16666 TOPPING	532-09-018 LIN, ARTHUR W AND CHANG, CHRISTINE	\$84.00
0 TWIN OAKS	532-16-006 SURREY FARMS GROUP LLC	\$84.00
16510 KENNEDY	532-17-025 MCKENZIE, JACLYN J TRUSTEE	\$84.00
16461 KENNEDY	532-17-027 WALL, RYAN COMFORT TRUSTEE & ET AL	\$550.00
16481 KENNEDY	532-17-028 HAKHU, JAI K AND NALINI	\$84.00
248 JARED	532-34-071 PAN, SAM SHIWEI	\$84.00
17511 PHILLIPS	532-39-009 UPLIFT FAMILY SERVICES	\$550.00
17652 TOURNEY	537-04-043 YU, MARGARET AND ROLANDI, MARCO	\$84.00
15220 KENNEDY	537-15-004 IYAR, SUBRAH S TRUSTEE	\$84.00
14050 SHANNON	537-17-027 LEIRER, VON OTTO AND PERZOW, CARRIE JOY TRUSTEE	\$550.00
233 FORRESTER	537-21-010 JACKSON STREET EQUITIES LLC	\$84.00
229 FORRESTER	537-22-011 SATIA, JAGAT B AND INDIRA	\$84.00
155 WOODDED VIEW	537-23-028 OWNBEY, DOUGLAS V TRUSTEE	\$84.00
210 WOODDED VIEW	537-23-046 CUNNINGHAM, JAMES F TRUSTEE	\$550.00
15876 SHANNON	537-26-009 LIVE WELL HOMES INC	\$550.00
15760 SHANNON	537-26-018 KELLERMANN, MARC ET AL	\$550.00

16060 CERRO VISTA

537-30-004 BREZOCZKY, BLASIUS TRUSTEE & ET AL

\$84.00

County of Santa Clara

Consumer and Environmental Protection Agency
Weed Abatement Division



1553 Berger Drive
Building 1
San Jose, CA 95112
(408) 282-3145
Fax (408) 286-2460

December 7, 2020

IMPORTANT NOTICE TO ABATE WEEDS

Dear Property Owner:

To protect your property and the surrounding area from possible fire, your jurisdiction (city or County if in unincorporated areas) contracts with the County of Santa Clara to operate a Weed Abatement Program. You are receiving this notice and information because our staff has determined that your parcel is part of this Program. Please read the information carefully and contact us for clarification or additional information.

Your jurisdiction has or will adopt a resolution declaring your property as one that may contain fire hazards from weeds or other debris. Following this action, your jurisdiction will conduct a public hearing to consider an abatement order, which would require you to remove any hazardous vegetation or combustible debris prior to the deadline in the attached abatement schedule. The public hearing will be held on the date and location stated in the attached notice and provides an opportunity for you to raise any objections or concerns with this requirement.

If you believe your parcel includes an environmentally sensitive habitat, please check the box and provide additional information on the reply form to assist us in determining the best approach to abating your property.

If, after the public hearing, the Weed Abatement Program is approved for your property, the County is authorized by your city and the California Health and Safety Code sections 14875-14922 to inspect your property to confirm that the property has been cleared of hazards according to Minimum Fire Safety Standards (see enclosed brochure). Inspections will begin after the abatement deadline for your jurisdiction. This notice does not relieve you of your responsibility to complete the necessary work prior to the deadline for your jurisdiction. You will be responsible for an annual fee of \$84 to cover the cost of this compliance inspection.

If you fail to complete the abatement work prior to our inspection of your property, you will be responsible for an inspection fee of \$466 per parcel; and your property will be scheduled for abatement by the County contractor. You will be assessed a County administrative fee of \$809 per parcel plus the County's cost of abatement if the County completes this work. If you complete the abatement work before the County contractor, you will not incur further charges.

The County will use the least costly method of abatement considering the physical characteristics of your property and any other environmental or related concerns. Fees are detailed in the attached price list. The total amount will be included as a special assessment on your property tax bill following confirmation of the charges by your city or the County if parcel is not in a city at a public hearing?. This hearing would be scheduled in late spring/summer 2021 with the exact date determined by your jurisdiction. Jurisdictions

Board of Supervisors: Mike Wasserman, Cindy Chavez, Otto Lee, Susan Ellenberg, S. Joseph Simitian
County Executive: Jeffrey V. Smith

post hearing information at a physical location (typically at a city hall building or other government center and most jurisdictions also publish this information on their websites) at least three days prior to the meeting.

You can avoid all costs, other than the annual compliance fee, by completing the abatement work yourself according to Minimum Fire Safety Standards (see enclosed brochure) prior to the abatement deadline for your jurisdiction and maintaining the Minimum Fire Safety Standards for the duration of fire season, which typically runs March Through October. Parcels will be removed from the program after three consecutive years of voluntary compliance (work completed by property owner prior to the deadline and confirmed by our inspection).

In preparation for this program, please complete and return the enclosed Reply Form by January 15, 2021 so we are notified of your plans for abating your property.

If you designate in your reply that you intend to abate the weeds yourself, you need to complete the abatement before the deadline listed on the attached abatement schedule and maintain fire-safe conditions for the duration of the fire season. Responding that you intend to provide maintenance yourself does not release you from this responsibility to have the maintenance *completed* before your deadline and *repeated* as necessary to maintain Minimum Fire Safe Standards. The County will abate hazardous vegetation as required after the deadline for your jurisdiction at your cost.

Enclosed you will find the following information:

- ✓ **Reply Form specific to your property. Please complete and return by January 15, 2021.**
- ✓ **Notice to Destroy Weeds informing you of an upcoming public meeting (that you must attend if you have any objections to the proposed removal of hazardous vegetation or debris from your property. Your Jurisdiction may offer the ability for you to participate in this meeting virtually; please confirm directly with your jurisdiction.**
- ✓ **Weed Abatement Program Schedule for your city with current County abatement fees.**
- ✓ **County of Santa Clara Weed Abatement Brochure.**

Please be aware that any abatement performed by the County must comply with all applicable regulations. If your property falls within an area designated as a possible habitat for burrowing owls or any other protected species of bird or animal, the methods used to remove vegetation may be regulated by specific laws or local ordinances.

If you are no longer the owner of the property identified by this mailing, please notify us immediately at (408) 282-3145. If you sell your property after the date of this letter, it is your responsibility to notify the new owner and to include the obligation to pay any abatement costs in your agreement of sale. Without taking this action, you will be responsible for all-hazard abatement charges assessed to the property.

Our goals are voluntary compliance with the Minimum Fire Safety Standards and all properties remain safe from fire. If you have any questions or need on-site advice to help you achieve compliance with the Minimum Fire Standards, please call us at (408) 282-3145.

Sincerely,

DocuSigned by:

23BC95461D52437...
Jo Zientek, Director
Consumer and Environmental Protection Agency

LOS GATOS WEED ABATEMENT PROGRAM SCHEDULE

January 19, 2021	Public hearing to consider objections to Abatement List.
April 15, 2021	<u>PARCEL ABATEMENT DEADLINE</u> Parcel must be free from hazardous vegetation by this date or Inspector will order abatement.
July-August, 2021	Assessment Hearing to protest abatement charges (Date subject to change, please confirm with City Clerk)

2021 COUNTY WEED ABATEMENT FEES

Properties in the Weed Abatement Program, you will be responsible for an annual inspection fee of \$84.00 per parcel.

Please be advised that the property owner of any parcel found to be non-compliant on or after the March 1st deadline will be charged a processing fee of \$466.00 and the property will be scheduled for abatement by the County contractor. If you complete the abatement work before the County contractor performs the abatement, you will not incur further charges. Should the abatement work be performed by a County contractor, you will be assessed the contractor's charges plus a County administrative fee of \$809.00 per parcel.

2021 COUNTY CONTRACTOR'S WEED ABATEMENT PRICE LIST

A) Disc Work**

PARCEL SIZE:	<u>1st Disc</u>	+ <u>2nd Disc</u>	= <u>Total Discs</u>
0-12,500 sq.ft.	<u>\$399.80</u>	<u>\$160.73</u>	<u>\$560.53</u>
12,501sq.ft.- 43,560sq.ft.	<u>\$399.80</u>	<u>\$160.73</u>	<u>\$560.53</u>
Larger than 1 Acre	<u>\$290.41</u>	<u>\$141.83</u>	<u>\$432.24</u> (PER ACRE)

** It is required that parcels be disced twice a year. The cost for the first discing is higher due to additional work normally required during the first discing.

B) HANDWORK	<u>\$5.40 PER 100 Square Feet (SF)</u>
C) FLAIL	<u>6 Foot Mower \$6.89 PER 1,000 SF</u>
MOWING	<u>12 Foot Mower \$6.89 PER 1,000 SF</u>
D) LOADER WORK	<u>\$165.20 PER HOUR</u>
E) DUMP TRUCK	<u>\$152.49 PER HOUR</u>
F) BRUSH WORK	<u>\$5.16 PER 100 SF</u>
G) DEBRIS REMOVAL	<u>\$52.49 PER HOUR</u>
H) DUMP FEE	<u>100%</u>

Added to orders with debris removal at 100% of the dump site charge.

***Please note this program does not offer herbicide application as a method of abatement.**

From: Stefanie Hockemeyer
Sent: Wednesday, July 28, 2021 11:32 AM
To: arvin.khosravi
Cc: Matt Morley <MMorley@losgatosca.gov>
Subject: FW: Weed Abatement Fiasco
Importance: High

Dear Mr. Khosravi,

I am in receipt of your letter to Mayor Sayoc and am sorry to hear of your frustration with being included in the Town's Weed Abatement program.

Due to high fire risks, the Town is taking abatement requirements very seriously to make sure property owners are meeting their obligations. The Town is also investing significant funds in vegetation management to ensure the safety of the community, especially along roadsides. There is little tolerance for exceptions to this program.

The Town of Los Gatos Municipal Code Chapter 11, Article II et seq requires property owners to prevent potential fire hazards based on the California Health & Safety Code to provide protection for the property and any nearby structures by clearing hazards according to Minimum Fire Safety Standards. It also authorizes the County to remove the weeds if the property owner fails to do so and to recover costs through an assessment on the property tax bill for each parcel.

The Program is a cost recovery program administered by the County on behalf of the Town and is funded from fees assessed on the properties included on the assessment list. Every year while in the program, each of the property owners are charged an annual compliance inspection fee and some incur costs for additional inspections, administrative, and abatement fees.

Once a parcel is placed in the program, it will remain until it displays compliance for three consecutive years, at which point it will be removed.

- In 2018 your property had been inspected and found to be non-compliant with the minimum fire safety standards (see attached pictures).
- In 2019 your property was inspected and was compliant.
- In 2020, your property was deemed non-compliant (see attached pictures) and the Council upheld that at the August 4, 2020 Town Council meeting. During the public hearing discussion, Council noted that all other property owners were able to comply, so COVID did not hold up as a reason to dismiss any of the charges incurred. This was understood by all Council members and voted on unanimously.
- For the current year, your property is compliant, and we are simply charging the \$84 inspection fee to recover the cost of inspecting the property.

In your email below, you stated, "I called the office at the number provided on the notice two times. Once on 6/11/2020 and then again on 6/15/2020 to notify the office about the SIP situation and requesting an extension. I did not receive a call back until 6/19/2020. When I finally was able to talk to Brian of the county office, he specifically mentioned that the subcontractors were "way behind" in inspection and I should be OK if I had the weed cleared within 1-2 weeks of the 6/17/2020 deadline. I had the weeds cleared on 6/23/2020."

To be clear, the 2020 charges of \$683 (\$101 for the initial inspection fee, which all properties in the program must pay, and an additional \$583) were **due to being non-compliant on June 2, 2020** when the County re-inspected your property. The \$583 is an administrative fee that included the cost of a work order that was generated to move forward with the County contractor to clear your weeds. Because you completed the abatement before the County inspector was scheduled to visit your property, **you did not incur additional administrative and abatement charges.**

I have attached both copies of the letter that was provided to you each year in December by the County for the 2020 and 2021 Weed Abatement program.

Based on the decision by Council on August 4, 2020, the charges of \$683 will not be reversed.

If you need further clarification, please feel free to contact me.



Stefanie Hockemeyer • Executive Assistant

Parks and Public Works • 41 Miles Avenue, Los Gatos, CA 95030

Ph: 408.399.5761

www.losgatosca.gov



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From: Marico Sayoc <MSayoc@losgatosca.gov>

Sent: Saturday, July 24, 2021 3:10 PM

To: Arvin Khosravi [REDACTED]

Cc: Laurel Prevetti <LPrevetti@losgatosca.gov>; Janette Judd <jjudd@losgatosca.gov>

Subject: Re: Weed Abatement Fiasco

Hi Mr. Khosravi -

Through this email, I am asking our town staff to reach out to you (or connect you with the appropriate County personnel) that can clarify why you are on the Weed Abatement list again. I hear your frustration and I want to make sure that we can provide more information about the process and work with you to ensure your property remains safe and meets the County requirements.

Thanks for following up,
Marico

On Jul 23, 2021, at 4:46 PM, Arvin Khosravi [REDACTED] wrote:

Mayor Sayoc,

I sent the above email to your predecessor but never received any response!

I am writing to you with regards to the Weed Abatement issue AGAIN.

I just received in the mail a letter informing me of non-compliance for 2021 !!.

I don't know who makes the inspections and decisions about this but, I have been spending close to \$2,000 per year on weed abatement alone.

My hillside is clean and free of weeds and has been for 2021.

I still need a response on my objection to the 2020 charges which I objected both at the council mtg as well as in writing.

It seems as if this weed abatement charging process has become a source of revenue for the town with no merits whatsoever.

I ask this issue to be reviewed and if there is any evidence of non-compliance, I am requesting proof of it.

Extremely frustrated,
Arvin Khosravi.

----- Forwarded message -----

From: **Arvin Khosravi** < >
Date: Fri, Sep 25, 2020 at 2:23 PM
Subject: Weed Abatement Fiasco
To: <mjensen@losgatosca.gov>

Mayor Jensen,

I attended the August 4, 2020 LG Town council meeting to address the weed abatement issue and the unjust assessment added to my property tax.

Unfortunately, my comments were not understood by the council, especially by Council member Rob Rennie. Despite digitally raising my hand several times, I was not allowed to speak to the subject matter again. I also tried several times to contact the council via phone with no success. Hence, this email.

- 6/4/2020 (postmarked) - I received a notification from the County of Santa Clara that the compliance deadline of 4/15/2020 had passed and that I needed to clear the weeds by 6/17/2020.
- I'm certain that you remember the Shelter-In-Place (SIP) order that was issued by the state in mid-March 2020.
- I called the office at the number provided on the notice two times. Once on 6/11/2020 and then again on 6/15/2020 to notify the office about the SIP situation and requesting an extension. I did not receive a call back until 6/19/2020.
- When I finally was able to talk to Brian of the county office, he specifically mentioned that the subcontractors were "way behind" in inspection and I should be OK if I had the weed cleared within 1-2 weeks of the 6/17/2020 deadline.
- I had the weed cleared on 6/23/2020.

At the hearing on 8/4/2020, I mentioned the fact that due to the Covid-19 and SIP situation, I was not able to have the weeds cleared by the due date of 6/17/2020 and that I was finally able to have them cleared on 6/23/2020.

Even though council member Marico Sayoc commented and suggested leniency due to the COVID-19 situation, Mr. Rennie disagreed.

I do not know what city/state/country Mr. Rennie has been living in the past 6+ months that prevented him from understanding the gravity of the SIP situation. According to his own admission at the hearing, he hadn't done much since the last council meeting.

I am very frustrated with the town council being so out-of-touch with the reality and severity of the Covid-19 pandemic and it's lack of understanding of the situation that I was in and the multiple attempts I made to show good faith and ask for a few days of extension.

I am reiterating my objection to this ruling and ask for reversal of the assessment.

Arvin Khosravi.







County of Santa Clara

Consumer and Environmental Protection Agency
Weed Abatement Division



1553 Berger Drive
Building 1
San Jose, CA 95112
(408) 282-3145
Fax (408) 286-2460

AFFIDAVIT OF MAILING

Notice of Public Hearing for the Jurisdictions of: Los Gatos

Brian Rosa, declares as follows: That he is a citizen of the United States, over the age of 18 years, that at all times herein mentioned was an employee/agent of the County of Santa Clara.

Brian Rosa, deposited in the United States Post Office, California, a Notice of Hearing, a copy of which is attached hereto. That said mailing list has been provided by the applicant and lists the owners of property who are entitled to Notice of Hearing. That on said day, there was a regular communication by United States mail between San Jose, California and the addresses shown on the attached mailing list.

I declare under penalty of perjury that
the foregoing is true and correct.

Date: 12/13/2019

By: B. Rosa

1553 Berger Drive
Building 1
San Jose, CA 95112
(408) 282-3123

County of Santa Clara

Consumer and Environmental Protection Agency
Weed Abatement Division

1553 Berger Drive
Building 1
San Jose, CA 95112
(408) 282-3145
Fax (408) 286-2460



December 9, 2019

IMPORTANT NOTICE TO ABATE WEEDS

Dear Property Owner:

To protect your property and the surrounding area from a possible fire, your jurisdiction contracts with the County of Santa Clara to operate a Weed Abatement Program. You are receiving this notice and information because it has been determined that your parcel is part of this Program. Please read the information carefully and contact us for clarification or additional information.

Your jurisdiction has adopted or will adopt a resolution declaring your property as one that may contain fire hazards from either weeds or other debris. Following this action, your jurisdiction will be conducting a public hearing to consider an abatement order requiring you to remove any hazardous vegetation or combustible debris prior to the deadline in the enclosed *Weed Abatement Program Schedule*. A public hearing will be held on date and location specified in the enclosed *Notice to Destroy Weeds*, and provides an opportunity for you to raise any objections or concerns with this requirement.

If you believe your parcel includes an environmentally sensitive habitat, please complete the enclosed *Reply Form* to assist in determining the best approach to weed abatement at your property.

After the public hearing, if the Weed Abatement Program is approved for your property, the County is authorized by contract with your city and the California Health and Safety Code sections 14875-14922 to inspect your property to determine whether the property has been cleared of hazards according to the Minimum Fire Safety Standards in the enclosed *Santa Clara County Weed Abatement Program* brochure. Inspections will begin after the abatement deadline for your jurisdiction. This notice does not relieve you of your responsibility to complete the necessary work prior to the deadline for your jurisdiction. You will be responsible for an annual fee of \$101 to cover the cost of this compliance inspection.

If you fail to complete the abatement work prior to County inspection, the property owner will be responsible for a \$582 inspection fee per parcel, and the property will be scheduled for abatement by the County contractor. If the abatement work is completed before the scheduled County contractor job, further charges will not be incurred. However, if the County completes this work, a \$984 County administrative fee will be assessed per parcel in addition to the cost for abatement.

The County will make all efforts to use the less costly method of abatement considering the physical characteristics of the property and any environmental concerns. The enclosed *Notice to Destroy Weeds* includes a price list covering detailed fees. Following confirmation of charges by your jurisdiction, the total amount charged will be included as a special assessment on the property tax bill. A meeting notice will be posted at a location determined by your jurisdiction (typically in Civic Centers) at least three days prior to the meeting.

Board of Supervisors: Mike Wasserman, Cindy Chavez, Dave Cortese, Susan Ellenberg, S. Joseph Simitian
County Executive: Jeffrey V. Smith

Other than the annual compliance fee, all other costs could be avoided by completing the abatement work yourself, according to Minimum Fire Safety Standards, prior to the abatement deadline for your jurisdiction and maintaining the Minimum Fire Safety Standards for the fire season duration, which typically runs through October. Parcels will be removed from the program after three consecutive years of voluntary compliance (work completed by property owner prior to the deadline).

If you designate in your reply that you intend to abate the weeds yourself, you need to complete the abatement before the deadline listed on the abatement schedule and maintain fire safe conditions for the duration of the fire season. Responding that you intend to provide maintenance yourself does not release you from this responsibility to have the maintenance *completed* before your deadline and *repeated* as necessary to maintain Minimum Fire Safe Standards. The County will proceed to abate hazardous vegetation as necessary after the deadline for your jurisdiction.

Enclosed you will find the following information:

- ✓ **Reply Form specific to your property. Please complete and return promptly to inform your property abatement plans.**
- ✓ **Notice to Destroy Weeds informing you of an upcoming public meeting. You must attend if you have any objections to the proposed removal of hazardous vegetation or debris from your property.**
- ✓ **Weed Abatement Program Schedule for your jurisdiction and current County price list.**
- ✓ **Santa Clara County Weed Abatement Program brochure.**

Please be aware that any abatement performed by the County must be in compliance with all applicable environmental protection regulations. If your property falls within an area designated as possible habitat for burrowing owls or any other protected species of bird or animal, the methods used to remove vegetation may be regulated by specific laws or local ordinances.

If you are no longer the property owner identified by this mailing, please notify the County immediately at (408) 282-3145. If you sell your property after the date of this letter, it is your responsibility to notify the new owner and to include the obligation to pay any abatement costs in your agreement of sale. Without taking this action, you will be responsible for all hazard abatement charges assessed to the property.

Our goal is voluntary compliance with the Minimum Fire Safety Standards, and it is our objective to ensure that all properties remain safe from fire. If you have any questions about your property or need on-site advice to help you achieve compliance with the Minimum Fire Standards, please call the Santa Clara County Weed Abatement Program at (408) 282-3145.

Sincerely,



Jo Zientek, Director
Consumer and Environmental Protection Agency

2020 Return Reply Form

Non Compliant Parcel Owner

IMPORTANT: Please complete this form and mail back to the Weed Abatement Program **within 15 days of receipt of this notice.** Thank you.

TRA:



Non Compliant Parcel Owner
Weed Abatement Way
Santa Clara County CA 95121

000-00-000

Please check the box that applies for each parcel (see explanations below):

Parcel Number	Site Address	A	B	C
000-00-000	Santa Clara County	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- A** I am no longer the owner of this property, and the new owner information is listed below. Please return Reply Form immediately.
- B** I intend to maintain this parcel in a manner consistent with the Minimum Fire Safety Standards from **through the end of the fire season (typically runs through October)**. All parcels on the abatement list remain subject to inspection to ascertain compliance. Non-compliance by the deadline will result in an Inspection fee or the abatement of weeds by the County contractor and the resulting charges added to the property tax.
- C** I request that the County Contractor perform weed abatement work on this parcel. Charges for this work will be added to my property tax bill. **(All County fees Apply)**

Please provide any additional information such as new owners, presence of piping, irrigation, crops or other improvement. If your property is fenced/locked, please provide instructions on how to enter the property. If you are no longer the owner of the property identified by this mailing, please notify the County immediately. If you sell your property after December 1st, 2018, it is your responsibility to notify the new owner and to include the obligation to pay any abatement costs in your agreement of sale. Without taking this action, you will be liable for all hazard abatement charges assessed to the property. Thank you

Please check if you feel this parcel is environmentally sensitive

Signature

Name (please print)

Date

()
Day time phone

Fold Here First

Return Address

**Santa Clara County Weed Abatement Program
Consumer and Environmental Protection Agency
1553 Berger Drive, Bldg. #1
San Jose, California, 95112**

Fold Here Second
Use Staples To Secure

Notice to Destroy Weeds

NOTICE IS HEREBY GIVEN that on December 3, 2019, pursuant to the provisions of Section 11.20.020 of the Town Code of the Town of Los Gatos, the Town Council of said Town adopted a Resolution declaring that all weeds growing upon any private property or in any street, sidewalk or alley, as defined in Section 11.20.020 of such code, constitute a public nuisance, which nuisance must be abated by the destruction or removal thereof.

NOTICE IS FURTHER GIVEN that property owners shall within thirty days after the adoption of such resolution, or within the time specified in a written agreement with the Director of Parks and Public Works of the Town of Los Gatos, or the Director of Parks and Public Works' representative, whichever time shall be later, remove all such weeds from their property, the abutting sidewalks, and the abutting half of the street in front, and alleys, if any, behind such property, and between the lot lines thereof as extended, or such weeds will be destroyed or removed and such nuisance abated by the Town of Los Gatos, in which case the cost of such destruction or removal will be assessed upon the lots and lands from which, or from the front or rear of which, such weeds shall have been destroyed or removed; and such cost will constitute a lien upon such lots or lands until paid, and will be collected upon the next tax roll upon which general municipal taxes are collected. All property owners having any objections to the proposed destruction or removal of such weeds are hereby notified to attend a meeting of the Town Council of such Town to be held in the Council Chambers of said Town at 110 East Main Street, Los Gatos, California, on **Tuesday, January 21, 2020 at 7:00 p.m.**, or as soon thereafter as the matter can be heard, when their objections will be heard and given due consideration. *The language and format for this notice is required by California Health and Safety Code Sections 14891 Et. Seq.*

LOS GATOS WEED ABATEMENT PROGRAM SCHEDULE

January 21, 2020	Public hearing to consider objections to Abatement List.
April 15, 2020	<u>PARCEL ABATEMENT DEADLINE</u> Parcel must be free from hazardous vegetation by this date or Inspector will order abatement.
July-August, 2020	Assessment Hearing to protest abatement charges (Date subject to change, please confirm with City Clerk)

2020 COUNTY WEED ABATEMENT FEES

Properties in the Weed Abatement Program, you will be responsible for an annual inspection fee of \$101.00 per parcel.

Please be advised that the property owner of any parcel found to be non-compliant on or after the March 1st deadline will be charged a processing fee of \$582.00 and the property will be scheduled for abatement by the County contractor. If you complete the abatement work before the County contractor performs the abatement, you will not incur further charges. Should the abatement work be performed by a County contractor, you will be assessed the contractor's charges plus a County administrative fee of \$984.00 per parcel.

2020 COUNTY CONTRACTOR'S WEED ABATEMENT PRICE LIST

A) Disc Work**

PARCEL SIZE:	<u>1st Disc</u>	+ <u>2nd Disc</u>	= <u>Total Discs</u>
0-12,500 sq.ft.	<u>\$399.80</u>	<u>\$160.73</u>	<u>\$560.53</u>
12,501sq.ft.- 43,560sq.ft.	<u>\$399.80</u>	<u>\$160.73</u>	<u>\$560.53</u>
Larger than 1 Acre	<u>\$290.41</u>	<u>\$141.83</u>	<u>\$432.24</u> (PER ACRE)

** It is required that parcels be disced twice a year. The cost for the first discing is higher due to additional work normally required during the first discing.

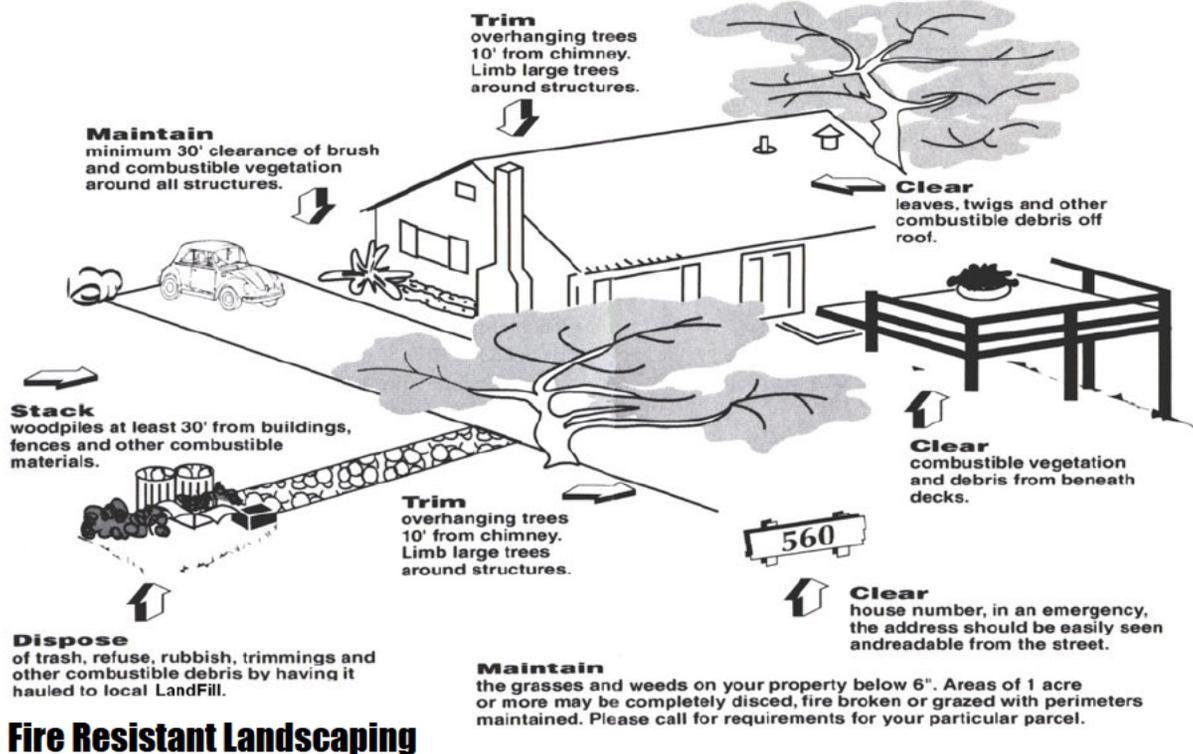
B) HANDWORK	<u>\$5.40 PER 100 Square Feet (SF)</u>
C) FLAIL	<u>6 Foot Mower \$6.89 PER 1,000 SF</u>
MOWING	<u>12 Foot Mower \$6.89 PER 1,000 SF</u>
D) LOADER WORK	<u>\$165.20 PER HOUR</u>
E) DUMP TRUCK	<u>\$152.49 PER HOUR</u>
F) BRUSH WORK	<u>\$5.16 PER 100 SF</u>
G) DEBRIS REMOVAL	<u>\$52.49 PER HOUR</u>
H) DUMP FEE	<u>100%</u>

Added to orders with debris removal at 100% of the dump site charge.

***Please note this program does not offer herbicide application as a method of abatement.**

MINIMUM FIRE SAFETY STANDARDS

1. **Vegetation must not exceed 6 inches in height any time after the compliance deadline.**
2. Maintain grasses and weeds below 6 inches for 10 feet horizontally on both sides of all roadways, including driveways and access routes. Roads and Driveways must maintain a clearance of 10' W by 13'6" H for all vegetation
3. Clear flammable vegetation a minimum of 30 feet around any structure, occupied or not. Ornamental vegetation should be kept clear of dead material. Some conditions, such as slopes, may require up to a 100-foot clearance.
4. Parcels one acre or less shall be completely abated. Parcels over one acre up to five acres require 30-foot clearance around structures and perimeter property lines. Additional 30-foot cross fuel breaks may also be required.
5. Parcels larger than five acres require 30-foot clearance around structures and perimeter property lines in addition to 30-foot cross fuel breaks as needed to separate the remaining vegetation into sections no larger than five acres.
6. Keep property clear of accumulation of combustible debris, such as trash, wood, and dead vegetation. Stacked firewood and neatly piled yard waste is not considered to be combustible debris.
7. Keep vegetation cleared from under the eaves of houses.
8. Trim tree branches to at least 10 feet away from chimney.
9. Clear leaves, pine needles and debris from roof and gutters.



Fire Resistant Landscaping

The following is a partial list of fire resistant plants that you may choose to use around your home to reduce the risk of fire. Contact your local nursery for selections appropriate to your area. All grasses, including those purportedly fire resistant, must be maintained below 6" in height.

Trees:

African Sumac
per

Shrubs:

Bearberry
Carmel Creeper
Carolina Cherry
Catalina Cherry

Escallonia

Hopseed Bush
Lemonade Berry

Groundcover:

Aaron's Beard
Australian Daisy
Candytuft
Sterile Capeweed

Freeway Daisy

Rock rose (except Gum Variety)

Fire Safety Through Vegetation Management

Santa Clara County

Consumer and Environmental
Protection Agency

Weed Abatement Program



1553 Berger Drive #1

San Jose, Ca 95112

Phone (408) 282-3145

Fax: (408) 286-2460

SCC.WeedAbatement@cep.sccgov.org

The Santa Clara County Weed Abatement Program

The Santa Clara County Department of Agriculture and Environmental Management and your city are working together to protect your community from fire. We need your help. Please read and follow the directions provided in this brochure regarding fire prevention on your property. The purpose of the Weed Abatement Program is to prevent fire hazards posed by vegetative growth and the accumulation of combustible materials.

The Weed Abatement program is entirely funded from fees charged to residents. Fees will be assessed for any property in the program. This is to cover the cost of the compliance inspection for the property. Properties that fail the compliance inspection will be charged a failed inspection fee, even if the resident completes the weed abatement. If the property requires abatement by the County contractor, the property owner will be responsible for the actual cost of abatement plus an administrative fee. Properties that meet and maintain the minimum fire safety standards will not be charged other than the annual fee.

Program staff annually inspect parcels at the beginning of the fire season, which is typically in March or April depending on your jurisdiction. If the parcel is not in compliance at the time of inspection, the property owner will be charged a failed inspection fee, and the owner will be sent a courtesy notice as a reminder to abate the weeds. If the weeds are not abated by the property owner, the work will be completed by the County contractor. The property owner will pay the contractor's fees plus a County administrative fee. All fees will be included in your property tax bill.

Our Goal Is Voluntary Compliance

Property Owner's Responsibilities

- Do not allow a fire hazard to exist on your property. The Minimum Fire Safety Standards (MFSS) in this brochure give you guidelines to follow in order to maintain your property and protect against a fire hazard. **Please contact our office if you need guidance or have any questions regarding the requirements!**
- Make arrangements to have your property maintained throughout the year. Contractors can be found in the yellow pages. You may choose to have the County contractor maintain your property. A current price list is included in your packet.
- Please complete and return the Reply Form provided in your mailing packet by the date on the form. Indicate your preference regarding performance of weed abatement services.

Program Staff Responsibilities

- Weed Abatement Inspectors will perform periodic inspections on all parcels included in the Santa Clara County Weed Abatement Program. Properties that fail the compliance inspection will be charged a failed inspection fee, even if the resident completes the weed abatement.

- Inspectors will order the County contractor to perform all necessary abatement work on any parcel where the MFSS are not met. An attempt will be made to give the owner a courtesy notice prior to releasing the work order.
- The County contractor uses several methods of abatement including discing and handwork. The property owner is free to select whatever method they choose, provided the MFSS of all federal, state and local laws are met.
- The Weed Abatement Program will place inspection costs and the charges for County contractor services plus a County administrative fee on the property owner's tax bill during the next fiscal year.

Burrowing Owls

These small owls nest in abandoned ground squirrel burrows. Discing collapses the burrows and kills the young. These owls are listed as a state Species of Special Concern and are protected by the federal Migratory Bird Treaty Act. If you suspect burrowing owls on your property you **must** use another form of weed abatement such as mowing or weed-eating. If you request the County perform abatement services, please notify program staff or your City if burrowing owls are known to exist on your property.

Frequently Asked Questions

Q. Why have I received an Abatement Notice?

A. Typically, a property is placed on the program if a Weed Abatement Inspector identified a potential fire hazard on the property. Fire Departments and other agencies also submit complaints to the Weed Abatement Program.

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A. All property owners are required to maintain their property free of fire hazards throughout the year.

Q. The grasses planted on my property are fire resistant. Are they exempt from the Weed Abatement program?

A. No. Even grasses that possess some fire resistant qualities are not fire proof, and they can add fuel to any site that is subject to a fire. Additionally, fire resistant grasses are rarely found in a pure, homogenous stand but rather are usually found to occur mixed with other common introduced annual grasses that are highly flammable and hazardous in a fire event. Finally, many grasses occur in Santa Clara County and species identification is difficult in the field, especially after the spring when the reproductive portions required for identification have dried and dispersed. Weed Abatement Inspectors can only focus on the presence of grasses and weeds on your property and the Minimum Fire Safety Standards, and not on grass species identification. Therefore, all grasses are required to be below 6 inches in height.

Q. What is the SC County Weed Abatement Program?

A. This is a monitoring program and our primary objective is voluntary compliance. See the first two paragraphs of this brochure for further specifics.

More FAQ:

Q. How long will I be on the Program?

A. Your property will remain on the Program for three years. If no hazards are found during that time, your property may be removed from the program.

Q. How much will this cost me?

A. There will be an annual fee to cover the cost of the compliance inspection. If the parcel does not meet the MFSS when it is first inspected in the spring, or if work is required by the County contractor, you will be charged additional fees. Our goal is to ensure that the MFSS are met at the lowest possible cost to the property owner.

Q. How will I be billed?

A. Any charges for the inspection and any abatement work performed will appear as a special assessment on your next property tax bill.

Q. Why have you performed work on my property while the vegetation is still green?

A. Grass, weeds or piles of combustible debris have been declared a public nuisance by your jurisdiction. Abating fire hazards in the spring minimizes the volume of combustible material before the hazards increase and dries out completely during the peak fire season.

Q. Will you notify me prior to beginning abatement work?

A. Property owners are responsible for preventing fire hazards on their property. If the MFSS have been met, but further work is necessary, you will receive notice prior to the County contractor performing the work. If the MFSS have **not** been met, an attempt will be made to give the owner a courtesy notice prior to initial abatement.

Q. Where can I find someone to provide abatement services?

A. Weed Abatement contractors can be found in the Yellow Pages under "Weed Control Services" or "Discing Services". You may have the County contractor perform the necessary work; see your mailing packet for a current price list as administrative costs are charged.

Q. How can I get additional information or assistance regarding the specific requirements for my property?

A. Weed Abatement Inspectors are available to assist you and answer your questions. Please call our Customer Service line at (408) 282-3145 to schedule a consultation with program staff or to obtain additional information.

Q. I have Grazing Animals do I need to perform abatement?

A. Grazing animals do not absolve you of your responsibilities to provide a fire safe condition on your property. You will need to check with our office to determine if grazing is adequate or if additional work is required.

County of Santa Clara

Consumer and Environmental Protection Agency
Weed Abatement Division



1553 Berger Drive
Building 1
San Jose, CA 95112
(408) 282-3145
Fax (408) 286-2460

AFFIDAVIT OF MAILING

Notice of Public Hearing for the Jurisdictions of: Los Gatos

Milton Kumre, declares as follows: That he is a citizen of the United States, over the age of 18 years, that at all times herein mentioned was an employee/agent of the County of Santa Clara.

Milton Kumre, deposited in the United States Post Office, California, a Notice of Hearing, a copy of which is attached hereto. That said mailing list has been provided by the applicant and lists the owners of property who are entitled to Notice of Hearing. That on said day, there was a regular communication by United States mail between San Jose, California and the addresses shown on the attached mailing list.

I declare under penalty of perjury that
the foregoing is true and correct.

Date: 12/7/2020

By: 

1553 Berger Drive
Building 1
San Jose, CA 95112
(408) 282-3123

County of Santa Clara

Consumer and Environmental Protection Agency
Weed Abatement Division



1553 Berger Drive
Building 1
San Jose, CA 95112
(408) 282-3145
Fax (408) 286-2460

December 7, 2020

IMPORTANT NOTICE TO ABATE WEEDS

Dear Property Owner:

To protect your property and the surrounding area from possible fire, your jurisdiction (city or County if in unincorporated areas) contracts with the County of Santa Clara to operate a Weed Abatement Program. You are receiving this notice and information because our staff has determined that your parcel is part of this Program. Please read the information carefully and contact us for clarification or additional information.

Your jurisdiction has or will adopt a resolution declaring your property as one that may contain fire hazards from weeds or other debris. Following this action, your jurisdiction will conduct a public hearing to consider an abatement order, which would require you to remove any hazardous vegetation or combustible debris prior to the deadline in the attached abatement schedule. The public hearing will be held on the date and location stated in the attached notice and provides an opportunity for you to raise any objections or concerns with this requirement.

If you believe your parcel includes an environmentally sensitive habitat, please check the box and provide additional information on the reply form to assist us in determining the best approach to abating your property.

If, after the public hearing, the Weed Abatement Program is approved for your property, the County is authorized by your city and the California Health and Safety Code sections 14875-14922 to inspect your property to confirm that the property has been cleared of hazards according to Minimum Fire Safety Standards (see enclosed brochure). Inspections will begin after the abatement deadline for your jurisdiction. This notice does not relieve you of your responsibility to complete the necessary work prior to the deadline for your jurisdiction. You will be responsible for an annual fee of \$84 to cover the cost of this compliance inspection.

If you fail to complete the abatement work prior to our inspection of your property, you will be responsible for an inspection fee of \$466 per parcel; and your property will be scheduled for abatement by the County contractor. You will be assessed a County administrative fee of \$809 per parcel plus the County's cost of abatement if the County completes this work. If you complete the abatement work before the County contractor, you will not incur further charges.

The County will use the least costly method of abatement considering the physical characteristics of your property and any other environmental or related concerns. Fees are detailed in the attached price list. The total amount will be included as a special assessment on your property tax bill following confirmation of the charges by your city or the County if parcel is not in a city at a public hearing?. This hearing would be scheduled in late spring/summer 2021 with the exact date determined by your jurisdiction. Jurisdictions

Board of Supervisors: Mike Wasserman, Cindy Chavez, Otto Lee, Susan Ellenberg, S. Joseph Simitian
County Executive: Jeffrey V. Smith

post hearing information at a physical location (typically at a city hall building or other government center and most jurisdictions also publish this information on their websites) at least three days prior to the meeting.

You can avoid all costs, other than the annual compliance fee, by completing the abatement work yourself according to Minimum Fire Safety Standards (see enclosed brochure) prior to the abatement deadline for your jurisdiction and maintaining the Minimum Fire Safety Standards for the duration of fire season, which typically runs March Through October. Parcels will be removed from the program after three consecutive years of voluntary compliance (work completed by property owner prior to the deadline and confirmed by our inspection).

In preparation for this program, please complete and return the enclosed Reply Form by January 15, 2021 so we are notified of your plans for abating your property.

If you designate in your reply that you intend to abate the weeds yourself, you need to complete the abatement before the deadline listed on the attached abatement schedule and maintain fire-safe conditions for the duration of the fire season. Responding that you intend to provide maintenance yourself does not release you from this responsibility to have the maintenance *completed* before your deadline and *repeated* as necessary to maintain Minimum Fire Safe Standards. The County will abate hazardous vegetation as required after the deadline for your jurisdiction at your cost.

Enclosed you will find the following information:

- ✓ **Reply Form specific to your property. Please complete and return by January 15, 2021.**
- ✓ **Notice to Destroy Weeds informing you of an upcoming public meeting (that you must attend if you have any objections to the proposed removal of hazardous vegetation or debris from your property. Your Jurisdiction may offer the ability for you to participate in this meeting virtually; please confirm directly with your jurisdiction.**
- ✓ **Weed Abatement Program Schedule for your city with current County abatement fees.**
- ✓ **County of Santa Clara Weed Abatement Brochure.**

Please be aware that any abatement performed by the County must comply with all applicable regulations. If your property falls within an area designated as a possible habitat for burrowing owls or any other protected species of bird or animal, the methods used to remove vegetation may be regulated by specific laws or local ordinances.

If you are no longer the owner of the property identified by this mailing, please notify us immediately at (408) 282-3145. If you sell your property after the date of this letter, it is your responsibility to notify the new owner and to include the obligation to pay any abatement costs in your agreement of sale. Without taking this action, you will be responsible for all-hazard abatement charges assessed to the property.

Our goals are voluntary compliance with the Minimum Fire Safety Standards and all properties remain safe from fire. If you have any questions or need on-site advice to help you achieve compliance with the Minimum Fire Standards, please call us at (408) 282-3145.

Sincerely,

DocuSigned by:

23BC95461D52437...
Jo Zientek, Director
Consumer and Environmental Protection Agency

Notice to Destroy Weeds

NOTICE IS HEREBY GIVEN that on December 1, 2020, pursuant to the provisions of Section 11.20.020 of the Town Code of the Town of Los Gatos, the Town Council of said Town adopted a Resolution declaring that all weeds growing upon any private property or in any street, sidewalk or alley, as defined in Section 11.20.020 of such code, constitute a public nuisance, which nuisance must be abated by the destruction or removal thereof.

NOTICE IS FURTHER GIVEN that property owners shall within thirty days after the adoption of such resolution, or within the time specified in a written agreement with the Director of Parks and Public Works of the Town of Los Gatos, or the Director of Parks and Public Works' representative, whichever time shall be later, remove all such weeds from their property, the abutting sidewalks, and the abutting half of the street in front, and alleys, if any, behind such property, and between the lot lines thereof as extended, or such weeds will be destroyed or removed and such nuisance abated by the Town of Los Gatos, in which case the cost of such destruction or removal will be assessed upon the lots and lands from which, or from the front or rear of which, such weeds shall have been destroyed or removed; and such cost will constitute a lien upon such lots or lands until paid, and will be collected upon the next tax roll upon which general municipal taxes are collected. All property owners having any objections to the proposed destruction or removal of such weeds are hereby notified to attend a meeting of the Town Council of such Town to be held in the Council Chambers of said Town at 110 East Main Street, Los Gatos, California, on **Tuesday, January 19, 2021 at 7:00 p.m.**, or as soon thereafter as the matter can be heard, when their objections will be heard and given due consideration. *The language and format for this notice is required by California Health and Safety Code Sections 14891 Et. Seq.*

LOS GATOS WEED ABATEMENT PROGRAM SCHEDULE

January 19, 2021	Public hearing to consider objections to Abatement List.
April 15, 2021	<u>PARCEL ABATEMENT DEADLINE</u> Parcel must be free from hazardous vegetation by this date or Inspector will order abatement.
July-August, 2021	Assessment Hearing to protest abatement charges (Date subject to change, please confirm with City Clerk)

2021 COUNTY WEED ABATEMENT FEES

Properties in the Weed Abatement Program, you will be responsible for an annual inspection fee of \$84.00 per parcel.

Please be advised that the property owner of any parcel found to be non-compliant on or after the March 1st deadline will be charged a processing fee of \$466.00 and the property will be scheduled for abatement by the County contractor. If you complete the abatement work before the County contractor performs the abatement, you will not incur further charges. Should the abatement work be performed by a County contractor, you will be assessed the contractor's charges plus a County administrative fee of \$809.00 per parcel.

2021 COUNTY CONTRACTOR'S WEED ABATEMENT PRICE LIST

A) Disc Work**

PARCEL SIZE:	<u>1st Disc</u>	+	<u>2nd Disc</u>	=	<u>Total Discs</u>
0-12,500 sq.ft.	<u>\$399.80</u>		<u>\$160.73</u>		<u>\$560.53</u>
12,501sq.ft.- 43,560sq.ft.	<u>\$399.80</u>		<u>\$160.73</u>		<u>\$560.53</u>
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** It is required that parcels be disced twice a year. The cost for the first discing is higher due to additional work normally required during the first discing.

B) HANDWORK	<u>\$5.40 PER 100 Square Feet (SF)</u>
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F) BRUSH WORK	<u>\$5.16 PER 100 SF</u>
G) DEBRIS REMOVAL	<u>\$52.49 PER HOUR</u>
H) DUMP FEE	<u>100%</u>

Added to orders with debris removal at 100% of the dump site charge.

***Please note this program does not offer herbicide application as a method of abatement.**

2021 Return Reply Form

PATEL JITENDRAKUMAR M

IMPORTANT: Please complete this form and mail back to the Weed Abatement Program **within 15 days of receipt of this notice.** Thank you.

TRA: 02000

PATEL JITENDRAKUMAR M
39625 FREMONT BLVD
FREMONT CA 94538



841-03-063

Please check the box that applies for each parcel (see explanations below):

Parcel Number	Site Address	A	B	C
841-03-063	341 LEWIS ST GILROY CA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- A** I am no longer the owner of this property, and the new owner information is listed below. Please return Reply Form immediately.
- B** I intend to maintain this parcel in a manner consistent with the Minimum Fire Safety Standards from **May 15, 2020 through the end of the fire season (typically runs through October)**. All parcels on the abatement list remain subject to inspection to ascertain compliance. Non-compliance by the deadline will result in an Inspection fee or the abatement of weeds by the County contractor and the resulting charges added to the property tax.
- C** I request that the County Contractor perform weed abatement work on this parcel. Charges for this work will be added to my property tax bill. **(All County fees Apply)**

Please provide any additional information such as new owners, presence of piping, irrigation, crops or other improvement. If your property is fenced/locked, please provide instructions on how to enter the property. If you are no longer the owner of the property identified by this mailing, please notify the County immediately. If you sell your property after December 1st, 2020, it is your responsibility to notify the new owner and to include the obligation to pay any abatement costs in your agreement of sale. Without taking this action, you will be liable for all hazard abatement charges assessed to the property.

Thank You

Please check if you feel this parcel is environmentally sensitive

Signature

Name (please print)

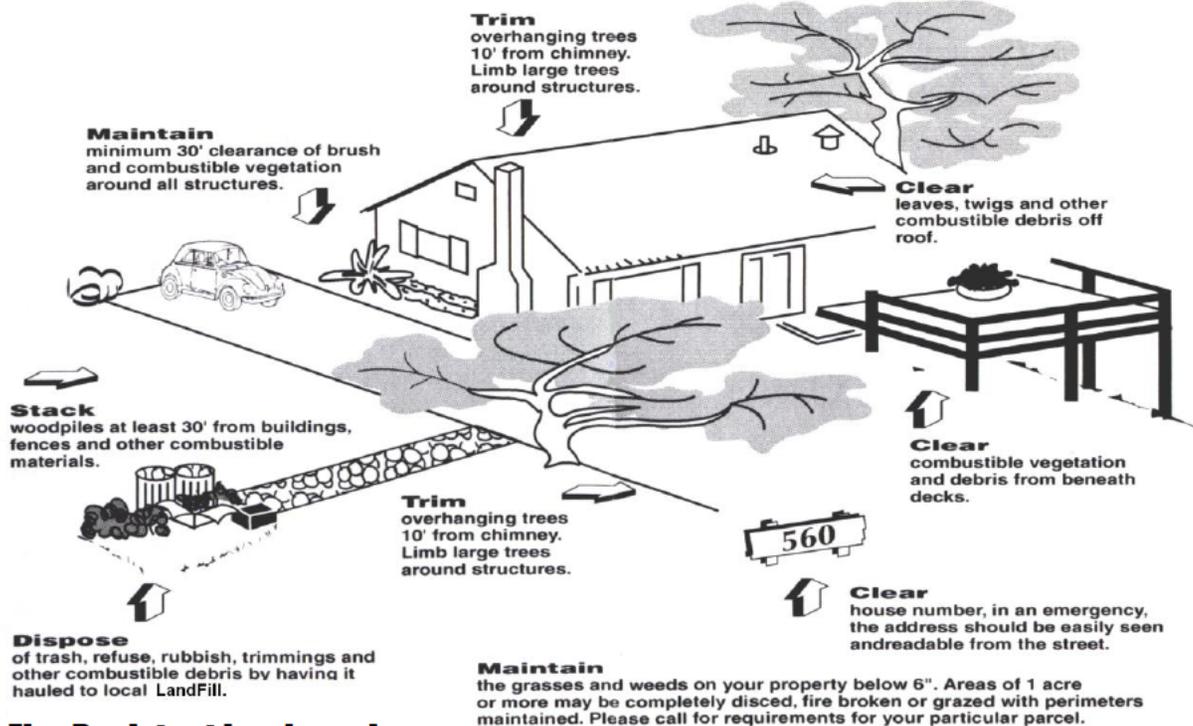
Date

()

Day time phone

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Catalina Cherry

Escallonia

Hopseed Bush
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Q. Why have you performed work on my property while the vegetation is still green?

A. Grass, weeds or piles of combustible debris have been declared a public nuisance by your jurisdiction. Abating fire hazards in the spring minimizes the volume of combustible material before the hazards increase and dries out completely during the peak fire season.

Q. Will you notify me prior to beginning abatement work?

A. Property owners are responsible for preventing fire hazards on their property. If the MFSS have been met, but further work is necessary, you will receive notice prior to the County contractor performing the work. If the MFSS have **not** been met, an attempt will be made to give the owner a courtesy notice prior to initial abatement.

Q. Where can I find someone to provide abatement services?

A. Weed Abatement contractors can be found in the Yellow Pages under "Weed Control Services" or "Discing Services". You may have the County contractor perform the necessary work; see your mailing packet for a current price list as administrative costs are charged.

Q. How can I get additional information or assistance regarding the specific requirements for my property?

A. Weed Abatement Inspectors are available to assist you and answer your questions. Please call our Customer Service line at (408) 282-3145 to schedule a consultation with program staff or to obtain additional information.

Q. I have Grazing Animals do I need to perform abatement?

A. Grazing animals do not absolve you of your responsibilities to provide a fire safe condition on your property. You will need to check with our office to determine if grazing is adequate or if additional work is required.



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 08/03/2021

ITEM NO: 14

ADDENDUM

DATE: August 2, 2021
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Weed Abatement Program Public Hearing to Consider Objections to the 2021 Weed Abatement Program Assessment Report and Adopt a Resolution Confirming the Report and Authorizing Collection of the Assessment Charges

REMARKS:

The Town Clerk received a protest to the proposed Assessment Report for APN 527-16-013. Staff responded to the parcel owner with the recommendation to Council to uphold the charges based on the information listed on attachment 7.

Attachments Previously Received with Staff Report:

1. 2021 Weed Abatement Program Assessment Report.
2. Resolution 2021-XXX Confirming the Report and Authorizing Collection of the Assessment Charges.
3. Resolution 2020-046 Declaring Hazardous Vegetation (Weeds) a Public Nuisance and Providing for their Abatement.
4. County Letter to Property Owners (December).
5. Town Letter to Property Owners (July).
6. Public Comment Received.

Attachment Received with this Addendum

7. Protest Received to the Proposed Assessment Report (APN: 527-16-013).

PREPARED BY: Stefanie Hockemeyer
Executive Assistant, Parks and Public Works

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

From: Stefanie Hockemeyer
Sent: Monday, August 02, 2021 2:11 PM
To: mariaeaves
Cc: Matt Morley <MMorley@losgatosca.gov>; Clerk Group <ClerkGroup@losgatosca.gov>; Kumre, Moe (Moe.Kumre@cep.sccgov.org) <Moe.Kumre@cep.sccgov.org>
Subject: FW: Protest to the Proposed assessment report - APN 527-16-013

Dear Ms. Guevara-Eaves,

I am in receipt of your objection and protest to the proposed assessment and collection charges to your parcel (APN 527-16-013) from the Town's Weed Abatement program you submitted to the Town Clerk.

Due to high fire risks, the Town is taking abatement requirements very seriously to make sure property owners are meeting their obligations. The Town is also investing significant funds in vegetation management to ensure the safety of the community, especially along roadsides. There is little tolerance for exceptions to this program.

The Town of Los Gatos Municipal Code Chapter 11, Article II et seq requires property owners to prevent potential fire hazards based on the California Health & Safety Code to provide protection for the property and any nearby structures by clearing hazards according to Minimum Fire Safety Standards. It also authorizes the County to remove the weeds if the property owner fails to do so and to recover costs through an assessment on the property tax bill for each parcel.

The Program is a cost recovery program administered by the County on behalf of the Town and is funded from fees assessed on the properties included on the assessment list. Every year while in the program, each of the property owners are charged an annual compliance inspection fee and some incur costs for additional inspections, administrative, and abatement fees. The charges for your parcel are for the annual compliance inspection and for a failed inspection, for a total of \$550. Attached are the pictures of the inspection.

Once a parcel is placed in the program, it will remain until it displays compliance for three consecutive years, at which point it will be removed.

According to the Santa Clara County Assessor's Office, your parcel is a privately owned parcel (attached is the property profile for your information). Any desire to share responsibility with adjoining property owners is incumbent on the property owner to arrange. The Town does not get involved with this and we can only address the owner of the property when it comes to weed abatement issues.

Based on this information, the recommendation from staff to the Town Council will be to uphold the charges of \$550 to your parcel.

Sincerely,



Stefanie Hockemeyer • Executive Assistant

Parks and Public Works • 41 Miles Avenue, Los Gatos, CA 95030
Ph: 408.399.5761



August 02, 2021 08:30:05 AM. The GIS data used in this analysis was compiled from various sources. While deemed reliable, the Planning Office assumes no liability.

Property Location Information

APN: **527-16-013**
Property Owner: **GUEVARA MARIA E TRUSTEE & ET AL**
Owner Address: **14975 LARGA VISTA DR LOS GATOS CA 95032-4917**
Site Address: **LARGA VISTA DR LOS GATOS CA 95032**
Recorded Size (Assessor Database): **45,738 sq. ft. / 1.1 acres**
Computed Size (GIS): **45,945 sq. ft. / 1.1 acres**
TRA: **03007**

Planning and Development Information

APN:52716013 is incorporated (LOS GATOS).

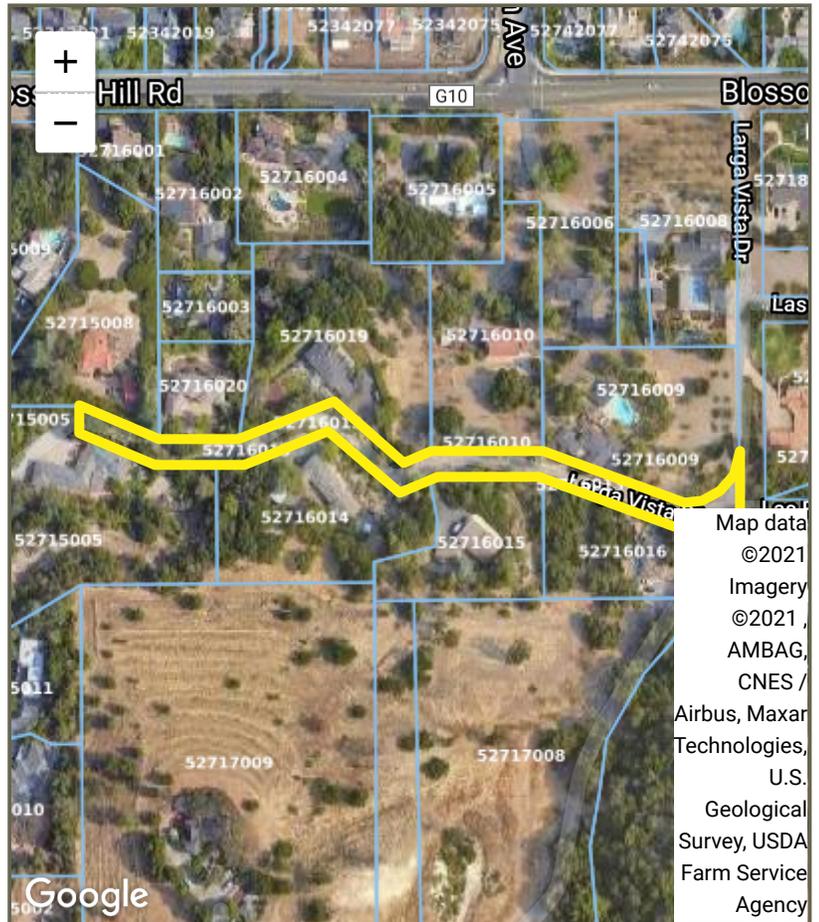
General Plan: **USA**
USA: **Los Gatos (100%)**
SOL: **Los Gatos**
Zoning: **INCORPORATED**
Supervisor District: **1**
Approved Building Site: **Research needed to evaluate parcel as a Building Site**

Special Area Policies and Information

- Los Gatos Hillside Specific Plan Area: **IN**
- Fire Responsibility Area: **LRA (100%)**
- Fire Protection District: **Santa Clara County Central Fire Protection District**
- Geohazard: **County landslide hazard zone**
- Geohazard: **State seismic hazard zone (earthquake induced landslides)**
- Historic Parcel: **NO**
- FEMA Flood Zone: **X (100%)**
- Sanitary District: **West Valley Sanitation District**
- Watershed: **San Francisco Bay**
- Rain isohyet: **21 inches**
- Nearest named creek: **ROSS CREEK (3202 feet)**
- Nearest named lake: **Vasona Reservoir (9482 feet)**

Development Activity

- *No development activity recorded in GIS*





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From: Maria E. Eaves >
Sent: Friday, July 30, 2021 4:25 PM
To: Clerk <Clerk@losgatosca.gov>
Cc: scc.weedabatement@cep.sccgov.org
Subject: Protest to the Proposed assessment report

Dear Town of Los Gatos and Weed Abatement Division,
Please see attached letter and photographs of my objection and protest to the proposed assessment and collection charges to my parcel.

APN 527-16-013
0 Larga Vista Drive Los Gatos CA 95032

Thank you,

Maria Eaves

Maria E. Guevara-Eaves, Trustee
14975 Larga Vista Drive
Los Gatos CA 95032

July 30, 2021

Town of Los Gatos
Town Clerck
110 E. Main Street
Los Gatos CA 95030 Clerk@LosGatosCA.gov; scc.weedabatement@cep.sccgov.org.

Dear Town of Los Gatos and Weed Abatement Division:

I am in receipt of your weed assessment charges where you are charging my property 0 Larga Vista Drive, Los Gatos, CA 95032 in the amount of \$550.00. I also was advised that I was going to be charge for the work done along the boundaries of LARGA VISTA DRIVE.

On July 29, 2021, I requested and I was sent pictures of the work done on 0 Larga Vista Drive; however, the photographs depict the entire road which I share with my neighbors.

According to the Weed Assessment Division I am responsible for the entire road.

Yes! the entire road from the bottom of the property to the top of the road. There are seven (7) other properties which I do not own but according to the weed abatement division, I have to pay for their clean up (weed abatement) as much as mine.

I am objecting to the weed abatement charges, the responsibility should be shard amongst all the property owners and users of the road, as their properties are adjacent to the road and those owners also enjoy ingress and egress privileges beyond the boundaries of my property. It is unfair for me to have to shoulder the burden of paying for all my neighbors' weed abatement requirements.

In situations like this, either the responsibility is shared, or the town is in charge of the road, not one single private party.

My next-door neighbor's property which back yard reaches Larga Vista, 15790 Blossom Hill Road Los Gatos, APN 527-07-006. On the first picture the area on the road and inside the property is not cleaned; but my area is all clean, which is further down.

The photographs also depict the road leading to the following addresses:

15010 Larga Vista Drive Los Gatos CA 95032.

15100 Larga Vista Drive Los Gatos CA 95032

15051 Larga Vista Drive Los Gatos CA 95032

15081 Larga Vista Drive Los Gatos CA 95032

16060 Larga Vista Drive Los Gatos CA 95032.

16090 Larga Vista Drive Los Gatos CA 95032.

Page 2

16070 Larga Vista Drive Los Gatos CA 95032.

I have attached pictures of my 0 Larga Vista Drive which you can see is clean. About 2 years ago I was also charge, I thought it was because I did not do a good clean up; but I did not know I was paying for everyone on my block.

Please review my property and my requirements because certainly the pictures sent to my are not for my property 0 Larga Vista Drive Los Gatos CA 95032.

Thank you for your attention to this matter.

Maria E. Guevara-Eaves
Trustee
0 Larga Vista Drive
Los Gatos, CA 95032











**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 08/03/2021

ITEM NO: 14

DESK ITEM

DATE: August 3, 2021
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Weed Abatement Program Public Hearing to Consider Objections to the 2021 Weed Abatement Program Assessment Report and Adopt a Resolution Confirming the Report and Authorizing Collection of the Assessment Charges

REMARKS:

The Town Clerk received protests to the proposed Assessment Report for APNs 529-23-019, 529-23-020, and 537-23-046. Town and County Staff communicated with the parcel owners and confirmed that the charges are valid.

Staff recommends that Council authorize collection of the assessment charges.

Attachments Previously Received with Staff Report:

1. 2021 Weed Abatement Program Assessment Report.
2. Resolution 2021-XXX Confirming the Report and Authorizing Collection of the Assessment Charges.
3. Resolution 2020-046 Declaring Hazardous Vegetation (Weeds) a Public Nuisance and Providing for their Abatement.
4. County Letter to Property Owners (December).
5. Town Letter to Property Owners (July).
6. Public Comment Received.

Attachment Previously Received with Addendum:

7. Protest Received to the Proposed Assessment Report (APN: 527-16-013).

PREPARED BY: Stefanie Hockemeyer
Executive Assistant, Parks and Public Works

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

PAGE 2 OF 2

SUBJECT: Weed Abatement Program Public Hearing to Consider Objections to the 2021
Weed Abatement Program Assessment Report and Adopt a Resolution
Confirming the Report and Authorizing Collection of the Assessment Charges

DATE: August 3, 2021

Attachments Received with this Desk Item:

8. Protest Received to the Proposed Assessment Report (APN: 537-23-046).
9. Protest Received to the Proposed Assessment Report (APNs: 529-23-019 and 529-23-020).

From: Stefanie Hockemeyer

Sent: Tuesday, August 03, 2021 3:46 PM

To: 'jim@

Cc: Matt Morley <MMorley@losgatosca.gov>; Kumre, Moe (Moe.Kumre@cep.sccgov.org) <Moe.Kumre@cep.sccgov.org>

Subject: FW: Weed Abatement Protest - APN 537-23-046

Dear Mr. Cunningham,

I am in receipt of your objection and protest to the proposed assessment and collection charges to your parcel (APN 537-23-046) from the Town's Weed Abatement program you submitted to the Town Clerk.

Due to high fire risks, the Town is taking abatement requirements very seriously to make sure property owners are meeting their obligations. The Town is also investing significant funds in vegetation management to ensure the safety of the community, especially along roadsides. There is little tolerance for exceptions to this program.

The Town of Los Gatos Municipal Code Chapter 11, Article II et seq requires property owners to prevent potential fire hazards based on the California Health & Safety Code to provide protection for the property and any nearby structures by clearing hazards according to Minimum Fire Safety Standards. It also authorizes the County to remove the weeds if the property owner fails to do so and to recover costs through an assessment on the property tax bill for each parcel.

The Program is a cost recovery program administered by the County on behalf of the Town and is funded from fees assessed on the properties included on the assessment list. Every year while in the program, each of the property owners are charged an annual compliance inspection fee and some incur costs for additional inspections, administrative, and abatement fees. The charges for your parcel are for the annual compliance inspection and failing to trim tall grass around a small, abandoned shed on your property, for a total of \$550. Attached are the pictures of the inspection.

Once a parcel is placed in the program, it will remain until it displays compliance for three consecutive years, at which point it will be removed.

After speaking with Moe Kumre, Weed Abatement Program Manager, he confirmed that he spoke to you and stated that this is a situation we try to avoid, with the grass growing uphill to a wooded structure. All of the documentation that was provided to you by the Program indicates that you must have 30 feet of clearance around any structure.

Based on this information, the recommendation from staff to the Town Council will be to uphold the charges of \$550 to your parcel.

Sincerely,



Stefanie Hockemeyer • Executive Assistant

Parks and Public Works • 41 Miles Avenue, Los Gatos, CA 95030

Ph: 408.399.5761

www.losgatosca.gov



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From: Jim Cunningham >

Sent: Monday, August 2, 2021 3:38 PM

To: Clerk <Clerk@losgatosca.gov>

Subject: Weed Abatement Protest

Good afternoon,

For APN 537-23-046 I was fined \$550 for failing to trim tall grass around a small, abandoned shed on my property.

I did my best to comply with the weed abatement program since moving to Los Gatos 2 years ago, spending portions of 2 weekends trimming over 300 feet of roadside, but didn't realize the shed on the hill was needed since it is a very small abandoned shed.

The attached photos show before and after. The photo WeedAbatementShedTrimmed.jpg is a recent photo after I trimmed, while the other photo shows before trimming as taken from your inspector. Now that I know this shed needs to be trimmed I completed the work myself as soon as the photo arrived, I would like to protest the fine since the work is completed and I did not realize the shed requirement.

I will now know to trim this area in future years.

Thank you.

James Cunningham
210 Wooded View Dr
Los Gatos CA 95032



Town and County staff spoke with Ms. Harlan today about the assessment fees and noted that this was for work in 2020 and inspection fees for 2021. The fee breakdowns are:

APN 529-23-019: 3100 Square feet at \$5.40 per 100 square feet for \$167.40 and the administrative fee that is assessed when work is done by the contractor of \$984 for a total of \$1151.40, plus to inspection fee to 2021 of \$84 bringing the grand total to \$1,235.40. Pictures of the work are attached.

APN 529-23-020: 900 Square feet at \$5.40 per 100 square feet for \$48.60 and the administrative fee that is assessed when work is done by the contractor of \$984 for a total of \$1032.60, plus to inspection fee to 2021 of \$84 bringing the grand total to \$1,116.60. Pictures of the work are attached.

From: MARILYN HARLAN
Sent: Monday, August 2, 2021 8:01 PM
To: Clerk <Clerk@losgatosca.gov>
Subject: contesting weed abatement charges

August 2, 2021

To: Los Gatos Town Council, via Los Gatos Town Clerk

And Santa Clara County Weed Abatement Division

This email addresses a highly questionable county bill against APN 529-23-019 Marilyn S. Harlan, Trustee and Owner APN 529-23-020 Benjamin J. and Shari Shanker.

The Santa Clara County Weed Abatement Division somehow has this summer charged Harlan \$1,235.40, Shanker \$1,116.60 for county contracted weed abatement supposedly done on July 27, 2020. The Shankers' gardener cleared both properties before the July 27 date the county contractor reportedly claims to have worked on the properties. We have received no itemization for the contractor's bill. We each paid the gardener specifically \$500 (a total of \$1000) for clearing the grass specifically. There is no way the property needed the additional work claimed.

I had no idea we were being charged for a weed abatement problem in 2020 until a Los Gatos Town Council letter announcing an August 3 public hearing on the matter arrived around the 16th of July.

The Shankers are on a trip out of the country and can't attend the meeting. Neither can I. My reasons include, but are not limited to, the fact that I am necessarily caregiving a severely medically compromised friend just released from an ICU hospital bed and can't attend the meeting or a virtual meeting.

We contest these charges and hereby formally request their expedited removal from our tax bill.

Meanwhile, please provide me and Shanker with the contractor's business name who billed the county on this matter and a copy of his or her itemized billing, including time and materials.

Yours truly,
Marilyn Harlan



07/27/2020
08:45



07/27/2020
08:37



07/27/2020
08:45



07/27/2020
08:38



07/27/2020
08:48



07/27/2020
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08:36



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08:17



07/27/2020
08:36



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 08/03/2021

ITEM NO: 15

DATE: July 22, 2021
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Discuss and Receive the Police Services Information:
January – June 2021

RECOMMENDATION:

Discuss and receive the Police Services Information: January-June 2021.

BACKGROUND:

At the March 16, 2021 Town Council meeting, the first Police Reforms Update was presented to highlight Police Department efforts to implement Town Council recommendations and promote greater levels of transparency. This Police Services Report presents the following information:

- Crime Statistics and Significant Cases
- Calls for Service and Officer Activity
- Traffic Overview
- Police Stop Data
- Technology Updates

DISCUSSION:

CRIME STATISTICS AND SIGNIFICANT CASES

The Police Department is required to report Part 1 crime data to the Federal Bureau of Investigation's Unified Crime Reporting (UCR) program. Part 1 crimes are defined as homicide, rape, robbery, aggravated assault, burglary, larceny, stolen vehicles, and arson. UCR is a summary reporting system that collects an aggregate monthly tally of crimes

PREPARED BY: Jamie Field, Support Services Captain
Sarah Tada, Records and Communications Manager

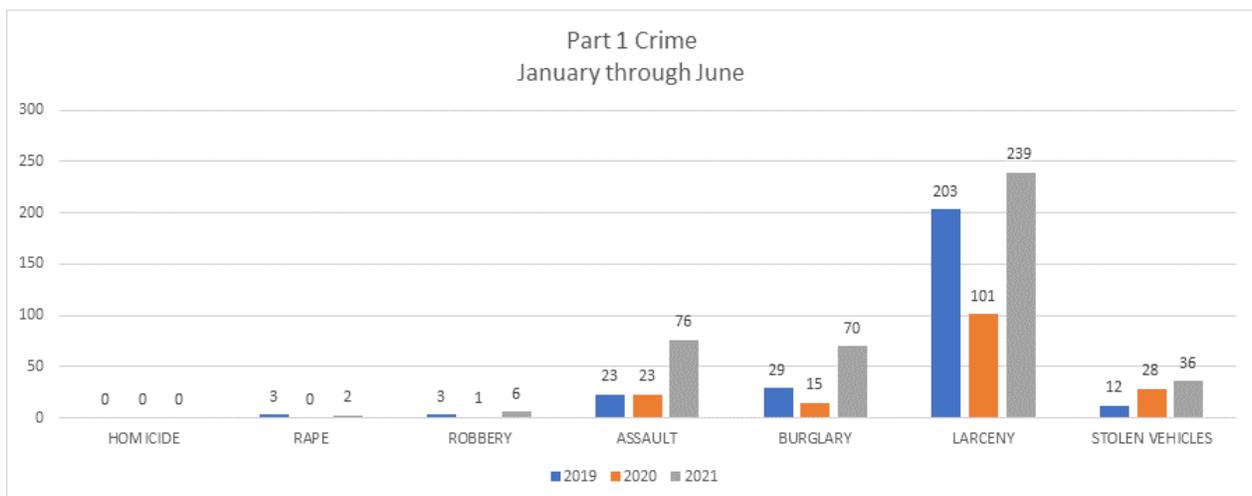
Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, and Police Chief

DISCUSSION (continued):

classified by hierarchy (some crimes may involve multiple offenses as defined by UCR, but only the highest offense will be counted for statistical purposes).

Law enforcement agencies are in the process of transitioning to the National Incident-Based Reporting System (NIBRS), which will capture more in-depth detail on each single crime incident, including information on victims, known offenders, relationships between victims and offenders, arrestees, and property involved in crimes. NIBRS will also add context to reported crimes such as location, time of day, and circumstances. The Police Department is currently preparing for this transition prior to January 1, 2022.

The chart below depicts the aggregate of Part 1 Crimes reported by Los Gatos-Monte Sereno Police Department from January to June 2021 compared to those reported during the same period in 2019 and 2020. The bullet points below the chart provide further details related to some of the Part 1 crimes during the 2021 period.



- Two of the six robberies in 2021 involved juvenile victims and juvenile offenders. The third was an attempted robbery at gunpoint. The fourth was a confrontation after a sales transaction went awry. The two remaining robberies included one that was an attempted robbery of a bicycle and the other an attempted robbery of groceries.
- 37 of the 76 assaults in 2021 were related to domestic violence, including violations of a domestic violence restraining order. Six of these domestic violence assaults were considered aggravated and either involved the use of a weapon or resulted in a significant injury to the victim.
- Larceny includes auto burglaries, package and mail thefts, and all other grand and petty thefts. Of the 239 reported larcenies, 106 were auto burglaries, 40 stolen bicycles, and 9 shoplifting reports. Auto burglaries tended to be grouped in series along the Highway 17 and Highway 9 corridors.
- Of the 36 stolen vehicles, 29 were located and recovered outside of our jurisdiction.

DISCUSSION (continued):

Between January and June 2021, numerous significant cases were investigated by Detectives with assistance from Patrol Division:

Hate Crimes/Hate Incidents: The disturbing nationwide trend in hate crimes and hate incidents was unfortunately reflected in a number of incidents occurring in Town. To align with the Town Council's commitment to diversity, equity and inclusivity, the Police Department began collecting data on Hate Incidents in addition to Hate Crimes. All reported Hate Crimes and Incidents are reviewed by the Detective Sergeant who works in close conjunction with the District Attorney's Hate Crimes Team. Between January to June 2021, five Hate Crimes were reported as well as five Hate Incidents. A summary of reported Hate Crimes and Hate Incidents is available online at the Police Department's Transparency and Data Page:

<https://sites.google.com/view/lgmspdtransparency/home?authuser=0>

- Arrest of Serial Sexual Assault Suspect: Upon receiving a report of a sexual assault that occurred at a local bakery, Detectives determined that the suspect had likely repeated his assaults on multiple victims. His modus operandi was to befriend female customers under the pretense of offering them bread-making lessons. The investigation yielded eight additional victims, ranging in age from 16 to 62 years. The suspect was arrested and is awaiting trial.
- Public Storage Burglaries: The Police Department investigated a series of thefts from storage lockers in Town and determined that a group of suspects were gaining access by using a stolen access code. In cooperation with the staff at the storage facility, Detectives were able to intercept and arrest the suspects as they entered the facility. A large amount of stolen property was recovered and returned to the rightful owners.
- Domestic Violence: Officers were contacted by a local facility manager who had been reviewing camera footage from a few days prior and was concerned that the cameras had captured a domestic violence incident. Upon reviewing the footage, Officers saw a violent interaction between a male and female that ended when the male was seen armed with a handgun before exiting the camera view. Officers were able to use evidence from the scene to identify the involved parties.

Department members worked diligently to locate the female victim while detectives determined that the suspect was out on bail on an attempted homicide and assault with a deadly weapon in another jurisdiction and out on bail for a domestic violence incident with the same female victim from just a few days prior. Officers were able to locate and arrest the suspect and provided the victim with assistance and resources.

DISCUSSION (continued):

- Catalytic Converter Thefts: Like many other jurisdictions in the region, catalytic converter thefts are on the rise. The most targeted vehicle is the Toyota Prius. On

March 12, 2021, Officers conducted a traffic enforcement stop and determined that the vehicle was stolen. Both occupants were on probation. Upon further investigation, Officers located 21 grams of methamphetamine and tools indicating that these subjects were likely involved in catalytic converter thefts in Los Gatos and Monte Sereno.

CALLS FOR SERVICE AND OFFICER ACTIVITY

Calls for service are recorded as an incident number and range from discretionary activity by Officers, concerns reported by the public, or residential or commercial alarms activations to name a few. Police personnel spend a great deal of time on crime reduction, education, enforcement, and assisting the public with a variety of public safety and quality of life concerns. Not every call to the Police or Officer-initiated activity leads to an arrest or a crime report.

Between January and June of 2021, there was a total of 16,585 calls for service and Officer-initiated activity (e.g., traffic/pedestrian stops, patrol checks, or foot patrol) handled by the LGMSPD Dispatch Center. Almost half of the incidents (8,066) represented in the response times chart below are calls for service, while the remaining number is officer-initiated activity.

Response Times

The Los Gatos-Monte Sereno Police Department has a set response time goals of 5:00 minutes for Priority 1 calls, 10:00 minutes for Priority 2 calls, and 15:00 minutes for Priority 3 calls.

- *Priority 1*: In-progress emergency call that requires immediate response and there is reason to believe that the immediate presence of the police is essential to save life. (e.g., vehicle collision with major injuries or in-progress assault with a weapon)
- *Priority 2*: In-progress or just occurred emergency call that requires rapid response and there is reason to believe that a police presence is needed to prevent property loss or damage. (e.g., just occurred residential burglary)
- *Priority 3*: Non-emergency call that requires a response but presents no significant threat of serious physical injury or property damage. (e.g., prior auto burglary)

DISCUSSION (continued):

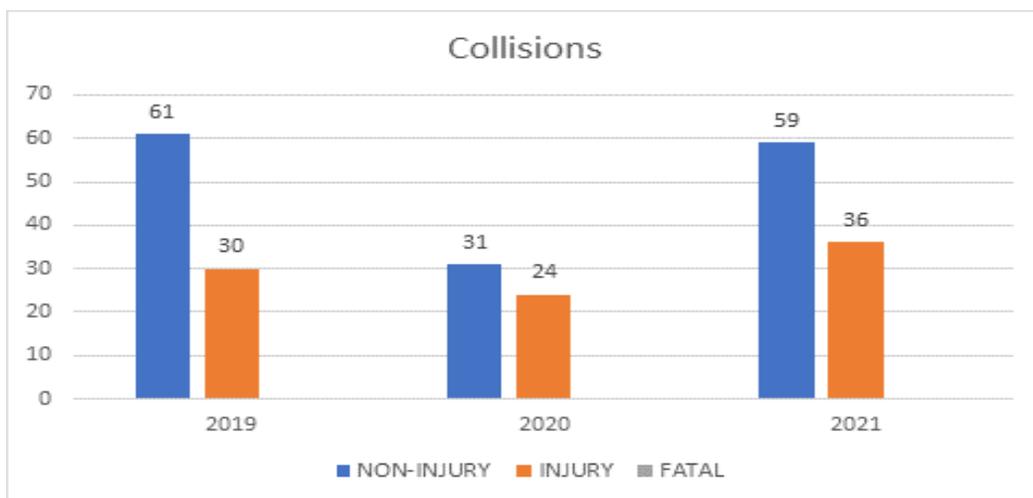
The chart below displays the response times for each priority grouping from January to June 2021 and provides a breakdown of average times from the time that the call is received to the time an Officer leaves the incident.

Priority	# This Period	Dispatched to arrival time	Time officer arrives to clearing the call
1	64	4:32	55:20
2	2805	6:22	20:41
3	5197	7:17	26:33
Total	8066	6:52 minutes	24:17 minutes

TRAFFIC OVERVIEW

The Los Gatos-Monte Sereno Police Department approach to traffic safety emphasizes engineering, education, and enforcement. During traffic enforcement stops, Police Officers primarily encourage safe driving behaviors through education, and issue citations when warranted. Of the 367 traffic citations issued between January and June 2021, 26% (97) were violations of the basic speed laws. The remaining violations range from expired registration and cell phone violations to mechanical fix-it tickets.

The table below depicts auto collisions associated to a case report number from January through June 2021 and two prior years for comparison.

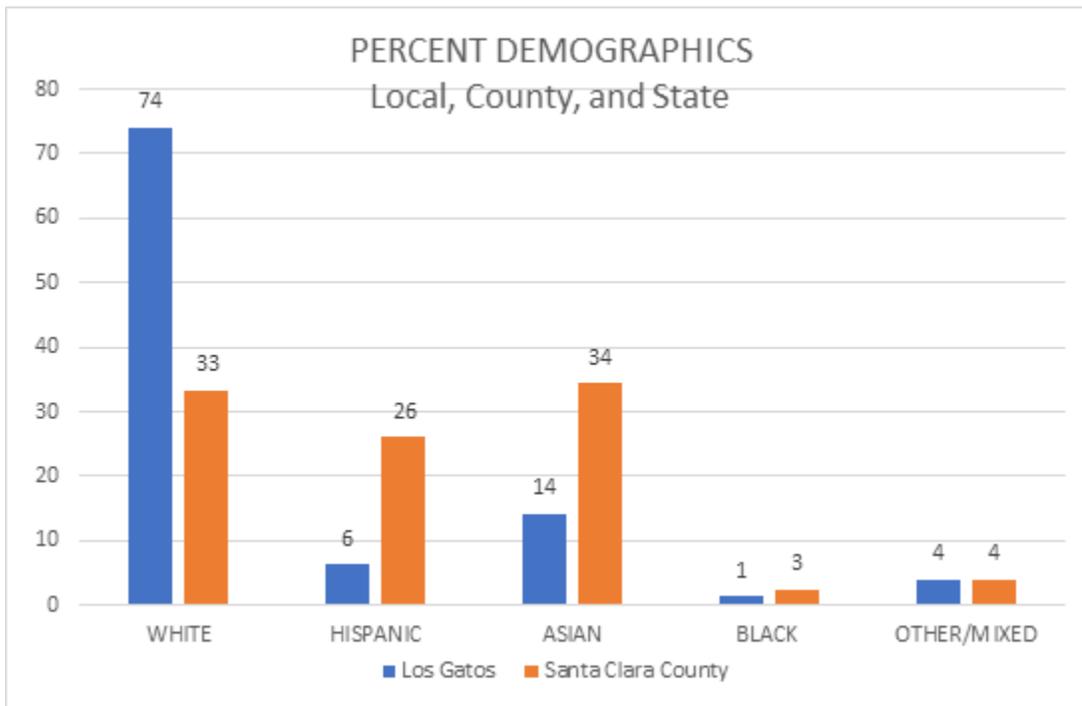


DISCUSSION (continued):

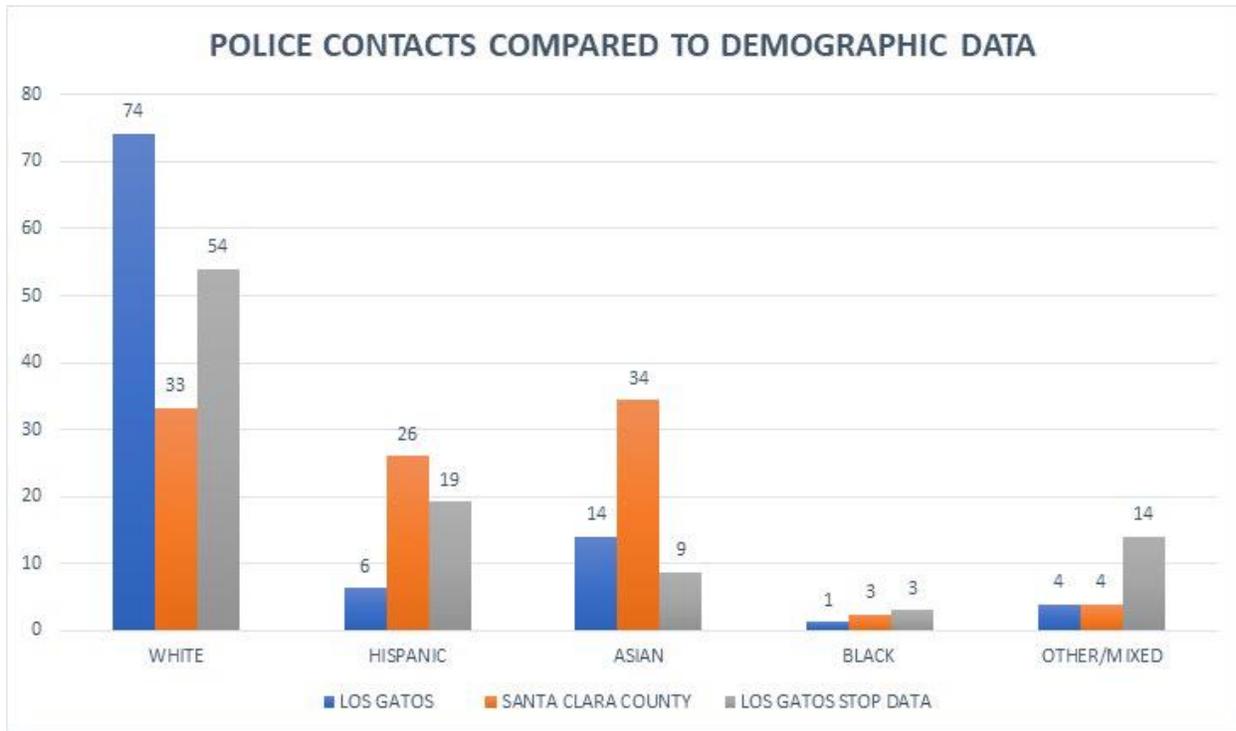
POLICE STOP DATA

Although the Department is mandated by the State of California to collect Racial Identity Profiling Act (RIPA) stop data starting in January 2022, LGMSPD began collecting limited stop data in October 2020. The limited stop data was collected whenever a discretionary vehicle or pedestrian stop was made. The data consist of race, age, and gender (based on the Officer's perception). This information in this report include stop data from January to June 2021. The stop data demographics are compared to both local and County demographics data.

As evidenced in the graph below, the population of the Town of Los Gatos has a somewhat different demographic distribution compared to Santa Clara County (source: United States Census Bureau 2018 Statistical Atlas). The Town of Los Gatos (and the City of Monte Sereno) possess the highest percentage of white population in the entire County with Los Gatos comprised of 74% white (Monte Sereno shows 78% white).



The following chart illustrates the frequency of Police contacts compared to race (as perceived by the Officer). The blue and orange columns depict the same demographic percentage information as the chart above. The grey column represents the percentage of each race category contacted on discretionary stops between January and June 2021.



The table below presents a detailed breakdown regarding the outcome of each discretionary stop by demographic category. Staff will be available at the Council meeting to discuss this in more detail.

Action Taken	Total	White	Hispanic	Asian	Black	Other
Arrest	62	50% (31)	39% (24)	0 (0)	2% (1)	10% (6)
Citation	362	53% (192)	18% (66)	10% (35)	1% (5)	18% (64)
Warning/Assistance	1274	54% (693)	19% (236)	9% (114)	4% (46)	15% (185)
Total	1698	54% (916)	19% (326)	9% (149)	3% (52)	15% (255)

For future reports, the implementation of the Racial Identity Profiling Act (RIPA) in 2022 and the National Incident Based Reporting System (NIBRS) will afford a higher level of data collection and provide more detail on the intersection of crime, demographics, and Police discretionary activity.

DISCUSSION (continued):

Police Transparency and Data Web Page

The Police Department has continued to seek methods to increase transparency and trust with the community. This effort has resulted in the development of the Police Transparency and Data web page that is linked to the Police Department website. The information includes Stop Data, Mental Health Response, Use of Force, Crime Data, California PublicRecords Act (CPRA's) requests, and training requirements for Police Department staff.

<https://sites.google.com/view/lgmspdtransparency/home?authuser=0>

TECHNOLOGY UPDATES

The Police Department diligently pursues technological innovation as a force multiplier and a means to provide the highest degree of public safety to the community. During Q2, Town Council authorized a six-year agreement with Axon Enterprises for purchase and maintenance of Mobile Audio and Video cameras with integrated Automated License Plate Reader (ALPR) technology. The system augments the already purchased Axon body worn camera system and allows for redundancy in recording interactions between Officers and community members. This equipment is scheduled to be installed at the end of August 2021.

Town Council also approved the purchase of the Flock Safety ALPR/Video System which will emplace 15 ALPR/camera units at strategic locations throughout the Town. The units will alert Patrol Officers when stolen and wanted vehicles enter the Town and provide real time intelligence with which to formulate response options to keep the community safe. Flock camera installation is in process.

The Police Department purchased a cutting-edge virtual reality (VR) decision and tactics trainer with grant funds from the California Commission on Police Officer Standards and Training (POST). This system will assist Department trainers in creating a realistic training environment for Officer's decision-making, de-escalation and use of force. The system allows the VR inhabitants of the scenarios to have their mental status, gender, race, and many other attributes adjusted for maximum reality. This technology can also be shared with members of the community to allow them to participate in some of the situations our sworn staff experience. This equipment is expected to arrive in September 2021.

CONCLUSION:

The Biannual Police Services Report is designed to provide an update on data points most requested by the Town Council and the community. The Los Gatos-Monte Sereno Police Department is committed to transparency and the highest level of service to the community. Using data-driven decisions to continuously improve Police services is the basis of building a stronger relationship with the community and will continue to be the foundation of our mission to keep our community safe.

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SUBJECT: Biannual Police Services Report

DATE: July 22, 2021

FISCAL IMPACT:

The acceptance of this report has no fiscal implications.

ENVIRONMENTAL ASSESSMENT:

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



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 08/03/2021

ITEM NO: 16

DATE: July 23, 2021
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Direct the Further Implementation of Mental Health Response Options Within the Police Department.

RECOMMENDATION:

Direct the further implementation of mental health response options within the Police Department.

BACKGROUND:

The issue of Police response to mental health calls has been a topic of much discussion at a national level. Almost all stakeholders agree that in most cases Police Officers are not the best solution for dealing with a person in mental health crisis. Unfortunately, the general lack of clinical resources has made law enforcement the only viable option to address situations when the community calls to report a mental health concern.

For the Los Gatos-Monte Sereno Police Department between January and June 2021, Officers responded to 51 calls for service that were specifically focused on mental health. During this same time frame, Police Officers responded to a total of 8,066 calls for service.

In March 2021, LGMSPD began collecting data related to calls that were not primarily mental health focused, but where mental health was an underlying or secondary issue. With this new definition, the total number of mental health and mental health-related calls from March to June 2021 was 67. During this same time frame, Police Officers responded to 3,715 calls for service.

During the September 2020 community conversation, one of the Police Reform recommendations was for the Town to hire its own social worker to respond to calls involving

PREPARED BY: Peter Decena
Chief of Police

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

BACKGROUND (continued):

mental health issues. Logistic and financial feasibility made this option difficult to implement as discussed with the Town Council in March 2021 (Santa Clara County Behavioral Health Services estimates that the average annual salary and benefits for a Licensed Clinical Social Worker is \$182,000). While the Council opted not to pursue this specific recommendation, during the May Budget hearing the Council approved the Mayor's motion to challenge the Police Department to seek out and present innovative options that might accomplish the same goal.

DISCUSSION:

Existing Programs

Since 2018, the Santa Clara County Police Chiefs Association has partnered with Santa Clara County Behavioral Health Services (SCCBHS) in a working group to facilitate the development of viable mental health response options that included all facets of the existing system, including SCCBHS clinicians, law enforcement, Emergency Medical Services (EMS), and community-based organizations. The resulting programs, including Mobile Crisis Response Teams (MCRT), Law Enforcement Liaisons, Psychiatric Emergency Response Teams (PERT), and Mobile Response and Stabilization Services (MRSS) were discussed at the March 16, 2021 Town Council meeting. Although the programs are still a work in progress, and hampered in large part by the difficulty in hiring clinicians with the skills and motivation to engage crisis work on a shift basis, it is staff's belief that this partnership has the best chance for success in the long term.

In addition to the programs provided by the County, LGMSPD has long maintained a commitment to addressing mental health concerns with a high level of compassion and innovation. Existing LGMSPD programs and trainings include:

- Vulnerable Communities Response Coordinator: formalized collateral duty assignment for a Sergeant to consolidate and coordinate efforts and resources for those with mental health issues and the homeless population in Town.
 - A key element in this effort is the longstanding collaboration with community-based organizations and faith-based organizations that are providing assistance to the homeless and mentally ill (e.g., St. Luke's Episcopal Church, Los Gatos United Methodist Church and West Valley Community Services)
- Crisis Intervention Training (CIT): over 90% of the sworn and Dispatch personnel have completed the 40-hour CIT course (16 hours for Dispatchers). The goal of the training is to give staff the tools, techniques, and resources to interact with persons in mental health crisis, minimizing the use of force, and providing the highest degree of safety for the individual and the responding Officer.
- Special Needs Awareness Program (SNAP): a voluntary and confidential program that allows families to register their loved ones with special needs in a database housed in the Police Department's Dispatch Center. If the Police are responding to a SNAP address or encounter a SNAP participant in the field (identified with a distinctive wristband),

DISCUSSION (continued):

Officers will be provided with information that will help them adapt their interaction to the SNAP participant's special needs.

- Crisis Text Line: provides free 24/7 confidential crisis intervention via SMS messaging.

Proposed Mental Health Response Options

In response to the Council's challenge, staff is proposing the following recommendations and seeks Council direction for the implementation of these options. As noted below, some of these ideas can be implemented within the Department's current budget. Other ideas would need to be analyzed further for cost implications should the Council wish to pursue them.

- Vulnerable Communities Response Team
 - Expansion of the VCRC concept to include a collateral duty team of four to six Officers who would undergo enhanced mental health response training. VCRT members could be utilized in a part-time PERT program, partnered with a SCCBHS clinician to respond to mental health calls and follow up with subjects who have previously been contacted or detained for mental health concerns. This option can be absorbed within the existing Police Department budget.
- Enhanced CIT training for Patrol Officers
 - CIT is currently a 40-hour California Commission on Peace Officers' Standards and Training (POST) certified class that provides basic skills and techniques to deal with persons in mental health crisis. The San Mateo County Sheriff's Office has developed an enhanced CIT course that provides a higher level of training for mental health response. Members of the SCCBHS Law Enforcement Liaison are participating in the curriculum development and POST certification process with the intent of providing a similar enhanced CIT course to Santa Clara County law enforcement agencies. LGMSPD will be focused on ensuring that as many of its sworn staff as possible will participate in the class when it is available. This option can be absorbed into to the Department's training budget.
- Mental health response training for the Victim Services Unit (VSU)
 - There are currently four community volunteers who have undergone the training curriculum to assist Patrol Officers as victim advocates. VSU has already been called to assist a family with a particularly difficult situation involving a family member with mental health issues. The VSU mental health response training would be similar to CIT for Officers and Dispatchers, but with a greater focus on resources available to assist the family with aftercare and long-term solutions. This option can be absorbed into to the Department's training budget.
- Virtual Reality training system
 - The Department has used its POST Innovations Grant funds to purchase a virtual reality (VR) training system. The VR system will be primarily used to train

DISCUSSION (continued):

Officers in de-escalation of force techniques; however, it has the capability to modify the mental status of the VR characters to simulate a mental health crisis. In addition, the SCCBHS Law Enforcement Liaison currently oversees mental health Interactive Video Simulation Training for law enforcement agencies. It is anticipated that with the widespread implementation of POST-funded VR training systems throughout the region, they will be developing VR training modules specifically designed for mental health response. This has already been purchased and has no further budgetary implication.

- Incorporate Integrating Communications, Assessment, and Tactics (ICAT) into the defensive tactics training curriculum
 - ICAT is training program developed by the Police Executive Research Forum to provide Police Officers with the tools, skills, and options to successfully defuse a range of critical incidents, but particularly applicable to scenarios involving individuals in mental health crisis. Two members of the LGMSPD defensive tactics training cadre have already attended ICAT training. All members of the cadre will attend ICAT instructor certification preparatory to introducing ICAT into the Perishable Skills curriculum. This option can be absorbed into to the Department's training budget.
- Contract ambulance program to transport individuals detained under Welfare and Institutions Code 5150 (to Emergency Psychiatric Services)
 - Current practice for Police Officers to transport an individual detained for 5150 is to handcuff and seat them in the rear prisoner transport area of a police vehicle. This is done for safety reasons but can have the effect of further traumatizing an individual already in crisis. In cases where the detained individual has not exhibited violent or aggressive tendencies, the use of an ambulance to transport would be a compassionate option. County EMS will only transport subjects detained for 5150 if there is a coinciding medical or intoxication issue. The challenge is to identify a vendor that can guarantee a reasonable estimated time of arrival. SCCBHS is utilizing a private ambulance company for MCRT, however, wait times can be up to several hours. This is not a workable time frame for Patrol Officers, so additional research will need to be conducted to identify a vendor that can provide a timely response. This option has cost implications that would need to be explored with partner agencies.
- Therapy canine program
 - A number of jurisdictions, most notably Campbell Police Department, have implemented a therapy canine program. Therapy dogs have been shown to provide relief and comfort to individuals or situations that are anxiety-inducing. The training and certification of a therapy dog does not rise to the level of a police canine or even a service dog, and it would not require a specially outfitted vehicle or secure accommodations at the handler's home.

DISCUSSION (continued):

The LGMSPD model would be a collateral duty assignment for a Police Officer who would bring the therapy canine to pre-planned events or be on call for situations where a therapy canine is requested by Patrol Officers or VSU volunteers. The therapy canine would also be an integral component of the Department's Peer Support program to provide comfort to working members of the Department. Staff believe that the Police Foundation would support this investment if the Council wished to pursue it.

CONCLUSION:

Staff looks forward to Council direction on appropriate next steps. Depending on the direction provided, staff anticipates being able to return to Council within a reasonable time frame to provide updates or additional requested information.

FISCAL IMPACT:

Fiscal impact is contingent on direction from the Town Council. Most of the recommendations have been or can be absorbed within the Police Department budget. A couple of the other options will need to be researched to determine actual costs implications as noted above.

ENVIRONMENTAL ASSESSMENT:

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



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 08/03/2021

ITEM NO: 17

DATE: July 22, 2021
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Authorize the Town Manager to Execute a Joint Memorandum of Understanding (MOU) Agreement with Santa Clara County Law Enforcement Agencies for Participation and Services Provided by the Santa Clara County Specialized Enforcement Team (SCCSET) Task Force from July 1, 2021 TO June 30, 2031.

RECOMMENDATION:

Authorize the Town Manager to execute a joint Memorandum of Understanding (MOU) agreement with Santa Clara County Law Enforcement Agencies for participation and services provided by the Santa Clara County Specialized Enforcement Team (SCCSET) task force from July 1, 2021 to June 30, 2031.

BACKGROUND:

The SCCSET task force is a multi-agency task force comprised of law enforcement officers from different agencies within the Santa Clara County. Investigators assigned to SCCSET assist participating jurisdictions in the investigation of complex major criminal investigations. The mission of SCCSET is to promote interagency collaboration to prevent, suppress, and combat the impact of violent and career criminals, Post Release Community Supervision (PRCS)/AB109 offenders, major narcotic offenders, human trafficking offenders, criminal organizations, gangs, firearms traffickers, and other significant crimes to increase public safety in Santa Clara County.

PREPARED BY: CLINTON TADA
POLICE CAPTAIN

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

SUBJECT: Authorize the Town Manager to Execute a Joint Memorandum of Understanding (MOU) Agreement with Santa Clara County Law Enforcement Agencies for Participation and Services Provided by the Santa Clara County Specialized Enforcement Team (SCCSET) Task Force from July 1, 2021 to June 30, 2031

DATE: July 22, 2021

BACKGROUND (continued):

Historically, the Police Department participated in SCCSET with the contribution of an Officer assigned to the task force. Although, due to staffing constraints and vacancies, the Police

Department has not assigned an officer to SCCSET full-time since 2018. Over the past twenty years, SCCSET has been a valuable resource for the Police Department and Town, aiding with the investigation and successful prosecution of a multitude of major complex criminal investigations and tactical operations. In addition, participation in the task force has provided an opportunity for employee professional growth and development, providing experience in multi-faceted investigations, as well as tactical and covert operations that Department members would likely not get otherwise.

The SCCSET task force has been in existence for over twenty years with participating representatives from all law enforcement agencies within the County. Initially SCCSET was overseen by the State of California Bureau of Narcotics Enforcement (BNE). In 2015, the State disbanded BNE and rather than lose a valuable County-wide asset, the Santa Clara County Police Chiefs' Association voted to maintain SCCSET as a self-funded task force with the City of Campbell and Campbell Police Department as the host agency. In July 2021, Campbell Police Department developed a formal MOU for the SCCSET task force and all participating agencies within the Santa Clara County.

DISCUSSION:

Approval of this item would include Los Gatos in a new MOU agreement for Santa Clara County Law Enforcement Agencies related to the services, responsibilities, costs, and provisions between the SCCSET Task Force and individual participating law enforcement agencies.

On March 11, 2021 the Santa Clara County Police Chiefs' Association (SCCPCA) voted in favor of creating a funding source for SCCSET. The County Chiefs approved that Participating Agencies who participate in the Task Force by assigning a minimum of one personnel would contribute \$5,000 annually, and those Participating Agencies who do not assign a minimum of one personnel to the Task Force would contribute \$10,000 annually. These funds paid by the Participating Agencies to the City of Campbell would be used to offset the cost of SCCSET operational expenses. The following agencies are participating agencies in the new SCCSET task force MOU:

City of Campbell
City of San Jose

City of Santa Clara
City of Mountain View

SUBJECT: Authorize the Town Manager to Execute a Joint Memorandum of Understanding (MOU) Agreement with Santa Clara County Law Enforcement Agencies for Participation and Services Provided by the Santa Clara County Specialized Enforcement Team (SCCSET) Task Force from July 1, 2021 to June 30, 2031

DATE: July 22, 2021

DISCUSSION (continued):

City of Sunnyvale	City of Milpitas
City of Gilroy	City of Palo Alto
City of Los Altos	City of Morgan Hill
Santa Clara County Sheriff	Santa Clara County District Attorney
Santa Clara County Probation	CA State Alcohol Beverage Control
CA State Parole	CA Highway Patrol
San Jose State University Police	

Agencies that do not participate with SCCSET task force may jeopardize their ability to obtain additional support efforts by the SCCSET task force when necessary.

CONCLUSION:

Staff recommends the Town Council authorize the Town Manager to execute a joint Memorandum of Understanding (MOU) agreement with all Santa Clara County Law Enforcement Agencies for participation and services provided by the Santa Clara County Specialized Enforcement Team (SCCSET) task force from July 1, 2021 to June 30, 2031. As a participating agency of this MOU, staff will determine the assignment or non-assignment of personnel to SCCSET based on staffing levels.

FISCAL IMPACT:

The fiscal impact may vary year to year or in total for the duration of this MOU, based on the participation and/or assignment of an Officer at the SCCSET task force. Annual costs for participating agencies with an Officer assigned to SCCSET is \$5,000 annually, and participating agencies without an officer assigned to SCCSET is \$10,000 annually. There are sufficient funds pre-programmed in the Police Department FY 2021/22 Operating Expenditures Budget to offset these annual costs. At this time the Town would pay the \$10,000 fee for FY 2021/22 given current staffing and anticipated retirements later this year.

ENVIRONMENTAL ASSESSMENT:

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

Attachment:

1. Santa Clara County Specialized Enforcement Team (SCCSET) Memorandum of Understanding (MOU) Agreement

**Santa Clara County Specialized Enforcement Team
MEMORANDUM OF UNDERSTANDING**

July 1, 2021

I. AUTHORITIES

The Santa Clara County Specialized Enforcement Team (SCCSET) Task Force (hereinafter referred to as the “Task Force”) is administered and managed by the Campbell Police Department.

II. PARTIES

This MOU is a formal task force agreement between the City of Campbell and the Participating Agencies of SCCSET listed below (hereinafter referred to individually as the “Participating Agency” or collectively as the “Participating Agencies”). This MOU is effective on July 1, 2021.

The individual Participating Agencies listed below agree to abide by the tenets and provisions of this MOU throughout the duration of SCCSET’s existence.

City of Campbell	City of Santa Clara
City of San Jose	City of Mountain View
City of Sunnyvale	City of Milpitas
City of Gilroy	Town of Los Gatos
City of Palo Alto	City of Los Altos
City of Morgan Hill	Santa Clara County Sheriff
Santa Clara County District Attorney	Santa Clara County Probation
California State Parole – Division of Adult Parole Operations (DAPO)	
California Highway Patrol	
San Jose State University Police	
California Department of Alcoholic Beverage Control	

III. PURPOSE

The purpose of this MOU is to describe the responsibilities and commitments of the Participating Agencies in SCCSET. The MOU also outlines the mission and objectives for SCCSET. Nothing in this MOU is intended to create a local public agency or a joint powers agreement. SCCSET acts only through voluntary participation by the individual Participating Agencies and is not authorized to hold property or exercise independent powers. SCCSET funds are held and disbursed solely by the City of Campbell.

This MOU supersedes all previous SCCSET MOUs.

IV. MISSION

The mission of SCCSET is to promote interagency collaboration to prevent, suppress, and combat the impact of violent and career criminals, PRCS/AB109 offenders, major narcotic offenders, human trafficking offenders, criminal organizations, gangs, firearms traffickers, and other significant crimes to increase public safety in Santa Clara County.

V. ADMINISTRATIVE RESPONSIBILITIES

A. Campbell Police Chief

The Campbell Police Chief, with the input from Participating Agency Department Heads (or their designee), shall be responsible for the development of Task Force policies and operating procedures and shall periodically review and evaluate the Task Force operations, mission, policies, and procedures.

B. Task Force Commander

The Task Force Commander shall be a peace officer of the rank of lieutenant or higher from one of the Participating Agencies. The Task Force Commander will be responsible for managing SCCSET and will report to the Campbell Police Chief or his designated representative. The Task Force Commander will provide monthly and annual reports of SCCSET's activities to the Campbell Police Chief and to Participating Agency Department Heads.

Any personnel assigned to SCCSET shall work under the immediate supervision of the Task Force Commander and shall adhere to the published policies and procedures of SCCSET. The Task Force Commander and Task Force Supervisor(s) (as defined in Section (V)(c) below) should be involved in the interview and selection of Investigators and support personnel assigned to the Task Force.

C. Task Force Supervisor

The Task Force Supervisor(s) shall be a peace, probation, or parole officer of supervisory rank from one of the Participating Agencies. The Campbell Police Chief shall have final approval for the Task Force Supervisor(s). The Task Force Supervisor(s) will report to the Task Force Commander. The Task Force Supervisor(s) will be a working member of the team who is responsible for the direct supervision of Task Force related operations and personnel. The Task Force Supervisor(s) shall perform administrative and operational assignments as assigned by the Task Force Commander.

D. Investigators

SCCSET shall be staffed by qualified investigators recommended for the assignment by the Participating Agencies (the "SCCSET Investigators"). Assignment to SCCSET should be for a minimum of two years. Prospective investigators for SCCSET will be selected by each Participating Agency. Consideration for placement in SCCSET will be based on past job performance, investigative experience, and the ability to work with others in a close team relationship.

Any SCCSET Investigators not meeting acceptable standards of performance or refusing to comply with SCCSET policies and procedures may be removed from SCCSET by the Task Force Commander, with approval from the Campbell Police Chief. If the Task Force Commander has cause to replace an officer, they shall discuss the issue with the Investigator's employing agency. If the Participating Agency does not concur with the

decision of the Task Force Commander to remove and replace the officer, the issue shall be forwarded to the Campbell Police Chief for final resolution. It is agreed, however, that it is in the best interest of SCCSET to resolve the operational problems at the lowest possible level.

E. Clerical

The appropriate staff will be assigned to SCCSET to assist members to achieve their mission. The number and placement of such staff will be determined by the Task Force Commander in consideration of the needs of SCCSET.

VI. PERSONNEL

- A. Membership: The SCCSET Task Force consists of Police Officers, Parole Officers, and Probation Officers from the Participating Agencies.
- B. Assignment to the SCCSET Task Force: Personnel selections for SCCSET are at the discretion of the Task Force Commander and each Participating Agency with the approval of the Campbell Police Chief. Assignment to SCCSET will be continued based on performance and the needs of SCCSET.

- C. Personnel Management: Each member of SCCSET will be subject to the personnel rules, regulations, policies, and terms and conditions of employment of his or her employing agency.

If any SCCSET member's outside employment poses a potential for conflict of interest, as determined by the Task Force Commander, said member may be excluded from SCCSET.

- D. No Employment by the SCCSET Task Force of Law Enforcement Personnel: SCCSET does not directly or indirectly employ any of the Task Force personnel assigned to it by Participating Agencies. SCCSET is established for the effective coordination of investigations and enforcement action and does not establish employer-employee relationships with the personnel assigned to SCCSET. All personnel assigned to SCCSET by their employing agencies shall remain employees only of their respective employing agencies and shall not have any claim or right to employment, civil service protection, salary, or benefits or claims of any kind from SCCSET, the Campbell Police Department, or from fellow Participating Agencies.
- E. Use of Contract Personnel: Participating Agencies may employ contract personnel to assist with analytical and administrative tasks deemed necessary by the Task Force Commander. These individuals may be non-law enforcement personnel including but not limited to, secretaries, financial analysts, computer specialists, linguists, etc. These individuals may be required to pass a background investigation and complete a non-disclosure agreement, as determined by the Task Force Commander.
- F. Responsibility of Participating Agency: Participating Agencies shall retain responsibility for the employment, salary, benefits, and terms and conditions of all employees assigned to the

SCCSET. All SCCSET members remain subject to the direction and control of their respective agency head or designee in all applicable professional and personal matters. The agency head or designee shall be responsible for the conduct and actions of their respective employees.

VII. INFORMATION MANAGEMENT

- A. Records and Reports: All SCCSET investigative records and reports will be maintained at the SCCSET Task Force location or in the appropriate law enforcement agency offices. The investigative records and reports shall be kept in a manner that is consistent with applicable state and/or federal laws and regulations.

The Santa Clara County Sheriff's Office will provide to the SCCSET report writing software, custodian of record management, IT support, and evidence storage.

- B. Non-Disclosure Agreement: SCCSET information is confidential and may not be disclosed in any manner to any third party, or in any social media or other communication format for any reason, and may only be disseminated as required by applicable state and/or federal laws and regulations or with the prior authorization from the Task Force Commander.
- C. Media: No SCCSET member will discuss or otherwise reveal information relating to SCCSET investigations to any media representatives, unless expressly authorized by the Task Force Commander. All media releases on SCCSET matters will be mutually agreed upon and coordinated jointly by the Task Force Commander and a Campbell Police Captain.

VIII. FACILITIES AND EQUIPMENT

- A. Responsibility: The Task Force Commander will be responsible for the equipment acquired for use by SCCSET. He/she will establish procedures for accounting for and safeguarding those fixed assets.
- B. Task Force Office Space: Appropriate and sufficient office space for SCCSET use shall be identified and procured by the Task Force Commander, with the assistance of a Campbell Police Captain, and the Task Force Supervisor(s).
- C. Vehicles: Each agency shall supply its assigned investigator(s) to SCCSET with a suitably equipped unmarked emergency vehicle. Said agency will provide fuel, maintenance and insurance coverage for that vehicle. Each agency, whether providing a vehicle or not, will be responsible for any claims arising out of or in any way related to the operation of any vehicle used by SCCSET member. This will include both liability and collision.

Vehicles supplied by a Participating Agency will only be driven by that agency's SCCSET Investigator(s), unless extenuating circumstances arise.

- D. Other Equipment: Participating Agencies will provide SCCSET Investigators with computers and most other needed electrical equipment to support SCCSET investigations.

Any equipment purchased with Task Force or seized funds that is damaged, broken, misplaced, lost, or stolen through the gross negligence, or wrongful act or omission of an SCCSET Investigator, shall be repaired or replaced by the employing agency of the responsible employee at the determination of the Task Force Commander.

- E. Termination of Task Force: In the event the Task Force is dissolved, any and all property, including equipment, furniture, and furnishings of whatever kind or description purchased or acquired with Task Force asset forfeiture funds shall be disposed of at the discretion of the Campbell Police Chief with input from Participating Agency Department Heads (or their designee). Any and all property purchased or acquired with Task Force federal asset forfeiture funds will become the sole property of the City of Campbell based on federal requirements.

IX. SALARIES AND FUNDING

- A. Salary and Compensation: Each Participating Agency is responsible for providing its respective personnel with salaries, benefits, and overtime in accordance with FLSA regulations
- B. Commander/Supervisor Offset Reimbursement: Participating Agencies that provide supervisory personnel for the management and supervision of the Task Force shall receive an annual reimbursement to offset the salaries of the Task Force Commander position and up to two Task Force Supervisor positions as follows:
- Task Force Commander: \$75,000 annual reimbursement
- C. Operational Cost Off-set Contribution: SCCSET operates within the entirety of Santa Clara County and conducts investigations and enforcement action in every jurisdiction. As such, every law enforcement agency in Santa Clara County is encouraged to participate in the Task Force by assigning an officer/deputy/probation or parole officer or their respective supervisor to work on the Task Force. At times this may not be possible, but SCCSET will remain available to assist any Participating Agency regardless of active participation in the Task Force.

SCCSET does not have a dedicated funding source to sustain operations. The Santa Clara County Police Chiefs' Association (SCCPA) at the March 11, 2021 SCCPCA Meeting and voted in favor of creating a funding source for SCCSET. The County Chiefs approved that Participating Agencies who participate in the Task Force by assigning a minimum of one personnel will contribute \$5,000 annually, and those Participating Agencies who do not assign a minimum of one personnel to the Task Force will contribute \$10,000 annually. These funds paid by the Participating Agencies to the City of Campbell will be used to offset the cost of SCCSET operational expenses.

In consideration of their ongoing partnership with the Task Force and providing SCCSET with report writing software, custodian of record management, IT support, and evidence storage, the Santa Clara County Sheriff's Office is exempt from this contribution.

Based on the structure of this MOU and the oversight necessary to the operation of SCCSET, the Campbell Police Department is also exempt from this contribution.

Any Participating Agency which is a state or federal law enforcement agency is also exempt from making a financial contribution.

- D. Budget: The Task Force Commander will prepare a proposed budget each year for the ensuing fiscal year for approval by the Campbell Police Chief. A monthly report of expenditures shall accompany the monthly statistics report. City of Campbell will prepare and transmit to the other Parties monthly invoices for their respective shares of the SCCSET costs, except to those Parties who are exempt from making a financial contribution. The invoiced Parties agree to pay promptly, within 30 days of the date of the invoice, to the City of Campbell.

If a Participating Agency chooses to terminate its participation under the terms of this Agreement, said Party shall remain financially responsible for its individual share of the allocated cost for that fiscal year only.

- E. All expenditures using SCCSET funds must follow the City of Campbell purchasing rules.

X. TRAINING

Any trainings required by the Commission on Peace Officer Standards and Training (POST) shall be handled by the Participating Agencies according to their individual budget. Additional training may be provided through the Task Force based on the funds designated for training in the Task Force budget. A yearly training plan for all Task Force personnel, sworn and non-sworn, shall be prepared by the Task Force Commander upon their assignment to the Task Force. In addition, a yearly group training plan shall be prepared and submitted with the Task Force yearly budget proposal.

XI. ANNUAL REPORT

The Task Force Commander will create an annual report of activity no later than March 15th of each year that will be shared with all Participating Agencies. This report will summarize the preceding calendar year's operation and shall include a section for statistical data broken down in a similar fashion to that of the monthly reports. The report shall contain sufficient information regarding controlled substance abuse and trafficking trends to enable the Participating Agency Department Heads (or their designee) to reassess the Task Force mission related to narcotics trafficking.

XII. ASSET FORFEITURE

The City of Campbell shall retain all monies and assets seized by means of state asset forfeiture for the operation of the Task Force. These funds shall be deposited into City of Campbell bank accounts and shall be utilized for investigative purposes, equipment, rent, and other needs as necessary for operation of the Task Force.

Based on federal requirements, all monies received through federal asset forfeiture belong solely to the City of Campbell. These funds will be used in accordance with federal guidelines and used for SCCSET related expenses.

XIII. ASSET FORFEITURE EQUITABLE SHARING FORMULA

In the event of the dissolution of SCCSET, any funds remaining shall be disbursed to Participating Agencies according to the following formula:

- 5% to each Participating Agency with a part-time investigator assigned to and working in the unit.
- The remaining balance shall be equally divided between the remaining Participating Agencies with a full-time investigator assigned to and working in the unit.

Based on federal requirements and restrictions, any remaining federal asset forfeiture balance will belong solely to the City of Campbell.

In the event of the dissolution of SCCSET, the aforementioned disbursements will be made after each Participating Agency's cost obligations related to the operation of the Task Force are paid in full.

XIV. ADMINISTRATION AND AUDIT

Any and all records pertaining to expenditures related to SCCSET operations shall be readily available for examination and audit by any Participating Agency. In addition, all such records and reports shall be maintained until audits and examinations are completed and resolved, or for a period of three (3) years after the termination of this MOU, whichever is sooner.

At the change of command of a Task Force Commander, an audit of the undercover funds and specialized equipment shall be performed.

XV. LIABILITY

For the purpose of indemnification, each Participating Agency of SCCSET shall be responsible for the acts or omissions of its respective participating personnel and shall incur any liabilities arising out of the acts or omissions of its respective personnel while participating in SCCSET.

Personnel assigned to SCCSET shall be deemed to be continuing under the employment of their respective jurisdiction and shall have the same powers, duties, privileges, responsibilities and immunities as are conferred upon them as an employee in their own jurisdiction.

Each party ("Indemnitor") to this MOU agrees to defend, indemnify, and hold harmless the other parties to this MOU but only in proportion to and to the extent that any liability is imposed on the other parties due to the acts or omissions of the Indemnitor party's employee(s). In addition, any Participating Agency shall be liable for any workers compensation or similar benefit extended to its respective employees.

XVI. INSURANCE

Each party to this MOU shall be responsible for obtaining and maintaining its own separate insurance coverage at least as broad as:

- a. Commercial General Liability Insurance: \$1,000,000 per occurrence. Proof of coverage for \$1 Million per occurrence including products and completed operations, property damage, bodily injury, personal and advertising injury will be provided on Insurance Services Office (ISO) Form CG 00 01 covering CGL.
- b. Automobile Liability Insurance: Proof of coverage for \$1,000,000 provided on ISO Form Number CA 00 01 covering any auto (Code 1), or if MBOSC has no owned autos, hired, (Code 8) and non-owned autos (Code 9), per accident for bodily injury and property damage
- c. Worker’s Compensation Insurance, as required by the State of California, with statutory limits, and employer’s liability insurance: \$1,000,000 per accident for bodily injury or disease. Must include a waiver of subrogation.

The coverage requirements can be satisfied by self-insurance or pooled risk plans that provide comparable coverage.

XVII. DURATION, MODIFICATION, AND TERMINATION OF MOU

The Effective Date of this MOU shall be the date first written above. Unless modified or terminated, the initial term of this MOU shall be for a period of ten (10) years from the Effective Date, and shall automatically renew as to each Participating Agency on the anniversary of the Effective Date for an additional ten (10) year period unless that Agency provides notice of its intention to withdraw from the MOU in writing at least 30-days prior to the anniversary of the Effective Date, as provided in the paragraph below. This MOU may be modified or terminated upon (1) the termination of the Task Force, or (2) the execution of a new, superseding MOU to comply with statutory requirements.

Each Participating Agency retains the right to terminate its participation by giving a 30-day written notice to the City of Campbell, Attention to the Campbell Police Chief, of its intent to terminate. Similarly, the City of Campbell may terminate its oversight of SCCSET by giving a 30-day notice to the Santa Clara County Police Chiefs’ Association.

A Participating Agency that wishes to terminate its participation with SCCSET must return all equipment not owned by that Agency to the Participating Agency that owns the equipment; and any equipment supplied by the withdrawing agency will return to the withdrawing agency.

Termination of a Party from this MOU shall not terminate this MOU. No portion of the terminating Party’s financial contribution provided under this MOU shall be refunded to the terminating Party. If the staff of the terminating Party was providing a service to the other Parties under the terms of this MOU that was not completed as of the effective date of the Party’s termination, it shall be the responsibilities of the remaining Parties to assume the terminating Party’s role or roles.

This MOU can be modified only by a writing signed by all of the Participating Agencies.

XVIII. AUTHORITY TO EXECUTE

The undersigned parties state that they represent and have the authority to execute this MOU on behalf of their respective agencies/departments and, in signing this MOU, concur with and support SCCSET as set forth in this MOU and for the period and purpose stated herein.

XIX. NO THIRD-PARTY RIGHTS

This MOU is not intended, and shall not be construed, to create any right, benefit, or enforceable law, substantive or procedural, for any third party against any parties to this MOU, the State of California, the United States, or the officers, employees, agents, or other associated personnel thereof.

XX. GOVERNING LAW

This MOU shall be governed, construed, and enforced in accordance with the laws of the State of California.

XXI. SEVERABILITY

The unenforceability, invalidity or illegality of any provision(s) of this MOU shall not render the other provisions unenforceable, invalid or illegal.

XXII. COUNTERPARTS

The parties may execute this MOU in two or more counterparts, which shall, in the aggregate, be deemed an original but all of which, together, shall constitute one and the same instrument. A scanned, electronic, facsimile or other copy of a party's signature shall be accepted and valid as an original.

[SIGNATURES ON FOLLOWING PAGE]

By their signatures below, the parties herein acknowledge that they have read the terms of this MOU, understand the terms thereof and are fully agreed thereto, and are authorized to execute this MOU on their respective entity's behalf on the date indicated above.

City of Campbell

Approved as to Form:

By: _____

BRIAN LOVENTHAL
City Manager
70 N. First Street
Campbell, California 95008
Telephone: (408) 866-2125
Fax: (408) 374-6889

By: _____

WILLIAM R. SELIGMANN
City Attorney

City of Santa Clara

Approved as to Form:

By: _____

DEANNA J. SANTANA
City Manager
1500 Warburton Avenue
Santa Clara, CA 95050
Telephone: (408) 615-2210
Fax: (408) 241-6771

By: _____

BRIAN DOYLE
City Attorney

City of San Jose

Approved as to Form:

By: _____

DAVID SYKES
City Manager
200 E. Santa Clara St.
San Jose, Ca 95113
Telephone: (408) 535-3500

By: _____

NORA FRIMANN
City Attorney

City of Mountain View

Approved as to Form:

By: _____

KIMBRA MCCARTHY
City Manager
500 Castro St., 3rd Floor
Mountain View, CA 94041
Telephone: (650) 903-6301

By: _____

For KRISHAN CHOPRA
City Attorney

City of Sunnyvale

Approved as to Form:

By: _____
KENT STEFFENS
City Manager
456 W. Olive Ave.
Sunnyvale, CA 94086
Telephone: (408) 730-7911

By: _____
JOHN A. NAGEL
City Attorney

City of Milpitas

Approved as to Form:

By: _____
STEVEN G. MCHARRIS
City Manager
455 East Calaveras Blvd.
Milpitas, CA 95035
Telephone: (408) 586-3059

By: _____
CHRISTOPHER J. DIAZ
City Attorney

City of Gilroy

Approved as to Form:

By: _____
JIMMY FORBIS
City Administrator
7351 Rosanna St.
Gilroy, CA 95020
Telephone: (408) 846-0202
Fax: (408) 846-0500

By: _____
ANDY FABER
City Attorney

Town of Los Gatos

Approved as to Form:

By: _____
LAUREL PREVETTI
Town Manager
110 E. Main St.
Los Gatos, CA 95030
Telephone: (408) 354-6832

By: _____
ROBERT SCHULTZ
Town Attorney

City of Palo Alto

Approved as to Form:

By: _____
ED SHIKADA
City Manager
Palo Alto City Hall, 7th Floor
250 Hamilton Avenue
Palo Alto, CA 94301
Telephone: (650) 329-2280

By: _____
MOLLY STUMP
City Attorney

City of Los Altos

Approved as to Form:

By: _____
BRAD KILGER
Interim City Manager
Los Altos City Hall
1 N. San Antonio Road
Los Altos, CA 94022
Telephone: (650) 947-2740
Fax: (650) 947-2731

By: _____
JOLIE HOUSTON
City Attorney

City of Morgan Hill

Approved as to Form:

By: _____
CHRISTINA TURNER
City Manager
17575 Peak Avenue
Morgan Hill, CA 95037
Telephone: (408) 776-7382
Fax: (408) 779-1592

By: _____
DONALD LARKIN
City Attorney

Santa Clara County Sheriff

Approved as to Form:

By: _____
LAURIE SMITH, Sheriff
Office of the Sheriff
55 West Younger Avenue
San Jose, CA CA 95110-1721
Telephone: (408) 808-4400
Fax: (408) 294-2467

By: _____
JAMES R. WILLIAMS
County Counsel

Santa Clara County District Attorney

By: _____
JEFF ROSEN, District Attorney
Santa Clara County District Attorney's Office
70 West Hedding Street, West Wing
San Jose, CA 95110
Telephone: (408) 299-7400

Santa Clara County Probation Department

By: _____
LAURA GARNETTE, Chief Probation Officer
Probation Administration Santa Clara County
2314 N. First St.
San Jose, CA 95131
Telephone: (408) 435-2000
Fax: (408) 456-0527

California State Parole – Division of Adult Parole Operations (DAPO)

By: _____
GUILLERMO VIERA ROSA, Director
Division of Adult Parole Operations

Telephone: (916) 445-6200
(Address)
(City, State, Zip Code)

California Highway Patrol

By: _____
JASON REARDON, Captain

Telephone: (____) ____ - _____
(Address)
(City, State, Zip Code)

San Jose State University Police

By: _____
_____ (Type/Print Name & Title)
_____ (Address)
_____ (City, State, Zip Code)
Telephone: (____) ____ - _____

California Department of Alcoholic Beverage Control

By: _____
_____ (Type/Print Name & Title)
_____ (Address)
_____ (City, State, Zip Code)
Telephone: (____) ____ - _____