



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 02/05/2019

ITEM NO: 11

DESK ITEM

DATE: FEBRUARY 5, 2019
TO: MAYOR AND TOWN COUNCIL
FROM: LAUREL PREVETTI, TOWN MANAGER
SUBJECT: APPROVE A DOWNTOWN PARKLET PILOT PROGRAM AS RECOMMENDED
BY THE COUNCIL POLICY COMMITTEE

REMARKS:

The attached letter was provided as comment to this agenda item. A Councilmember has asked that staff address the question of the liability and health department concern when there is a parklet with 15% non-table service.

From the staff perspective, shared liability will exist with the implementation of parklets where there is a public use. Staff envisions a permit or agreement that outlines the shared liability limits. Specific to Health Department concerns, the recommended pilot program assigns ongoing maintenance responsibility for the parklet to the business or property owner (operator). During the hours the parklet is used to support a restaurant function, the operator will need to ensure the maintenance complies with all applicable permits. The trade-off for the operator is an increase in attractive dining space on Town property with no Town rent charges for the use of the space. This provides an opportunity for both the Town and the operator to benefit.

Attachment previously received with February 5, 2019 Staff Report:

1. Draft Parklet Pilot Program Quick Reference

Attachment received with this Desk Item:

2. Public comment received between 11:01 a.m. January 31, 2019 to 11:00 a.m. February 5, 2019

PREPARED BY: MATT MORLEY
Director of Parks and Public Works

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

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