



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 10/15/2024

ITEM NO: 5
ADDENDUM

DATE: October 11, 2024
TO: Mayor and Town Council
FROM: Katy Nomura, Interim Town Manager
SUBJECT: Approve the Following Actions Related to Civic Center Improvements:
a. Authorize the Town Manager to Award and Execute a Contract with Alex Kushner General Inc., for the Americans with Disabilities Act (ADA) Restrooms and HR Offices Project (CIP No. 821-2117) in an Amount of \$450,000;
b. Authorize Staff to Execute Change Orders in an Amount Not to Exceed Twenty Percent (20%) of the Contract Award Amount; and
c. Approve the Project Construction Plans with Addenda

REMARKS:

Attachment 2 contains public comment received after publication of the staff report and before 11:00 a.m. Friday, October 11, 2024.

Attachment Previously Received with the Staff Report:

1. Contract

Attachment Received with this Addendum:

2. Public Comment Received after Publication of the Staff Report and before 11:00 a.m. Friday, October 11, 2024.

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

From: [Kimberly Snyder](#)
To: [Clerk](#); [Council](#); [Town Manager](#)
Cc: [Julie Micallef](#); [Jan Schwartz](#)
Subject: Public Comment inclusion for Oct. 15 Town Council Meeting
Date: Friday, October 11, 2024 10:28:34 AM
Attachments: [2024.10 Letter for Town Council for re_offices.pdf](#)

[EXTERNAL SENDER]

Hello,

Please find this letter for public comment for item #5 "Actions Related to Civic Center Improvements" for inclusion in the Addendum for the Town Council Agenda set for Tuesday, October 15, 2024.

Please let me know if you require any additional information.

Thank you,
- Kimberly

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Kimberly Snyder

Executive Director

she / her

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Engaging the community at the intersection of Art, History, and Education.



Muwekma Ohlone Tribe Land Acknowledgment - *As a member of the Los Gatos community, I acknowledge that I am a guest on the ancestral and traditional land of the First People of this region, the present-day Muwekma Ohlone Tribe of the San Francisco Bay Area historically Federally Recognized as the Verona Band of Alameda County. I support the restoration and sovereignty of this Chochoeny-Thámien-Ramaytush-Awáswas speaking BIA documented Ohlone Tribe, as well as all Indigenous Peoples.*



Los Gatos Town Council
110 E. Main St.
Los Gatos, CA 95030

RE: Civic Center Tenant Improvement Plan

October 9, 2024

Dear Mayor Badame, Vice Mayor Hudes, and Council Members Ristow, Moore, and Rennie,

We are grateful for the ongoing partnership with the Town of Los Gatos, both council and staff. This letter is in response to the “Civic Center Tenant Improvement Plan” and its impact on the museum. In 2020, the museum and town re-negotiated the lease to fix rent at \$25k per year, eliminate utilities, and make slight modifications to the CUP; in exchange, the town would reconfigure the museum-dedicated staff office space, allocating 212 square feet for the town’s HR offices through the “Civic Center Improvement Plan”. **We need your support, as this project will have a significant impact on the museum’s current operations, future growth, and finances.**

This lease was signed during the pandemic’s shelter-in-place order, a precarious time both in society and for the museum, and the museum was still in its infancy at its new location. Since then, much has changed. The museum has been welcoming more annual visitors, hosting a variety of programming and exhibitions, creating and implementing the Los Gatos History Project, expanding the reach of our Annual High School Exhibition, *ArtNow*, attracting funding from federal, state, and local sources, and so much more. The museum has grown as a force in the South Bay and our work has been recognized by the broader CA museum community. We’re a strong cultural asset to Los Gatos, contributing to the town’s economic vitality, community health, and vibrancy. Since the lease was signed, there has been limited communication on the status of the office reconfiguration and the project was dormant for four years until the museum reached out in July 2024, and now has been rapidly moving forward.

Although we acknowledge it’s in the lease, we must state that this project isn’t an improvement to the Civic Center Tenant, NUMU, and it will have a significant impact. During this time, we ask the town to continue to be a partner to the museum. We are meeting with town staff to mitigate the impact on our operations, and based on the current scope starting in mid-November with an estimated 6 weeks of work, this timeline could be the best case for our operations. However, there will be significant costs associated with temporarily relocating the offices, completely reconfiguring and furnishing the space, staff time managing the project, and the loss of revenue, not to mention potential security risks. In addition, if the construction goes outside the scope, it could jeopardize our grant funding, and exhibition and program commitments. We submit this letter with the intention of working together to continue to mitigate the impact of this project on the museum and to start a dialogue about the future growth of the museum. **To offset the construction's impact, we ask the town to provide a one-time construction mitigation fee of \$50k. In addition, we would like to have a holistic conversation to find a long-term solution to ensure the museum’s future growth and sustainability.**

Sincerely,
The NUMU Staff & Board



One-Time Construction Mitigation Fee \$50k

- Staff time = \$8,000
- Rent (3 months [Nov, Dec, Jan])= \$6,000
- Lost Rental & Workshop Income = \$10,000
- Movers (moving in and out) = \$6,000
- Furniture / Reconfiguration = \$20,000

Items Needed to Mitigate Impact (coordinated with town staff)

- **Timeline:** Start construction in mid-November. Current estimated construction time is 6 weeks. Prioritizing the museum section first. i.e. the wall erected in museum offices is the first priority.
- **Security:** It is of paramount importance that access to the museum be heavily restricted during this time (and always). We have both artifacts and high-value artworks in our custody. As such, the doors to the office and to the town hallway must be secured when museum staff is not present. We will also have the alarm armed at all times unless during planned construction (with at least one week's notice) or a NUMU staffer is present. No contracted worker should be in the museum space unescorted by a NUMU or Los Gatos Town staff member. We will plan to disarm the motion sensor in the office.
- **Logistics:** We plan to move completely out of the offices and temporarily into our education studio space while construction is occurring. This means the office door should be secured from the outside while the wall is constructed. In addition, the door that connects the museum and town spaces should remain locked during all times of construction. We also need a solution to have an accessible emergency exit on the lower level during the time of the ADA ramp construction.
- **Dust mitigation:** Dust can damage artworks and artifacts. Installing thick plastic sheets both in the offices and in the doorways, and on any equipment/furniture. In addition, block the HVAC intake vents that are in or near the offices during construction.
- **NUMU office door to NUMU Conference Room:** Please keep us updated on the status of installing the door. It is important to us that our spaces are connected.
- **Carpet and interior:** the space will be returned in the condition it was received. i.e. the carpet, walls, electrical, etc will be in the same condition prior to construction, or replaced if necessary.
- **Security Door:** Installed between the Museum's new conference room & bathrooms, this would ensure better security for both the town and the museum.