

MINUTES

SARATOGA CITY COUNCIL FEBRUARY 20, 2008

Mayor Waltonsmith called the Regular City Council meeting to order at 7:00 p.m. and led the Pledge of Allegiance.

ROLL CALL

PRESENT: Councilmembers Jill Hunter, Aileen Kao, Kathleen King,
Vice Mayor Chuck Page, Mayor Ann Waltonsmith
ABSENT: None
ALSO Dave Anderson, City Manager
PRESENT: Barbra Powell, Assistant City Manager
Richard Taylor, City Attorney
Cathleen Boyer, City Clerk
Mary Furey, Administrative Services Director
Chris Riordan, Senior Planner
John Cherbone, Public Works Director
Michael Taylor, Recreation Director
Brad Lind, Building Official

REPORT OF CITY CLERK ON POSTING OF AGENDA FOR JANUARY 16, 2008

Cathleen Boyer, City Clerk, reported that pursuant to Government Code Section 54954.2, the agenda for the meeting of February 25, 2008, was properly posted on February 15, 2008.

ORAL COMMUNICATIONS

The following person requested to speak at tonight's meeting:

Citizen Ray pointed out that there are five dead pine trees at Highway 9 and Mendelsohn Lane. In regards to the recent election in the Town of Los Gatos, Citizen Ray noted that a complaint has been filed with the District Attorney against the Town Clerk.

COUNCIL DIRECTION

Councilmember King asked for a report in the weekly newsletter in regards to the dead pine trees.

COMMUNICATIONS FROM COMMISSIONS & PUBLIC

Santa Clara County Supervisor Liz Kniss reported that she met with the City Council prior to this meeting. Supervisor Kniss noted that the discussion was in regards to funding, "Saratoga to the Sea" trail, the UPRR and Hakone Gardens. Supervisor Kniss thanked the City Council for the opportunity to attend tonight's meeting.

ANNOUNCEMENTS

Councilmember Hunter noted that the 3rd Annual Village Fashion Show was scheduled for March 9th from 4:00 -7:00 p.m.

Vice Mayor Page noted that free CPR training was being offered by the American Red Cross at the East Side Union High School District. Vice Mayor Page stated that for more information call (408) 577-2166.

Vice Mayor Page stated that the Saratoga Fire Department recently named Todd Garde as the winner of the Wilbur William Worden Award for firefighter of the year.

Vice Mayor Page stated that on Saturday, February 23rd from 12:00 noon – 4:00 p.m. Argonaut Center is hosting a Fun Faire.

Mayor Waltonsmith noted that the next Greenleaf Committee would meet on February 21st at 7:00 p.m. in the City of Monte Sereno. Mayor Waltonsmith noted that the Greenleaf Committee is planning an Earth Day on April 5th in the Town of Los Gatos.

Mayor Waltonsmith noted that the Trails Committee is looking for volunteers to help restore the Parker Ranch Trail.

CEREMONIAL ITEMS

1. Appointment of Parks and Recreation Commissioners and Oath of Office

STAFF RECOMMENDATION:

Adopt the attached resolution appointing three members to the Parks and Recreation Commission and direct the City Clerk to administer the Oath of Office.

RESOLUTION: 08-006

HUNTER/KAO MOVED TO **ADOPT RESOLUTION APPOINTING THREE MEMBERS TO THE PARKS AND RECREATION COMMISSION.** MOTION PASSED 5-0.

Cathleen Boyer, City Clerk, administered the Oath of Office to Katherine Forte. Commissioners Denise Goldberg and Lerry Wilson could not attend the meeting.

SPECIAL PRESENTATIONS

None

CONSENT CALENDAR

2. **CITY COUNCIL MINUTES – FEBRUARY 1, 2008**

STAFF RECOMMENDATION:

Approve minutes.

KAO/HUNTER MOVED TO **APPROVE CITY COUNCIL MINUTES OF FEBRUARY 1, 2008.** MOTION PASSED 5-0.

3. CITY COUNCIL MINUTES – FEBRUARY 6, 2008

STAFF RECOMMENDATION:

Approve minutes.

KAO/HUNTER MOVED TO **APPROVE CITY COUNCIL MINUTES OF FEBRUARY 6, 2008.** MOTION PASSED 5-0.

4. CITY COUNCIL MINUTES – SPECIAL MEETING FEBRUARY 6, 2008

STAFF RECOMMENDATION:

Approve minutes.

KAO/HUNTER MOVED TO **APPROVE CITY COUNCIL MINUTES OF SPECIAL MEETING FEBRUARY 6, 2008.** MOTION PASSED 5-0.

5. CITY COUNCIL MINUTES – SPECIAL MEETING FEBRUARY 11, 2008

STAFF RECOMMENDATION:

Approve minutes.

KAO/HUNTER MOVED TO **APPROVE CITY COUNCIL MINUTES OF SPECIAL MEETING FEBRUARY 11, 2008** MOTION PASSED 5-0.

6. REVIEW OF ACCOUNTS PAYABLE REGISTERS

STAFF RECOMMENDATION:

Accept the Check Registers for the following Accounts Payable cycles: January 31, 2008, February 7, 2008

KAO/HUNTER MOVED TO **ACCEPT CHECK REGISTERS FOR JANUARY 31, 2008, FEBRUARY 7, 2008.** MOTION PASSED 5-0.

7. TREASURER'S REPORT FOR THE MONTH ENDED OCTOBER 31, 2007

STAFF RECOMMENDATION:

Accept the Treasurer's Report for the month ended October 31, 2007.

KAO/HUNTER MOVED TO **ACCEPT THE TREASURER'S REPORT FOR THE MONTH ENDED OCTOBER 31, 2007.** MOTION PASSED 5-0.

8. ADOPTION OF THE NEGLECTED PROPERTY ORDINANCE

STAFF RECOMMENDATION:

Waive the Second Reading and adopt the Neglected Property Ordinance.

ORDINANCE: 255

Vice Mayor Page requested that this item be removed from the Consent Calendar.

Vice Mayor Page pointed out that a lot of hard work went into this ordinance. Vice Mayor Page suggested that before anyone reports a neglected property, try and have a conversation with your neighbor. Vice Mayor Page stated that there is no replacement for neighbors working with neighbors.

PAGE/KING MOVED TO **ADOPT THE NEGLECTED PROPERTY ORDINANCE.** MOTION PASSED 5-0.

9. ADOPTION OF POLICY CONCERNING NAMING CITY-OWNED LAND AND FACILITIES

STAFF RECOMMENDATION:

Review report and approve adoption of the Policy Concerning Naming City-owned Land and Facilities.

Councilmember King requested that this item be removed from the Consent Calendar.

Councilmember King requested that the City's link on page 1, #3 be removed.

KING/PAGE MOVED TO **ADOPT THE POLICY CONCERNING NAMING CITY-OWNED LAND AND FACILITIES AS AMENDED.** MOTION PASSED 5-0.

10. RESOLUTION AMENDING RESOLUTION 06-020 EXTENDING THE SUSPENSION OF THE ARTS COMMISSION

STAFF RECOMMENDATION:

Accept staff report and renew suspension of the Arts Commission for 20 months by amending Resolution 06-020.

RESOLUTION: 08-007

KAO/HUNTER MOVED TO **ADOPT RESOLUTION RENEWING THE SUSPENSION OF THE ARTS COMMISSION FOR 20 MONTHS.** MOTION PASSED 5-0.

11. ACCEPTANCE OF GRANT FOR THE REMODEL OF THE NORTH CAMPUS FELLOWSHIP BUILDING

STAFF RECOMMENDATION:

Accept donation from The House Family Foundation through the Saratoga Monte Sereno Community Foundation in the amount of \$149,000 for the remodel of the North Campus Fellowship Building per letter dated February 1, 2008.

KAO/HUNTER MOVED TO **ACCEPT DONATION FROM THE HOUSE FAMILY FOUNDATION THROUGH THE SARATOGA MONTE SERENO COMMUNITY FOUNDATION IN THE AMOUNT OF \$149,000 FOR THE REMODEL OF THE NORTH CAMPUS FELLOWSHIP BUILDING PER LETTER DATED FEBRUARY 1, 2008.** MOTION PASSED 5-0,

12. APPROVAL OF AGREEMENT WITH JOINT VENTURE SILICON VALLEY (JVSN) FOR GREENHOUSE GAS EMISSIONS INVENTORY

STAFF RECOMMENDATION:

Accept report, approve the agreement with JVSN to prepare a Greenhouse Gas (GHG) Emissions Inventory for municipal (government-related) operations, and approve City membership in Sustainable Silicon Valley (SSV) and ICLEI – Local Governments for Sustainability (ICLEI).

Citizen Ray requested that his item be removed from the Consent Calendar.

Citizen Ray stated that Hansen Permanente is the #10 emitter of greenhouse gases in the Bay Area.

KING/PAGE MOVED TO APPROVE THE AGREEMENT WITH JVSN TO PREPARE A GREENHOUSE GAS (GHG) EMISSIONS INVENTORY FOR MUNICIPAL (GOVERNMENT-RELATED) OPERATIONS, AND APPROVE CITY MEMBERSHIP IN SUSTAINABLE SILICON VALLEY (SSV) AND ICLEI – LOCAL GOVERNMENTS FOR SUSTAINABILITY (ICLEI).

MOTION PASSED 5-0.

PUBLIC HEARINGS

13. INTRODUCTION OF (1) ORDINANCE ADOPTING AND AMENDING THE 2007 EDITIONS OF THE CALIFORNIA BUILDING, PLUMBING, MECHANICAL, ELECTRICAL AND FIRE CODES; ADOPTING A NEW EXCAVATION AND GRADING CODE; ADOPTING A NEW REPAIR AND RECONSTRUCTION CODE AND (2) RESOLUTION REGARDING THE NEED TO MODIFY THE CALIFORNIA BUILDING CODE DUE TO LOCAL CONDITIONS.

STAFF RECOMMENDATION:

- (1) Introduce and waive the first reading of the attached ordinance adopting and amending the referenced codes and direct the City Attorney to read the title of the codes to be adopted;
- (2) Introduce the attached resolution making findings regarding proposed amendments to the referenced codes;
- (3) Call a public hearing for March 19, 2008 to consider adoption of the attached ordinance and resolution; and
- (4) Direct staff to publish notice of the proposed ordinance adoption in accordance with the special requirements for adopting codes by reference.

Richard Taylor, City Attorney, presented staff report.

Brad Lind, Building Official, answered questions from the Council.

Mayor Waltonsmith opened the public hearing and invited public comments.

Seeing none, Mayor Waltonsmith closed the public hearing.

PAGE/KING MOVED TO INTRODUCE AND WAIVE THE FIRST READING OF THE ATTACHED ORDINANCE ADOPTING AND AMENDING THE

REFERENCED CODES AND DIRECT THE CITY ATTORNEY TO READ THE TITLE OF THE CODES TO BE ADOPTED; INTRODUCE THE ATTACHED RESOLUTION MAKING FINDINGS REGARDING PROPOSED AMENDMENTS TO THE REFERENCED CODES; CALL A PUBLIC HEARING FOR MARCH 19, 2008 TO CONSIDER ADOPTION OF THE ATTACHED ORDINANCE AND RESOLUTION; DIRECT STAFF TO PUBLISH NOTICE OF THE PROPOSED ORDINANCE ADOPTION IN ACCORDANCE WITH THE SPECIAL REQUIREMENTS FOR ADOPTING CODES BY REFERENCE. MOTION PASSED 5-0.

OLD BUSINESS

14. DIRECTION TO STAFF REGARDING SANTA CLARA COUNTY CITIES ASSOCIATION'S NEAR-TERM POLICY ON GREEN BUILDING STRATEGY

STAFF RECOMMENDATION:

Accept report and provide direction to staff concerning next steps in addressing the Santa Clara County Cities Association's "Near-term Policy on Green Building Strategy".

Barbara Powell, Assistant City Manager, presented staff report.

KING/HUNTER MOVED TO **DIRECT STAFF TO DRAFT A RESOLUTION FORMALLY RECOGNIZING LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN (LEED) AND BUILD IT GREEN'S GREENPOINT RATED SYSTEMS AS OFFICIAL CITY OF SARATOGA GREEN BUILDING REFERENCE DOCUMENTS FOR INFORMATIONAL AND EDUCATIONAL PURPOSES; DIRECT THE CITY'S COMMUNITY DEVELOPMENT DEPARTMENT TO PROVIDE LEED AND/OR GREENPOINT RATED SYSTEM CHECKLISTS TO BUILDING PERMIT APPLICANTS, AND TO REQUIRE THE COMPLETION AND SUBMITTAL OF THE APPROPRIATE CHECKLIST (BASED UPON PROJECT TYPE AND SCOPE) AS PART OF THE PLANNING APPLICATION. THE LEED AND/OR GREENPOINT RATED CHECKLIST IS FOR INFORMATIONAL PURPOSES ONLY AND WILL NOT BE UTILIZED BY THE PLANNING COMMISSION IN SUPPORT OF ITS FINDINGS; AND ESTABLISH A STANDARD OF LEED SILVER CERTIFICATION OR BETTER FOR ALL CITY-OWNED NEW CONSTRUCTION AND RENOVATION PROJECTS OVER FIVE THOUSAND (5,000) SQUARE FEET.** Motion passed 5-0.

NEW BUSINESS

15. ADDITION AND ALTERATION TO THE NORTH CAMPUS FELLOWSHIP BUILDING – AWARD OF CONSTRUCTION CONTRACT

STAFF RECOMMENDATION:

1. Move to declare CRW Industries, Inc. to be the lowest responsible bidder on the North Campus Fellowship Hall Addition and Alteration Project.
2. Award a construction contract for the North Campus Fellowship Hall Addition and Alteration Project to CRW Industries, Inc. in the amount of \$627,114 and authorize the City Manager to execute the same.

3. Authorize staff to execute change orders to the construction contract in the amount of \$62,000.
4. Adopt Budget Resolution amending the Fiscal Year 2007-2008 budget.

RESOLUTION: 08-008

KAO/KING MOVE TO APPROVE OPTION 3B; DECLARE CRW INDUSTRIES, INC. TO BE THE LOWEST RESPONSIBLE BIDDER ON THE NORTH CAMPUS FELLOWSHIP HALL ADDITION AND ALTERATION PROJECT; AWARD A CONSTRUCTION CONTRACT FOR THE NORTH CAMPUS FELLOWSHIP HALL ADDITION AND ALTERATION PROJECT TO CRW INDUSTRIES, INC. IN THE AMOUNT OF \$627,114 AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE SAME; AUTHORIZE STAFF TO EXECUTE CHANGE ORDERS TO THE CONSTRUCTION CONTRACT IN THE AMOUNT OF \$62,000; ADOPT BUDGET RESOLUTION AMENDING THE FISCAL YEAR 2007-2008 BUDGET. MOTION PASSED 5-0.

ADHOC & AGENCY ASSIGNMENT REPORTS

Mayor WaltonSmith reported the following information:

Hakone Foundation Executive Committee – a special meeting has been scheduled for March 18th to begin the process in designing the tea house and visitors center.

Santa Clara County Emergency Council – reviewed 2007.

SASCC – in the process of their annual fundraising campaign.

North Campus AdHoc – began calling people for donations.

Vice Mayor Page reported the following information:

Chamber of Commerce – announced changes to Celebrate Saratoga.

West Valley Sanitation District – discussed the issues surrounding the need for renovations at the waste water treatment plant. Tours of the treatment plant are now being offered.

West Valley Solid Waste Joint Powers Association – discussed customer services, diversion, and upcoming rate changes.

Councilmember King reported the following information:

Peninsula Division, League of California Cities – annual dinner is scheduled for February 28, 2008.

Valley Transportation Authority PAC – first paperless meeting had some problems, no wireless connection and not enough power outlets. City has been asked to speak in regards to how we implemented the paperless packet and Highway 9 issues.

Councilmember Hunter reported the following information:

Historic Foundation – achieved their goal of 200 members.

KSAR – Board is working hard to keep it operating in Saratoga. Two vacancies are open on the Board.

Councilmember Kao had no reportable information.

COUNCIL ITEMS

Vice Mayor Page requested that the City sponsor a community wide garage sale before the next scheduled annual cleanup. Vice Mayor Page requested that this item be agendaized.

Councilmember King suggested asking Prospect High School to use their parking lot to hold a flea market for residents in the hills.

Councilmember King requested that the construction schedule for Highway 9 be posted on the City's website.

CITY MANAGER'S REPORT

None

ADJOURNMENT

PAGE/KING MOVED TO **ADJOURN THE MEETING**. MOTION PASSED 5-0.

There being no further business Mayor Walton Smith adjourned the regular meeting at 9:15 p.m.

Respectfully submitted,

Cathleen Boyer, CMC
City Clerk