

MINUTES

SARATOGA REGULAR CITY COUNCIL MEETING FEBRUARY 3, 2010

The City Council of the City of Saratoga met in Closed Session in the Administrative Conference Room at 5:30PM.

ANNOUNCEMENT OF CLOSED SESSION

Conference with Legal Counsel –
Significant Exposure to Litigation: (Government Code Section 54956.9 (1 case)
Initiation of Litigation (Government Code Section 54956.9(c) (1 case)

MAYOR'S REPORT ON CLOSED SESSION

Mayor King stated there was no reportable information.

The City Council of the City of Saratoga held a Special Meeting with the Saratoga Planning Commission in the Administrative Conference Room at 6:00 p.m.

Mayor King called the Regular City Council meeting to order at 7:00 p.m. and asked citizen and previous Council candidate, Marilyn Marchetti to lead the Pledge of Allegiance.

ROLL CALL

PRESENT: Councilmembers Chuck Page, Howard Miller, Vice Mayor Jill Hunter, Mayor Kathleen King

ABSENT: Susie Nagpal (Excused Absence)

ALSO PRESENT: Dave Anderson, City Manager
Richard Taylor, City Attorney
Ann Sullivan, City Clerk
Barbara Powell, Assistant City Manager
John Cherbone, Public Works Director
John Livingstone, Community Development Director
Michael Taylor, Recreation Department Director
Michael Fossati, Assistant Planner

REPORT OF CITY CLERK ON POSTING OF AGENDA

Ann Sullivan, City Clerk, reported that pursuant to Government Code Section 54954.2, the agenda for the meeting of February 3, 2010 was properly posted on January 27, 2010.

ORAL COMMUNICATIONS

Citizen Ray addressed the Council regarding the Cupertino Cement Plant noting that it is his observation, because of his improved health conditions, that the plant hasn't been operating for the past two months.

DIRECTION TO STAFF

None

COMMUNICATIONS FROM BOARDS AND COMMISSIONS

Yan Zhao, Chair of the Planning Commission noted the Commission met with Council at 6 p.m. in a Joint meeting and received direction from Council regarding advanced planning. In addition, Council discussed the topic of Planning Department staff charging consultation fees.

DIRECTION TO STAFF

Council directed staff to:

- o Add a new item to the City website that shows the planning process and timeline.
- o Include an article in the *Saratogan* on all the good things and improvements the Planning Commission has done for the Village.

Councilmember Page thanked the members of the Planning Commission for all their work and thanked Chair Zhao for her excellent leadership.

Mayor King commended Chair Zhao for her leadership as well.

ANNOUNCEMENTS

Vice Mayor Hunter commented on the “Saratoga Love Notes” program that is currently taking place in the Village and encouraged everyone to write notes to loved ones and post them in the Village for this Valentine’s Day. In addition, she noted the Historical Foundation has scheduled speakers for future meetings at the Foothill Club. These speakers will give presentations on a variety of topics.

Councilmember Page reminded citizens of the Santa Clara Valley Water District (SCVWD) re-districting process and urged citizens to go to www.valleywater.org to get more information on this very important issue.

Mayor King added to Vice Mayor Hunter’s reminder about the “Saratoga Love Notes” program and stated that it would be nice for citizens to remember Councilmember Susie Nagpal and encouraged people to send Love Notes to her as well.

CEREMONIAL ITEMS

None

SPECIAL PRESENTATIONS

1. KSAR PRESENTATION

STAFF RECOMMENDATION:

Listen to short presentation by Tom Moran, Chairman of KSAR Community Access Television.

Councilmember Miller presented the staff report and introduced KSAR representative Tom Moran.

Tom Moran, Chairman of KSAR Community Access Television gave a short presentation on the video production successes of the students that participated in the internship program.

CONSENT CALENDAR

2. CITY COUNCIL MEETING MINUTES – JANUARY 20, 2010

STAFF RECOMMENDATION:

Approve minutes.

Kathleen Casey removed this item for comment.

PAGE/MILLER MOVED TO **APPROVE CITY COUNCIL MEETING MINUTES – JANUARY 20, 2010.** MOTION PASSED 4-0-1 WITH COUNCILMEMBER NAGPAL ABSENT.

3. TREASURER’S REPORT FOR THE MONTH ENDED DECEMBER 31, 2009

STAFF RECOMMENDATION:

Review and accept the Treasurer’s Report for the month ended December 31, 2009.

MILLER/PAGE MOVED TO **ACCEPT THE TREASURER’S REPORT FOR THE MONTH ENDED DECEMBER 31, 2009.** MOTION PASSED 4-0-1 WITH COUNCILMEMBER NAGPAL ABSENT.

4. REVIEW OF ACCOUNTS PAYABLE CHECK REGISTERS

STAFF RECOMMENDATION:

That the City Council review and accept the Check Registers for the following Accounts Payable payment cycles:

January 14, 2010

January 21, 2010

MILLER/PAGE MOVED TO **ACCEPT THE CHECK REGISTERS FOR THE FOLLOWING ACCOUNTS PAYABLE PAYMENT CYCLES: JANUARY 14, 2010 AND JANUARY 21, 2010.** MOTION PASSED 4-0-1 WITH COUNCILMEMBER NAGPAL ABSENT.

5. RESOLUTION APPROVING APPLICATION FOR SANTA CLARA VALLEY WATER DISTRICT ENVIRONMENTAL ENHANCEMENT PLANNING GRANT FUNDS

STAFF RECOMMENDATION:

Approve resolution supporting the 2010 Environmental Enhancement Planning Grant Application.

Vice Mayor Hunter removed this item for clarification.

Kathleen Casey removed this item for comment.

RESOLUTION NO. 10-006

HUNTER/PAGE MOVED TO **APPROVE RESOLUTION SUPPORTING THE 2010 ENVIRONMENTAL ENHANCEMENT PLANNING GRANT APPLICATION.** MOTION PASSED 4-0-1 WITH COUNCILMEMBER NAGPAL ABSENT.

6. UNCLAIMED DEPOSITS

STAFF RECOMMENDATION:

Direct staff accordingly.

MILLER/PAGE MOVED TO **ACCEPT STAFF'S REPORT AND TRANSFER UNCLAIMED FUNDS TO THE GENERAL FUND FOLLOWING PUBLICATION IN A NEWSPAPER NOTICE OF INTENT TO DO SO.** MOTION PASSED 4-0-1 WITH COUNCILMEMBER NAGPAL ABSENT.

7. AMENDMENT NUMBER ONE TO THE JOINT USE AGREEMENT WITH THE SANTA CLARA VALLEY WATER DISTRICT FOR WILDCAT CREEK AT GARDINER PARK

STAFF RECOMMENDATION:

Authorize the City Manager to sign the Amendment Number One to the Joint Use Agreement.

MILLER/PAGE MOVED TO **AUTHORIZE THE CITY MANAGER TO SIGN THE AMENDMENT NUMBER ONE TO THE JOINT USE AGREEMENT.** MOTION PASSED 4-0-1 WITH COUNCILMEMBER NAGPAL ABSENT.

8. VILLAGE ENTRANCE SIGN

STAFF RECOMMENDATION:

Approve design and installation of Village Entrance Sign.

The following people removed this item for comment:

Councilmember Page removed this item for comment and clarification.

Marilyn Marchetti noted she supported the Village sign.

Kathleen Casey noted she supports the sign; however, the Grover house should be included in the design.

Mary Kay Breitenbach noted she was in support of the Village sign.

Councilmember Miller thanked all the citizens that were involved for their participation.

PAGE/MILLER MOVED TO **APPROVE DESIGN AND INSTALLATION OF VILLAGE ENTRANCE SIGN.** MOTION PASSED 4-0-1 WITH COUNCILMEMBER NAGPAL ABSENT.

9. **SUPPORT FOR WEST VALLEY COLLEGE CREEK RESTORATION PROJECT**

STAFF RECOMMENDATION:

Approve Letter of Support for West Valley College application for Environmental Enhancement Planning Grant.

MILLER/PAGE MOVED TO **APPROVE LETTER OF SUPPORT FOR WEST VALLEY COLLEGE APPLICATION FOR ENVIRONMENTAL ENHANCEMENT PLANNING GRANT.** MOTION PASSED 4-0-1 WITH COUNCILMEMBER NAGPAL ABSENT.

PUBLIC HEARINGS

None

OLD BUSINESS

None

NEW BUSINESS

10. **REQUEST FOR FUNDING TO SUPPORT THE 2010 MUSTARD FAIRE**

STAFF RECOMMENDATION:

Direct Staff accordingly.

Michael Fossati, Associate Planner, presented the staff report.

Norm Koepernik, Chair of the Heritage Preservation Commission, was present and addressed the Council regarding funding for the 2010 Mustard Faire. He noted that due to a lack of funding from the City Council the event would be cancelled this year.

Mayor King invited public comment.

The following people requested to speak on this item:

Kathleen Casey noted the Mustard Faire is an important event in the community and that it should not be under the auspices of the Heritage Preservation Commission.

Dick Angus, Board of Directors President for Saratoga Area Senior Center Council (SASCC), noted he was sorry to hear there wouldn't be a Mustard Faire this year and that it would affect the Pancake Breakfast fund raiser they had scheduled in conjunction with the Mustard Faire.

Yan Zhao, Planning Commission Chair volunteered her services to help keep the Mustard Faire scheduled for 2010.

DIRECTION TO STAFF:

Council directed City Manager Dave Anderson to schedule a meeting with staff as soon as possible to determine the logistics to continue the Mustard Faire event as scheduled for March 7, 2010.

PAGE/MILLER MOVED TO **ALLOCATE \$3,000 FROM THE 2009 FOURTH OF JULY BUDGET TO COVER COSTS FOR THE 2010 MUSTARD FAIRE EVENT AND DIRECT CITY MANAGER DAVE ANDERSON TO FACILITATE THE LOGISTICS TO CONFIRM PLANS FOR THE 2010 MUSTARD FAIRE EVENT.** MOTION PASSED 4-0-1 WITH COUNCILMEMBER NAGPAL ABSENT.

11. FY 2009/10 MID-YEAR BUDGET STATUS REPORT AND BUDGET ADJUSTMENT RESOLUTION

STAFF RECOMMENDATION:

Review FY 2009/10 Mid-Year Budget Status Report and proposed budget adjustments, and adopt resolution approving the City's FY 2009/10 Operating Budget amendments.

Finance Director Mary Furey presented the staff report.

Mayor King invited public comment.

Kathleen Casey addressed the Council on this item.

RESOLUTION NO. 10-007

PAGE/MILLER MOVED TO **ADOPT RESOLUTION APPROVING THE CITY'S FY 2009/10 OPERATING BUDGET AMENDMENTS.** MOTION PASSED 4-0-1 WITH COUNCILMEMBER NAGPAL ABSENT.

ADHOC & AGENCY ASSIGNMENT REPORTS

Mayor Kathleen King – reported:

City School Ad-Hoc – asked if Councilmember Miller would consider being the primary representative to this agency. Councilmember Miller agreed to replace Mayor King.

County HCD Policy Committee - meets next week.

Hakone Foundation Executive Committee – next meeting is February 26th. [Vice Mayor Hunter noted February 20th is the Year of the Tiger event at Hakone Gardens].

West Valley Mayors and Managers Association – The members voted on an alternate for Councilmember Page – Marshal Anstanding from Monte Sereno. The Clean Air Board provided a presentation on some possible new clean air requirements; Mayor King asked for an article in a future Weekly Newsletter regarding updates on this item.

Vice Mayor Jill Hunter – reported:

Library Joint Powers Association – she attended the last meeting and noted there are budget concerns. During a recent survey of people who did not have library cards, a thousand people were contacted and only about 16% of the people answered their phones. The survey indicated people were mostly interested in a friendly face and a friendly manner. Saratoga ranked second in number of library cards. Pam Moore (formerly with the Cupertino Library) is filling in as the temporary Saratoga Librarian until a new replacement for Barbara Williams is found. The JPA reported that libraries are less frequently used on Sundays and Saratoga is considered to be in the middle of all the neighboring community schools for students to visit.

SASCC – there are several new members on the SASCC Board; they are concerned about a reported cutback in CDBG funding, therefore they are planning numerous fund raisers.

Sister City Liaison – the Saratoga membership is making plans for their trip to Japan in mid April 2010.

Councilmember Howard Miller – Nothing to report.

Councilmember Susie Nagpal – Excused Absence:

Councilmember Chuck Page – reported:

Santa Clara Valley Water District Commission – noted that he spoke about the re-districting process during the Announcement section of the meeting earlier. The Commission approved the plan for the year, which includes site visits for various facilities. Discussion occurred on the reservoir percentages, which are still low; they will have more accurate percentages when snow pack measurements are completed. They also discussed the pipeline and the continued water shortage crisis. [*City Manager Dave Anderson noted that Saratoga participated in the water conservation program to cut water usage by 15% and recently received recognition from the Water District for cutting water usage by 18%*].

Saratoga Ministerial Association – attended the last meeting and the Association will again participate in the week long “Saratoga Serves” community service project in March. The Association will reach out to other congregations and synagogues for participation. [*Vice Mayor Hunter noted there is a lot of trash along main arterials such as Highway 9 and suggested Saratoga Serves look into this as a cleanup project*].

West Valley Sanitation District – noted that Ken Yaeger, President of the Board of Supervisors is also chair of the Sanitation District.

CITY COUNCIL ITEMS

Mayor King noted she would like to agendize City co-sponsored events on an agenda this summer to confirm the status of each of the events and to confirm who the City will contract with for each event.

Councilmember Page suggested this item be agendized during the budget approval process and if there is no event leader at that time, the event will not be funded by Council.

CITY MANAGER’S REPORT

City Manager Dave Anderson noted that the Saratoga Rotary has scheduled a “Clean Up Event” to clean up the litter on Highway 9 this coming Saturday – February 6th.

ADJOURNMENT

There being no additional business Mayor King asked for a motion to adjourn.

PAGE/MILLER MOVED TO **ADJOURN THE REGULAR MEETING AT 8:40PM.**
MOTION PASSED 4-0-1 WITH COUNCILMEMBER NAGPAL ABSENT.

Respectfully submitted,

Ann Sullivan, CMC
City Clerk