

MINUTES

SARATOGA REGULAR CITY COUNCIL MEETING FEBRUARY 17, 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 Supervisor Liz Kniss 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.

ROLL CALL

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

ABSENT: Susie Nagpal (Excused Absence)

ALSO Dave Anderson, City Manager

PRESENT: Richard Taylor, City Attorney
Ann Sullivan, City Clerk
Barbara Powell, Assistant City Manager
Mary Furey, Administrative Services Director
John Livingstone, Community Development Director
Crystal Morrow, Administrative Analyst II

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 17, 2010 was properly posted on February 12, 2010.

Mayor King suggested County Supervisor Liz Kniss speak before Oral Communications.

Council concurred with this suggestion.

COMMUNICATIONS FROM COMMISSIONS & PUBLIC

Liz Kniss, President of County Board of Supervisors, addressed the Council noting that

she had met with Council in a Joint Meeting prior to the Regular Meeting. She expressed her appreciation for the opportunity to have an informal discussion with the Council regarding the various interactions that the County has with the City of Saratoga such as Saratoga's historic buildings, trails and other more in-depth issues. She spoke about the Prescription Drug Card that is available through the County and enabled by NACO, National Association of Counties. Supervisor Kniss noted citizens without medical coverage could receive up to a 20 to 25% discount on their prescription drugs if they used this Prescription Drug Card; which is available online by visiting www.naco.com.

In addition, Supervisor Kniss noted that the City of Saratoga was the recipient of two of the County's largest grants – \$225,000 to Hakone Gardens and Montalvo.

Supervisor Kniss commented on the tragic plane crash in East Palo Alto earlier in the day and extended her condolences to the family members of the individuals that lost their lives in that plane crash. She concluded her report by extending her very best wishes to Councilmember Susie Nagpal.

DIRECTION TO STAFF

None

ORAL COMMUNICATIONS

Lon Saavedra addressed the Council noting Hakone Garden's second annual Chinese Lunar New Year Festival on Saturday, February 20th from 12 noon to 4p.m. at Hakone Gardens.

Kathleen Casey addressed the Council on various issues, including expenses for possible annexation of some hillside properties in Saratoga, Toll Gate, funding for Prospect median improvements, funding for Village sidewalk improvements, and how grant dollars are spent.

DIRECTION TO STAFF

None

ANNOUNCEMENTS

Councilmember Page noted the Chamber of Commerce is having their annual Crab Feed on Saturday, February 20th from 6:30 to 830p.m. at Sacred Heart Church.

Councilmember Miller noted the AARP (Association of American Retired Persons) is providing Income Tax assistance every Thursday from now until April 15th from 9:30 to 1:30 at the Saratoga Senior Center; adding that the service is available for seniors and low to middle income citizens. In addition, he reminded citizens to check out the Saratoga Recreation Guide and invited people to register for some fun classes.

Vice Mayor Hunter noted the City website needs to be updated reflecting the new name for the North Campus property, which is now "Saratoga Prospect Center" and to include *Formerly North Campus* in parentheses. She also stated the final color selection for the new Village Entrance sign has been made and the sign will be installed in approximately

three weeks. In addition, she reminded everyone of the upcoming Mustard Faire event on March 7 and the St. Paddy's Day celebration on March 13.

CEREMONIAL ITEMS

None

SPECIAL PRESENTATIONS

None

CONSENT CALENDAR

1. CITY COUNCIL RETREAT MINUTES – JANUARY 29, 2010

STAFF RECOMMENDATION:

Approve minutes.

Councilmember Page removed this item for one minor correction.

PAGE/MILLER MOVED TO **APPROVE CITY COUNCIL RETREAT MINUTES – JANUARY 29, 2010 AS AMENDED.** MOTION PASSED 4-0-1 WITH COUNCILMEMBER NAGPAL ABSENT.

2. CITY COUNCIL MEETING MINUTES – FEBRUARY 3, 2010

STAFF RECOMMENDATION:

Approve minutes.

PAGE/HUNTER MOVED TO **APPROVE CITY COUNCIL MEETING MINUTES – FEBRUARY 3, 2010.** MOTION PASSED 4-0-1 WITH COUNCILMEMBER NAGPAL ABSENT.

3. CITY COUNCIL STUDY SESSION MINUTES – FEBRUARY 8, 2010

STAFF RECOMMENDATION:

Approve minutes.

PAGE/HUNTER MOVED TO **APPROVE CITY COUNCIL STUDY SESSION MINUTES – FEBRUARY 8, 2010.** 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 28, 2010

February 04, 2010

PAGE/HUNTER MOVED TO **ACCEPT THE CHECK REGISTERS FOR THE FOLLOWING ACCOUNTS PAYABLE PAYMENT CYCLES: JANUARY 28, 2010 AND FEBRUARY 04, 2010.** MOTION PASSED 4-0-1 WITH COUNCILMEMBER NAGPAL ABSENT.

5. **APPROVAL OF AGENCY AGREEMENT FOR COUNTYWIDE AB 939 IMPLEMENTATION FEE**

STAFF RECOMMENDATION:

Accept report and direct staff accordingly.

PAGE/HUNTER MOVED TO **APPROVE AGENCY AGREEMENT FOR COUNTYWIDE AB939 IMPLEMENTATION FEE.** MOTION PASSED 4-0-1 WITH COUNCILMEMBER NAGPAL ABSENT.

6. **APPROVAL OF AGENCY AGREEMENT FOR THE COUNTYWIDE HOUSEHOLD HAZARDOUS WASTE COLLECTION PROGRAM**

STAFF RECOMMENDATION:

Accept report and direct staff accordingly.

PAGE/HUNTER MOVED TO **APPROVE AGENCY AGREEMENT FOR THE COUNTYWIDE HOUSEHOLD HAZARDOUS WASTE COLLECTION PROGRAM.** MOTION PASSED 4-0-1 WITH COUNCILMEMBER NAGPAL ABSENT.

7. **RESOLUTION AMENDING COUNCIL AGENCY AND ADHOC COMMITTEE LIAISON ASSIGNMENTS**

STAFF RECOMMENDATION:

Adopt resolution amending Resolution 09-066 appointing Council representatives to Committees, Agencies and Ad hoc Committees.

RESOLUTION NO. 10-008

PAGE/HUNTER MOVED TO **ADOPT RESOLUTION AMENDING RESOLUTION 09-066 APPOINTING COUNCIL REPRESENTATIVES TO COMMITTEES, AGENCIES AND AD HOC COMMITTEES.** MOTION PASSED 4-0-1 WITH COUNCILMEMBER NAGPAL ABSENT.

PUBLIC HEARINGS

None

OLD BUSINESS

8. **2010 SPRING ISSUE OF THE SARATOGAN**

STAFF RECOMMENDATION:

Accept report and direct staff accordingly.

Crystal Morrow, Administrative Analyst II, presented the staff report.

Mayor King invited public comment.

No one requested to speak on this item.

DIRECTION TO STAFF:

In addition to the proposed articles for the spring issue of *The Saratogan*, Council suggested adding the following articles:

- ❖ Shop local ads;
- ❖ Reference the Prescription Drug Card in the healthy and active living in Saratoga article;
- ❖ Include a picture from the February 20, 2010 Hakone Chinese Lunar New Year Festival.

In addition, Council recommended staff include the following on the City website:

- ❖ 2010 Census Banner reminding citizens to complete the 2010 Census and include every person living in the household; State loses \$3,000 per under-counted person per year; and State of California may lose Congressional representation if number of citizens are under-counted;
- ❖ Include a “*Frequently Asked Questions*” link to the 2010 Census Banner addressing most commonly asked questions;
- ❖ Include a link on City website for residents to respond to regarding their interest in receiving an electronic version of *The Saratogan*.

9. REQUEST FOR WAIVER OF CITY FEES RELATED TO 2010 MUSTARD FAIRE

STAFF RECOMMENDATION:

Accept report and direct staff accordingly.

Assistant City Manager Barbara Powell presented the staff report noting the Mustard Faire Festival planners were asking for additional funding for the 2010 Festival to offset the cost of City-related fees.

Mayor King invited public comment.

The following person requested to speak on this item:

Kathleen Casey commented on several topics:

- Some minutes from Heritage Preservation Commission meetings are posted on the City website five months after the meetings;
- At the February 3, 2010 Council meeting a SASCC member volunteered to help out with the 2010 Mustard Faire;
- Animals weren't always on the Mustard Faire agenda; and
- Mustard Faire was originally called the Saratoga Blossom Festival.

Mayor King closed the public comment.

Council discussed the following suggestions:

- Event planners for all City co-sponsored events acquire donations to help offset costs – matching dollar for dollar;
- Mustard Faire Festival event be under the auspices of the Saratoga/Monte Sereno Community Foundation or Saratoga Historical Foundation.

COUNCIL DIRECTION:

All 2010 City co-sponsored events to be agendized on an upcoming Council meeting agenda for discussion.

PAGE/MILLER MOVED TO **ALLOCATE AN ADDITIONAL \$1,000 FROM THE FOURTH OF JULY EVENT FUND AND ALLOCATE AN ADDITIONAL \$217.50 FROM COUNCIL'S CONTINGENCY FUND.**
 MOTION PASSED 4-0-1 WITH COUNCILMEMBER NAGPAL ABSENT.

NEW BUSINESS

10. GOOGLE FIBER FOR COMMUNITIES REQUEST FOR INFORMATION

STAFF RECOMMENDATION:

Accept report and direct staff accordingly.

Crystal Morrow, Administrative Analyst II, presented the staff report.

Mayor King invited public comment and the following person requested to speak on this item:

Narasimha Nookala spoke in support of this project and volunteered his assistance.

No one else requested to speak on this item.

Council discussed the various aspects involved if the Council decided to participate in this program and expressed concerns regarding:

- Inadequate information provided by Google
- Associated costs
- Staff time
- Terrain in Saratoga
- Three-city approach with Los Gatos and Monte Sereno to share costs

Councilmember Page volunteered to contact Town and City officials in Los Gatos and Monte Sereno to see if they would be interested in the Google fiber optic trial and partnering with the City of Saratoga.

DIRECTION TO STAFF:

Contact Google for additional information regarding the fiber optic project, outreach to partners and residents in the community to see who may be interested in working with the City on its response to Google, and re-agendize this item for Council consideration on the next Council meeting.

11. COMMUNITY DEVELOPMENT DEPARTMENT ADVANCE PLANNING WORK PROGRAM FOR FY 2010/11

STAFF RECOMMENDATION:

Approve the proposed work program.

John Livingstone presented the staff report.

Mayor King invited public comment and the following person requested to speak on this item:

Kathleen Casey voiced her concerns regarding roads and potential mud slides; and costs associated with the proposed work plan, the Housing Element and annexations.

No one else requested to speak on this item.

Councilmember Page noted the definition of “pervious” in the State’s mandated Water Efficiency Landscape Model Ordinance is different than the City’s definition of pervious and asked if Saratoga’s definition would have to be rectified prior to implementing the State’s mandated model ordinance.

Director Livingstone noted that item would be coming back to Council March 3, 2010 for consideration.

PAGE/MILLER MOVED TO **APPROVE THE PROPOSED WORK PLAN AND ALLOCATE \$14,000 FROM COUNCIL’S DISCRETIONARY FUND.**
MOTION PASSED 4-0-1 WITH COUNCILMEMBER NAGPAL ABSENT.

ADHOC & AGENCY ASSIGNMENT REPORTS

Mayor Kathleen King – reported:

County HCD Policy Committee – meets Thursday evening.

West Valley Mayors and Managers Association –meets next week.

Vice Mayor Jill Hunter – reported:

Chamber of Commerce – she attended the last Chamber of Commerce meeting for Councilmember Miller and the Chamber is moving forward with *Taste of Saratoga* as a two-day event.

Historical Foundation – she attended the last meeting and noted they are installing a modular storage (temporary building) behind the Museum; they are in the process of searching for a new executive director, and they continue to address landscape questions.

Councilmember Howard Miller – reported:

Santa Clara County Cities Association Board (SCCCA) – he attended the last meeting and spoke about the Census report and emphasized the importance of every person being counted; SCCCA will be receiving website assistance from the City of Saratoga; they discussed the medical marijuana ordinance; discussed new green house gas CEQA requirements in the State and the impact those requirements may have on cities.

West Valley Solid Waste Joint Powers Association – noted he was voted to be the Chair Person of the JPA; they are getting a quote on commercial food waste recycling to see what opportunities may be available; approved next year’s budget, noting it will impact the cities.

West Valley Transportation Authority PAC – discussion took place regarding measurement of road quality and traffic delays in order to acquire real data for Santa Clara County to receive its share of Federal funding; discussed block grants and Saratoga is being considered for \$500K for road work; and Highway 9 Safety Improvement is low on the grant list – Saratoga could receive \$500K.

Councilmember Susie Nagpal – Excused absence.

Councilmember Chuck Page – reported:

West Valley Sanitation District – met and the new Chairman, Ken Yaeger, asked to create a sub-committee to look into the District’s Charter as a whole and the various funding allocations; rates may increase in 2011.

CITY COUNCIL ITEMS

None

CITY MANAGER’S REPORT

None

ADJOURNMENT

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

PAGE/HUNTER MOVED TO **ADJOURN THE REGULAR MEETING 8:57PM.**
MOTION PASSED 4-0-1 WITH COUNCILMEMBER NAGPAL ABSENT.

Respectfully submitted,

Ann Sullivan, CMC
City Clerk