

MINUTES

SARATOGA CITY COUNCIL MEETING December 2, 2009

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

ANNOUNCEMENT OF CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL – Threatened Litigation: Significant exposure to litigation pursuant to Government Code Section 54956.9 (b) (1 potential case)

MAYOR'S REPORT ON CLOSED SESSION

Mayor King stated there was no reportable information from the closed session.

City Council held a Joint Meeting with the 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 Boy Scout Troop 535 led 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
Barbara Powell, Assistant City Manager
Debbie Bretschneider, Deputy City Clerk
Crystal Morrow, Administrative Analyst
Mary Furey, Finance Director
Claudia Cauthorn, Interim Recreation Director
John Livingstone, Community Development Director
John Cherbone, Public Works Director
Leo Salindong, IT Analyst
Shawn Gardner, Parks Lead Worker

REPORT OF CITY CLERK ON POSTING OF AGENDA

Debbie Bretschneider, Deputy City Clerk, reported that pursuant to Government Code Section 54954.2, the agenda for the meeting of December 2, 2009, was properly posted on November 25, 2009.

COMMUNICATIONS FROM COMMISSIONS & PUBLIC

ORAL COMMUNICATIONS

The following people requested to speak:

Citizen Ray addressed the Council regarding the pollution from the Lehigh Cement Plant in Cupertino. He brought a letter from the Bay Area Air Quality Management District to share with the Council.

Janice Gamper addressed the Council and requested help slowing down traffic on Chester Avenue. She also had concerns about the number of dead deer on the road and asked for Deer traffic signs.

Foothill School 4th and 5th graders performed a song from their upcoming performance of “Willie Wonka Junior”, which will be held in the Saratoga Civic Theater on December 11 and 12, 2009.

Aaron Schneider of Boy Scout Troup 535 announced that there will be an e-waste recycling event at the Saratoga Prospect Center on Saturday, January 9, 2010 from 9 am to 5 pm. The public can drop off electronic items for free.

Direction to Staff

Mayor King asked staff to look into directed enforcement on Chester Avenue and to look into Deer signs. Vice Mayor Hunter asked staff to look into how many deer die on our roads and where.

COMMUNICATIONS FROM BOARDS AND COMMISSIONS

Yan Zhao, Planning Commission Chair, provided a brief report on the Joint Meeting prior to the Regular Council meeting. The Planning Commission brought a list of proposed items that they could work on in the upcoming year. After discussion with the Council, it was decided that the Council will discuss the proposed work plan during the Council’s Retreat in January and give the Planning Commission direction.

Direction to Staff

None

ANNOUNCEMENTS

Vice Mayor Hunter announced that on December 6, 2009 the Historical Foundation was presenting a program at the Library. This will be a panel of WWII Veterans talking of their experiences.

Councilmember Page wanted everyone to know that the problem with the Tree Lighting in the Village had been fixed. At the Thanksgiving ceremony, the tree was lit for a very short period of time before it was discovered to have a short circuit.

Councilmember Miller wanted everyone to know that the Winter/Spring Activity Guide from the Recreation Department is available now. It will be mailed to homes and is also available at City Hall. He also wanted everyone to know that there will not be a separate Spring guide, so to hold on to this one.

Vice Mayor Hunter also noted that businesses can advertise in the Recreation Department's Activity Guide.

Mayor King wanted everyone to know that on Saturday, December 5, 2009, Santa Clara County would be giving out free H1N1 Vaccines at the Fairgrounds. There is a link on the Saratoga website to the website with more information. www.saratoga.ca.us

CEREMONIAL ITEMS

None

SPECIAL PRESENTATIONS

None

CONSENT CALENDAR

1. **CITY COUNCIL MEETING MINUTES** – November 18, 2009

STAFF RECOMMENDATION:

Approve minutes.

PAGE/MILLER MOVED TO **ACCEPT THE CITY COUNCIL MEETING MINUTES FOR NOVEMBER 18, 2009.** MOTION PASSED 4-0-1 WITH COUNCILMEMBER NAGPAL ABSENT.

2. **REVIEW OF ACCOUNTS PAYABLE REGISTERS**

STAFF RECOMMENDATION:

That the City Council accepts the Check Registers for Accounts Payable cycles:
November 12, 2009
November 19, 2009

PAGE/MILLER MOVED TO **ACCEPT THE CHECK REGISTERS FOR ACCOUNTS PAYABLE CYCLES: NOVEMBER 12, 2009 AND NOVEMBER 19, 2009.** MOTION PASSED 4-0-1 WITH COUNCILMEMBER NAGPAL ABSENT.

3. TREASURER'S REPORT FOR THE MONTH ENDED OCTOBER 31, 2009

STAFF RECOMMENDATION:

Review and accept the Treasurer's Report for the month ended October 31, 2009.

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

4. BUDGET ADJUSTMENT - VILLAGE PEDESTRIAN ENHANCEMENT PROJECT

STAFF RECOMMENDATION:

Approve budget resolution

RESOLUTION NO. 09-064

Vice Mayor Hunter pulled this item for more discussion.

HUNTER/PAGE MOVED TO **ADOPT BUDGET ADJUSTMENT - VILLAGE PEDESTRIAN ENHANCEMENT PROJECT.** MOTION PASSED 4-0-1 WITH COUNCILMEMBER NAGPAL ABSENT.

5. REQUEST FOR COUNCIL AGENCY ASSIGNMENTS AND ADHOC COMMITTEES FOR 2010

STAFF RECOMMENDATION:

Informational only.

PAGE/MILLER MOVED TO **ACCEPT THE REQUEST FOR COUNCIL AGENCY ASSIGNMENTS AND ADHOC COMMITTEES FOR 2010.** MOTION PASSED 4-0-1 WITH COUNCILMEMBER NAGPAL ABSENT.

6. ANNUAL CONCRETE REPAIR AND REPLACEMENT PROGRAM -NOTICE OF COMPLETION

STAFF RECOMMENDATION:

Move to accept the Annual Concrete Repair and Replacement Program as complete and authorize staff to record the Notice of Completion for the construction contract.

PAGE/MILLER MOVED TO ACCEPT THE ANNUAL CONCRETE REPAIR AND REPLACEMENT PROGRAM – NOTICE OF COMPLETION. MOTION PASSED 4-0-1 WITH COUNCILMEMBER NAGPAL ABSENT.

7. ADOPTION OF NEW NAMES FOR THE NORTH CAMPUS NAME AND BUILDINGS AT THE FACILITY

STAFF RECOMMENDATION:

Accept report and adopt the new names for the North Campus and the two buildings at the site.

Councilmember Miller pulled this item for more discussion.

PAGE/MILLER MOVED TO APPROVE THE ADOPTION OF NEW NAMES FOR THE NORTH CAMPUS NAME AND BUILDINGS AT THE FACILITY WITH THE MODIFICATION TO NAME THE ADMINISTRATION BUILDING ‘THE GRACE BUILDING’. MOTION PASSED 4-0-1 WITH COUNCILMEMBER NAGPAL ABSENT.

PUBLIC HEARINGS

None

OLD BUSINESS

8. REQUEST FROM ASSISTANCE LEAGUE OF LOS GATOS/SARATOGA FOR PARTIAL WAIVER OF USE FEES.

STAFF RECOMMENDATION:

Consider and take action on the Assistance League’s request for the non-profit rate for use of the North Campus Fellowship Hall for their Crab Fest in February and their Intergenerational Tea in May.

Interim Recreation Director Claudia Cauthorn presented the staff report regarding the request from the Assistance League of Los Gatos/Saratoga for partial waiver of use fees.

Mayor King asked if anyone from the Assistance League had come to speak.

Gloria Kahn, President of the Assistance League of Los Gatos/Saratoga spoke in favor of this request. She gave some information about the work the League does: they provide lunches to the Saratoga Senior Day Care Program, they provide English/Spanish Dictionaries to school children, and they promote reading in the schools. Eight-five percent of the money raised goes to the needs of the community.

Mayor King closed the public comment.

HUNTER/MILLER MOVED TO **GRANT THE REQUEST FROM ASSISTANCE LEAGUE OF LOS GATOS/SARATOGA FOR PARTIAL WAIVER OF USE FEES AND TO REIMBURSE THEM FROM THE COUNCIL DISCRETIONARY FUND.** MOTION PASSED 4-0-1 WITH COUNCILMEMBER NAGPAL ABSENT.

9. REQUEST FROM SARATOGA ROTARY FOR PARTIAL WAIVER OF USE FEES

STAFF RECOMMENDATION:

Consider and take action on the Saratoga Rotary's request for the non-profit rate for use of the North Campus Fellowship Hall on January 25, 2010

Interim Recreation Director Claudia Cauthorn presented the staff report regarding the request from the Saratoga Rotary for partial waiver of use fees.

Mayor King asked if anyone from the Saratoga Rotary had come to speak.

Scott Wheelwright, President of the Saratoga Rotary, spoke in favor of this request. The Rotary is raising money to sponsor a mission to Guatemala in May 2010 to fix the cleft palates of children. The Rotary is having a benefit dinner which will include several restaurants from Saratoga on Monday, January 25, 2010 at 6:30 pm. All of the profit from the dinner will go to the mission.

Mayor King closed the public comment.

MILLER/PAGE MOVED TO **GRANT THE REQUEST FROM SARATOGA ROTARY FOR PARTIAL WAIVER OF USE FEES AND TO REIMBURSE THEM FROM THE COUNCIL DISCRETIONARY FUND.** MOTION PASSED 4-0-1 WITH COUNCILMEMBER NAGPAL ABSENT.

10. 2010 WINTER ISSUE OF THE SARATOGAN

STAFF RECOMMENDATION:

Accept report and direct staff accordingly.

Crystal Morrow, Administrative Analyst II, presented the staff report on the 2010 Winter issue of the Saratogan.

Council made several suggestions for the issue.

Vice Mayor Hunter suggested an article on the Saratoga Library needing funds to stay open on Mondays after June 2010.

Councilmember Hunter suggested an article about the Winter/Spring Activity Guide or even just a link to the Recreation Department's Activity Guide.

Councilmember Page suggested a longer article on trees in Saratoga with what kind of tree not to plant, and when permits are needed. Mayor King seconded that and suggested the article include what kind of trees would work in what areas and how deep the trees should be planted.

11. TELECOMMUNICATIONS UPGRADE PROJECT

STAFF RECOMMENDATION:

Review report and direct staff to issue a Request for Proposals to replace the existing PBX telecommunication system with a Voice over Internet Protocol (VoIP) telecommunication system for the main City Hall buildings, the Joan Pisani Community Center, the Corporation Yard, the Saratoga Area Senior Coordinating Council and the North Campus. Staff further recommends including electronic fax integration in the system.

Leo Salindong, IT Analyst, presented the report on the options available for the telecommunications upgrade project.

Mayor King invited public comment. There was none.

PAGE/MILLER MOVED TO **ACCEPT THE OPTION OF THE VOICE OVER INTERNET PROTOCOL TELECOMMUNICATION SYSTEM AND TO ACCEPT OPTIONS A, B, AND C.** MOTION PASSED 4-0-1 WITH COUNCILMEMBER NAGPAL ABSENT.

NEW BUSINESS

12. RESOLUTION AUTHORIZING SUBMITTAL OF ENERGY EFFICIENCY CONSERVATION BLOCK GRANT APPLICATION TO THE CALIFORNIA ENERGY COMMISSION

STAFF RECOMMENDATION:

Accept report and approve attached resolution authorizing submittal of the City's Energy Efficiency Conservation Block Grant to the California Energy Commission.

Shawn Gardner, Parks Lead worker, presented the staff report to approve the resolution authorizing submittal of the City's Energy Efficiency Conservation Block Grant to the California Energy Commission. He gave the council information on a proposal to use the grant funds to pay for replacing the street lights in the Village with LED lights, thereby promoting energy conservation.

RESOLUTION NO. 09-065

PAGE/MILLER MOVED TO **APPROVE THE RESOLUTION AUTHORIZING SUBMITTAL OF ENERGY EFFICIENCY CONSERVATION BLOCK GRANT**

**APPLICATION TO THE CALIFORNIA ENERGY COMMISSION AND
AUTHORIZE THE VILLAGE AD HOC COMMITTEE TO WORK WITH STAFF
TO SELECT THE LIGHT FIXTURES THAT AREA BEST FIT WITH THE
VILLAGE.** MOTION PASSED 4-0-1 WITH COUNCILMEMBER NAGPAL ABSENT.

**13. LETTER OF COMMITMENT FOR ASSOCIATION OF BAY AREA
GOVERNMENTS RESIDENTIAL ENERGY EFFICIENCY AUDIT AND RETROFIT
PROGRAM**

STAFF RECOMMENDATION:

Accept report and authorize the City Manager to sign the Association of Bay Area Governments (ABAG) residential energy efficiency audit and retrofit program letter of commitment.

Crystal Morrow, Administrative Analyst II, presented the staff report to approve the Association of Bay Area Governments (ABAG) residential energy efficiency audit and retrofit program letter of commitment. She stated ABAG's program would create a regional home energy audit and retrofit program that would include workforce development, marketing, and outreach and quality assurance. The recommended Council action would indicate the City's support of and intention to participate in the ABAG program.

MILLER/PAGE MOVED TO **ACCEPT THE REPORT AND TO AUTHORIZE THE
CITY MANAGER TO SIGN THE LETTER OF COMMITMENT FOR
ASSOCIATION OF BAY AREA GOVERNMENTS RESIDENTIAL ENERGY
EFFICIENCY AUDIT AND RETROFIT PROGRAM.** MOTION PASSED 4-0-1 WITH
COUNCILMEMBER NAGPAL ABSENT.

14. COUNCIL MEMBER TOPICS FOR JANUARY 29, 2010 COUNCIL RETREAT

STAFF RECOMMENDATION:

Informational only.

Debbie Bretschneider, Deputy City Clerk, presented the report on behalf of Ann Sullivan, City Clerk, who was absent.

Mayor King noted that she agendaized this item to give the Council a chance to discuss potential agenda topics for the Council Retreat and to identify retreat topics prior to the staff retreat.

Vice Mayor Hunter requested that the Council discuss projects to build a sense of community in Saratoga.

Councilmember Miller noted that Mary Furey, Finance Director, will be talking to the council about the budget. He also noted that the Council needed to find ways to promote the new and improved Community Development Department's outreach to contractors and homeowners. And he mentioned needing to promote the Recreation Department's programs.

Councilmember Page suggested that the council work on Saratoga's physical health. Could the City sponsor health fairs or create non-smoking areas of the City?

ADHOC & AGENCY ASSIGNMENT REPORTS

Mayor Kathleen King –reported:

West Valley Flood Control Zone & Watershed Advisory Committee – attended this meeting and gave information from this meeting to staff.

SSC Cities Association Executive Board –The Board solicited suggestions from Cities on next year's work plan. Mayor King asked for this to be agendized at the next Council meeting.

Vice Mayor Hunter –reported:

SASCC –reported that she attended the meeting and will be attending them from now on.

Library Commission/Friends of the Library—she was invited to attend the Library Commission meeting. The Library reported that the new HVAC system is working beautifully. The Library community is disappointed that Barbara Williams is leaving in January 2010, after 2 years in the job. There will be a reception for her on December 17, 2009. The Library also discussed that there will be no funding for staying open on Monday after June 2010. She thanked the Friends of the Library for their excellent work and encouraged everyone to buy a book from the Friends of the Library store.

Councilmember Miller –reported:

Council Finance Committee –reported that there was a Finance Committee meeting before the December 2, 2009 Council meeting. The report on the budget is that the “fee for service areas” are below projected amounts, but that the city staff are already working on closing the gap.

Councilmember Page –reported:

Hakone Foundation Board --he attended this meeting and positive reports are coming from Hakone on renting out their facility.

Peninsula Division, League of California Cities – reminded the council of the League's Holiday party on December 3, 2009 in Cupertino.

Valley Transportation Authority PAC –announced he is no longer a member of the PAC. He has been appointed a member of the VTA Board.

West Valley Sanitation District –he attended their meeting and can report that there is discussion of a slight increase in rates for sometime next year.

Council Finance Committee --he attended the meeting today and the discussion was on the telecommunications upgrade, the public safety contract, and the development impact fees.

CITY COUNCIL ITEMS

Mayor King suggested that the City give Barbara Williams a commendation.

Vice Mayor Hunter suggested that the commendation be presented at the reception for Barbara Williams. Mayor King suggested that Vice Mayor Hunter give the commendation to Barbara Williams. Vice Mayor Hunter said she would be pleased to do so.

CITY MANAGER'S REPORT

The City Manager had nothing to report.

CITY ATTORNEY'S REPORT

The City Attorney had nothing to report.

ADJOURNMENT

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

PAGE/MILLER MOVED TO **ADJOURN THE REGULAR MEETING AT 8:54 PM.**
MOTION PASSED 4-0-1 WITH COUNCILMEMBER NAGPAL ABSENT.

Respectfully submitted,

Debbie Bretschneider
Deputy City Clerk