

MINUTES

SARATOGA REGULAR CITY COUNCIL MEETING NOVEMBER 3, 2010

The City Council conducted interviews for the vacancy on the Heritage Preservation Commission at 5:10 p.m.

The City Council held a Joint Meeting with members of the Saratoga Ministerial Association 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 noted the meeting would be in memory of John Nolen, who passed away on Thursday, October 28, 2010. Mr. Nolen was the Support Services Director with the Campbell Union High School District and was instrumental in creating a strong relationship between the City of Saratoga and Prospect High School to create access to sport fields.

Mayor King asked Shirley Cancellieri to lead the Pledge of Allegiance.

ROLL CALL

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

ABSENT: None

ALSO Dave Anderson, City Manager
PRESENT: Richard Taylor, City Attorney
Ann Sullivan, City Clerk
Barbara Powell, Assistant City Manager
John Livingstone, Community Development Director
Michael Fossati, Assistant Planner
Kate Bear, City Arborist

REPORT OF CITY CLERK ON POSTING OF AGENDA

City Clerk Ann Sullivan reported that pursuant to Government Code 54954.2, the agenda for the meeting of November 3, 2010 was properly posted on October 28, 2010.

COMMUNICATIONS FROM COMMISSIONS & PUBLIC ON NONAGENDIZED ITEMS

Orang Kamkar addressed the Council regarding the fee for a use permit to move his business two doors down from the current location. He noted the address is still the same; however, it has a different suite number.

COUNCIL DIRECTION TO STAFF

Councilmember Page and Councilmember Cappello asked staff to look into finding an alternative to alleviate the use permit fee for Mr. Kamkar, such as through the Conditional Use Permit program.

COMMUNICATIONS FROM COMMISSIONS & PUBLIC

Rabbi Pressman, Chair of the Saratoga Ministerial Association, provided a brief report on the Joint Meeting with the Council that was held at 6:00 p.m. He noted the Saratoga Ministerial Association is open to all faith leaders of the various houses of worship in the community and they meet on a monthly basis. He added members of the Association are committed to building community and coordinating various services in the community, including emergency services. He noted members of the Association are preparing for the annual “Saratoga Serves”, a week-long community service that all the houses of worship and other organizations participate in together. The community service event will be held the week of March 12 – 19, 2011. He concluded by inviting everyone to the annual Saratoga Community Inter-faith Thanksgiving Service at 10:00 a.m. on Thanksgiving Day at Sacred Heart Church.

COUNCIL DIRECTION TO STAFF

Mayor King asked that staff add the “Saratoga Serves” date on the Council Calendar and to the Artsopolis calendar on the City’s website.

ANNOUNCEMENTS

Councilmember Cappello noted the Saratoga Area Senior Coordinating Council (SASCC) is having their annual Health Fair on November 6th from 9:00 a.m. to 12:00 noon in the Senior Center. He added citizens can receive a flu shot for \$10.00.

Councilmember Miller reminded everyone to browse through the Saratoga Recreation Guide for various activities that are available for children, such as Camp Winter Wonderland and Oil Painting classes. In addition, he noted “Winter Spare the Air Days” are November 1, 2010 through the end of February 2011, adding if you burn wood products on a “spare the air” day you could be fined \$400. For more information on this topic, visit <http://www.sparetheair.org/> or call the toll free number at 1.877.4No-Burn (1.877.466.2876).

Mayor King noted the Rubio Fresh Mexican Food restaurant in the El Paseo shopping center is having a Grand Opening on Thursday, November 4, 2010.

CEREMONIAL ITEMS

1. COMMENDATION FOR SARATOGA RESIDENT AND FORMER BUSINESS OWNER – BOB CANCELLIERI

STAFF RECOMMENDATION:

Present commendation.

Mr. Cancellieri and members of the “Skillet Lickers” treated everyone to a music performance. Mayor King and Vice Mayor then presented the commendation to Bob and Shirley Cancellieri. Mr. and Mrs. Cancellieri owned and operated the former “Saratoga Bakery” in the Village.

2. COMMENDATION FOR SARATOGA RESIDENT AND BUSINESS OWNERS – JOSEPH AND MICHELLE MASEK

STAFF RECOMMENDATION:

Present commendation.

Mayor King and Vice Mayor Hunter read and presented the commendation to Mr. Masek. Joseph and Michelle Masek own and operate “La Mere Michelle” restaurant in the Village.

3. COMMENDATION FOR SARATOGA RESIDENT AND BUSINESS OWNER – TOM VANDENHOOGEN

STAFF RECOMMENDATION:

Present commendation.

Mayor King and Vice Mayor Hunter read and presented the commendation to Tom Vandenhooogen, business owner of “Little Amsterdam” restaurant in the Village.

4. COMMENDATION FOR SARATOGA RESIDENTS AND BUSINESS OWNERS – CONNIE HILLBLOM AND JOAN MITCHELL

STAFF RECOMMENDATION:

Present commendation.

Mayor King and Vice Mayor Hunter read and presented commendations to Connie Hillblom and Joan Mitchell, business owners of “The Fat Robin” shop in the Village.

SPECIAL PRESENTATIONS

None

CONSENT CALENDAR

5. CITY COUNCIL REGULAR MEETING MINUTES – OCTOBER 20, 2010

STAFF RECOMMENDATION:

Approve minutes.

MILLER/PAGE MOVED TO APPROVE CITY COUNCIL REGULAR MEETING MINUTES – OCTOBER 20, 2010. MOTION PASSED 5-0-0.

6. TREASURER’S REPORT FOR THE MONTH ENDED SEPTEMBER 30, 2010

STAFF RECOMMENDATION:

Review and accept the Treasurer’s Report for the month ended September 30, 2010.

Councilmember Miller removed this item for clarification.

Councilmember Miller noted that staff had erroneously included a \$505,000 transfer out from the CIP Matching Grant Reserve (*approved in the FY2010/11 Adopted Budget*) as a manual adjustment to the CIP reserve account. The journal entry for this transfer had not yet been entered into the financial system as of the date this report was written, therefore the transfer out should not have been included in this schedule. The offset to the elimination of this transfer out is a reduction in the Undesignated Fund Balance amount.

Councilmember Miller added staff provided the Council and public with a Memo reflecting the revision to Attachment A: *Changes in Total Fund Balance Sheet from the Treasurer's Report*.

[This Memo and revision attachment will be included in the historic record of this meeting agenda packet.]

MILLER/PAGE MOVED TO **ACCEPT THE REVISED TREASURER'S REPORT FOR THE MONTH ENDED SEPTEMBER 30, 2010.** MOTION PASSED 5-0-0.

7. REVIEW OF ACCOUNTS PAYABLE CHECK REGISTERS

STAFF RECOMMENDATION:

That the City Council review and accept the check register for the listed following Accounts Payable payment cycle:
October 21, 2010

MILLER/PAGE MOVED **TO ACCEPT THE CHECK REGISTERS FOR THE LISTED FOLLOWING ACCOUNTS PAYABLE PAYMENT CYCLES: OCTOBER 21, 2010.** MOTION PASSED 5-0-0.

8. MOTOR VEHICLE (MV) RESOLUTION RESTRICTING PARKING ON MCCOY AVENUE

STAFF RECOMMENDATION:

Move to adopt MV Resolution restricting parking on a section of McCoy Avenue.

Councilmember Page removed this item for clarification.

John Cherbone, Public Works Director, was present to answer Council's questions.

In addition, two residents that live on McCoy Avenue near the YMCA addressed the Council regarding the traffic and parking issues at the YMCA. They noted they were also meeting with the City of San Jose regarding these traffic and parking issues.

Councilmember Cappello noted he would like to know the results of the meetings the residents on McCoy have with the City of San Jose.

RESOLUTION NO. MV-292

PAGE/CAPPELLO MOVED TO **ADOPT MV RESOLUTION RESTRICTING PARKING ON A SECTION OF MCCOY AVENUE.** MOTION PASSED 5-0-0.

9. **VEHICLE (MV) RESOLUTION RESTRICTING U-TURNS ON FRUITVALE AVENUE**

STAFF RECOMMENDATION:

Move to adopt MV Resolution restricting U-Turns on Fruitvale Avenue at the median opening in front of West Valley College.

RESOLUTION NO. MV-293

PAGE/CAPPELLO MOVED TO **ADOPT MV RESOLUTION RESTRICTING U-TURNS ON FRUITVALE AVENUE AT THE MEDIAN OPENING IN FRONT OF WEST VALLEY COLLEGE.** MOTION PASSED 5-0-0.

10. **MOTOR VEHICLE (MV) RESOLUTION RESTRICTING PARKING ON KOMINA AVENUE**

STAFF RECOMMENDATION:

Move to adopt MV Resolution restricting parking on a section of Komina Avenue.

RESOLUTION NO. MV-294

PAGE/CAPPELLO MOVED TO **ADOPT MV RESOLUTION RESTRICTING PARKING ON A SECTION OF KOMINA AVENUE.** MOTION PASSED 5-0-0.

At 7:53 p.m. Mayor King acknowledged the high school and college students that were in the audience for a government class assignment and invited them up on stage. She asked the students to state their names, the school they attend, and their grade level.

PUBLIC HEARINGS

None

OLD BUSINESS

11. **WINTER ISSUE OF THE SARATOGAN**

Recommended action:

Accept report and direct staff accordingly.

Barbara Powell, Assistant City Manager, presented the staff report.

Mayor King invited public comment.

No one requested to speak on this item.

COUNCIL DIRECTION:

Council provided the following recommendations:

- The proposed article on “finding Council agendas and meeting videos” should also include the Planning Commission agendas and meeting videos.
- The cover of the Recreation Activity Guide should reflect a message noting the *Saratogan* is located inside the Recreation Activity Guide.
- Include a “Meet Your Commissioners” article (one commission per issue), including a photo of the commissioners and their names.
- Include ideas on energy use reduction.

Mayor King suggested looking into refining the City website home page to allow easier access to city agendas.

NEW BUSINESS

12. REPORT FROM AD HOC TREE COMMITTEE

Recommended action:

Recommend one or more of the items listed in the summary for presentation at the City Council retreat under the advanced planning work program.

Kate Bear, City Arborist, presented the staff report.

Mayor King invited public comment.

The following people requested to speak on this item:

Muriel Mahrer supports lowering the tree removal fee.

Denise Goldberg supports altering the tree removal fees to be more in line with neighboring cities.

A member of the public, speaker Eric, feels the tree removal fee is high and the fee should be lowered.

No one else requested to speak on this item.

Mayor King closed the public comment.

COUNCIL DIRECTION:

Council discussed this item and directed staff to place this item on the January 2011 Council Retreat Agenda for further discussion, with the focus of discussion on “Developing a Heritage Tree Process”.

ADHOC & AGENCY ASSIGNMENT REPORTS

Mayor Kathleen King – reported:

SCC Cities Association Selection Committee – meets Thursday, November 4, 2010.

West Valley Mayors and Managers Association – she attended the last meeting. Members received information on “Healthy Workers for Companies with Fewer Than 50 Employees”, a program that is part of the Santa Clara Family Health Plan.

Vice Mayor Jill Hunter – reported:

Hakone Foundation Board – meets Thursday, November 4, 2010.

Library Joint Powers Association – the budget was the focus of discussion at the last meeting; Gayathri Kanth, the new Saratoga Librarian, was introduced to the group; and the Library JPA expressed their gratitude for the \$72,000 contribution from the Friends of the Library.

Councilmember Howard Miller – reported:

Santa Clara County Cities Association Board – the annual holiday party is on December 2nd at the Los Altos Country Club.

Councilmember Chuck Page – nothing to report.

Councilmember Manny Cappello – reported:

County HCD Policy Committee – he attended the last meeting, however; they couldn't take any action on any agenda items due to a lack of a quorum.

Santa Clara County Emergency Council – will be meeting Thursday, November 4, 2010. SASCC – he attended the last meeting and noted the Dandia event was well attended and was very successful. He added the shredding service that SASCC provides is very competitive and recommended anyone in need of this service should contact SASCC at 408.868-1255.

CITY COUNCIL ITEMS

Councilmember Page announced that Rebecca Elliot, Executive Director for the Peninsula Division of the League of California Cities, is retiring at the end of this year and noted it would be nice to invite her to an upcoming meeting and present her with a commendation signed by all five Council Members.

CITY MANAGER'S REPORT

None

ADJOURNMENT

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

HUNTER/PAGE MOVED TO **ADJOURN THE REGULAR MEETING AT 9:00PM.**
MOTION PASSED 5-0-0.

Respectfully submitted,

Ann Sullivan, CMC
City Clerk