

MINUTES

SARATOGA REGULAR CITY COUNCIL MEETING JANUARY 5, 2011

The City Council met in Closed Session in the Administrative Conference Room, 13777 Fruitvale Avenue at 5:30 p.m.

ANNOUNCEMENT OF CLOSED SESSION

Conference with Legal Counsel – Anticipated Litigation – Significant exposure to litigation pursuant to Government Code Section 54956.9 (1 potential case)

MAYOR'S REPORT ON CLOSED SESSION

Mayor Miller stated there was no reportable information.

The City Council held a Joint Meeting with members of the Chamber of Commerce in the Administrative Conference Room at 6:00 p.m.

PLEDGE OF ALLEGIANCE

Mayor Miller called the Regular City Council meeting to order at 7:00 p.m.

ROLL CALL

PRESENT: Councilmembers Manny Cappello, Emily Lo, Jill Hunter,
Vice Mayor Chuck Page, Mayor Howard Miller

ABSENT: None

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
John Cherbone, Public Works Director

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 January 5, 2011 was properly posted on December 22, 2010.

COMMUNICATIONS FROM BOARDS AND COMMISSIONS

Vicki Seelig, President of Saratoga Chamber of Commerce, provided a brief report regarding the Chamber's goals for 2011. She noted the Chamber will work to increase their membership, improve their financial status, recruit new board members, and continue to move forward with plans to distribute their newsletter electronically. They asked members to submit their current email address to the Chamber. She concluded by

noting the Chamber has many new events scheduled such as: the Persian New Year in March, Business Expo in May; the Holiday Wine Stroll, and the Classic Car Show.

COUNCIL DIRECTION TO STAFF

None

ORAL COMMUNICATIONS ON NON-AGENDIZED ITEMS

No one requested to speak at this time.

COUNCIL DIRECTION TO STAFF

None

ANNOUNCEMENTS

Councilmember Lo noted the Saratoga Lions Club will again be collecting used eye glasses to send to people in other countries. She added people could drop their unused eye glasses off at the Chamber of Commerce, the Book-go-Round, and the Bank of the West at Quito Village.

Councilmember Hunter announced the *Saratoga Love Notes* program will be occurring again this year and noted during the month of January residents could visit any shop in the Village and write a love note to someone special. She added the love notes would be posted throughout the Village shop windows from February 1st through the 14th.

Vice Mayor Page announced the Waste Water Treatment Plant (Plant) in San Jose will be rebuilt. He noted the “Plant” is an interesting place to tour and invited residents to attend an informational meeting scheduled on January 27 from 6:00 p.m. to 8:00 p.m. at the Cupertino City Hall. For more information regarding this project you should visit their website at www.rebuildtheplant.org.

Mayor Miller noted Boy Scout Troop 535 will be conducting a free E-waste recycling at Saratoga Prospect Center on Saturday, January 8, 2011, from 9:00 a.m. to 5:00 p.m.

At this time Mayor Miller took the opportunity to introduce Captain Carl Neusel to the Saratoga community. He noted Captain Neusel, Santa Clara County Sheriff’s Office, is the new Captain of the Westside Substation. This position became vacant when Captain Terry Calderone retired in December 2010.

CEREMONIAL ITEMS

1. PROCLAMATION DECLARING THE MONTH OF JANUARY 2011 AS “NATIONAL BLOOD DONOR MONTH”

STAFF RECOMMENDATION:

Read and present proclamation.

Mayor Miller read and presented the proclamation to American Red Cross representative Mona Helmhold.

SPECIAL PRESENTATIONS

None

CONSENT CALENDAR

2. CITY COUNCIL REGULAR MEETING MINUTES – DECEMBER 15, 2010

STAFF RECOMMENDATION:

Approve minutes.

PAGE/HUNTER MOVED TO **APPROVE REGULAR MEETING MINUTES – DECEMBER 15, 2010.** MOTION PASSED 5-0-0.

3. 2011 COUNCIL JOINT MEETING CALENDAR

STAFF RECOMMENDATION:

Approve Saratoga City Council joint meeting calendar for 2011.

PAGE/HUNTER MOVED TO **APPROVE SARATOGA CITY COUNCIL JOINT MEETING CALENDAR FOR 2011.** MOTION PASSED 5-0-0.

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:

December 9, 2010

December 16, 2010

PAGE/HUNTER MOVED TO **ACCEPT THE CHECK REGISTERS FOR THE FOLLOWING ACCOUNTS PAYABLE PAYMENT CYCLES: DECEMBER 9, 2010 AND DECEMBER 16, 2010.** MOTION PASSED 5-0-0.

5. DEVELOPMENT IMPACT FEE REPORT

STAFF RECOMMENDATION:

Staff recommends that the Council review and accept the annual AB1600 Development Impact Fee report for the year ended June 30, 2010.

PAGE/HUNTER MOVED TO **ACCEPT THE ANNUAL AB1600 DEVELOPMENT IMPACT FEE REPORT FOR THE YEAR ENDED JUNE 30, 2010.** MOTION PASSED 5-0-0.

6. APPROVAL OF SPORT USER AGREEMENTS - 2011

STAFF RECOMMENDATION:

Approve Sport User Agreements with American Youth Soccer Organization, Saratoga Little League, Quito Little League, De Anza Youth Soccer League, West Valley Lacrosse Club, West Valley Youth Soccer League, and Saratoga Pony League for the use of Saratoga City parks, West Valley College, and Prospect High School for organized sport use, and authorize the City Manager to execute the same.

Councilmember Hunter removed this item for clarification.

HUNTER/PAGE MOVED TO **APPROVE SPORT USER AGREEMENTS WITH AMERICAN YOUTH SOCCER ORGANIZATION, SARATOGA LITTLE LEAGUE, QUITO LITTLE LEAGUE, DE ANZA YOUTH SOCCER LEAGUE, WEST VALLEY LACROSSE CLUB, WEST VALLEY YOUTH SOCCER LEAGUE, AND SARATOGA PONY LEAGUE FOR THE USE OF SARATOGA CITY PARKS, WEST VALLEY COLLEGE, AND PROSPECT HIGH SCHOOL FOR ORGANIZED SPORT USE, AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE SAME.** MOTION PASSED 5-0-0.

7. MOTOR VEHICLE (MV) RESOLUTION RESTRICTING PARKING ON FORREST HILLS DRIVE

STAFF RECOMMENDATION:

Move to adopt MV Resolution restricting parking on Forrest Hills Drive.

MV RESOLUTION NO. 295

PAGE/HUNTER MOVED TO **ADOPT MV RESOLUTION RESTRICTING PARKING ON FORREST HILLS DRIVE.** MOTION PASSED 5-0-0.

8. TREASURER'S REPORT FOR THE MONTH ENDED NOVEMBER 30, 2010

STAFF RECOMMENDATION:

Review and accept the Treasurer's Report for the month ended November 30, 2010.

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

9. FINANCIAL ADVISOR SERVICES FOR REFUNDING THE CITY'S 2001 SERIES GENERAL OBLIGATION BOND

STAFF RECOMMENDATION:

Review report and authorize the City Manager to enter into an agreement for professional financial advisor services between the City and Public Financial Management, LLC (PFM), for the refunding of the City's 2001 Series General Obligation Bond.

Councilmember Lo removed this item for clarification.

HUNTER/PAGE MOVED TO **AUTHORIZE THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR PROFESSIONAL FINANCIAL ADVISOR SERVICES BETWEEN THE CITY AND PUBLIC FINANCIAL MANAGEMENT, LLC (PFM), FOR THE REFUNDING OF THE CITY'S 2001 SERIES GENERAL OBLIGATION BOND.** MOTION PASSED 5-0-0.

PUBLIC HEARINGS

10. RESOLUTION DECLARING A PUBLIC NUISANCE AS TO SPECIFIED PROPERTIES CONTAINING HAZARDOUS VEGETATION (WEEDS)

STAFF RECOMMENDATION:

Conduct public hearing and adopt resolution.

City Clerk Ann Sullivan presented the staff report.

Moe Kumre, Weed Abatement Coordinator with the Santa Clara County Agriculture Department, was present to provide additional information and answer questions from Council members.

Mayor Miller opened the public hearing for comment.

No one requested to speak on this item.

Mayor Miller closed the public hearing for comment.

RESOLUTION NO. 11 - 001

PAGE/LO MOVED TO **ADOPT RESOLUTION DECLARING ABATEMENT OF A PUBLIC NUISANCE AS TO SPECIFIED PROPERTIES CONTAINING HAZARDOUS VEGETATION.** MOTION PASSED 5-0-0.

OLD BUSINESS

None

NEW BUSINESS

11. Planning for 2011 Mustard Faire

STAFF RECOMMENDATION:

Accept report and direct staff accordingly.

Assistant City Manager Barbara Powell presented the staff report.

Norm Koepernik was present to provide additional information and answer questions from Council members.

Mayor Miller invited public comment.

No one requested to speak on this item.

Mayor Miller closed the public comment.

HUNTER/PAGE MOVED TO WAIVE THE CITY-RELATED EXPENSES AND USE COUNCIL CONTINGENCY FUNDS TO COVER THE COST OF THE RENTAL OF WARNER HUTTON HOUSE - \$517.50, BANNER DISPLAY IN BLANEY PLAZA (2 WEEKS) - \$600.00, AND EVENT PERMIT FEE - \$100.00 FOR A TOTAL OF \$1,217.50. MOTION PASSED 5-0-0.

COUNCIL DIRECTION:

Council directed Norman Koepnik and the Mustard Faire Committee to reach out to various organizations and agencies that provide services to the Saratoga community such as: PG & E, West Valley Collection and Recycling, AT&T, and Comcast, for donations to help make up the monetary difference the Committee needs to cover the costs of the additional proposed event activities. Councilmember Manny Cappello, Jill Hunter and Vice Mayor Chuck Page noted they would be available to work with the Committee by providing contact information or schedule meetings with the various agencies.

ADHOC & AGENCY ASSIGNMENT REPORTS

Mayor Howard Miller – had nothing to report.

Vice Mayor Chuck Page – reported:

West Valley Sanitation District –he attended the last meeting and they bid farewell to Councilmember Dan Furtado, who recently termed out on the Campbell City Council.

Councilmember Jill Hunter – had nothing to report.

Councilmember Emily Lo – reported:

Sister City Liaison – she attended the meeting on Tuesday and added the Sister City organization is now accepting applications for the Gomersall Scholarship. This is a scholarship made available to anyone that is interested in furthering their knowledge and education in Japanese culture. Interested applicants should contact Sister City representative Marilyn White at 408.867.9417 for additional information. In addition, she noted the Sister City organization is currently accepting new members to the Taiko Drummers group.

Councilmember Manny Cappello – reported:

Carlson House Restoration AdHoc – A “kick off” meeting was held prior to the holidays. At that meeting the interested participants were established, which include: Saratoga Rotary, West Valley College, and the City. They also calendared dates for future meetings.

CITY COUNCIL ITEMS

Mayor Miller noted the following items:

City Manager Dave Anderson will be on vacation and traveling out of the area the week of February 20, 2011, the January 19, 2011 City Council meeting has been cancelled, and the annual City Council Retreat is scheduled on January 28, 2011.

CITY MANAGER'S REPORT

Nothing

ADJOURNMENT

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

PAGE/CAPPELLO MOVED TO **ADJOURN THE REGULAR MEETING AT 8:50PM.** MOTION PASSED 5-0-0.

Respectfully Submitted,

Ann Sullivan, CMC
City Clerk