

MINUTES

SARATOGA REGULAR CITY COUNCIL MEETING SEPTEMBER 21, 2011

The City Council conducted interviews for the Parks and Recreation Commission at 4:30 p.m. in the Administrative Conference Room.

The City Council met in Closed Session at 5:00 p.m. in the Administrative Conference Room

ANNOUNCEMENT OF CLOSED SESSION

Conference with Legal Counsel - City-Designated Labor Negotiators Pursuant to Government Code Section 54957.6

Public Employee Performance Evaluation (Government Code Section 54957)
Title: City Manager

The City Council held a joint meeting with the Saratoga/Monte Sereno Community Foundation at 6:00 p.m. in the Administrative Conference Room.

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, and Mayor Howard Miller

ABSENT: None

ALSO PRESENT: Dave Anderson, City Manager
Richard Taylor, City Attorney
Ann Sullivan, City Clerk
John Cherbone, Public Works Director
Michael Taylor, Recreation and Facilities Director
Crystal Morrow, Administrative Analyst II
Michael Fossati, Planner

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 September 21, 2011, was properly posted on September 15, 2011.

REPORT FROM CLOSED SESSION

Mayor Miller stated there was nothing to report from Closed Session at this time and the Council will return to Closed Session in the Administrative Conference Room at the conclusion of the Regular Meeting.

COMMUNICATIONS FROM COMMISSIONS & PUBLIC

Kathleen King, member of the Saratoga/Monte Sereno Community Foundation, provided a brief report from the joint meeting they had with the Council earlier in the evening. She noted one of the major premises of the Community Foundation is to work with the City Council to make sure that any project that they support is in line with what the Council would like to do in the City such as: The Carlson House, Movie in the Park Night, and the Farmers Market at Blaney Plaza. She noted other projects that the Foundation and the City could work together on include: Saratoga to the Sea; Beautification of the Village with some murals, a river walk, or creek walk. She added they are also looking for board members and if anyone is interested in “giving back to your community” they can contact the Foundation at: www.smscf.org

She concluded by saying she hopes to see everyone at the Turkey Trot on the morning of Thanksgiving Day – November 24th.

COUNCIL DIRECTION TO STAFF

None

ORAL COMMUNICATIONS ON NON-AGENDIZED ITEMS

None

COUNCIL DIRECTION TO STAFF

None

ANNOUNCEMENTS

Council Member Hunter announced that the Historical Foundation is having a BBQ at Saratoga Springs on October 2, 2011, and will include an auction and wonderful food. The cost is \$40 per person for members of the Foundation and \$50 for non-members.

Council Member Cappello announced the Stride for Susie Fund Raiser at Saratoga High School on Sunday, September 25th at 9:00 a.m.

Vice Mayor Page announced there are two sanitation districts that serve Saratoga – the West Valley Sanitation District and the Cupertino Sanitation District. This year the California Sanitation Risk Management Authority implemented a new award – the SHELL Award, which stands for “Safety, Health, Environment, Liability, and Losses”. Special Districts (our sanitation district – West Valley Sanitation is called a “special district” in the state of California) were asked to complete an extensive application that included detailed financial data, safety practices, and the implementation of best practices on a daily basis. There were three finalists and our District, West Valley Sanitation District, won the prestigious award.

Council Member Lo announced that four Chambers of Commerce would be holding a Joint Mixer on Thursday, September 22nd at the Campbell Community Center from 5:30

to 7:30 p.m. The four Chambers of Commerce include: Saratoga Chamber, Campbell Chamber, Los Gatos Chamber, and Scotts Valley Chamber.

Mayor Miller announced the City's Fall Activity Guide is available and noted there are many activities available for people of all ages.

CEREMONIAL ITEMS

None

SPECIAL PRESENTATIONS

1. PRESENTATION ON ALERT SCC

STAFF RECOMMENDATION:

Watch a short presentation on the implementation and status of Alert SCC.

Jim Yoke, Emergency Services Coordinator for the Santa Clara County Fire Department, provided a short presentation on Alert SCC.

Vice Mayor Page suggested they should conduct an annual "test message" to registered participants so they know they are actually receiving messages that are being sent to them.

CONSENT CALENDAR

2. CITY COUNCIL REGULAR MEETING MINUTES – SEPTEMBER 7, 2011

STAFF RECOMMENDATION:

Approve minutes as submitted for the September 7, 2011, City Council Regular Meeting.

Council Member Hunter removed this item for one correction.

HUNTER/PAGE MOVED TO **APPROVE MINUTES AS AMENDED FOR THE SEPTEMBER 7, 2011, CITY COUNCIL REGULAR MEETING.** MOTION PASSED 5-0-0.

3. 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:

September 1, 2011

September 15, 2011

PAGE/CAPPELLO MOVED TO **ACCEPT THE CHECK REGISTERS FOR THE FOLLOWING ACCOUNTS PAYABLE PAYMENT CYCLES: SEPTEMBER 1, 2011 AND SEPTEMBER 15, 2011.** MOTION PASSED 5-0-0.

4. RECORDS MANAGEMENT PROGRAM: RESOLUTION AUTHORIZING FINAL DISPOSITION OF CERTAIN CITY RECORDS

STAFF RECOMMENDATION:

Adopt Resolution Authorizing Final Disposition of Certain City Records.

Vice Mayor Page removed this item for clarification.

RESOLUTION NO. 11 - 062

PAGE/CAPPELLO MOVED TO **ADOPT THE RESOLUTION AUTHORIZING FINAL DISPOSITION OF CERTAIN CITY RECORDS.** MOTION PASSED 5-0-0.

5. BUDGET ADJUSTMENT FOR OBESITY PREVENTION GRANT

STAFF RECOMMENDATION:

Accept report and approve the attached budget adjustment resolution.

Council Member Cappello removed this item for comment.

Crystal Morrow, Administrative Analyst, was present to answer questions presented by Council.

RESOLUTION NO. 11 - 063

CAPPELLO/PAGE MOVED TO **APPROVE THE BUDGET ADJUSTMENT RESOLUTION.** MOTION PASSED 5-0-0.

PUBLIC HEARINGS

None

OLD BUSINESS

None

NEW BUSINESS

6. CONDITIONAL USE PERMIT (CUP) FEE REIMBURSEMENT FOR BAY AREA FARMERS' MARKET ASSOCIATION

STAFF RECOMMENDATION:

Approve Reimbursement of Conditional Use Permit fees for Bay Area Farmer's Markets Association (BAFMA) to operate a Farmers Market at Prospect High School.

Michael Fossati, Planner, presented the staff report.

Johnna Borello, Farmers Market applicant, was present to answer questions presented by Council and she thanked everyone for their support. In addition, she stated that if

the CUP fee is waived they would add, as a condition in the Conditional Use Permit, that they would be willing to promote any City projects or events that are scheduled in the community.

Mayor Miller opened the public comment period.

Mayor Miller asked the students in the audience if they supported the application for a Farmers Market at Prospect High School parking lot.

Mayor Miller closed the public comment period.

Vice Mayor Page suggested allocating funds from the Obesity Prevention Grant that the City will be receiving for the Conditional Use Permit (CUP) reimbursement since the Farmers Market strives to promote a healthy life style of eating fresh fruits and vegetables.

Council Member Hunter supported Vice Mayor Page's suggestion.

City Manager Dave Anderson recommended allocating the funds from the Council Discretionary Fund first and if this CUP application becomes an eligible item to use funds from the Obesity Prevention Grant, staff can submit for a CUP reimbursement at that time.

Mayor Miller inquired if this CUP application would solve the Conditional Use Permit issue related to the Flea Market using the same space.

Planner Fossati noted that it would.

Council Member Cappello requested that when the Planning Commission finalizes the CUP application they should carefully consider:

- Types of vendors for both the Flea Market and Farmers Market
- Layout plans
- Parking and traffic flow
- Hours of operation
- Parking lot cleanliness
- Signage, including off-premise signage and that it be conducive to the City's current code
- Scheduling issues with regard to sports activities, school plays, graduation and other activities scheduled at the high school.

Council concurred with the recommendations presented by Council Member Cappello.

Vice Mayor Page thanked the applicant for her offer to promote City events at the Farmers Market and stated he would like the City and the Planning Commission to include that as a condition when granting a Conditional Use Permit.

The applicant noted the Farmers Market will be about half the size of the Flea Market and that they have been working closely with Prospect High School regarding many of the concerns expressed by Council Member Cappello, such as the parking issue, traffic flow, and scheduling conflicts.

CAPPELLO/PAGE MOVED TO APPROVE REIMBURSEMENT OF CONDITIONAL USE PERMIT FEES FOR BAY AREA FARMER'S MARKETS ASSOCIATION (BAFMA) TO OPERATE A FARMERS MARKET AT PROSPECT HIGH SCHOOL AND IF FEASIBLE ALLOCATE FUNDING FROM THE OBESITY GRANT FUND AND IF NOT FEASIBLE, ALLOCATE FUNDING FROM THE COUNCIL DISCRETIONARY FUND.
MOTION PASSED 5-0-0.

At this time Mayor Miller invited boy scouts, high school and college students that were in the audience up on the Dais and asked them to introduce themselves.

7. STATUS OF JANUARY 4, 2012 COUNCIL MEETING

STAFF RECOMMENDATION:

Cancel the January 4, 2012 Council meeting.

Ann Sullivan, City Clerk, presented the staff report.

Mayor Miller opened the public comment period.

No one requested to speak on this item.

Mayor Miller closed the public comment period.

PAGE/CAPPELLO MOVED TO CANCEL THE JANUARY 4, 2012 COUNCIL MEETING. MOTION PASSED 5-0-0.

ADHOC & AGENCY ASSIGNMENT REPORTS

Mayor Howard Miller – reported:

SCC Cities Association Selection Committee – expressed his concern that after watching the Cities Association for the second year in a row, he believes the group is struggling for relevance, other than to have a forum for city-to-city communication. He noted there is a core group of people who have been the leadership – passing this leadership from person to person and that it is comprised of elected officials. On their last agenda they had a sub-committee on the Transient-Occupancy Tax and they had an update on the Medical Marijuana Dispensary issue, an issue that has been around for two years and that most every city has already enacted something as of this date.

Valley Transportation Authority PAC - ridership is steady and has increased in the last eight months, they do have a stable budget, and the VTA's Triple AAA rating is reaffirmed. CalTrans has a balanced budget for 2012 and they are within sight of a 2013 balanced budget. He noted there is an annual on-going Road Transportation System Assessment Report that includes data provided by each city regarding bridge quality, road quality, and commute time. Of the Bay Area Counties, Santa Clara County's roadside litter is 63 out of 100 – the lower number being in the “not so good” category. Napa County is 82, which is considered “good” and 63 is not a great number. In addition, it appears they have diverted resources from Santa Clara County, where we have had a higher rating in past years, up to San Francisco County where they have a low rating.

Vice Mayor Chuck Page – reported:

West Valley Sanitation District – noted that the District was the recipient of the SHELL Award that he spoke about during the *Announcement* section earlier in the evening.

Councilmember Jill Hunter – reported:

Historical Foundation – the Foundation has a record number of members and they are enjoying their newly renovated building.

KSAR Community Access TV Board – she attended the last meeting and noted board member Bryan Knysh recently resigned from the Board and KSAR is looking for someone to fill the vacated position on the Board. KSAR meets at noon on the second Tuesday of each month.

West Valley Flood Control & Watershed Advisory Committee – she participated in a recent bus tour that made several stops at various locations to view flood control projects, including a stop at the Saratoga/Sunnyvale Road and Calabasas Creek area.

Councilmember Emily Lo – reported:

Village AdHoc – that she, along with Council Member Hunter and Public Works Director John Cherbone, attended the recent meeting. She noted that Phase I of the Village Beautification Project is completed. Director Cherbone will be scheduling a public meeting to seek public input regarding the beautification of Blaney Plaza, which is part of Phase II of the Village Beautification Project.

Councilmember Manny Cappello – nothing to report.

CITY COUNCIL ITEMS

None

CITY MANAGER'S REPORT

None

City Attorney Richard Taylor noted the October 5, 2011 Council meeting will be his last meeting with the Council for this year. He added that his law partner, Katherine Engbert, will be serving as Acting City Attorney and will be attending the October 5th Council meeting.

ADJOURNMENT

There being no additional business, Mayor Miller announced at 8:21 p.m. the Council would adjourn to the Administrative Conference Room to continue discussion of Closed Session items and a report on Closed Session would occur from there.

Council left the Dais and reported to the Administrative Conference Room for Closed Session discussion.

Respectfully submitted,

Ann Sullivan, CMC
City Clerk