

**MINUTES
WEDNESDAY, JULY 3, 2013**

SARATOGA SPECIAL CITY COUNCIL MEETING

The City Council held a Closed Session at 5:00 p.m. in the Administrative Conference Room at City Hall at 13777 Fruitvale Avenue. At 6:00 p.m., the Council held a Study Session with Anderson Brulé Architects on the Civic Theater Master Plan.

SARATOGA REGULAR CITY COUNCIL MEETING

Mayor Hunter called the meeting to order at 7:03 p.m. and led the pledge of allegiance.

ROLL CALL

PRESENT Mayor Jill Hunter, Vice Mayor Emily Lo, Council Members
Howard Miller, Manny Cappello, and Chuck Page

ABSENT: None

ALSO PRESENT: Dave Anderson, City Manager
Richard Taylor, City Attorney
Crystal Bothelio, City Clerk
James Lindsay, Community Development Director
Michael Taylor, Recreation and Facilities Director
Brian Babcock, Administrative Analyst I

REPORT OF CITY CLERK ON POSTING OF AGENDA

City Clerk Crystal Bothelio reported that pursuant to Gov't. Code 54954.2, the agenda for this meeting was properly posted on June 27, 2013.

REPORT FROM CLOSED SESSION

Mayor Hunter announced that there was nothing to report from Closed Session.

COMMUNICATIONS FROM COMMISSIONS & PUBLIC

Oral Communications on Non-Agendized Items

Michael Metz on Valley Vista Drive spoke about problems with coyotes in his neighborhood and elsewhere in the community.

Council Member Miller thanked Michael for his efforts to address the coyote issues and shared that the Santa Clara County Vector Control District had set traps to catch problematic coyotes.

City Manager Dave Anderson added that box traps were placed on June 29, 2013 and will be checked every 24 hours. No coyotes have been caught. Consequently, a snare trap will be placed following the July 4th holiday. Residents are encouraged to report sightings of coyotes to Vector Control at (408) 918-4770.

Oral Communications - Council Direction to Staff

None

Communications from Boards and Commissions

Mayor Hunter provided an overview of the Study Session with Anderson Brulé Architects on the Civic Theater Master Plan.

Council Direction to Staff

None

ANNOUNCEMENTS

Council Member Miller announced summer programs offered through the City of Saratoga. He noted that additional information is available in the City of Saratoga Recreation Activity Guide. He also shared that the annual Independence Day celebration will take place at Kevin Moran Park on July 4th starting at 10:00 a.m. Council Member Miller then stated that the City will be holding a community workshop on the Saratoga Quarry Park Master Plan on July 9, 2013 at 6:30 p.m. in the Joan Pisani Community Center. He encouraged residents to attend the meeting and provide input on the future of the park. He also shared that the second summer movie night event will be on July 19, 2013 at 8:00 p.m. at El Quito Park. The last movie night event will be on August 16 and will feature the movie, *Tangled*.

Council Member Cappello announced the Chamber of Commerce's 4th Annual Saratoga Classic Car Show on Sunday, July 21, 2013 from 10:00 a.m. to 5:00 p.m. in Saratoga Village on Big Basin Way.

Council Member Page reminded the City Council that the Association of Bay Area Governments (ABAG) Executive Board will vote on Plan Bay Area on July 18. He encouraged members of the public and the City Council to write to members of the Executive Board to express their opinions on Plan Bay Area. He suggested contacting Mountain View Council Member Ronit Bryant.

Mayor Hunter thanked the many residents who have been taking the time to ensure that plants and flowers in the pots and hanging planters throughout the Village are properly watered during the recent heat wave.

CEREMONIAL ITEMS

1. Appointment of Traffic Safety Commissioner and Oath of Office

Recommended action:

Adopt the attached resolution appointing Mitch Kane to the Traffic Safety Commission and direct the City Clerk to administer the Oath of Office.

Mayor Hunter shared that Mitch Kane was unable to attend the Council Meeting to be sworn in, but asked the City Council to take action on the resolution confirming his appointment.

RESOLUTION NO. 13-053

PAGE/MILLER MOVED TO **APPROVE THE RESOLUTION APPOINTING MITCH KANE TO THE TRAFFIC SAFETY COMMISSION AND DIRECT THE CITY CLERK TO ADMINISTER THE OATH OF OFFICE.** MOTION PASSED. AYES: HUNTER, LO, MILLER, CAPPELLO, PAGE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

SPECIAL PRESENTATIONS

None

CONSENT CALENDAR

2. City Council Meeting Minutes

Recommended action:

Approve City Council minutes for the Special and Regular City Council Meeting on June 19, 2013.

PAGE/MILLER MOVED TO **APPROVE CITY COUNCIL MINUTES FOR THE SPECIAL AND REGULAR CITY COUNCIL MEETING ON JUNE 19, 2013.** MOTION PASSED. AYES: HUNTER, LO, MILLER, CAPPELLO, PAGE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

3. Review of Accounts Payable Check Registers

Recommended action:

Review and accept check registers for the following accounts payable payment cycles:

6/18/2013

6/25/2013

PAGE/MILLER MOVED TO **REVIEW AND ACCEPT CHECK REGISTERS FOR THE FOLLOWING ACCOUNTS PAYABLE PAYMENT CYCLES: 6/18/2013 AND 6/25/2013.** MOTION PASSED. AYES: HUNTER, LO, MILLER, CAPPELLO, PAGE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

4. Treasurer's Report for the Month Ended May 31, 2013

Recommended action:

Review and accept the Treasurer's Report for the month ended May 31, 2013.

PAGE/MILLER MOVED TO **ACCEPT THE TREASURER'S REPORT FOR THE MONTH ENDED MAY 31, 2013.** MOTION PASSED. AYES: HUNTER, LO, MILLER, CAPPELLO, PAGE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

5. Resolution Authorizing Final Disposition of Certain City Records

Recommended action:

Adopt resolution authorizing final disposition of certain city records.

RESOLUTION NO. 13-043

PAGE/MILLER MOVED TO **ADOPT RESOLUTION AUTHORIZING FINAL DISPOSITION OF CERTAIN CITY RECORDS**. MOTION PASSED. AYES: HUNTER, LO, MILLER, CAPPELLO, PAGE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

6. Annual Approval of the City's Investment Policy

Recommended action:

Review and approve the Investment Policy for FY 2013/14.

PAGE/MILLER MOVED TO **REVIEW AND APPROVE THE INVESTMENT POLICY FOR FY 2013/14**. MOTION PASSED. AYES: HUNTER, LO, MILLER, CAPPELLO, PAGE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

7. Citizen Options for Public Safety - Supplemental Law Enforcement Services Funds Grant

Recommended action:

Adopt resolution authorizing the continued use of the Citizen Options for Public Safety Program's Supplemental Law Enforcement Services Fund (COPS/SLESF) Grant as a source of funds for additional public safety services.

RESOLUTION NO. 13-047

PAGE/MILLER MOVED TO **ADOPT RESOLUTION AUTHORIZING THE CONTINUED USE OF THE CITIZEN OPTIONS FOR PUBLIC SAFETY PROGRAM'S SUPPLEMENTAL LAW ENFORCEMENT SERVICES FUND (COPS/SLESF) GRANT AS A SOURCE OF FUNDS FOR ADDITIONAL PUBLIC SAFETY SERVICES**. MOTION PASSED. AYES: HUNTER, LO, MILLER, CAPPELLO, PAGE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

8. Agreement for Annual Financial Audit Services

Recommended action:

Authorize the City Manager to enter into an agreement for professional auditing services between the City of Saratoga and Chavan & Associates, LLP Certified Public Accountants, for the three fiscal years 2012/13 through 2014/15 with one-year options for each of the following two years (FY's 2015/16 and 2016/17).

PAGE/MILLER MOVED TO **AUTHORIZE THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR PROFESSIONAL AUDITING SERVICES BETWEEN THE CITY OF SARATOGA AND CHAVAN & ASSOCIATES, LLP CERTIFIED PUBLIC ACCOUNTANTS, FOR THE THREE FISCAL YEARS 2012/13 THROUGH 2014/15 WITH ONE-YEAR OPTIONS FOR EACH OF THE FOLLOWING TWO YEARS (FY'S 2015/16 AND 2016/17)**. MOTION PASSED. AYES: HUNTER, LO, MILLER, CAPPELLO, PAGE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

9. Resolution to Establish Property Tax Levy for Debt Service Payments on the Library General Obligation Bonds

Recommended action:

Adopt the attached resolution which sets the property tax levy rate to provide for the Library General Obligation Bond's debt service payment at \$.0074 per \$100 of Assessed Valuation.

Council Member Miller removed this item from the Consent Calendar to provide additional information about the City's General Obligation Bond.

Mayor Hunter invited public comment on the item.

No one requested to speak.

RESOLUTION NO. 13-048

MILLER/PAGE MOVED TO **ADOPT THE ATTACHED RESOLUTION WHICH SETS THE PROPERTY TAX LEVY RATE TO PROVIDE FOR THE LIBRARY GENERAL OBLIGATION BOND'S DEBT SERVICE PAYMENT AT \$.0074 PER \$100 OF ASSESSED VALUATION.** MOTION PASSED. AYES: HUNTER, LO, MILLER, CAPPELLO, PAGE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

10. Resolution Naming City Representative to the ABAG PLAN Board

Recommended action:

Adopt resolution designating City of Saratoga representatives to the Association of Bay Area Government's (ABAG) Pooled Liability Assurance Network (PLAN) Corporation Board of Directors.

Council Member Page removed this item from the Consent Calendar to request additional information about the City's liability insurance.

City Manager Dave Anderson addressed Council questions.

Michael Taylor, Recreation and Facilities Director and the City's Risk Manager, also provided additional information about the City's liability insurance.

Mayor Hunter invited public comment on the item.

No one requested to speak.

RESOLUTION NO. 13-049

PAGE/CAPPELLO MOVED TO **ADOPT RESOLUTION DESIGNATING CITY OF SARATOGA REPRESENTATIVES TO THE ASSOCIATION OF BAY AREA GOVERNMENT'S (ABAG) POOLED LIABILITY ASSURANCE NETWORK (PLAN) CORPORATION BOARD OF DIRECTORS.** MOTION PASSED. AYES: HUNTER, LO, MILLER, CAPPELLO, PAGE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

11. Resolution Supporting Measure A, Santa Clara County Library District Special Tax Renewal

Recommended action:

Approve the attached resolution in support of Measure A, renewal of the Santa Clara County Library District special tax.

Council Member Cappello removed this item from the Consent Calendar to discuss Measure A and invited Saratoga Community Librarian Gayathri Kanth to speak about the Measure.

Gayathri Kanth, Saratoga Community Librarian, addressed the City Council.

Mayor Hunter invited public comment on the item.

No one requested to speak.

RESOLUTION NO. 13-050

CAPPELLO/PAGE MOVED TO **APPROVE THE ATTACHED RESOLUTION IN SUPPORT OF MEASURE A, RENEWAL OF THE SANTA CLARA COUNTY LIBRARY DISTRICT SPECIAL TAX.** MOTION PASSED. AYES: HUNTER, LO, MILLER, CAPPELLO, PAGE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

PUBLIC HEARINGS

12. Confirmation of Report and Assessment of 2013 Weed Abatement Program

Recommended action:

Open public hearing, accept public testimony, close public hearing, and adopt resolution confirming report and assessment of hazardous vegetation abatement charges.

City Clerk Crystal Bothelio presented the staff report and introduced Moe Kumre, Weed Abatement Program Coordinator with the Santa Clara County Department of Agriculture.

Moe Kumre, Weed Abatement Program Coordinator with the Santa Clara County Department of Agriculture, addressed Council questions.

Mayor Hunter invited public comment on the item.

No one requested to speak.

RESOLUTION NO. 13-051

PAGE/MILLER MOVED TO **OPEN PUBLIC HEARING, ACCEPT PUBLIC TESTIMONY, CLOSE PUBLIC HEARING, AND ADOPT RESOLUTION CONFIRMING REPORT AND ASSESSMENT OF HAZARDOUS VEGETATION ABATEMENT CHARGES.** MOTION PASSED. AYES: HUNTER, LO, MILLER, CAPPELLO, PAGE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

OLD BUSINESS

None

NEW BUSINESS

13. Application for Community Event Grant Funds

Recommended action:

Review Community Event Grant Program application and determine whether to allocate grant funds.

City Clerk Crystal Bothelio presented the staff report.

Mayor Hunter invited the applicant, Viji Mani, to address the City Council. Viji Mani spoke about the Community Event Grant application she submitted.

Mayor Hunter invited public comment on the item.

An unnamed speaker addressed the City Council to ask a question about the date of the event and thanked City Council Members for attending performances in the theater.

No one else requested to speak.

The Council thanked the applicant for taking the time to prepare an application, but decided not to allocate any funds for the event.

14. Saratoga Emergency Operations Plan (EOP)

Recommended action:

Approve the new Emergency Operations Plan (EOP).

Jim Yoke, Emergency Services Coordinator with the Santa Clara County Fire Department, presented the staff report on this item.

Council Member Page noticed that the incorporation date of the City was incorrect in the plan and requested that typo be corrected.

Mayor Hunter invited public comment on the item.

No one requested to speak.

RESOLUTION NO. 13-052

MILLER/LO MOVED TO **APPROVE THE NEW EMERGENCY OPERATIONS PLAN WITH TYPOS CORRECTED.** MOTION PASSED.
AYES: HUNTER, LO, MILLER, CAPPELLO, PAGE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

15. Provide Direction on the Planning Commission's Review of the City's Residential Green Building Standards

Recommended action:

Provide direction on the scope of review.

Community Development Director James Lindsay presented the staff report.

Mayor Hunter invited public comment on the item.

No one requested to speak.

MILLER/PAGE MOVED TO **PROCEED WITH IMPLEMENTATION OF MINIMUM GREEN BUILDING STANDARDS IMPOSED BY THE STATE OF CALIFORNIA AND REVIEW GREEN BUILDING STANDARDS IN 2 YEARS**. MOTION PASSED. AYES: HUNTER, LO, MILLER, CAPPELLO, PAGE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

16. Council Meeting Decorum

Recommended action:

Accept report and direct staff accordingly.

City Clerk Crystal Bothelio presented the staff report.

Mayor Hunter invited public comment.

No one requested to speak.

PAGE/MILLER MOVED TO **DIRECT STAFF TO RETURN TO THE CITY COUNCIL WITH A REVISION TO THE CITY COUNCIL NORMS OF OPERATION AND RULES OF ORDER AND PROCEDURE THAT INCLUDES THE FOLLOWING CHANGES:**

- **REVISE SECTION 3, C TO ALSO APPLY TO CITY COMMISSIONS;**
- **ADD LANGUAGE FROM THE CITY OF SAN JOSE CODE OF CONDUCT FOR PUBLIC MEETINGS ON PUBLIC MEETING DECORUM; AND**
- **REMOVE SECTION 4, G.**

MOTION PASSED. AYES: HUNTER, LO, MILLER, CAPPELLO, PAGE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

ADHOC & AGENCY ASSIGNMENT REPORTS

Mayor Jill Hunter

Mayor Hunter indicated that she had nothing to report.

Vice Mayor Emily Lo

West Valley Mayors and Managers – Vice Mayor Lo stated that she attended the West Valley Mayors and Managers meeting on behalf of the Mayor. During the meeting, collaboration between Youth Commissions in the West Valley Cities was discussed.

Council Member Howard Miller

Council Member Miller said he had nothing to report.

Council Member Manny Cappello

Chamber of Commerce – Council Member Cappello shared he attended both a Chamber of Commerce Board meeting and a meeting for Destination Saratoga, which has formed its own non-profit organization. Destination Saratoga is planning a first class sit down meal event on Big Basin Way for September 2013. The event is intended to showcase Saratoga's fine restaurants and other features. Council Member Cappello requested that

the Council Agency and Ad Hoc Committee assignments be revised to include a liaison to Destination Saratoga.

SASCC – the Board held a meeting last week. The contract with the City of Saratoga was discussed. Additionally, SASCC held an open house for the Adult Day Care Center last week that was well attended. A Health Fair is planned for October 5, 2013.

Council Member Chuck Page

Santa Clara County Cities Association – the Cities Association will be naming a new member to the new Emergency Operations Area Committee.

West Valley Sanitation District – Council Member Page shared he'll be attending a tour of the wastewater treatment plan on July 11, 2013 at 1:30 p.m. and invited other members of the Council to join him.

CITY COUNCIL ITEMS

Vice Mayor Lo asked if other members of the Council would like to direct staff to bring forward a formal policy guiding event banners, including placement and design.

Council Members Miller and Cappello supported the request.

Council Member Cappello asked that a contract between the City of Saratoga and Destination Saratoga be placed on the Council Agenda for August to define services provided by Destination Saratoga to the City.

Council Member Page supported the request.

CITY MANAGER'S REPORT

City Manager Dave Anderson shared that he attended the West Valley Mayors and Managers meeting with Vice Mayor Lo. He also attended a meeting on Destination Saratoga.

ADJOURNMENT

PAGE/CAPPELLO MOVED TO ADJOURN THE MEETING AT 9:34 P.M.
MOTION PASSED. AYES: HUNTER, LO, MILLER, CAPPELLO, PAGE. NOES:
NONE. ABSENT: NONE. ABSTAIN: NONE.

Minutes respectfully submitted:

Crystal Bothelio, City Clerk