

**MINUTES
WEDNESDAY, AUGUST 21, 2013**

SARATOGA SPECIAL CITY COUNCIL MEETING

The City Council held Closed Session at 5:30 p.m. in the Administrative Conference Room at City Hall at 13777 Fruitvale Avenue. At 6:00 p.m., the Council held a Joint Meeting with the Saratoga Area Senior Coordinating Council (SASCC).

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

ABSENT: None

ALSO PRESENT: Dave Anderson, City Manager
Richard Taylor, City Attorney
Crystal Bothelio, City Clerk
John Cherbone, Public Works Director
Mary Furey, Finance and Administrative Services 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 August 15, 2013.

REPORT FROM CLOSED SESSION

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

COMMUNICATIONS FROM COMMISSIONS & PUBLIC

Oral Communications on Non-Agendized Items

Trish Cypher spoke about Senate Bill 1 and urged the City Council to oppose the bill.

Oral Communications - Council Direction to Staff

None

Communications from Boards and Commissions

Susan Huff, Executive Director of SASCC, provided an overview of the City Council's Joint Meeting with SASCC. She also showed a video about the SASCC adult day care program.

Council Direction to Staff

None

ANNOUNCEMENTS

Council Member Miller announced programs offered in the 2013 Fall City of Saratoga Recreation Activity Guide. He also shared information about facilities that are available to be rented through the Recreation and Facilities Department.

Council Member Lo reminded voters that August 27 is the deadline to submit mail-in ballots for the Measure A special election, which would renew the parcel tax that funds the Santa Clara County Library District.

Mayor Hunter shared that the Historical Foundation will be holding Heritage Day on September 28, 2013 from 12:00 p.m. to 4:00 p.m. and the Annual Saratoga Historical Foundation barbeque will be held on September 29, 2013 from 4:30 p.m. to 7:00 p.m. at Hakone Gardens. Mayor Hunter then announced the City had been recognized for its Let's Move City efforts and noted that Saratoga schools participate in the school breakfast and lunch program to provide students with low cost or free meal options that are healthy. She also announced that the City is recruiting for several City Commissions, applications are available online at www.saratoga.ca.us/comvac.

CEREMONIAL ITEMS

1. Commendations for Deputies Lera and Weyhrauch (TIME CERTAIN 8:00 P.M.)

Recommended action:

Read and present commendations for Deputy Lera and Deputy Weyhrauch.

At 8:00 p.m., Mayor Hunter presented the proclamations to Deputy Lera and Weyhrauch.

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 July 3, 2013 and Special Meeting on June 7, 2010.

PAGE/MILLER MOVED TO **APPROVE CITY COUNCIL MINUTES FOR THE SPECIAL AND REGULAR CITY COUNCIL MEETING ON JULY 3, 2013 AND SPECIAL MEETING ON JUNE 7, 2010.** 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:

7/2/2013	Period 13	07/09/13	Period 13
7/2/2013	Period 1	07/09/13	Period 1
7/16/2013	Period 13	07/23/13	Period 13
7/16/2013	Period 1	07/23/13	Period 1
7/30/2013	Period 13	08/06/13	Period 13
7/30/2013	Period 1	08/06/13	Period 2
8/13/2013	Period 13		
8/13/2013	Period 2		

PAGE/MILLER MOVED TO **ACCEPT CHECK REGISTERS FOR THE FOLLOWING ACCOUNTS PAYABLE PAYMENT CYCLES:**

<u>7/2/2013 PERIOD 13</u>	<u>07/09/13</u>	<u>PERIOD 13</u>
<u>7/2/2013 PERIOD 1</u>	<u>07/09/13</u>	<u>PERIOD 1</u>
<u>7/16/2013 PERIOD 13</u>	<u>07/23/13</u>	<u>PERIOD 13</u>
<u>7/16/2013 PERIOD 1</u>	<u>07/23/13</u>	<u>PERIOD 1</u>
<u>7/30/2013 PERIOD 13</u>	<u>08/06/13</u>	<u>PERIOD 13</u>
<u>7/30/2013 PERIOD 1</u>	<u>08/06/13</u>	<u>PERIOD 2</u>
<u>8/13/2013 PERIOD 13</u>		
<u>8/13/2013 PERIOD 2</u>		

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

4. Treasurer's Report for the Month Ended June 30, 2013

Recommended action:

Review and accept the Treasurer's Report for the month ended June 30, 2013.

PAGE/MILLER MOVED TO **ACCEPT THE TREASURER'S REPORT FOR THE MONTH ENDED JUNE 30, 2013.** MOTION PASSED. AYES: HUNTER, LO, MILLER, CAPPELLO, PAGE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

5. Clarification of Finance Position Title and Budget Adjustment Resolution

Recommended action:

Review staff report and approve budget adjustment resolution.

RESOLUTION NO. 13-054

PAGE/MILLER MOVED TO **APPROVE BUDGET ADJUSTMENT RESOLUTION.** MOTION PASSED. AYES: HUNTER, LO, MILLER, CAPPELLO, PAGE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

6. Amendment to Lease Agreement with the Saratoga Historical Foundation for Use of Storage Building in Congress Springs Park

Recommended action:

Approve resolution amending lease agreement with the Saratoga Historical Foundation for use of a storage building in Congress Springs Park.

Council Member Lo removed this item from the Consent Calendar to request additional information.

Public Works Director John Cherbone addressed Council questions.

RESOLUTION NO. 13-055

LO/PAGE MOVED TO **APPROVE RESOLUTION AMENDING LEASE AGREEMENT WITH THE SARATOGA HISTORICAL FOUNDATION FOR USE OF A STORAGE BUILDING IN CONGRESS SPRINGS PARK.** MOTION PASSED. AYES: HUNTER, LO, MILLER, CAPPELLO, PAGE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

7. Final Map Approval for One Lot Tract Map, Tract 10162 for Condominium Purposes Located at 14651 Big Basin Way (Owner: Jonghoon John Kang)

Recommended action:

Move to adopt Resolution granting final map approval of tentative map application No. SUB 11-0003 for one lot Tract Map for condominium purposes, Tract 10162, located at 14651 Big Basin Way and authorize the City Manager to execute the Subdivision Improvement Agreement.

RESOLUTION NO. 13-056

PAGE/MILLER MOVED TO **ADOPT RESOLUTION GRANTING FINAL MAP APPROVAL OF TENTATIVE MAP APPLICATION NO. SUB 11-0003 FOR ONE LOT TRACT MAP FOR CONDOMINIUM PURPOSES, TRACT 10162, LOCATED AT 14651 BIG BASIN WAY AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE SUBDIVISION IMPROVEMENT AGREEMENT.** MOTION PASSED. AYES: HUNTER, LO, MILLER, CAPPELLO, PAGE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

8. Final Map Approval for Three-Lot Tract Map, Tract 10183, Consisting of Two Residential Lots and One Commercial Lot for Condominium Purposes, Located at 14639 Big Basin Way (Owner: Hong Bo Investment Group, LLC (Jie Yao))

Recommended action:

Move to adopt Resolution granting final map approval of tentative map application No. SUB 13-0004 for Tract Map, Tract 10183, located at 14639 Big Basin Way.

RESOLUTION NO. 13-057

PAGE/MILLER MOVED TO **ADOPT RESOLUTION GRANTING FINAL MAP APPROVAL OF TENTATIVE MAP APPLICATION NO. SUB 13-0004 FOR TRACT MAP, TRACT 10183, LOCATED AT 14639 BIG BASIN WAY.** MOTION PASSED. AYES: HUNTER, LO, MILLER, CAPPELLO, PAGE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

9. Resolution of Local Support for the Funding of the Prospect Road-Saratoga Avenue Corridor Improvements Project

Recommended action:

Adopt Resolution supporting the Funding Application for the Prospect Road-Saratoga Avenue Corridor Improvements Project.

Council Member Cappello removed this item from the Consent Calendar.

Mayor Hunter invited public comment on the item.

The following person requested to speak:

Trish Cypher

No one else spoke.

Public Works Director John Cherbone addressed Council questions.

RESOLUTION NO. 13-058

CAPPELLO/PAGE MOVED TO **ADOPT RESOLUTION SUPPORTING THE FUNDING APPLICATION FOR THE PROSPECT ROAD-SARATOGA AVENUE CORRIDOR IMPROVEMENTS PROJECT**. MOTION PASSED. AYES: HUNTER, LO, MILLER, CAPPELLO, PAGE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

10. Resolution of Local Support for the Funding of the Saratoga Village Sidewalk Rehabilitation Project

Recommended action:

Adopt Resolution supporting the Funding Application for the Saratoga Village Sidewalk Rehabilitation Project.

Council Member Page removed this item from the Consent Calendar to ask staff for additional information.

Public Works Director John Cherbone addressed the City Council.

Mayor Hunter invited public comment.

No one requested to speak.

RESOLUTION NO. 13-059

PAGE/LO MOVED TO **ADOPT RESOLUTION SUPPORTING THE FUNDING APPLICATION FOR THE SARATOGA VILLAGE SIDEWALK REHABILITATION PROJECT**. MOTION PASSED. AYES: HUNTER, LO, MILLER, CAPPELLO, PAGE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

11. Agreement for Employment and Labor Law Services with Mouser Law Firm, A Professional Corporation

Recommended action:

Authorize the City Manager to enter into an agreement for employment and labor law services with Mouser Law Firm, A Professional Corporation.

PAGE/MILLER MOVED TO **AUTHORIZE THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR EMPLOYMENT AND LABOR LAW SERVICES WITH MOUSER LAW FIRM, A PROFESSIONAL**

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

12. Resolution Amending Council Agency and Ad Hoc Assignments

Recommended action:

Approve resolution amending Resolution 13-014 and the Council Agency and Ad Hoc Committee assignments for the year 2013.

RESOLUTION NO. 13-060

PAGE/MILLER MOVED TO **APPROVE RESOLUTION AMENDING RESOLUTION 13-014 AND THE COUNCIL AGENCY AND AD HOC COMMITTEE ASSIGNMENTS FOR THE YEAR 2013.** MOTION PASSED. AYES: HUNTER, LO, MILLER, CAPPELLO, PAGE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

PUBLIC HEARINGS

None

OLD BUSINESS

13. Council Meeting Decorum

Recommended action:

Approve resolution amending the City Council Norms of Operation.

City Clerk Crystal Bothelio presented the staff report.

Mayor Hunter invited public comment on the item.

No one requested to speak.

Council Member Cappello requested that item Section 3.B apply to Commissions and noted that the words “or Commission” needed to be added to the end of Section 3.C.

Council Member Page suggested retitling Section 3 to including Commissions.

RESOLUTION NO. 13-061

PAGE/CAPPELLO MOVED TO **APPROVE RESOLUTION AMENDING THE CITY COUNCIL NORMS OF OPERATION WITH THE FOLLOWING CHANGES:**

- **CHANGE THE TITLE OF SECTION 3 TO CITY COUNCIL AND COMMISSION RELATIONSHIP AND RELATIONSHIPS WITH OTHER CITY COMMISSIONS AND OTHER BODIES**
- **REPHRASE SECTION 3.B TO INCLUDE COMMISSIONERS**
- **ADD THE WORDS “OR COMMISSION” AT THE END OF SECTION 3.C.**

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

NEW BUSINESS

None

ADHOC & AGENCY ASSIGNMENT REPORTS

Mayor Jill Hunter

Mayor Hunter noted the passing of Jean Alexander, who was a very dedicated Book-Go-Round volunteer. Her friends and family will be celebrating her life on Saturday, August 24 at the Book-Go-Round.

Historical Foundation – the annual barbeque will be held on September 29 and it should be an excellent event. Mayor Hunter also thanked Public Works Director John Cherbone for his attendance at the Historical Foundation Meetings.

KSAR Community Access TV Board – during the meeting in July, the Board continued discussions on new equipment.

West Valley Mayors and Managers Association – the next meeting is on August 28, 2013.

Vice Mayor Emily Lo

Santa Clara Valley Water District Commission – the Water District is continuing efforts to evaluate the structure and organization of its Advisory Committees and Commission. The work will be done in two phases: problem definition, then development of solutions. As part of the first phase, Commissioners and Advisory Committee members were surveyed. The District is now starting phase two of the evaluation. Council Member Miller commented on a recent article on the San Luis Reservoir and improvements to the Rinconada water treatment plan.

Council Member Howard Miller

Valley Transportation Authority PAC – during the last meeting, the PAC discussed how to improve attendance at meetings.

West Valley Solid Waste Management Joint Powers Authority – contract negotiation for garbage and recycling collection is ongoing and it is expected that an agreement will be taken to the Board for approval at a special meeting in October.

Council Member Manny Cappello

Chamber of Commerce – during the last meeting, Gayathri Kanth provided an overview of Measure A and the Board decided to endorse it. The Annual Car Show was a great success. There were 165 cars on display and the Chamber earned approximately \$12,000 to \$14,000 in net profit. Council Member Cappello also shared that he met with representatives of Destination Saratoga and City staff on August 21 to discuss a contract between the City and Destination Saratoga.

County HCD Policy Committee – during the last meeting, the CDBG Grant for SASCC was increased to \$20,000.

Council Member Chuck Page

Association of Bay Area Governments – it appears that the fall General Assembly meeting may be canceled.

Santa Clara County Cities Association – during the last meeting, the group discussed the members of the new Operations Area Council. The group was able to come to an agreeable solution that allows for fair representation of the various regions in the County.

Sister City Liaison – during the last meeting, the group discussed Hakone Gardens ranking among Japanese gardens in the United States in a popular magazine on Japanese

gardening. The Sister City group is concerned that Hakone is no longer among the top ranked gardens.

West Valley Sanitation District – Council Member Page spoke about possible changes to the San Jose-Santa Clara Regional Wastewater Facility improvement schedule and how these changes would negatively impact the Sanitation District, which established rates based on a 5-year financial plan provided by the City of San Jose. Additionally, the City of San Jose is expected to finance the improvements in 2 years. Council Member Page shared that as a member of the Technical Plant Advisory Committee he proposed that improvements be financed now while rates are low to reduce the overall cost of the project and minimize impact on organizations that discharge to the San Jose-Santa Clara Regional Wastewater Facility.

CITY COUNCIL ITEMS

Council Member Page noted that he would be at the Annual League of California Cities Conference on September 18, 2013 meeting and may participate in the Regular Council Meeting by phone.

CITY MANAGER'S REPORT

City Manager Dave Anderson shared that he is currently serving on jury duty and that Public Works Director John Cherbone is Acting City Manager.

ADJOURNMENT

PAGE/MILLER **MOVED TO ADJOURN THE MEETING AT 8:57 P.M.** MOTION PASSED. AYES: HUNTER, LO, MILLER, CAPPELLO, PAGE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

Minutes respectfully submitted:

Crystal Bothelio, City Clerk