

**MINUTES
WEDNESDAY, OCTOBER 16, 2013**

SARATOGA SPECIAL CITY COUNCIL MEETING

At 5:30 p.m., the City Council held Closed Session in the Administrative Conference Room at City Hall at 13777 Fruitvale Avenue. At 5:40 p.m., the Council conducted interviews for the Parks and Recreation Commission. At 6:00 p.m., the City Council held a Joint Meeting with representatives of the Saratoga Community Access Television Foundation (KSAR).

SARATOGA REGULAR CITY COUNCIL MEETING

Mayor Hunter called the meeting to order at 7:02 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
James Lindsay, Community Development Director
Michael Taylor, Recreation and Facilities Director
Christopher Riordan, Senior Planner
Cynthia McCormick, Planner
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 October 10, 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

None

Oral Communications - Council Direction to Staff

None

Communications from Boards and Commissions

Mayor Hunter invited Tom Moran, President of the Saratoga Community Access Television Foundation (KSAR), to provide an overview of the Joint Meeting.

Tom Moran, President of Saratoga Community Access Television Foundation (KSAR), gave a summary of the Joint Meeting then invited David Lee, KSAR Station Manager, to show a video highlighting the KSAR studio improvements.

Council Direction to Staff

None

ANNOUNCEMENTS

Council Member Page announced that the Valley Transportation Authority named a new General Manager, Nuria Fernandez. He then shared information about dangers associated with use of Acetaminophen by children.

Council Member Cappello noted that the Silicon Valley Health and Wellness Expo, organized by SASCC and El Camino Hospital, is a free event that will be held on November 2, 2013 from 10:00 a.m. to 1:00 p.m. at West Valley College. The event will include a variety of health resources for all ages.

Mayor Hunter made an announcement about the winner of the Village scarecrow contest.

CEREMONIAL ITEMS

1. Recognition of Former Traffic Safety Commissioner Judy Coulter

Recommended action:

Present certificate of appreciation to Traffic Safety Commissioner Judy Coulter.

Mayor Hunter announced that Judy Coulter was not present to accept her certificate, but Mayor Hunter thanked Judy for her service on the Traffic Safety Commission.

2. Appointment of Traffic Safety Commissioner and Oath of Office

Recommended action:

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

RESOLUTION NO. 13-066

PAGE/MILLER MOVED TO **ADOPT THE ATTACHED RESOLUTION APPOINTING RAY COSYN 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.

City Clerk Crystal Bothelio administered the Oath of Office to Ray Cosyn.

3. Proclamation for October 24, 2013 as World Polio Day

Recommended action:

Read and present the proclamation declaring October 24, 2013 as World Polio Day in the City of Saratoga.

Mayor Hunter presented the proclamation to representatives of Saratoga Rotary.

SPECIAL PRESENTATIONS

None

CONSENT CALENDAR

4. City Council Meeting Minutes

Recommended action:

Approve City Council minutes for the Special and Regular City Council Meeting on October 2, 2013.

CAPPELLO/PAGE MOVED TO **APPROVE CITY COUNCIL MINUTES FOR THE SPECIAL AND REGULAR CITY COUNCIL MEETING ON OCTOBER 2, 2013.** MOTION PASSED. AYES: HUNTER, LO, MILLER, CAPPELLO, PAGE. NOES: NONE. ABSENT: NONE.

5. Review of Accounts Payable Check Registers

Recommended action:

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

10/1/2013 Period 4

10/8/2013 Period 4

CAPPELLO/PAGE MOVED TO **REVIEW AND ACCEPT CHECK REGISTERS FOR THE FOLLOWING ACCOUNTS PAYABLE PAYMENT CYCLES: 10/1/2013 PERIOD 4 AND 10/8/2013 PERIOD 4.** MOTION PASSED. AYES: HUNTER, LO, MILLER, CAPPELLO, PAGE. NOES: NONE. ABSENT: NONE.

6. Treasurer's Report for the Month Ended August 31, 2013

Recommended action:

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

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

7. Application ZOA13-0006; 13777 Fruitvale Avenue; City of Saratoga - Annual Code Update

Recommended action:

Waive the second reading and adopt the proposed ordinance.

ORDINANCE NO. 307

CAPPELLO/PAGE MOVED TO **WAIVE THE SECOND READING AND ADOPT THE PROPOSED ORDINANCE.** MOTION PASSED. AYES: HUNTER, LO, MILLER, CAPPELLO, PAGE. NOES: NONE. ABSENT: NONE.

8. Saratoga Village Pedestrian Enhancement Street Light Work CML-5332(018) – Notice of Completion.

Recommended action:

Move to accept the Saratoga Village Pedestrian Enhancement Street Light Work CML-5332(018) Project as complete and authorize staff to record the Notice of Completion for the construction contract.

CAPPELLO/PAGE MOVED TO **ACCEPT THE SARATOGA VILLAGE PEDESTRIAN ENHANCEMENT STREET LIGHT WORK CML-5332(018) PROJECT AS COMPLETE AND AUTHORIZE STAFF TO RECORD THE NOTICE OF COMPLETION FOR THE CONSTRUCTION CONTRACT.** MOTION PASSED. AYES: HUNTER, LO, MILLER, CAPPELLO, PAGE. NOES: NONE. ABSENT: NONE.

9. Hakone Gardens Driveway Repair – Notice of Completion

Recommended action:

Move to accept the Hakone Gardens Driveway Repair Project as complete and authorize the City Manager to sign the Notice of Completion for the construction contract.

Council Member Miller removed this item from the Consent Calendar to comment on it. He noted that Hakone is open to the public.

Mayor Hunter invited public comment on the item.

No one requested to speak.

MILLER/LO MOVED TO **ACCEPT THE HAKONE GARDENS DRIVEWAY REPAIR PROJECT AS COMPLETE AND AUTHORIZE THE CITY MANAGER TO SIGN THE NOTICE OF COMPLETION FOR THE CONSTRUCTION CONTRACT.** MOTION PASSED. AYES: HUNTER, LO, MILLER, CAPPELLO, PAGE. NOES: NONE. ABSENT: NONE.

PUBLIC HEARINGS

None

OLD BUSINESS

10. Guidelines for the Length of Commission Meetings

Recommended action:

Adopt the attached resolution establishing guidelines for the length of Commission meetings.

City Clerk Crystal Bothelio presented staff report.

Mayor Hunter invited public comment on the item.

No one requested to speak.

RESOLUTION NO. 13-067

PAGE/MILLER MOVED TO **ADOPT THE RESOLUTION ESTABLISHING GUIDELINES FOR THE LENGTH OF COMMISSION MEETINGS AND DIRECTED STAFF TO AMEND THE GUIDELINES TO APPLY TO THE CITY COUNCIL.** MOTION PASSED. AYES: HUNTER, LO, MILLER, CAPPELLO, PAGE. NOES: NONE. ABSENT: NONE.

NEW BUSINESS

11. Community Event Grant Request – Montalvo Arts Splash

Recommended action:

Determine whether or not to approve the Community Event Grant request for the Montalvo Arts Center’s “Arts Splash Open House and Student Arts Festival.”

Brian Babock, Administrative Analyst I in the City Manager’s Office, presented the staff report and introduced Emily Lou Harris to answers Council questions regarding the Community Event Grant application.

Emily Lou Harris addressed Council questions regarding “Arts Splash Open House and Student Arts Festival.”

Mayor Hunter invited public comment on the item.

No one requested to speak.

PAGE/MILLER MOVED TO **ALLOCATE THE REMAINING \$747 IN THE FISCAL YEAR COMMUNITY EVENT GRANT PROGRAM AND \$2,253 FROM THE COUNCIL DISCRETIONARY FUND FOR A TOTAL OF \$3,000 TO MONTALVO ARTS FOR THE “ARTS SPLASH OPEN HOUSE AND STUDENT ARTS FESTIVAL.”** MOTION PASSED. AYES: HUNTER, LO, MILLER, CAPPELLO, PAGE. NOES: NONE. ABSENT: NONE.

12. 14065 Saratoga Avenue (Florence Cunningham House) - Mills Act Agreement

Recommended action:

The Heritage Preservation Commission (HPC) recommends the City Council adopt the attached Resolution and direct the City Manager to enter into a Mills Act Agreement for the property located at 14065 Saratoga Avenue.

Cynthia McCormick, Planner in the Community Development Department, presented the staff report.

Mayor Hunter invited public comment on the item.

The following person spoke:

Lisa Yee-Ouchida

No one else requested to speak.

RESOLUTION NO. 13-068

MILLER/LO MOVED TO ADOPT THE ATTACHED RESOLUTION AND DIRECT THE CITY MANAGER TO ENTER INTO A MILLS ACT AGREEMENT FOR THE PROPERTY LOCATED AT 14065 SARATOGA AVENUE. MOTION PASSED. AYES: HUNTER, LO, MILLER, CAPPELLO, PAGE. NOES: NONE. ABSENT: NONE.

13. Plan and Timeline for Annexation of 206.9 Acres (STG05) Located in an Unincorporated Area of Santa Clara County to the South of Glen Una Drive
Recommended action:
Review the proposed plan and timeline to annex a 206.9 acre area in unincorporated Santa Clara County and approve the attached resolution adopting a plan and timeline for the annexation.

Christopher Riordan, Senior Planner in the Community Development Department, presented the staff report.

Mayor Hunter invited public comment on the item.

No one requested to speak.

RESOLUTION NO. 13-069

MILLER/PAGE MOVED TO APPROVE THE ATTACHED RESOLUTION ADOPTING A PLAN AND TIMELINE FOR THE ANNEXATION. MOTION PASSED. AYES: HUNTER, LO, MILLER, CAPPELLO, PAGE. NOES: NONE. ABSENT: NONE.

14. Commission Meeting Attendance Requirements
Recommended action:
Provide direction to staff on amendments to the City's Commission meeting attendance requirements.

City Clerk Crystal Bothelio presented the staff report.

Mayor Hunter invited public comment on the item.

The following people spoke:

Angel, Prospect High School Student

Mary-Lynne Bernald, Planning Commissioner

No one else requested to speak.

PAGE MOVED TO DIRECT STAFF TO BRING FORWARD AN ORDINANCE AMENDING CITY CODE 2-12.040(B) TO READ THAT IF A COMMISSIONER MISSES THREE REGULAR MEETINGS, THE CITY COUNCIL WILL CONSIDER REMOVAL OF THE COMMISSIONER.

There was no second to the motion.

CAPPELLO/PAGE MOVED TO DIRECT STAFF TO PREPARE AN ORDINANCE FOR COUNCIL CONSIDERATION TO: 1) AMEND COMMISSION ATTENDANCE REQUIREMENTS IN CODE 2-12.040(B) TO AUTOMATICALLY REMOVE A COMMISSIONER WHO MISSES 3 REGULAR MEETINGS IN A 12-MONTH PERIOD; AND 2) ALLOWS COMMISSIONERS TO APPEAL REMOVAL TO THE CITY COUNCIL.

Council Member Miller requested an amendment to the motion that would also add language to City Code 2-12-040(b) that makes it clear that serving on a Commission should be a high priority and Commissioners should make a reasonable effort to attend all regular meetings.

Council Member Cappello and Page accepted the amendment.

CAPPELLO/PAGE MOVED TO DIRECT STAFF TO PREPARE AN ORDINANCE FOR COUNCIL CONSIDERATION TO: 1) AMEND COMMISSION ATTENDANCE REQUIREMENTS IN CODE 2-12.040(B) TO AUTOMATICALLY REMOVE A COMMISSIONER WHO MISSES 3 REGULAR MEETINGS IN A 12-MONTH PERIOD; 2) ALLOWS COMMISSIONERS TO APPEAL REMOVAL TO THE CITY COUNCIL; AND 3) STATES THAT SERVING ON A COMMISSION SHOULD BE A HIGH PRIORITY AND COMMISSIONERS SHOULD MAKE A REASONABLE EFFORT TO ATTEND ALL MEETINGS. MOTION PASSED.
AYES: HUNTER, LO, MILLER, CAPPELLO, PAGE. NOES: NONE. ABSENT: NONE.

ADHOC & AGENCY ASSIGNMENT REPORTS

Mayor Jill Hunter

City School Ad Hoc – Mayor Hunter said that representatives of the Campbell Union High School District requested a meeting with her and City Manager Dave Anderson on October 18, but she would be unable to attend. She asked if Council Member Miller could attend.

KSAR Community Access TV Board – Mayor Hunter said she attended the last Board meeting, but had no additional information to share after the Joint Meeting.

Saratoga Chamber of Commerce – Mayor Hunter stated that she attended the Chamber of Commerce meeting on behalf of Council Member Cappello. During the meeting, City staff provided information about the Blaney Plaza renovations. Mayor Hunter also shared that she has been working with the Chamber on the Annual Tree Lighting and Wine Stroll event.

Vice Mayor Emily Lo

Library Joint Powers Authority – the County is currently conducting a recruitment to find a new Saratoga Community Librarian. Applications for the position are due November 12 and input from the Saratoga Library Commission will be sought.

Council Member Howard Miller

Council Finance Committee – there is a Finance Committee meeting on October 18, 2013.

Valley Transportation Authority PAC – The VTA experiments with express bus lines have produced very positive results. Additionally, staff presented a report on converting the fleet to natural gas at the most recent meeting.

West Valley Solid Waste Management Joint Powers Authority – the next meeting is October 23, 2013 and the Board will be reviewing the new agreement with West Valley Collection and recycling.

Council Member Manny Cappello

Chamber of Commerce – due to his teaching schedule, Council Member Cappello he has been unable to attend Chamber meetings. He said that Mayor Hunter would be attending those meetings on his behalf.

Destination Saratoga Liaison – there have been several stories on Saratoga as a result of Destination Saratoga efforts, including pieces in *Sunset Magazine* and the *San Jose Mercury News*. There are also several new members, including La Fondue and Montalvo Arts Center. The group is also working on plans for the spring dining event that will be held on Big Basin Way.

SASCC – the next meeting is on October 22, 2013.

Council Member Chuck Page

Santa Clara County Cities Association – the Annual Holiday dinner is on December 5 at the Mozart Car Museum in Mountain View. The group also made an appointment to the Santa Clara County Emergency Operational Area Council. Additionally, during the last meeting, the relationship between the Silicon Valley Chamber of Commerce, Silicon Valley Leadership Group, and Joint Venture Silicon Valley was discussed.

Sister City Liaison – during the last meeting, the group had a strategic planning session. It was attended by both Board Members and others involved with the Sister City group. The Board is also planning for the open house event in March 2014.

CITY COUNCIL ITEMS

None

CITY MANAGER’S REPORT

City Manager Dave Anderson congratulated Council Member Page on his election as President of the League of California Cities Peninsula Division.

ADJOURNMENT

PAGE/CAPPELLO MOVED TO **ADJOURN THE MEETING AT 9:23 P.M.**
MOTION PASSED. AYES: HUNTER, LO, MILLER, CAPPELLO, PAGE. NOES:
NONE. ABSENT: NONE. ABSTAIN: NONE.

Minutes respectfully submitted:

Crystal Bothelio, City Clerk