

## MINUTES

### WEDNESDAY, DECEMBER 4, 2013 SARATOGA CITY COUNCIL SPECIAL MEETING

At 5:25 p.m., the City Council conducted interviews for the Heritage Preservation Commission and Traffic Safety Commission 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 Library Commission and Friends of the Saratoga Library.

### SARATOGA CITY COUNCIL SPECIAL MEETING COUNCIL REORGANIZATION

Mayor Hunter called the Reorganization Meeting to order at 7:01 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  
James Lindsay, Community Development Director  
Michael Taylor, Recreation and Facilities Director  
Christopher Riordan, Senior Planner  
Debbie Bretschneider, Deputy City Clerk  
Mainini Cabute, Management Analyst II  
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 November 27, 2013.

#### **COMMUNICATIONS FROM COMMISSIONS & PUBLIC**

##### **Oral Communications on Non-Agendized Items**

Trish Cypher addressed the City Council about Senate Bill 1, as well as concerns about protecting rural and suburban land and the reintroduction of wolves to California.

Council Member Howard Miller announced that the City of Saratoga won the Silicon Valley Turkey Trot Mayor's Cup for the 4<sup>th</sup> year in a row. He then presented the Mayor's Cup trophy to the Mayor.

##### **Oral Communications - Council Direction to Staff**

None

## Communications from Boards and Commissions

Library Commission Chair Jill Whitcomb provided an overview of the Joint Meeting with the Saratoga Library Commission and Friends of the Saratoga Libraries. She shared that the Library Commission plans to partner with other City Commissions as well as increase awareness of Library services in the community.

Terrie Creamer, President of the Friends of the Saratoga Libraries, also commented on the Joint Meeting. She provided the public with information on how to become a member of the Friends. Information is online at <http://www.fslonline.org/>.

## Council Direction to Staff

None

## CEREMONIAL ITEMS

None

## NEW BUSINESS

### 1. Remarks from Outgoing Mayor Hunter and Council Members

Mayor Hunter commented on her term as Mayor, including some of the accomplishments of the City in the last year.

Members of the City Council remarked on Mayor Hunter's service and leadership on the City Council.

### 2. Reorganization of City Council

#### **Recommended action:**

Appoint Mayor and Vice Mayor:

- 1) City Clerk declares the offices of Mayor and Vice Mayor to be vacant;
- 2) Nomination of the Mayor;
- 3) Administer oath of office to new Mayor;
- 4) Nomination of the Vice Mayor; and
- 5) Administer oath of office to new Vice Mayor.

City Clerk Crystal Bothelio declared the offices of Mayor and Vice Mayor to be vacant then called for nominations for the office of Mayor.

**PAGE/MILLER MOVED TO NOMINATE EMILY LO AS MAYOR FOR THE YEAR 2014. MOTION PASSED. AYES: HUNTER, LO, MILLER, CAPPELLO, PAGE. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.**

Sheriff Laurie Smith administered the Oath of Office to Mayor Emily Lo.

Mayor Lo invited nominations for the office of Vice Mayor.

CAPPELLO/PAGE MOVED TO **NOMINATE HOWARD MILLER AS VICE MAYOR FOR THE YEAR 2014.** MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

City Clerk Crystal Bothelio administered the Oath of Office to Vice Mayor Howard Miller.

3. Remarks from New Mayor, Vice Mayor, and Council Members

Mayor Lo spoke about her appointment as Mayor and her goals for the upcoming year.

Mayor Lo invited public comment on the item.

The following people requested to speak:

Lisa Liu

Trish Cypher

Jack Lucas, West Valley-Mission College District Trustee

Chad Walsh, West Valley-Mission College District Trustee

Patrick Aarrons, Office of Assembly Member Paul Fong

Debra Cummins, Saratoga Chamber of Commerce Past President

Scott Anderson, Saratoga Chamber of Commerce

Gary Smith, Saratoga Chamber of Commerce President

No one else requested to speak.

**ADJOURNMENT TO CIVIC THEATER LOBBY FOR SHORT RECEPTION**

PAGE/CAPPELLO MOVED TO **ADJOURN THE MEETING AT 7:51 P.M.** MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

## SARATOGA CITY COUNCIL REGULAR MEETING

Mayor Lo called the Regular Meeting meeting to order at 8:21 p.m. and led the Pledge of Allegiance.

### ROLL CALL

PRESENT Council Members Jill Hunter, Chuck Page, Manny Cappello, Vice Mayor Howard Miller, Mayor Emily Lo  
ABSENT: None  
ALSO PRESENT: Dave Anderson, City Manager  
Richard Taylor, City Attorney  
Crystal Bothelio, City Clerk  
John Cherbone, Public Works Director  
James Lindsay, Community Development Director  
Michael Taylor, Recreation and Facilities Director  
Christopher Riordan, Senior Planner  
Debbie Bretschneider, Deputy City Clerk  
Mainini Cabute, Management Analyst II  
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 November 27, 2013.

### **REPORT FROM CLOSED SESSION**

Mayor Lo stated that there was no Closed Session and therefore nothing to report. She then introduced performers from the Foothill Elementary Production *Little Mermaid Jr.* and California Theater Centre Director Elizabeth Berg.

California Theater Centre Director Elizabeth Berg announced that the students would be performing two songs, "She's in Love" and "Human Stuff."

Students from Foothill Elementary performed the two songs.

### **COMMUNICATIONS FROM COMMISSIONS & PUBLIC**

#### **Oral Communications on Non-Agendized Items**

None

#### **Oral Communications - Council Direction to Staff**

None

#### **Communications from Boards and Commissions**

None

## Council Direction to Staff

None

## ANNOUNCEMENTS

Council Member Chuck Page announced that the Cities Association of Santa Clara County Holiday Party would be December 5, 2013. He encouraged the Council to attend.

## CEREMONIAL ITEMS

1. Commendation for Former Library Commissioner Sharon Andres

**Recommended action:**

Read and present commendation to Sharon Andres.

Mayor Lo read and presented the commendation to Sharon Andres, former Library Commissioner.

## 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 November 20, 2013.

PAGE/CAPPELLO MOVED TO **APPROVE CITY COUNCIL MINUTES FOR THE SPECIAL AND REGULAR CITY COUNCIL MEETING ON NOVEMBER 20, 2013.** MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

3. Review of Accounts Payable Check Registers

**Recommended action:**

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

11/19/2013            Period 5

11/26/2013            Period 5

PAGE/CAPPELLO MOVED TO **ACCEPT CHECK REGISTERS FOR THE FOLLOWING ACCOUNTS PAYABLE PAYMENT CYCLES: 11/19/2013 PERIOD 5 AND 11/26/2013 PERIOD 5.** MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

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

**Recommended action:**

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

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

5. Resolution Amending the City's Records Retention Schedule

**Recommended action:**

Adopt the resolution amending the City's Records Retention Schedule.

**RESOLUTION NO. 13-076**

PAGE/CAPPELLO MOVED TO **ADOPT THE RESOLUTION AMENDING THE CITY'S RECORDS RETENTION SCHEDULE.** MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

6. Ordinance Amending Commission Meeting Attendance Requirements

**Recommended action:**

Waive the second reading and adopt the ordinance amending City Code 2-12.040 and standards for Commission meeting attendance requirements.

**ORDINANCE NO. 309**

PAGE/CAPPELLO MOVED TO **WAIVE THE SECOND READING AND ADOPT THE ORDINANCE AMENDING CITY CODE 2-12.040 AND STANDARDS FOR COMMISSION MEETING ATTENDANCE REQUIREMENTS.** MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

7. Final Map Approval for Two Lots Located at 18771 Allendale Avenue

Owner: Eiko Shimizu

**Recommended action:**

Move to adopt resolution granting final map approval of tentative map application No. SUB 13-0002 for two lots located at 18771 Allendale Avenue.

**RESOLUTION NO. 13-077**

PAGE/CAPPELLO MOVED TO **ADOPT RESOLUTION GRANTING FINAL MAP APPROVAL OF TENTATIVE MAP APPLICATION NO. SUB 13-0002 FOR TWO LOTS LOCATED AT 18771 ALLENDALE AVENUE.** MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

8. Acceptance of Property for Trail Purposes

**Recommended action:**

1. Approve resolution accepting Grant Deed of APN 503-24-049.
2. Authorize City Manager to sign the Certificate of Acceptance.

Vice Mayor Miller removed this item from the Consent Calendar and noted a revised resolution had been distributed as a desk item.

Council Member Hunter thanked Mr. Payne for his contributions to the City's trail network.

Mayor Lo invited public comment on the item.

No one requested to speak.

**RESOLUTION NO. 13-078**

MILLER/PAGE MOVED TO **APPROVE THE AMENDED RESOLUTION ACCEPTING GRANT DEED OF APN 503-24-049; AND AUTHORIZE CITY MANAGER TO SIGN THE CERTIFICATE OF ACCEPTANCE.** MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

**PUBLIC HEARINGS**

9. Adoption of the 2013 California Standard Codes with Local Amendments

**Recommended action:**

- (1) Conduct the public hearing;
- (2) Adopt the attached resolution making findings regarding proposed amendments to the referenced codes; and
- (3) Adopt the attached ordinance adopting and amending the referenced codes.

Community Development Director James Lindsay presented the staff report.

Mayor Lo opened the public hearing and invited public comment on the item.

No one requested to speak.

Mayor Lo closed the public hearing.

**RESOLUTION NO. 13-079**

**ORDINANCE NO. 310**

PAGE/CAPPELLO MOVED TO: **CONDUCT THE PUBLIC HEARING; ADOPT THE ATTACHED RESOLUTION MAKING FINDINGS REGARDING PROPOSED AMENDMENTS TO THE REFERENCED CODES; AND ADOPT THE ATTACHED ORDINANCE ADOPTING AND AMENDING THE REFERENCED CODES.** MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

## OLD BUSINESS

### 10. Ordinance Amending Saratoga City Code to Regulate Banners in City Medians

**Recommended action:**

Waive the second reading and adopt the ordinance modifying Sections 15-30.050 and 15-30.060 of Chapter 15 (Zoning) of the Saratoga City Code; and adopt the attached resolution amending the Median Banner Policy (Resolution 13-063) to include a reference to the new median banner amendments to the City Code.

Brian Babcock, Administrative Analyst in the City Manager's Office, presented the staff report.

Mayor Lo invited public comment on the item.

No one requested to speak.

### **RESOLUTION NO. 13-080**

### **ORDINANCE NO. 311**

**PAGE/CAPPELLO MOVED TO WAIVE THE SECOND READING AND ADOPT THE ORDINANCE MODIFYING SECTIONS 15-30.050 AND 15-30.060 OF CHAPTER 15 (ZONING) OF THE SARATOGA CITY CODE; AND ADOPT THE ATTACHED RESOLUTION AMENDING THE MEDIAN BANNER POLICY (RESOLUTION 13-063) TO INCLUDE A REFERENCE TO THE NEW MEDIAN BANNER AMENDMENTS TO THE CITY CODE.**

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

## NEW BUSINESS

### 11. Naming Pony Baseball Field at Congress Springs Park

**Recommended action:**

Approve request and name the Pony baseball field at Congress Springs Park "Abel J. Rodrigues Field."

Mainini Cabute, Management Analyst II in the Public Works Department, presented the staff report then invited the applicant, Brian Rodrigues, to speak.

Brian Rodrigues addressed the City Council regarding his application to name a field at Congress Springs Park after his father.

Mayor Lo invited public comment.

No one requested to speak.

CAPPELLO/MILLER MOVED TO APPROVE THE REQUEST TO NAME THE PONY BASEBALL DIAMOND AT CONGRESS SPRINGS PARK THE “ABEL J. RODRIGUES BASEBALL DIAMOND” AND PLACE THE PLAQUE INDICATING THE NAME OF THE BASEBALL DIAMOND ON OR NEAR THE BACKSTOP. MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

12. Approval of Adjustments to the Advance Planning Operating Budget and Housing Element Update Contract Authorization

**Recommended action:**

1. Adopt the resolution approving adjustments to the Advance Planning Operating Budget.
2. Authorize the City Manager to execute a contract with Metropolitan Planning Group to update the General Plan Housing Element for an amount not to exceed \$55,517.

Community Development Director James Lindsay presented the staff report.

Mayor Lo invited public comment on the item

No one requested to speak on the item.

**RESOLUTION NO. 13-081**

MILLER/PAGE MOVED TO: ADOPT THE RESOLUTION APPROVING ADJUSTMENTS TO THE ADVANCE PLANNING OPERATING BUDGET; AND AUTHORIZE THE CITY MANAGER TO EXECUTE A CONTRACT WITH METROPOLITAN PLANNING GROUP TO UPDATE THE GENERAL PLAN HOUSING ELEMENT FOR AN AMOUNT NOT TO EXCEED \$55,517. MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

13. Fiscal Year 2014/15 Community Event Grant Program

**Recommended action:**

Provide direction on the amount of funding for the Community Event Grant Program in the 2014/15 budget and the proposed timeline for the 2014/15 Community Event Grant Program application process.

Brian Babcock, Administrative Analyst I in the City Manager’s Office, presented the staff report.

Mayor Lo invited public comment on the item.

No one requested to speak.

**PAGE/MILLER MOVED TO ALLOCATE \$20,000 TO THE COMMUNITY EVENT GRANT PROGRAM IN THE 2014/15 BUDGET, APPROVE THE PROPOSED TIMELINE FOR THE 2014/15 COMMUNITY EVENT GRANT PROGRAM APPLICATION PROCESS, AND DIRECTED STAFF TO SCHEDULE DISCUSSION AT THE COUNCIL RETREAT ABOUT CRITERIA FOR THE PROGRAM AND TOTAL EVENT FUNDING (INCLUDING GRANT FUNDED EVENTS AND OTHER CITY EVENTS).**  
MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

14. 2013/14 City Council Agency and Ad Hoc Assignments

**Recommended action:**

Accept report and provide direction to staff.

City Clerk Crystal Bothelio presented the staff report.

Mayor Lo invited public comment on the item.

No one requested to speak.

Mayor Lo requested that the Council send assignment preferences by 5:00 p.m. on December 10, 2013.

**ADHOC & AGENCY ASSIGNMENT REPORTS**

Mayor Emily Lo

*Library Joint Powers Authority* – the County Library is holding an open house of its new headquarters building on December 6, 2013 at 3:00 p.m.

Vice Mayor Howard Miller

*Valley Transportation Authority PAC* – the last two meetings have been canceled.

*West Valley Solid Waste Management Joint Powers Authority* – the Authority met on December 3, 2013 and approved an agreement with West Valley Collection & Recycling that will begin on March 1, 2014. There will be no change in rates initially and there will be an increase in the materials residents can recycle.

Council Member Manny Cappello

*SASCC* – participation in the adult day care center appears to be trending upwards according to a report from October participation rates. As a result, SASCC saw an increase in revenues. The Winter Dance will take place on January 25, 2014 at Saratoga Prospect Center. The Italian Dinner is scheduled for June 7, 2014.

Council Member Chuck Page

Council Member Page stated he had nothing to report.

Council Member Jill Hunter

*Chamber of Commerce* – Stiletto's Wine Bar is having a grand opening on December 5, 2013 at 4:45 p.m.

*Historical Foundation* – during the last meeting, things appeared to be moving along well.

*West Valley Mayors and Managers Association* – during the meeting on December 4, 2013, new Mayors from the other cities were introduced.

### **CITY COUNCIL ITEMS**

Vice Mayor Miller proposed that a project be added to the Capital Project Candidate List. The project would fund easements or acquisition of property surrounding and near the Quarry Park.

Council Member Page supported added the project to the Capital Project Candidate List to be considered by the Council at the Council Retreat.

### **CITY MANAGER’S REPORT**

City Manager Dave Anderson congratulated Mayor Lo and Vice Mayor Miller on their new positions.

### **ADJOURNMENT**

PAGE/MILLER MOVED TO **ADJOURN THE MEETING AT 10:13 P.M.** MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

Minutes respectfully submitted:

Crystal Bothelio, City Clerk