

MINUTES
WEDNESDAY, JANUARY 15, 2014
SARATOGA CITY COUNCIL SPECIAL MEETING

At 5:30 p.m., the City Council conducted a Closed Session in the Administrative Conference Room at City Hall at 13777 Fruitvale Avenue. At 6:00 p.m., the City Council held a Joint Meeting with the Saratoga Heritage Preservation Commission and Saratoga Historical Foundation.

SARATOGA CITY COUNCIL REGULAR MEETING

Mayor Lo called the meeting to order at 7:02 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
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

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 January 10, 2014.

REPORT FROM CLOSED SESSION

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

COMMUNICATIONS FROM COMMISSIONS & PUBLIC

Oral Communications on Non-Agendized Items

Cheriel Jensen expressed her opposition to the State Route 85 Express Lane project and stated that she felt an environmental impact report should be required for the project.

Stan Bogosian raised concerns about the health of the remaining stone pine in Blaney Plaza and requested that an independent arborist evaluate the tree.

Cynthia Chang invited the Council and community to the Saratoga Lunar New Year Celebration on February 9, 2014 from 2:00 p.m. to 4:00 p.m. at Argonaut Elementary. The event is free and will include a number of different activities, including a tai chi sword performance by Mayor Lo.

Oral Communications - Council Direction to Staff

Vice Mayor Miller requested that the City Arborist take a look at the stone pine in Blaney Plaza to determine if a third party assessment is necessary.

Communications from Boards and Commissions

Annette Stransky, President of the Saratoga Historical Foundation, provided an overview of the Council's Joint Meeting with the Foundation. She also announced a free lecture hosted by the Saratoga Historical Foundation on January 21, 2014 at 7:00 p.m. on California apricots. Additionally, the Blossom Festival will be held on March 22, 2014 from 10:00 a.m. to 4:00 p.m. in the Heritage Orchard. The event is free and will include a variety of activities.

Heritage Preservation Commission Chair Paula Cappello spoke about the Joint Meeting with the Heritage Preservation Commission. She commented upon the heritage trees that will be recognized at Arbor Day and the importance of preservation in the community.

Council Direction to Staff

None

ANNOUNCEMENTS

Council Member Hunter announced the 6th Annual Saratoga Love Notes. She encouraged everyone to post their notes of appreciation or love in the windows of Village shops. On January 21, 2014 at 10:00 a.m., a group will be preparing love notes at Wildwood Market.

Council Member Cappello announced the Saratoga Senior Center Winter Dance Party on January 25, 2014 at 7:00 p.m. Tickets are \$25 per person.

Mayor Lo shared that the *Saratoga News* will be distributed as an insert in the *San Jose Mercury News* starting January 31. The *Saratoga News* will be delivered to *San Jose Mercury News* subscribers on Fridays instead of Tuesdays.

CEREMONIAL ITEMS

None

SPECIAL PRESENTATIONS

None

CONSENT CALENDAR

1. City Council Meeting Minutes

Recommended action:

Approve City Council minutes for the Special City Council Meeting on December 3, 2013 and the Special and Regular City Council Meeting on December 18, 2013.

MILLER/PAGE MOVED TO **APPROVE CITY COUNCIL MINUTES FOR THE SPECIAL CITY COUNCIL MEETING ON DECEMBER 3, 2013 AND THE SPECIAL AND REGULAR CITY COUNCIL MEETING ON DECEMBER 18, 2013**. MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

2. Review of Accounts Payable Check Registers

Recommended action:

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

12/18/2013 Period 6

1/7/2014 Period 7

MILLER/PAGE MOVED TO **ACCEPT CHECK REGISTERS FOR THE FOLLOWING ACCOUNTS PAYABLE PAYMENT CYCLES: 12/18/2013 PERIOD 6 AND 1/7/2014 PERIOD 7**. MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

3. Resolution Authorizing Final Disposition of Certain City Records

Recommended action:

Adopt resolution authorizing final disposition of certain city records.

RESOLUTION NO. 14-001

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

PUBLIC HEARINGS

4. 2014 Hazardous Vegetation Program Resolution Declaring Abatement of Public Nuisance

Recommended action:

Conduct public hearing and adopt resolution.

City Clerk Crystal Bothelio presented the staff report and introduced Ray Moreno with the Santa Clara County Weed Abatement Program.

Ray Moreno with the Santa Clara County Weed Abatement Program addressed Council questions.

Mayor Lo invited public comment.

No one requested to speak.

RESOLUTION NO. 14-002

HUNTER/CAPPELLO MOVED TO **ADOPT RESOLUTION AND REMOVE 20610 LOMITA AVENUE FROM THE LIST OF PROPERTIES ON THE COMMENCEMENT REPORT.** MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

5. Zoning Amendment for Single Room Occupancy Buildings (SRO)

Recommended action:

1. Conduct a public hearing.
2. Introduce and waive the first reading of the attached ordinance to amend Section 15-19.035 (C-N(RHD)) to establish development standards for Single Room Occupancy Buildings and direct staff to place the ordinance on the consent calendar for adoption at the next regular meeting of the City Council.

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

Mayor Lo invited public comment on the item.

No one requested to speak.

CAPPELLO/PAGE MOVED TO **INTRODUCE AND WAIVE THE FIRST READING OF THE ATTACHED ORDINANCE TO AMEND SECTION 15-19.035 (C-N(RHD)) TO ESTABLISH DEVELOPMENT STANDARDS FOR SINGLE ROOM OCCUPANCY BUILDINGS AND DIRECT STAFF TO PLACE THE ORDINANCE ON THE CONSENT CALENDAR FOR ADOPTION AT THE NEXT REGULAR MEETING OF THE CITY COUNCIL.** MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

OLD BUSINESS

6. Second Reading of an Ordinance Correcting Designations on the Zoning Map

Recommended action:

Waive the second reading and adopt an ordinance approving the correction of the Zoning Map Designations for APN 503-82-006 & APN 517-08-048.

Vice Mayor Howard Miller recused himself from the item, stating that he lives within 500 feet of one of the properties that would be affected by the ordinance.

Community Development Director James Lindsay presented the staff report.

Mayor Lo invited public comment on the item.

No one requested to speak.

ORDINANCE NO. 312

PAGE/CAPPELLO MOVED TO **WAIVE THE SECOND READING AND ADOPT AN ORDINANCE APPROVING THE CORRECTION OF THE ZONING MAP DESIGNATIONS FOR APN 503-82-006 & APN 517-08-048.** MOTION PASSED. AYES: LO, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: MILLER. ABSENT: NONE.

7. 2013 Pavement Management Program and Proposition 1B State Grant – Construction Contract Amendment

Recommended action:

Approve increase to the construction contract with G. Bortolotto & Co. Inc. in the amount of \$60,000.

Public Works Director John Cherbone presented the staff report.

Mayor Lo invited public comment on the item.

No one requested to speak.

PAGE/CAPPELLO MOVED TO **APPROVE THE INCREASE TO THE CONSTRUCTION CONTRACT WITH G. BORTOLOTTO & CO. INC. IN THE AMOUNT OF \$60,000.** MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

NEW BUSINESS

8. John Henry House Relocation Feasibility Report

Recommended action:

Conceptually approve the placement of the John Henry House within the City’s Heritage Orchard, in the event it is moved from its current location.

Public Works Director John Cherbone presented the staff report.

Public Works Director John Cherbone and Community Development Director James Lindsay addressed Council questions.

Mayor Lo invited public comment on the item.

The following people requested to speak:

Marilyn Marchetti

Lea Ann Hernandez

Paul Hernandez

No one else requested to speak.

HUNTER MOVED TO **PRESERVE THE JOHN HENRY HOUSE.**

City Attorney Richard Taylor indicated that question was not before the Council and the motion was withdrawn.

PAGE MOVED TO TABLE DISCUSSION ON THE AGENDA ITEM AND PROCEED WITH THE MEETING.

Motion failed for lack of a second.

Mayor Lo closed the agenda item and proceeded to the next agenda item.

9. Discussion of Sustainable Infrastructure in New Residential Construction
Recommended action:
Provide direction to staff.

Community Development Director James Lindsay presented the staff report.

Mayor Lo invited public comment on the item.

The following people requested to speak:

Paul Hernandez

Tom Sloan

No one else requested to speak.

PAGE/MILLER MOVED TO DIRECT STAFF TO PREPARE A LIST OF VOLUNTARY SUSTAINABLE INFRASTRUCTURE OPTIONS FOR NEW RESIDENTIAL CONSTRUCTION THAT WILL BE PROVIDED TO PROPERTY OWNERS AND/OR BUILDERS. MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

10. 2014 City Council Summer Recess

Recommended action:

Accept report and provide staff with direction regarding the 2014 City Council Summer Recess.

City Clerk Crystal Bothelio presented the staff report.

Mayor Lo invited public comment on the item.

No one requested to speak.

PAGE/HUNTER MOVED TO CANCEL THE JULY 16, 2014 AND AUGUST 6, 2014 COUNCIL MEETINGS FOR THE 2014 CITY COUNCIL SUMMER RECESS. MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

Council Member Cappello stated that he would be absent from the August 20, 2014 and September 3, 2014 Council Meetings and requested that the Mayor excuse his absences.

Mayor Lo said that the absences of Council Member Cappello from the August 20, 2014 and September 3, 2014 Council Meetings would be excused.

ADHOC & AGENCY ASSIGNMENT REPORTS

Mayor Emily Lo

Cities Association of Santa Clara County – Mayor Lo said she attended her first Cities Association meeting the week of January 6, 2014. During the meeting, the group discussed its priorities for the year. These include affordable housing and addressing Regional Housing Needs Allocations. The group also discussed the public safety realignment in California.

Santa Clara County Library District Joint Powers Authority – the next meeting is on January 16, 2014 for the finance committee of the Joint Powers Authority.

Vice Mayor Howard Miller

Vice Mayor Miller stated that he had nothing to report.

Council Member Manny Cappello

Santa Clara County Housing and Community Development (HCD) Council Committee – there is a meeting coming up soon.

Saratoga Chamber of Commerce – the next meeting is on February 13, 2014. The Chamber will be discussing strategic planning.

Council Member Chuck Page

Association of Bay Area Governments (ABAG) – County Supervisor Cindy Chavez coordinated a meeting about potential changes to the role of ABAG delegates.

Saratoga Sister City Committee Liaison – Council Member Page said he was unable to attend the last meeting.

West Valley Sanitation District – Council Member Page said he would be attending the California Association of Sanitation Agencies annual conference, which starts January 16, 2014.

Council Member Jill Hunter

KSAR Community Access TV Board – during the last meeting, the Board discussed some of the improvements for the Civic Theater presented at the December 18, 2013 Council meeting.

CITY COUNCIL ITEMS

Council Member Hunter requested clarification on the State Route 85 Express Lane project as there have been concerns raised by residents about the project.

Vice Mayor Miller stated that he has been providing regular reports on the project during Agency and Ad Hoc reports. Additionally, staff from the Valley Transit Authority (VTA) provided presentations to the Council in 2012 and 2013. VTA is currently accepting comments on the initial study/proposed negative declaration on the project. The deadline for comments is January 31, 2014.

Council Member Hunter stated that she had questions about the project.

Council Member Page suggested that a presentation on the project be placed on a future meeting agenda to address Council Member Hunter's questions.

Vice Mayor Miller supported the request to place a presentation on the State Route 85 Express Lane project on a future agenda.

Council Member Page requested that the West Valley Mayors and Managers add selection of the VTA Board Member to the next meeting agenda. He suggested that Vice Mayor Miller be selected as the VTA Board Member representing the West Valley Cities.

CITY MANAGER'S REPORT

City Manager Dave Anderson requested that City Clerk Crystal Bothelio provide a report on the City's request for proposals for hearing officers.

City Clerk Crystal Bothelio shared that the City is going to release a request for proposals for hearing officer services. In the past, the Council has interviewed finalist proposers. Consequently, staff would like to know if the Council would like to conduct interviews.

City Attorney Richard Taylor said that the Mayor could also establish a subcommittee to conduct interviews of top hearing officer candidates and make a hearing officer selection recommendation to the Council.

Council Members Page and Hunter volunteered to serve on the subcommittee.

Mayor Lo agreed to appoint Council Member Page and Hunter to serve on the subcommittee to interview hearing officer candidates and make a recommended selection of a hearing officer to the Council.

ADJOURNMENT

PAGE/MILLER MOVED TO **ADJOURN THE MEETING AT 9:30 P.M.** MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

Minutes respectfully submitted:

Crystal Bothelio, City Clerk