

**MINUTES  
WEDNESDAY, APRIL 16, 2014  
SARATOGA CITY COUNCIL REGULAR MEETING**

Mayor Lo called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance.

**ROLL CALL**

PRESENT Mayor Emily Lo, Vice Mayor Howard Miller, Council Members  
Manny Cappello, Jill Hunter  
ABSENT: Council Member Chuck Page (Excused)  
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  
Cynthia McCormick, Planner  
Tony MacFarlane, Finance Manager  
Mainini Cabute, Management Analyst II  
Brian Babcock, Administrative Analyst I  
Adam Henig, Recreation Supervisor  
Kate Bear, City Arborist

**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 April 10, 2014.

**REPORT FROM CLOSED SESSION**

**COMMUNICATIONS FROM COMMISSIONS & PUBLIC**

**Oral Communications on Non-Agendized Items**

Daniel Honniball made an announcement regarding the Oddfellows' Easter Egg Hunt on April 19, 2014 at Wildwood Park.

**Oral Communications - Council Direction to Staff**

None

**Communications from Boards and Commissions**

None

## Council Direction to Staff

None

## ANNOUNCEMENTS

Council Member Hunter shared that the City will be celebrating Arbor Day on April 22, 2014 at City Hall. The event begins at 3:45 p.m., but the Skillet Lickers will be performing starting at 3:15 p.m. The event will include a tree planting, announcement of Arbor Day poster contest winners, free compost, and free Japanese maple trees.

Vice Mayor Miller announced that the City will be holding a workshop on Monday, April 21, 2014 from 6:30 p.m. to 9:30 p.m. at the Joan Pisani Community Center on the State Route 85 Express Lanes Project. He invited the public to attend to participate in an active discussion about the project and possible strategies moving forward.

Vice Mayor Miller also shared that the Summer Recreation Activity Guide is now available. There are numerous programs for all ages and interests, including a wide array of summer camps.

Council Member Hunter also noted that the Saratoga Chamber of Commerce will be holding a Wine Stroll on May 10 featuring more than 18 wineries. The tickets are \$40 in advance and \$45 at the event.

## CEREMONIAL ITEMS

1. Commendation for Cheryl Nelson Bailey for Service on the Parks and Recreation Commission

**Recommended action:**

Read and present commendation to Cheryl Nelson Bailey for her service on the Saratoga Parks and Recreation Commission.

Mayor Lo noted that Cheryl Nelson Bailey was unable to attend the meeting to accept the commendation.

2. Appointment of Commissioner and Oath of Office

**Recommended action:**

Adopt the attached resolution appointing Pallavi Sharma to the Saratoga Parks and Recreation Commission for a partial term ending October 1, 2014 and direct the City Clerk to administer the Oath of Office.

## **RESOLUTION NO. 14-022**

**MILLER/HUNTER MOVED TO ADOPT THE ATTACHED RESOLUTION APPOINTING PALLAVI SHARMA TO THE SARATOGA PARKS AND RECREATION COMMISSION FOR A PARTIAL TERM ENDING OCTOBER 1, 2014 AND DIRECT THE CITY CLERK TO ADMINISTER THE OATH OF OFFICE.**  
MOTION PASSED. AYES: LO, MILLER, CAPPELLO, HUNTER. NOES: NONE.  
ABSTAIN: NONE. ABSENT: PAGE.

City Clerk Crystal Bothelio administered the Oath of Office to Pallavi Sharma.

3. Proclamation Recognizing April 22, 2014 as Arbor Day in the City of Saratoga  
**Recommended action:**  
Read and present the proclamation declaring April 22, 2014 as Arbor Day in the City of Saratoga.

Mayor Lo read and presented the proclamation recognizing April 22, 2014 as Arbor Day in the City of Saratoga to City Arborist Kate Bear.

### **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 April 2, 2014.

Council Member Hunter removed this item from the Consent Calendar to request that the City Clerk correct the spelling of a public speaker's name in the minutes.

**HUNTER/MILLER MOVED TO APPROVE CITY COUNCIL MINUTES FOR THE SPECIAL AND REGULAR CITY COUNCIL MEETING ON APRIL 2, 2014 WITH THE CORRECTION REQUESTED BY COUNCIL MEMBER HUNTER.** MOTION PASSED. AYES: LO, MILLER, CAPPELLO, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: PAGE.

5. Review of Accounts Payable Check Registers  
**Recommended action:**  
Review and accept check registers for the following accounts payable payment cycles:

4/1/2014 Period 10  
4/8/2014 Period 10

MILLER/CAPPELLO MOVED TO **ACCEPT CHECK REGISTERS FOR THE FOLLOWING ACCOUNTS PAYABLE PAYMENT CYCLES: 4/1/2014 PERIOD 10 AND 4/8/2014 PERIOD 10**. MOTION PASSED. AYES: LO, MILLER, CAPPELLO, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: PAGE.

6. Motor Vehicle (MV) Resolutions Restricting Parking on Saint Charles Street

**Recommended action:**

Adopt Motor Vehicle (MV) Resolution restricting parking on Saint Charles Street.

**RESOLUTION MV-307**

MILLER/CAPPELLO MOVED TO **ADOPT MOTOR VEHICLE (MV) RESOLUTION RESTRICTING PARKING ON SAINT CHARLES STREET**. MOTION PASSED. AYES: LO, MILLER, CAPPELLO, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: PAGE.

7. Landscaping and Lighting Assessment District LLA-1; Preliminary Approval of Engineer's Report and Adoption of Resolution of Intention for FY 14-15

**Recommended action:**

1. Move to adopt the Resolution granting preliminary approval of the Engineer's Report for FY 14-15 for renewing the Landscaping and Lighting Assessment District LLA-1.
2. Move to adopt the Resolution of Intention.

This item was removed from the Consent Calendar for public comment.

Mayor Lo invited public comment on the item.

The following people requested to speak:

Trish Cypher

Suzanne Anderson

Rhonda Huff

Mark Cairns

No one else requested to speak.

City Manager Dave Anderson, City Attorney Richard Taylor, and Public Works Director John Cherbone addressed Council questions on this item.

**RESOLUTIONS NO. 14-023 AND 14-024**

MILLER/CAPPELLO MOVED TO: **1. ADOPT THE RESOLUTION GRANTING PRELIMINARY APPROVAL OF THE ENGINEER'S REPORT FOR FY 14-15 FOR RENEWING THE LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT LLA-1; AND 2. ADOPT THE RESOLUTION OF INTENTION.** MOTION PASSED. AYES: LO, MILLER, CAPPELLO, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: PAGE.

8. Landscaping & Lighting Assessment District LLA-1; Resolution Describing Improvements and Directing Preparation of Engineer's Report for Annexation of a New Zone (Allendale - Zone 36) to the City of Saratoga Landscaping and Lighting Assessment District, LLA-1
- Recommended action:**
1. Move to adopt the Resolution describing improvements and directing preparation of the Engineer's Report.
  2. Move to adopt the Resolution granting preliminary approval of the Engineer's Report for FY 14-15 for the annexation of New Zone (Allendale – Zone 36) into the Landscaping and Lighting Assessment District LLA-1.
  3. Move to adopt the Resolution of Intention.

This item was removed from the Consent Calendar for public comment.

The following person requested to speak:

Trish Cypher

No one else requested to speak.

**RESOLUTIONS NO. 14-021, 14-025, AND 14-026**

MILLER/HUNTER MOVED TO: **1. ADOPT THE RESOLUTION DESCRIBING IMPROVEMENTS AND DIRECTING PREPARATION OF THE ENGINEER'S REPORT; 2. ADOPT THE RESOLUTION GRANTING PRELIMINARY APPROVAL OF THE ENGINEER'S REPORT FOR FY 14-15 FOR THE ANNEXATION OF NEW ZONE (ALLENDALE – ZONE 36) INTO THE LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT LLA-1; AND 3. MOVE TO ADOPT THE RESOLUTION OF INTENTION.** MOTION PASSED. AYES: LO, MILLER, CAPPELLO, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: PAGE.

9. Amendment to Agreement for Countywide Household Hazardous Waste Collection Program
- Recommended action:**
- Authorize the City Manager to sign the second amendment to the agreement for Countywide Household Hazardous Waste (HHW) Collection Program with a \$29,245 augmentation from City funds for Fiscal Year 2014/15.

MILLER/CAPPELLO MOVED TO AUTHORIZE THE CITY MANAGER TO SIGN THE SECOND AMENDMENT TO THE AGREEMENT FOR COUNTYWIDE HOUSEHOLD HAZARDOUS WASTE (HHW) COLLECTION PROGRAM WITH A \$29,245 AUGMENTATION FROM CITY FUNDS FOR FISCAL YEAR 2014/15.

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

## PUBLIC HEARINGS

### 10. Proposed Fee Schedule Update for FY 2014/15

**Recommended action:**

Review recommendations for proposed fee update, provide direction to staff, and approve the resolution amending the City's Fee Schedule effective for Fiscal Year 2014/15.

Finance Manager Tony MacFarlane presented the staff report.

Mayor Lo invited public comment.

No one requested to speak.

### **RESOLUTION NO. 14-027**

MILLER/CAPPELLO MOVED TO APPROVE THE RESOLUTION AMENDING THE CITY'S FEE SCHEDULE EFFECTIVE FOR FISCAL YEAR 2014/15 WITH THE FOLLOWING CHANGES: 1) DECREASE THE COST OF THE FEE FOR ARBORIST REVIEW – TREE APPEAL TO \$250; AND 2) ADJUST THE FEE FOR THE 2<sup>ND</sup> FALSE ALARM RESPONSE TO \$100 WITH EACH SUBSEQUENT FALSE ALARM RESPONSE FEE INCREASING BY \$100 AND AFTER THE 6<sup>TH</sup> FALSE ALARM RESPONSE, THE FEE FOR EACH SUBSEQUENT FALSE ALARM RESPONSE WILL BE \$600. MOTION PASSED. AYES: LO, MILLER, CAPPELLO, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: PAGE.

## OLD BUSINESS

### 11. Amendment to the Median Banner Policy

**Recommended action:**

Approve the attached resolution amending the Median Banner Policy and direct staff to bring the Median Banner Program back to the City Council for review in January 2015.

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

Mayor Lo invited public comment.

The following person requested to speak:

Cynthia Chang

No one else requested to speak.

**RESOLUTION NO. 14-028**

CAPPELLO/HUNTER MOVED TO **APPROVE THE RESOLUTION AMENDING THE MEDIAN BANNER POLICY AND DIRECT STAFF TO BRING THE MEDIAN BANNER PROGRAM BACK TO THE CITY COUNCIL FOR REVIEW IN JANUARY 2015.** MOTION PASSED. AYES: LO, MILLER, CAPPELLO, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: PAGE.

**NEW BUSINESS**

12. Addition of Two Trees to the Heritage Tree Inventory

**Recommended action:**

Adopt a resolution adding two trees to the Heritage Tree Inventory.

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

Mayor Lo invited public comment on the item.

No one requested to speak.

**RESOLUTION NO. 14-029**

MILLER/CAPPELLO **MOVED TO ADOPT A RESOLUTION ADDING TWO TREES TO THE HERITAGE TREE INVENTORY.** MOTION PASSED. AYES: LO, MILLER, CAPPELLO, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: PAGE.

13. Hakone Gardens Master Plan Development Agreement

**Recommended action:**

Approve the Development Agreement with Hakone Foundation for the development of a Master Plan for Hakone Gardens.

City Attorney Richard Taylor presented the staff report.

Mayor Lo invited public comment.

The following people requested to speak:

Lon Saavedra, Executive Director of Hakone Gardens

Ann Waltonsmith, Hakone Board of Trustees Vice President

No one else requested to speak.

MILLER/CAPPELLO MOVED TO **APPROVE THE DEVELOPMENT AGREEMENT WITH HAKONE FOUNDATION FOR THE DEVELOPMENT OF A MASTER PLAN FOR HAKONE GARDENS AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE AGREEMENT.** MOTION PASSED. AYES: LO, MILLER, CAPPELLO, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: PAGE.

14. Resident Brochure

**Recommended action:**

Provide direction to staff on development of a resident brochure and allocate \$500 from Council Discretionary for translation of the brochure.

City Clerk Crystal Bothelio presented the staff report.

Mayor Lo invited public comment on the item.

The following person requested to speak.

Cynthia Chang

No one else requested to speak.

Council decided against producing a resident brochure. Alternatively, the City Council directed staff to include information about the City of Saratoga, including City services and contact information, information about other service providers in Saratoga, and other useful information for residents, in the next issue of *The Saratogan*.

**ADHOC & AGENCY ASSIGNMENT REPORTS**

Mayor Emily Lo

*Cities Association of Santa Clara County* – the Cities Association continues to evaluate bills before the State Legislature and agreed to support a mental health budget proposal, Assembly Bill (AB) 1970 to establish a Community Investment and Innovation Program to help fund local government efforts to reduce greenhouse gas emissions, AB2516 on development of a sea level rise planning database, and AB 1690 regarding where housing elements may accommodate very low and low-income housing needs. The next meeting is on May 8 and the City Council is invited to attend to learn more about the Levi Stadium and tour it.

*Hakone Foundation Board* – the Board meet on April 16, 2014 and approved the development agreement with the City of Saratoga. Hakone will host a reception on April 26 for neighbors in the area.

Vice Mayor Howard Miller

Vice Mayor Miller shared he attended the Quito Road Bridges open house, which was held to allow residents to get information and updates on the project. Approximately 57 people attended.

He also announced that on May 3, 2014 at 9:30 a.m. there will be a guided walk of the Quarry property. Information about the walk is on the City's website.

*Valley Transportation Authority Policy Advisory Committee (PAC)* – during the last meeting, a presentation on a survey of passengers was given. The survey is done every 5 years and showed that 51% of public transit users in the County walk to mass transit. Only 6% of users bike to public transit and 5% drive. The survey showed that many mass transit users live within walking distance of access to mass transit. He also shared that the timeline for Express Lane projects throughout the County was presented at the meeting. The State Route 85 Express Lanes project is not yet included on that timeline. Vice Mayor Miller then announced that information was shared about a recent change to the California Environmental Quality Act (CEQA) that generally prohibits cities from using automobile delays, commonly measured through the Level of Service grade system, as a significant impact on the environment when assessing projects. These changes were adopted through Senate Bill 743.

Council Member Manny Cappello

*Santa Clara County Housing and Community Development (HCD) Council Committee* – the next meeting is the week of April 28, 2014.

*Saratoga Area Senior Coordinating Council (SASCC)* – the next meeting will be held the week of April 21, 2014.

Council Member Chuck Page

No report

Council Member Jill Hunter

*Santa Clara Valley Water District Commission* – during the last meeting, the Commission was informed that rates will likely increase.

*Saratoga Chamber of Commerce* – Council Member Hunter stated she attended the Chamber meeting on behalf of Council Member Cappello. During the meeting, the upcoming spring Wine Stroll was discussed.

**CITY COUNCIL ITEMS**

None

**CITY MANAGER'S REPORT**

None

**ADJOURNMENT**

MILLER/CAPPELLO MOVED TO **ADJOURN THE MEETING AT 10:08 P.M.** MOTION PASSED. AYES: LO, MILLER, CAPPELLO, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: PAGE.

Minutes respectfully submitted:

Crystal Bothelio, City Clerk