

MINUTES
WEDNESDAY, MAY 21, 2014
SARATOGA CITY COUNCIL SPECIAL MEETING

At 4:30 p.m., the Saratoga City Council held a Closed Session in the Administrative Conference Room at 13777 Fruitvale Avenue. The City Council continued the Closed Session until after the Regular Meeting. At 6:00 p.m., the City Council conducted a Joint Meeting with representatives of the Santa Clara Valley Water District.

SARATOGA CITY COUNCIL REGULAR MEETING

Mayor Lo called the meeting to order at 7:04 p.m. and led the Pledge of Allegiance.

ROLL CALL

PRESENT Mayor Emily Lo, Vice Mayor Howard Miller, Council Members
Manny Cappello, Chuck Page, 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
Adam Henig, Recreation Supervisor
Debbie Bretschneider, Deputy City Clerk
Bridget Eddings, Recreation Coordinator

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 May 16, 2014.

REPORT FROM CLOSED SESSION

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

COMMUNICATIONS FROM COMMISSIONS & PUBLIC

Oral Communications on Non-Agendized Items

Mayor Lo requested that Item 6 be discussed at this point during the agenda and invited Beau Goldie, Chief Executive Officer of the Santa Clara Valley Water District, to give the City Council a presentation.

After the presentation, Mayor Lo returned to Oral Communications on Non-Agendized items.

Gary Smith, President of the Saratoga Chamber of Commerce, spoke about the Wednesday Farmers Market in the Village that will be moving to the parking lot behind the Union 76 gas station while Blaney Plaza is being renovated.

Oral Communications - Council Direction to Staff

None

Communications from Boards and Commissions

None

Council Direction to Staff

None

ANNOUNCEMENTS

Vice Mayor Miller announced summer programs offered by the Recreation Department for all ages and interests. The Recreation Activity Guide recently went out in the mail and is on the City's website.

Council Member Cappello shared that SASCC is holding a fundraising dinner called A Night in Tuscany on June 7, 2014 at 6:00 p.m. at the West Valley College Event Center. More information is available online at <http://www.anightintuscany.org/>.

CEREMONIAL ITEMS

1. Commendations for Outgoing Youth Commissioners

Recommended action:

Read and present commendations to outgoing Youth Commissioners Nihar Agrawal, Jane Chang, Somya Khare, Justin Lee, Anu Sreedhara, and Shefali Vijay.

Mayor Lo read and presented the commendations recognizing outgoing Youth Commissioners Nihar Agrawal, Jane Chang, Somya Khare, Justin Lee, Anu Sreedhara, and Shefali Vijay.

2. Appointment of Youth Commissioners and Oath of Office

Recommended action:

Adopt the attached resolution appointing 6 members to the Saratoga Youth Commission and direct the City Clerk to administer the Oath of Office.

RESOLUTION NO. 14-032

PAGE/HUNTER MOVED TO **ADOPT THE RESOLUTION APPOINTING 6 MEMBERS TO THE SARATOGA YOUTH COMMISSION AND DIRECT THE CITY CLERK TO ADMINISTER THE OATH OF OFFICE.** MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

City Clerk Crystal Bothelio administered the Oath of Office to the new members of the Saratoga Youth Commission.

3. Commendation for Rabbi Daniel Pressman

Recommended action:

Read and present the commendation for Rabbi Daniel Pressman.

Mayor Lo read and presented the commendation to Rabbi Daniel Pressman.

4. Asian/Pacific American Heritage Month

Recommended action:

Read and present commendations to Reiko Iwanaga, Aki Okuno, Shinku Sharma, Chi Am Circle, and Organization of Chinese American Women (OCAW) as part of Asian/Pacific American Heritage Month.

Mayor Lo read and present commendations to Reiko Iwanaga, Aki Okuno, Shinku Sharma, Chi Am Circle, and Organization of Chinese American Women (OCAW) as part of Asian/Pacific American Heritage Month.

5. Proclamation declaring May 16-23, 2014 as Affordable Housing Week

Recommended action:

Read and present proclamation declaring May 16-23, 2014 as Affordable Housing Week in Santa Clara County.

Mayor Lo read and present proclamation declaring May 16-23, 2014 as Affordable Housing Week in Santa Clara County.

SPECIAL PRESENTATIONS

6. Special Presentation from Santa Clara Valley Water District

Recommended action:

Receive presentation from Santa Clara Valley Water District.

Beau Goldie, Chief Executive Officer of the Santa Clara Valley Water District, gave a presentation to the City Council.

Mayor Lo invited public comment.

The following person requested to speak:

Trish Cypher

No one else requested to speak.

At this time, Mayor Lo returned to Oral Communications on Non-Agendized Items.

7. Saratoga Youth Commission Special Presentation

Recommended action:

Receive presentation from Saratoga Youth Commission.

Members of the Saratoga Youth Commission gave a presentation on achievements during the 2013/14 school year.

Mayor Lo invited public comment on the item.

No one requested to speak.

The City Council thanked the Youth Commission for its service to the community and City.

CONSENT CALENDAR

8. City Council Meeting Minutes

Recommended action:

Approve City Council minutes for the Special City Council Meeting and Regular City Council Meeting on May 7, 2014.

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

The following person requested to speak on this item:

Jeff Schwartz

No one else requested to speak.

HUNTER/PAGE MOVED TO **APPROVE CITY COUNCIL MINUTES FOR THE SPECIAL CITY COUNCIL MEETING AND REGULAR CITY COUNCIL MEETING ON MAY 7, 2014.** MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

9. Review of Accounts Payable Check Registers

Recommended action:

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

5/06/2014 Period 11

5/13/2014 Period 11

PAGE/MILLER MOVED TO **ACCEPT CHECK REGISTERS FOR THE FOLLOWING ACCOUNTS PAYABLE PAYMENT CYCLES: 5/06/2014 PERIOD 11; AND 5/13/2014 PERIOD 11.** MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

10. Treasurer's Report for the Month Ended March 31, 2014

Recommended action:

Review and accept the Treasurer's Report for the month ended March 31, 2014.

PAGE/MILLER MOVED TO **ACCEPT THE TREASURER'S REPORT FOR THE MONTH ENDED MARCH 31, 2014.** MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

11. Document Scanning Services – Extension of Contract

Recommended action:

Approve a three-year contract extension with Peelle Technologies for scanning services and authorize the City Manager to execute the same.

PAGE/MILLER MOVED TO **APPROVE A THREE-YEAR CONTRACT EXTENSION WITH PEELE TECHNOLOGIES FOR SCANNING SERVICES AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE SAME.** MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

12. Extension of Contract for Street Sweeping Services

Recommended action:

Approve one year extension to existing contract for citywide street sweeping services with Contract Sweeping Services in the amount of \$167,000.

PAGE/MILLER MOVED TO **APPROVE ONE YEAR EXTENSION TO EXISTING CONTRACT FOR CITYWIDE STREET SWEEPING SERVICES WITH CONTRACT SWEEPING SERVICES IN THE AMOUNT OF \$167,000.** MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

13. Transportation Development Act (TDA) Article 3 Application for the Saratoga Avenue Walkway Project

Recommended action:

Adopt resolution supporting the Metropolitan Transportation Commission's Transportation Development Act Article 3 Pedestrian/Bicycle Grant Application for the Saratoga Avenue Walkway Project.

RESOLUTION NO. 14-033

PAGE/MILLER MOVED TO **ADOPT RESOLUTION SUPPORTING THE METROPOLITAN TRANSPORTATION COMMISSION'S TRANSPORTATION DEVELOPMENT ACT ARTICLE 3 PEDESTRIAN/BICYCLE GRANT APPLICATION FOR THE SARATOGA AVENUE WALKWAY PROJECT.** MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

14. Notice of Completion—2013 Pavement Management Program and 1B State Grant

Recommended action:

Move to accept the 2013 Pavement Management Program and 1B as complete and authorize staff to record the Notice of Completion for construction contract.

PAGE/MILLER MOVED TO **MOVE TO ACCEPT THE 2013 PAVEMENT MANAGEMENT PROGRAM AND 1B AS COMPLETE AND AUTHORIZE STAFF TO RECORD THE NOTICE OF COMPLETION FOR CONSTRUCTION CONTRACT.** MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

PUBLIC HEARINGS

15. Fiscal Year 2014/15 Proposed Operating & Capital Budget Public Hearing

Recommended action:

Conduct a public hearing on the proposed FY 2014/15 Operating & Capital Budgets, and provide direction to staff for budget adoption on June 4, 2014.

Vice Mayor Miller requested that Item 16 be heard before Item 15.

Mayor Lo granted the request.

The City Council returned to this item at 9:14 p.m.

Mary Furey, Finance and Administrative Services Director, presented the staff report.

Mayor Lo invited public comment on the item.

The following person requested to speak:

Mary-Lynne Bernald, Planning Commission Chair

No one else requested to speak.

MILLER/CAPPELLO MOVED TO DIRECT STAFF TO BRING BACK THE PROPOSED FISCAL YEAR 2014/15 OPERATING & CAPITAL BUDGET TO THE JUNE 4, 2014 CITY COUNCIL MEETING FOR ADOPTION. MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

OLD BUSINESS

None

NEW BUSINESS

16. Highway 85 Performance Agreement

Recommended action:

Consider and provide direction to staff regarding a letter to the Santa Clara Valley Transportation Authority regarding the 1989 Performance Agreement between the City and the Santa Clara County Traffic Authority concerning Highway 85.

City Attorney Richard Taylor presented the staff report.

Mayor Lo invited public comment on the item.

The following people requested to speak:

Paul Krug

Jeff Schwartz

Trish Cypher

Mary Robertson

Bill Ford

Marcia Fariss

No one else requested to speak.

The Council discussed the process underway at VTA. Council Member Hunter acknowledged the efforts of Vice Mayor Miller and Council Member Page to represent the City of Saratoga in their respective VTA assignments. She noted that Vice Mayor Miller and Council Member Page have tried to do what they believe is right for the City of Saratoga, even if some residents disagree with their approach or positions. She also recognized that considerable time and energy is needed to represent the City among outside agencies and organizations and both Vice Mayor Miller and Council Member Page have been diligent in their assignments and very conscientious.

MILLER/PAGE MOVED TO AUTHORIZE THE MAYOR TO SIGN THE LETTER TO THE SANTA CLARA VALLEY TRANSPORTATION AUTHORITY REGARDING THE 1989 PERFORMANCE AGREEMENT BETWEEN THE CITY AND THE SANTA CLARA COUNTY TRAFFIC AUTHORITY CONCERNING HIGHWAY 85 WITH THE ADDITION OF A PARAGRAPH TO BE DRAFTED BY STAFF IN CONSULTATION WITH THE MAYOR URGING THE SANTA CLARA VALLEY TRANSPORTATION AUTHORITY TO REDUCE EXISTING NOISE LEVELS ASSOCIATED WITH THE HIGHWAY. MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

At 9:05 p.m., the City Council took a short break.

17. Affordable Housing Impact Fees

Recommended action:

Direct staff to include an implementation measure in the draft General Plan Housing Element that states the City of Saratoga will work collaboratively with other Santa Clara Cities towards preparing a joint nexus study for the purpose of establishing an affordable housing impact fee.

Community Development Director James Lindsay presented the staff report.

Mayor Lo invited public comment on the item.

No one requested to speak.

PAGE/CAPPELLO MOVED TO DIRECT STAFF TO INCLUDE AN IMPLEMENTATION MEASURE IN THE DRAFT GENERAL PLAN HOUSING ELEMENT THAT STATES THE CITY OF SARATOGA WILL WORK COLLABORATIVELY WITH OTHER SANTA CLARA CITIES TOWARDS PREPARING A JOINT NEXUS STUDY FOR THE PURPOSE OF ESTABLISHING AN AFFORDABLE HOUSING IMPACT FEE. MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

ADHOC & AGENCY ASSIGNMENT REPORTS

Mayor Emily Lo

Hakone Foundation Board – the Board had a meeting on May 16, 2014 and agreed to allocate \$150,000 to the development of a master plan and approved the timeline for the master plan process. Next year, Hakone will be celebrating its 100-year anniversary and a committee will be developing plans to celebrate Hakone’s centennial anniversary. Also during the meeting, Ann Waltonsmith was selected as the Board President (effective July 1, 2014) and the Board agreed to have the Executive Committee review the bylaws before the next Board Meeting. Additionally, the Matsuri festival at Hakone attracted an excellent crowd. Over 2,500 people attended.

Vice Mayor Howard Miller

No report

Council Member Manny Cappello

Saratoga Chamber of Commerce – the recent Wine Stroll was a huge success. A total of 700 glasses were sold and attendance was estimated at 1,000. The Chamber is also coordinating the upcoming car show in July. The Chamber of Commerce Installation Dinner for new officers is June 19 at 5:30 p.m. at Bella Saratoga.

Council Member Chuck Page

West Valley Sanitation District – the Treatment Plant Advisory Committee recently met and discussed implementation of the treatment plant master plan and it appears that it will no longer be necessary for the Sanitation District to dip into reserves to cover improvement costs with changes to timing of master plan improvements. Council Member Page also reported things are going well with the Sanitation District. Sewage overflows are far below the state average.

Council Member Jill Hunter

Saratoga Historical Foundation – Council Member Hunter reported on the recent Foundation meeting. She also shared she has been attending webinars with members of the Heritage Preservation Commission and Planning Commission on a variety of topics, including revitalization of downtowns.

CITY COUNCIL ITEMS

Vice Mayor Miller requested that the Hakone Gardens Master Plan go before the City Council for approval before being released.

Council Member Hunter supported this request.

CITY MANAGER’S REPORT

No report

CONTINUED CLOSED SESSION

At 10:23 p.m., City Attorney Richard Taylor stated that the City Council would be continuing the meeting to a Closed Session, which started as part of the Special Meeting before the Regular Meeting, in the Administrative Conference Room. He stated that the report from Closed Session would be made in the Administrative Conference Room.

REPORT FROM CLOSED SESSION – Administrative Conference Room at 13777 Fruitvale Avenue

Mayor Lo asked the City Attorney to report on the action taken in closed session. The City Attorney reported that the City Council had approved entry of a stipulated judgment by a vote of 5-0 (Lo, Miller, Cappello, Page, Hunter voting aye). The stipulated judgment fully and finally resolves the litigation listed in the agenda description, waives plaintiffs’ right to appeal or otherwise challenge the judgments in that litigation, and specifies the rights of the parties with respect to the parking spaces in dispute in the litigation.

ADJOURNMENT

Mayor Lo adjourned the meeting at 10:40 p.m.

Minutes respectfully submitted:

Crystal Bothelio, City Clerk