

MINUTES
WEDNESDAY, JULY 2, 2014
SARATOGA CITY COUNCIL SPECIAL MEETING

At 6:00 p.m., the Saratoga City Council held a Joint Meeting with the Saratoga Parks and Recreation Commission and Pedestrian, Equestrian, and Bicycle Trails Advisory Committee in the Administrative Conference Room at City Hall at 13777 Fruitvale Avenue.

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 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
James Lindsay, Community Development Director
Michael Taylor, Recreation and Facilities Director
Adam Henig, Recreation Supervisor
Cynthia McCormick, Planner
Brian Babcock, Administrative Analyst I
Mainini Cabute, Management Analyst II
Christopher Riordan, Senior Planner
Kate Bear, Arborist
Lori McKenna, Building Admin.
Debbie Bretschneider, Deputy City Clerk
Ann Xu, Accountant II
Marissa McPeak, Photography Intern
Gina Scott, Accounting Tech.

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 June 27, 2014.

REPORT FROM CLOSED SESSION

Mayor Lo reported that during the Adjourned Meeting held at 5:30 p.m. prior to the Regular Meeting, the City Council unanimously selected James Lindsay as the new City Manager.

COMMUNICATIONS FROM COMMISSIONS & PUBLIC

Oral Communications on Non-Agendized Items

Debbie Manser announced that Saratoga Relay for Life will take place on July 19, 2014 at 10:00 a.m. at St. Andrews Church. Additional information is available online at www.relayforlife.org/saratogaca.

Trish Cypher spoke about the City's Housing Element workshops and encouraged the Council to raise more awareness about the Housing Element update.

Liliya requested that the City Council consider adopting an ordinance banning smoking in multifamily residential units.

Oral Communications - Council Direction to Staff

Vice Mayor Miller requested that staff provide an overview of the Housing Element update process and public engagement efforts.

Community Development Director James Lindsay described the process and efforts by staff to involve the community in the Housing Element update. Additional information is available on the City's website at www.saratoga.ca.us/housingelement.

Communications from Boards and Commissions

Parks and Recreation Commissioner Ping Li provided an overview of items shared by the Commission during the Joint Meeting with the City Council, including updates on the summer movie night events and Let's Walk Saratoga!

Jim Stallman with the Pedestrian, Equestrian, and Bicycle Trails Advisory Committee also spoke about the Joint Meeting, sharing information about the Committee's efforts to restore the crossing to Blue Hills School between Guava Court and Fredericksburg across Joe's Trail at Saratoga DeAnza.

Council Direction to Staff

None

ANNOUNCEMENTS

Council Member Hunter shared that the Saratoga Village Development Council, under Laurel Perusa's leadership, decorated 70 storefronts in the Village with Independence Day decorations.

Council Member Page announced that the annual Independence Day celebration will be on July 4 at Kevin Moran Park at 10:00 a.m.

Vice Mayor Miller shared information about recreational programs and summer camps open for enrollment through the City of Saratoga Recreation Department. He also announced that the Parks and Recreation Commission will be hosting a guided walk of the Quarry property on July 12, 2014 at 9:30 a.m. There is a second guided walk on August 9, 2014 at 9:30 a.m.

Mayor Lo invited the public to a retirement reception for Dave Anderson on July 16, 2014 from 5:00 p.m. to 7:00 p.m. in the Joan Pisani Community Center.

CEREMONIAL ITEMS

Before proceeding to Agenda Item 1, Mayor Lo announced that the City Council had a surprise commendation recognizing City Manager Dave Anderson and his 14-years of service to the Saratoga community. The City Council then presented the proclamation to City Manager Dave Anderson.

1. Proclamation Declaring July 2014 as “Parks Make Life Better!” Month

Recommended action:

Read and present the proclamation declaring July 2014 as “Parks Make Life Better!” Month in the City of Saratoga.

Mayor Lo presented the “Parks Make Life Better!” Month proclamation to Ping Li, Parks and Recreation Commissioner.

SPECIAL PRESENTATIONS

None

CONSENT CALENDAR

2. City Council Meeting Minutes

Recommended action:

Approve City Council minutes for the Special City Council Meeting and Regular City Council Meeting on June 18, 2014, the Adjourned Meeting on June 20, 2014, and the Special Meeting on June 25, 2014.

PAGE/MILLER MOVED TO **APPROVE CITY COUNCIL MINUTES FOR THE SPECIAL CITY COUNCIL MEETING AND REGULAR CITY COUNCIL MEETING ON JUNE 18, 2014, THE ADJOURNED MEETING ON JUNE 20, 2014, AND THE SPECIAL MEETING ON JUNE 25, 2014.** 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:

6/17/2014 Period 12

6/24/2014 Period 12

PAGE/MILLER MOVED TO **ACCEPT CHECK REGISTERS FOR THE FOLLOWING ACCOUNTS PAYABLE PAYMENT CYCLES: 6/17/2014 PERIOD 12 AND 6/24/2014 PERIOD 12.** MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

4. Treasurer’s Report for the Month Ended May 31, 2014

Recommended action:

Review and accept the Treasurer’s Report for the month ended May 31, 2014.

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

5. Resolution Authorizing Final Disposition of Certain City Records
Recommended action:
Adopt resolution authorizing final disposition of certain City records.

RESOLUTION NO. 14-044

PAGE/MILLER 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.

6. Landscape and Lighting Assessment District Zone 36 (Allendale) – Fiscal Year 2014/15 Budget Adjustment
Recommended action:
Approve Resolution adjusting Fiscal Year 2014/15 budget to include newly annexed Landscape and Lighting Assessment District Zone 36 (Allendale).

Mayor Lo removed this item from the Consent Calendar due to a request for public comment. However, the requestor was not present to speak on the item.

RESOLUTION NO. 14-045

HUNTER/PAGE MOVED TO **APPROVE RESOLUTION ADJUSTING FISCAL YEAR 2014/15 BUDGET TO INCLUDE NEWLY ANNEXED LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT ZONE 36 (ALLENDALE).** MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

7. Landscaping & Lighting Assessment District LLA-1; Resolutions Initiating Renewal of the District for FY 15-16
Recommended action:
1. Move to adopt the Resolution describing improvements and directing preparation of the Engineer's Report.
 2. Move to adopt the Resolution appointing the Attorney's for the District.

Mayor Lo removed this item from the Consent Calendar due to a request for public comment. However, the requestor was not present to speak on the item.

RESOLUTIONS NO. 14-046 & 14-047

HUNTER/PAGE MOVED TO: **1) ADOPT THE RESOLUTION DESCRIBING IMPROVEMENTS AND DIRECTING PREPARATION OF THE ENGINEER'S REPORT; AND 2) ADOPT THE RESOLUTION APPOINTING THE ATTORNEY'S FOR THE DISTRICT.** MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

8. Approve Donation from Roku, Inc to Sponsor Summer Movie Night Events
Recommended action:
Authorize the City Manager to accept a donation from Roku in an amount not to exceed \$2,400 for the Summer Movie Night events.

Council Member Hunter removed this item from the Consent Calendar to request additional information.

City Attorney Richard Taylor addressed Council questions.

Mayor Lo invited public comment on the item.

No one requested to speak.

RESOLUTION NO. 14-048

HUNTER/PAGE MOVED TO **AUTHORIZE THE CITY MANAGER TO ACCEPT A DONATION FROM ROKU, INC. IN AN AMOUNT NOT TO EXCEED \$2,400 FOR THE SUMMER MOVIE NIGHT EVENTS AND APPROVE A BUDGET ADJUSTMENT RESOLUTION FOR THE FISCAL YEAR 2014/15 BUDGET TO ACCEPT THE DONATION.** MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

Council Member Page noted that he thought that there was a member of the public who wanted to speak during Oral Communications on Non-Agendized Items, but did not have the opportunity to do so.

Mayor Lo invited Eoghan Walsh to speak.

Eoghan Walsh shared that he is interested in collaborating with the City on an Eagle Scout project.

PUBLIC HEARINGS

9. Confirmation of Report and Assessment of 2014 Weed/Brush Abatement Program

Recommended action:

Open public hearing, accept public testimony, close public hearing, and adopt resolution confirming report and assessment of hazardous vegetation abatement charges.

City Clerk Crystal Bothelio presented the staff report.

Moe Kumre, Weed Abatement Program Coordinator with the Santa Clara County Office of the Agricultural Commissioner, addressed Council questions.

Mayor Lo invited public comment on the item.

No one requested to speak.

RESOLUTION NO. 14-049

PAGE/MILLER MOVED TO **ADOPT THE RESOLUTION CONFIRMING REPORT AND ASSESSMENT OF HAZARDOUS VEGETATION ABATEMENT CHARGES.** MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

OLD BUSINESS

None

NEW BUSINESS

10. Hakone Gardens Master Plan – Approve Request for Proposals (RFP) and Accept \$150,000 in Matching Funds from the Hakone Foundation

Recommended action:

1. Accept \$150,000 in matching funds from the Hakone Foundation for the Hakone Gardens Master Plan
2. Approve Resolution amending the FY 14/15 Budget
3. Approve Request for Proposal (RFP) for the Hakone Gardens Master Plan

Public Works Director John Cherbone presented the staff report.

Lon Saavedra, Hakone Foundation Executive Director, and Ann Waltonsmith, Hakone Foundation Vice President, addressed City Council questions.

Mayor Lo invited public comment on the item.

No one requested to speak.

RESOLUTION NO. 14-050

PAGE/CAPPELLO MOVED TO: **1) ACCEPT \$150,000 IN MATCHING FUNDS FROM THE HAKONE FOUNDATION FOR THE HAKONE GARDENS MASTER PLAN; 2) APPROVE RESOLUTION AMENDING THE FY 14/15 BUDGET; AND 3) APPROVE REQUEST FOR PROPOSAL (RFP) FOR THE HAKONE GARDENS MASTER PLAN.** MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

11. New City Manager Contract

Recommended action:

Approve a contract for City Manager services beginning at 5:00 pm. on July 23, 2014.

City Attorney Richard Taylor presented the staff report.

Mayor Lo invited public comment on the item.

No one requested to speak.

MILLER/CAPPELLO MOVED TO **APPROVE A CONTRACT FOR CITY MANAGER SERVICES BEGINNING AT 5:00 PM. ON JULY 23, 2014.** MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

12. Saratoga Creek Gray Water Release Abatement

Recommended action:

Receive an update on the status of the emergency abatement work in Saratoga Creek and direct staff accordingly.

City Attorney Richard Taylor presented the staff report.

Public Works Director John Cherbone provided a status report on the emergency abatement work and stated that the work is complete.

Mayor Lo invited public comment on the item.

No one requested to speak.

13. Amendment to 2014 City Council Meeting Schedule

Recommended action:

Accept report and provide staff with direction regarding the 2014 City Council Summer Recess schedule and cancellation of the July 16, 2014 City Council Meeting.

City Clerk Crystal Bothelio presented the staff report.

Mayor Lo invited public comment on the item.

No one requested to speak.

MILLER/CAPPELLO MOVED TO CANCEL THE JULY 16, 2014 REGULAR CITY COUNCIL MEETING. MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

ADHOC & AGENCY ASSIGNMENT REPORTS

Mayor Emily Lo

Hakone Foundation Board – Hakone Gardens will be celebrating its centennial anniversary next year. A committee has been formed to organize the celebrations. Additional information about centennial activities should be available in August.

West Valley Mayors and Managers Association – Mayor Lo said that she would be unable to attend the next meeting and Vice Mayor Miller would be attending on her behalf.

Vice Mayor Howard Miller

No report

Council Member Manny Cappello

Saratoga Area Senior Coordinating Council (SASCC) – during the board meeting last week, discussion was held on management of finances. Recreation & Facilities Director Michael Taylor will be overseeing SASCC finances temporarily. The Board also discussed the Italian Dinner fundraiser, which raised \$12,000 thanks largely to event costs covered by El Camino Hospital. Overall, the event was very successful.

Council Member Chuck Page

Santa Clara County Expressway Plan 2040 Policy Advisory Board – the next meeting will be August 25, 2014. The Advisory Board will be considering expressway improvements throughout the County, including improvements to Lawrence Expressway.

West Valley Sanitation District – the Sanitation District Board has agreed to conduct a study of flow from the Sanitation District to the San Jose Santa Clara Waste Water Treatment Plant. The

information will be used to help assess the impact of potential new rate structures based on flow averages proposed by the treatment plant.

Council Member Jill Hunter

KSAR Community Access TV Board – the next meeting is July 8, 2014.

Saratoga Historical Foundation – the Foundation is working on many things, including a new exhibit “Pioneering the Valley: The Chinese American Legacy in Santa Clara Valley” that opens July 13, 2014, Heritage Day on October 4, 2014, and an Estate Sale Fundraiser on August 23, 2014 from 9:00 a.m. to 3:00 p.m. at the History Museum.

CITY COUNCIL ITEMS

Council Member Page requested a report on campaign expenditure limits, including limits adopted by other cities.

Council Member Cappello and Vice Mayor Miller supported the request.

Council Member Cappello asked that the report include information about the results of campaign expenditure limits in other cities, including any positive impacts.

Vice Mayor Miller requested that the report include historical data on campaign expenditures for Saratoga elections.

Council Member Hunter also requested discussion on payment of candidate statement of qualifications.

Council Member Cappello suggested that the information on cities that pay for candidate statements be included in the report on campaign expenditure limits.

CITY MANAGER’S REPORT

City Manager Dave Anderson stated he would be out of the office and returning on July 12, 2014. Public Works Director John Cherbone will serve as Acting City Manager.

ADJOURNMENT

MILLER/PAGE MOVED TO **ADJOURN THE MEETING IN HONOR OF RETIRING CITY MANAGER DAVE ANDERSON AT 9:00 P.M.** MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

Minutes respectfully submitted:

Crystal Bothelio, City Clerk