

**MINUTES
WEDNESDAY, AUGUST 20, 2014
SARATOGA CITY COUNCIL SPECIAL MEETING**

At 5:00 p.m., the Saratoga City Council conducted a Closed Session in the Administrative Conference Room at 13777 Fruitvale Avenue. At 6:00 p.m., the Council called to order a Joint Meeting with the Saratoga Sister City Committee.

SARATOGA CITY COUNCIL REGULAR MEETING

Mayor Lo called the meeting to order at 7:04 p.m. and invited Girl Scout Brownie Troop 61864 to lead 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: James Lindsay, City Manager
Richard Taylor, City Attorney
Crystal Bothelio, City Clerk
John Cherbone, Public Works Director
Mary Furey, Finance and Administrative Services Director
Michael Taylor, Recreation and Facilities Director
Adam Henig, Recreation Supervisor
Brian Babcock, Administrative Analyst I
Christopher Riordan, Senior Planner
Cynthia McCormick, Planner
Iveta Harvancik, Senior Engineer
Kate Bear, Arborist
Kristin Borel, Temporary City Manager's Office Staff
Lori McKenna, Building Administrative Assistant
Macedonio Nunez, Associate Engineer
Michael Fossati, Planner

REPORT OF CITY CLERK ON POSTING OF AGENDA

City Clerk Crystal Bothelio reported that the agenda for this meeting was properly posted on August 14, 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

Trish Cypher distributed written comments to the Council on various agenda items, congratulated James Lindsay on his appointment as City Manager, commented upon the ceremonial oath of office for the new City Manager, and stated her hopes that the drought would end soon.

Paul Hernandez spoke about removal of signage on Big Basin Way and raised concerns regarding the stone pine in Blaney Plaza, suggesting that a fence be placed around the tree and installation of a monitor that would indicate if the tree were in danger of falling.

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 Saratoga Historical Foundation will be holding an Estate Sale at the Saratoga History Museum on Saturday, August 23, 2014 from 9:00 a.m. to 3:00 p.m. Additionally, Bollywood is scheduled for Sunday, August 24, 2014 from 5:00 p.m. to 8:00 p.m. in the Village.

Council Member Page announced that the Santa Clara County Expressway Plan 2040 Policy Advisory Board will be meeting on August 25, 2014 at 4:30 p.m. in the Santa Clara County Board of Supervisors Chambers at 70 West Hedding in San Jose. The plan includes improvements to Lawrence Expressway that recess the roadway in the area between Homestead and Arques. This will allow Lawrence Expressway traffic to flow past these intersections without stopping. Additionally, the improvements will include elevated bicycle paths. The project is also expected to add an additional left turn lane from Saratoga Avenue onto Lawrence Expressway, realignment of the right turn from Prospect Road to southbound Lawrence Expressway, and an additional left turn lane from Prospect Road to Lawrence Expressway headed northbound.

Council Member Miller shared that the fall Recreation Activity Guide has been mailed to residents. The Activity Guide includes programming for all ages and interests.

Mayor Lo invited the public to attend an event at Saratoga Library on September 6, 2014 to break the Guinness World Record for the most number of people balancing books on their heads. The event check-in will take place between 7:00 a.m. and 8:30 a.m. with the world record attempt at 9:00 a.m. The public can register online and find more information at www.sccl.org/worldrecord. She also shared that on September 7 there will be a Mid Autumn Festival from 2:00 p.m. to 4:00 p.m. at the Saratoga History Museum hosted by the Saratoga History Museum and Organization of Chinese American Women, Silicon Valley Chapter.

Mayor Lo requested that the agenda items be reordered and that item 3 be heard first.

CEREMONIAL ITEMS

1. New City Manager Ceremonial Oath of Office

Recommended action:

Direct the City Clerk to administer the ceremonial Oath of Office to new City Manager James Lindsay.

City Clerk Crystal Bothelio administered the oath of office to the new City Manager James Lindsay.

2. Commendation Recognizing the 30th Anniversary of Muko-Saratoga Sister City Partnership

Recommended action:

Read and present the commendation recognizing the 30th Anniversary of the Muko-Saratoga Sister City partnership to members of the Saratoga Sister City Committee.

Mayor Lo presented the proclamation recognizing the 30th Anniversary of the Muko-Saratoga Sister City partnership to members of the Saratoga Sister City Committee.

After hearing Ceremonial Items, the City Council moved to the Consent Calendar.

SPECIAL PRESENTATIONS

3. Resolution Urging Residents to Conserve Water

Recommended action:

Accept report from the Santa Clara Valley Water District and approve the resolution urging residents to conserve water.

Mayor Lo invited the members of Girl Scout Brownie Troop 61864 to lead a water conservation pledge.

City Clerk Crystal Bothelio provided the staff report and invited Santa Clara Valley Water District Director Nai Hsueh and Rachael Gibson with the Santa Clara Valley Water District Office of Governmental Relations to provide a water presentation on water conservation tips and incentives from the Water District.

Santa Clara Valley Water District Director Nai Hsueh and Rachael Gibson with the Santa Clara Valley Water District Office of Governmental Relations delivered a presentation on opportunities for residents to save water and rebates and incentives offered by the Water District.

Mayor Lo invited public comment on the item.

The following people requested to speak.

An unnamed member of the audience

Vice Mayor Miller noted that written comments had been provided by Trish Cypher and acknowledged that all members of the Council received a copy. The City Clerk also received a copy of the written comments to be included in the record of the meeting.

No one else requested to speak.

RESOLUTION NO. 14-052

PAGE/CAPPELLO MOVED TO **APPROVE THE RESOLUTION URGING RESIDENTS TO CONSERVE WATER.** MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

At this time, the Council proceeded to Ceremonial Items.

CONSENT CALENDAR

4. City Council Meeting Minutes

Recommended action:

Approve City Council minutes for the Special City Council Meeting and Regular City Council Meeting on July 2, 2014, the Adjourned Meeting on July 2, 2014, and the Special Meeting on July 16, 2014.

PAGE/MILLER MOVED TO **APPROVE CITY COUNCIL MINUTES FOR THE SPECIAL CITY COUNCIL MEETING AND REGULAR CITY COUNCIL MEETING ON JULY 2, 2014, THE ADJOURNED MEETING ON JULY 2, 2014, AND THE SPECIAL MEETING ON JULY 16, 2014.** MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

5. Review of Accounts Payable Check Registers

Recommended action:

Review and accept check registers for the following accounts payable payment cycles: 7/1/2014 Period 13; 7/1/2014 Period 1; 7/8/2014 Period 13; 7/8/2014 Period 1; 7/15/2014 Period 13; 7/15/2014 Period 1; 7/22/2014 Period 13; 7/22/2014 Period 1; 7/29/2014 Period 13; 7/29/2014 Period 1; 8/6/2014 Period 13; 8/6/2014 Period 2; 8/12/2014 Period 2

PAGE/MILLER MOVED TO **ACCEPT CHECK REGISTERS FOR THE FOLLOWING ACCOUNTS PAYABLE PAYMENT CYCLES: 7/1/2014 PERIOD 13; 7/1/2014 PERIOD 1; 7/8/2014 PERIOD 13; 7/8/2014 PERIOD 1; 7/15/2014 PERIOD 13; 7/15/2014 PERIOD 1; 7/22/2014 PERIOD 13; 7/22/2014 PERIOD 1; 7/29/2014 PERIOD 13; 7/29/2014 PERIOD 1; 8/6/2014 PERIOD 13; 8/6/2014 PERIOD 2; 8/12/2014 PERIOD 2.** MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

6. Treasurer's Report for the Month Ended June 30, 2014

Recommended action:

Review and accept the Treasurer's Report for the month ended June 30, 2014.

PAGE/MILLER MOVED TO **ACCEPT THE TREASURER'S REPORT FOR THE MONTH ENDED JUNE 30, 2014.** MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

7. Extension of Landscape Maintenance Service Contract – Gachina Landscape Management

Recommended action:

Extend contract with Gachina Landscape Management for one additional year for monthly landscape maintenance services in the amount of \$67,824 and authorize the City Manager to execute the same.

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

Public Works Director John Cherbone provided additional information.

Mayor Lo invited public comment on the item.

No one requested to speak.

HUNTER/PAGE MOVED TO **EXTEND CONTRACT WITH GACHINA LANDSCAPE MANAGEMENT FOR ONE ADDITIONAL YEAR FOR MONTHLY LANDSCAPE MAINTENANCE SERVICES IN THE AMOUNT OF \$67,824 AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE SAME.** MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

8. Extension of Landscape Maintenance Service Contract – Loral Landscaping, Inc.

Recommended action:

Extend contract with Loral Landscaping, Inc. for one additional year for monthly landscape maintenance services in the amount of \$29,820 per year and authorize City Manager to execute the same.

PAGE/MILLER MOVED TO EXTEND CONTRACT WITH LORAL LANDSCAPING, INC. FOR ONE ADDITIONAL YEAR FOR MONTHLY LANDSCAPE MAINTENANCE SERVICES IN THE AMOUNT OF \$29,820 PER YEAR AND AUTHORIZE CITY MANAGER TO EXECUTE THE SAME. MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

9. Preliminary Approval of Engineer's Report and Adoption of Resolution of Intention for FY 15-16 for Annexation of a New Zone (Covina- Zone 37) to the City of Saratoga Landscaping and Lighting Assessment District, LLA-1

Recommended action:

1. Move to adopt the Resolution granting preliminary approval of the Engineer's Report for FY 15-16 for the annexation of New Zone (Covina – Zone 37) into the Landscaping and Lighting Assessment District LLA-1.
2. Move to adopt the Resolution of Intention.

Vice Mayor Miller removed this item from the Consent Calendar to request additional information about the item.

Public Works Director John Cherbone addressed Council questions.

Mayor Lo invited public comment on the item.

No one requested to speak.

RESOLUTIONS NO. 14-053 & 14-054

MILLER/CAPPELLO MOVED TO: 1) ADOPT THE RESOLUTION GRANTING PRELIMINARY APPROVAL OF THE ENGINEER'S REPORT FOR FY 15-16 FOR THE ANNEXATION OF NEW ZONE (COVINA – ZONE 37) INTO THE LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT LLA-1; AND 2) ADOPT THE RESOLUTION OF INTENTION. MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

10. Final Map Approval for Thirteen Lots Located at 12250 Saratoga-Sunnyvale Road
Owner: TimeSpace Square, LLC

Recommended action:

1. Move to adopt Resolution granting final map approval of tentative map application No. SUB 13-0005 for thirteen lots located at 12250 Saratoga-Sunnyvale Road.
2. Move to authorize the City Manager to execute the Subdivision Improvement Agreement.

RESOLUTION NO. 14-055

MILLER/CAPPELLO MOVED TO: 1) ADOPT RESOLUTION GRANTING FINAL MAP APPROVAL OF TENTATIVE MAP APPLICATION NO. SUB 13-0005 FOR THIRTEEN LOTS LOCATED AT 12250 SARATOGA-SUNNYVALE ROAD; AND 2) MOVE TO AUTHORIZE THE CITY MANAGER TO EXECUTE THE SUBDIVISION IMPROVEMENT AGREEMENT. MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

PUBLIC HEARINGS

11. A Zoning Amendment to Apply a Planned-Combined District (P-C) and Design Review Application to Add Approximately 6,500 Sq. Ft. to an Existing Synagogue at 19700 Prospect Road

Recommended action:

1. Conduct a public hearing.
2. Adopt a resolution adopting the Mitigated Negative Declaration and approving an application for Design Review.
3. Introduce and waive the first reading of the attached ordinance to add the Planned-Combined District (P-C) at 19700 Prospect Road.
4. Direct staff to place the ordinance on the Consent Calendar for adoption at the next regular meeting of the City Council.

Michael Fossati, Planner in the Community Development Department, presented the staff report.

Rabbi Philip Ohriner, Executive Vice President Dan Skilken, and Project Architect Joel Karr provided a presentation on the item.

Mayor Lo invited public comment on the item.

The following people requested to speak:

Wendy Glasser spoke in favor of the project.

Jeff Warwick spoke in favor of the project.

Rabbi Philip Ohriner spoke in favor of the project.

No one else requested to speak.

RESOLUTION NO. 14-056

CAPPELLO/MILLER MOVED TO: 1) ADOPT A RESOLUTION ADOPTING THE MITIGATED NEGATIVE DECLARATION AND APPROVING AN APPLICATION FOR DESIGN REVIEW; 2) WAIVE THE FIRST READING OF THE ORDINANCE TO ADD THE PLANNED-COMBINED DISTRICT (P-C) AT 19700 PROSPECT ROAD; AND 3) 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.

12. Replacement of Quito Road Bridges – Project Approval

Recommended action:

Adopt resolution approving the Replacement of Quito Road Bridges project and authorizing the City Manager to file with the County of Santa Clara a Notice of Exemption from the California Environmental Quality Act (CEQA).

Public Works Director John Cherbone presented the staff report.

Mayor Lo invited public comment.

No one requested to speak.

RESOLUTION NO. 14-057

MILLER/PAGE MOVED TO ADOPT RESOLUTION APPROVING THE REPLACEMENT OF QUITO ROAD BRIDGES PROJECT AND AUTHORIZING THE CITY MANAGER TO FILE WITH THE COUNTY OF SANTA CLARA A NOTICE OF EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA). MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

At 9:09 p.m., Mayor Lo announced a short recess. She called the meeting back to order at 9:18 p.m.

13. Conceptual Approval of the 2015-2023 General Plan Housing Element

Recommended action:

1. Conduct a public hearing.
2. Conceptually approve and authorize staff to submit the 2015-2023 Housing element to the State Department of Housing and Community Development for review.

Heather and Jeff Bradley with Metropolitan Planning Group presented the staff report.

Mayor Lo invited public comment on the item.

The following person requested to speak:

Mary-Lynne Bernald

No one else requested to speak.

MILLER/CAPPELLO MOVED TO CONCEPTUALLY APPROVE AND AUTHORIZE STAFF TO SUBMIT THE 2015-2023 HOUSING ELEMENT TO THE STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR REVIEW. MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

OLD BUSINESS

14. Village Streetscape Improvements Phase 2 – Status Report

Recommended action:

Receive report and direct staff accordingly.

Public Works Director John Cherbone presented the staff report.

Mayor Lo invited public comment on the item.

The following person requested to speak:

Dina Cotton

No one else requested to speak.

City Arborist Kate Bear addressed Council questions.

NEW BUSINESS

15. Community Development Interim Staffing Plan and Contract Authorization

Recommended action:

1. Receive report and direct staff accordingly.
2. Authorize the City Manager to execute a contract with the Metropolitan Planning Group for contract planning services for an amount not to exceed \$45,000.

City Manager James Lindsay presented the staff report.

Mayor Lo invited public comment on the item.

No one requested to speak.

MILLER/CAPPELLO MOVED TO **AUTHORIZE THE CITY MANAGER TO EXECUTE A CONTRACT WITH THE METROPOLITAN PLANNING GROUP FOR CONTRACT PLANNING SERVICES FOR AN AMOUNT NOT TO EXCEED \$45,000.** MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

16. Report on Campaign Expenditure Limits

Recommended action:

Receive report and direct staff accordingly.

City Clerk Crystal Bothelio presented the staff report.

Mayor Lo invited public comment on the item.

The following person requested to speak:

John Chen

No one else requested to speak.

17. 2014 League of California Cities Annual Conference Resolution

Recommended action:

Provide input to the City's voting delegate (Council Member Page) and alternate voting delegate (Mayor Lo) on the resolution to be considered at the 2014 League of California Cities Annual Conference.

City Clerk Crystal Bothelio presented the staff report on this item.

Mayor Lo invited public comment.

No one requested to speak.

The City Council provided Council Member Page and Mayor Lo with input on the resolution to be considered at the Annual League of California Cities Conference.

ADHOC & AGENCY ASSIGNMENT REPORTS

Mayor Emily Lo

Mayor Lo shared that the City's photography intern will be concluding her internship with the City on August 21, 2014. The photography intern, Marissa McPeak, has been taking a number of photos of the City and is preparing the State of the City Video.

Santa Clara County Library District Joint Powers Authority – the Library District is having its centennial celebration on October 11, 2014 at Hakone Gardens. Additionally, there will be an attempt to break the world record for the most people balancing a book on their head at Saratoga Library on the morning of September 6, 2014.

Vice Mayor Howard Miller

Council Finance Committee – during the last meeting, an update on the CAFR was presented and it appears that it is ahead of schedule.

Valley Transportation Authority Policy Advisory Committee (PAC) – the last meeting of the PAC was attended by all members. Additionally, at the Board Meeting, the General Manager shared information about changes to employee health care. There was a BART groundbreaking event on August 20, 2014 and others events planned for the future. Vice Mayor Miller encouraged fellow Council Members to participate in available tours. Additionally, there was discussion of public transportation and Levi Stadium and the relationship between congestion management agencies and land use.

West Valley Mayors and Managers – Vice Mayor Miller stated that he attended the last meeting on behalf of Mayor Lo. During the meeting, Carl Guardino spoke about a proposed transit bond measure that is scheduled to go before voters in 2016.

Council Member Manny Cappello

Destination Saratoga – the group will be moving to its third public relations firm soon. The group expects this will broaden its media relations. The new contract starts January 1, 2015. Additionally, Village dinner event has been canceled for the time being.

Santa Clara County Housing and Community Development (HCD) Council Committee Saratoga Area Senior Coordinating Council (SASCC) – the Board reviewed financial policies at the last meeting. Next month, the topic will be revisited. Additionally, the Senior Center will be closed between August 25, 2014 and September 2, 2014.

Council Member Chuck Page

Santa Clara County Expressway Plan 2040 Policy Advisory Board – the next meeting will be on August 25, 2014. The plan includes significant changes to Lawrence Expressway that are three times the cost of the State Route 85 Express Lane Project. The project will include recessing Lawrence Expressway north of Homestead and constructing on and off-ramps to the expressway.

West Valley Sanitation District – the schedule of improvements to the San Jose-Santa Clara Regional Wastewater Facility have been changed recently, which mean that less money will be spent next fiscal year. This means that the structure of recently approved sanitation district rate increases will match potential fee increases from the wastewater treatment plant improvements. Additionally, the sanitation district has seen a few instances where property use has changed and the sanitation district was not notified. Changes in use may result in increased sanitation fees, depending on the type of use. Improved communications between cities and the sanitation district will help prevent huge back charges when changes in use are identified.

Council Member Jill Hunter

KSAR Community Access TV Board – the board has been discussing the potential use of PEG funds, including replacement of equipment used in the Civic Theater. Additionally, the board is planning to remove all equipment from the studio at West Valley College while bond funded improvements are underway. The next meeting is on September 9.

Saratoga Historical Foundation – the Foundation is holding an Estate Sale on August 23, 2014.

CITY COUNCIL ITEMS

None

CITY MANAGER’S REPORT

City Manager James Lindsay shared that he has been meeting with the superintendents of Saratoga schools. Additionally, the City is planning to host a resource table at Back to School Nights. Staff will be at the Saratoga High School and Prospect High School events.

ADJOURNMENT

PAGE/CAPPELLO MOVED TO **ADJOURN THE MEETING AT 11:56 P.M.** MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

Minutes respectfully submitted:

Crystal Bothelio, City Clerk
City of Saratoga