

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

At 6:00 p.m., the City Council held a Joint Meeting with the Saratoga Library and Friends of the Saratoga Libraries 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 7:07 p.m. and Cub Scout Pack 508 joined the City Council onstage to lead the Pledge of Allegiance. Mayor Lo then presented the commendation celebrating the 50th anniversary of Cub Scout Pack 508 to the leaders and members of the group.

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 & Administrative Services Director
Michael Taylor, Recreation and Facilities Director
Brian Babcock, Administrative Analyst I
Christopher Riordan, Senior Planner
Cynthia McCormick, Planner

REPORT OF CITY CLERK ON POSTING OF AGENDA

City Clerk Crystal Bothelio reported that the agenda for this meeting was properly posted on October 9, 2014.

COMMUNICATIONS FROM COMMISSIONS & PUBLIC

Oral Communications on Non-Agendized Items

Allison Lew, Saratoga Community Librarian, spoke about the City Council's Joint Meeting with the Library Commission and Friends of the Saratoga Libraries, and then shared information about upcoming Saratoga Library activities.

Mayor Lo invited representatives of the Santa Clara County Library District, Saratoga Library, and Saratoga Library Commission on stage and presented the proclamation celebrating the 100th anniversary of the Santa Clara County Library District.

Jan Van der Linde addressed the City Council about a fallen tree in the creek behind his home. He requested that the tree be removed before it begins to rain.

Oral Communications - Council Direction to Staff

Council Member Page asked staff to revisit the issue to determine if there is a way to address the fallen tree, such as code enforcement action or engaging the Santa Clara Valley Water District.

Communications from Boards and Commissions

None

Council Direction to Staff

None

ANNOUNCEMENTS

Council Member Hunter shared that Witchy Walk-a-Bout will be on October 25, 2014 from 1:00 p.m. to 4:00 p.m. in the Village. Children are invited to dress in their Halloween costumes and visit the Village businesses for treats.

Council Member Page announced Pizza and Politics, a youth and teen candidate forum, on October 22, 2014 at 7:00 p.m. at Cupertino Community Hall. The event will feature candidates for Saratoga Union School District Board of Trustees, Cupertino Union School District Board of Education, and State Assembly District 28. Additionally, he announced the Sacred Heart Carnival, which will take place October 10 through 12 and feature a variety of rides and events.

Council Member Cappello noted that there will be a health fair, organized by the Saratoga Area Senior Coordinating Council, on Saturday, October 18, 2014 from 10:00 a.m. to 1:00 p.m. at West Valley College. The event, including parking, is free and will include free health screenings, demonstrations, the opportunity to speak with physicians, free flu shots, and free skin screenings.

Mayor Lo announced the League of Women Voters forum for City Council and Saratoga Union School District Board of Trustees candidates on October 21, 2014 at 7:00 p.m. in the Civic Theater, as well as the Final Word Forum for City Council candidates on November 3, 2014 at 7:00 p.m. in the Civic Theater. Mayor Lo then announced that the Sheriff's Office will be holding a Saratoga Crime Prevention Workshop on October 26, 2014 from 4:00 p.m. to 6:00 p.m. at Joan Pisani Community Center in the Multipurpose Room. During the workshop, the Sheriff's Office will be presenting crime prevention tips and taking the time to engage residents in dialogue about crime.

CEREMONIAL ITEMS

1. Commendation Celebrating the 50th Anniversary of Cub Scout Pack 508

Recommended action:

Read and present commendation celebrating the 50th Anniversary of Cub Scout Pack 508 to representatives of the pack.

Mayor Lo presented the commendation celebrating the 50th Anniversary of Cub Scout Pack 508 to representatives of the pack.

2. Commendation Recognizing the Saratoga Education Foundation

Recommended action:

Read and present commendation recognizing the parent volunteers of the Saratoga Education Foundation.

Mayor Lo presented the commendation recognizing the parent volunteers of the Saratoga Education Foundation to representatives of the group.

3. Commendation for Emergency Service Volunteers

Recommended action:

Read and present commendation to representatives of Saratoga's Community Emergency Response Team, Amateur Radio Association, and Medical Reserve Corps.

Mayor Lo presented the commendation to representatives of Saratoga's Community Emergency Response Team, Amateur Radio Association, and Medical Reserve Corps.

4. Proclamation Honoring the Santa Clara County Library District's 100-Year Anniversary

Recommended action:

Read and present proclamation honoring the Santa Clara County Library District's 100-year anniversary.

Mayor Lo presented the proclamation honoring the Santa Clara County Library District's 100-year anniversary to representatives of the Santa Clara County Library District, Saratoga Library, and Saratoga Library Commission.

SPECIAL PRESENTATIONS

None

CONSENT CALENDAR

5. City Council Meeting Minutes

Recommended action:

Approve the City Council minutes for the Special and Regular City Council Meeting on October 1, 2014.

PAGE/MILLER MOVED TO **APPROVE THE CITY COUNCIL MINUTES FOR THE SPECIAL AND REGULAR CITY COUNCIL MEETING ON OCTOBER 1, 2014.**

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

6. Review of Accounts Payable Check Registers

Recommended action:

Review and accept check registers for the following accounts payable payment cycles:
9/30/2014 Period 3
10/7/2014 Period 4

PAGE/MILLER MOVED TO **ACCEPT CHECK REGISTERS FOR THE FOLLOWING ACCOUNTS PAYABLE PAYMENT CYCLES: 9/30/2014 PERIOD 3**

AND 10/7/2014 PERIOD 4. MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

7. Treasurer's Report for the Month Ended August 31, 2014

Recommended action:

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

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

8. Extension of Existing Communications Site Lease Agreements with Crown Castle

Recommended action:

Staff recommends the Council approve an extension to the two existing communications site lease agreements with Crown Castle for an additional five (5) years.

Council Member Cappello removed this item from the Consent Calendar to request additional information about maintenance of the existing lease locations.

CAPPELLO/PAGE MOVED TO **APPROVE AN EXTENSION TO THE TWO EXISTING COMMUNICATIONS SITE LEASE AGREEMENTS WITH CROWN CASTLE FOR AN ADDITIONAL FIVE (5) YEARS.** MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

9. Motor Vehicle (MV) Resolution Restricting Vehicle Parking in front of 14471 Big Basin Way on Weekend Days

Recommended action:

Adopt Motor Vehicle (MV) Resolution Restricting Vehicle Parking in front of 14471 Big Basin Way and allowing bicycle parking on Saturday and Sunday between 8:00 a.m. and 5:00 p.m.

RESOLUTION MV-308

PAGE/MILLER MOVED TO **ADOPT MOTOR VEHICLE (MV) RESOLUTION RESTRICTING VEHICLE PARKING IN FRONT OF 14471 BIG BASIN WAY AND ALLOWING BICYCLE PARKING ON SATURDAY AND SUNDAY BETWEEN 8:00 A.M. AND 5:00 P.M.** MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

PUBLIC HEARINGS

10. Zoning Amendment to apply a Planned-Combined (P-C) District designation to 20400 Saratoga-Los Gatos Road / Our Lady of Fatima Villa

Recommended action:

1. Conduct a public hearing.
2. Introduce and waive the first reading of the attached ordinance to add the Planned-Combined Zoning District (P-C) designation to an existing site at 20400 Saratoga-Los Gatos Road.

3. Direct staff to place the ordinance on the Consent Calendar for adoption at the next regular meeting of the City Council.

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

Mayor Lo invited public comment on the item.

The following people requested to speak:

Bob Dunnett spoke in opposition to the item.

John Allan spoke in opposition to the item.

Bella Mahoney spoke in favor of the item.

No one else requested to speak.

MILLER/CAPPELLO MOVED TO WAIVE THE FIRST READING OF THE ATTACHED ORDINANCE TO ADD THE PLANNED-COMBINED ZONING DISTRICT DESIGNATION TO AN EXISTING SITE AT 20400 SARATOGA-LOS GATOS ROAD AND DIRECT STAFF TO PLACE THE ORDINANCE ON THE CONSENT CALENDAR FOR ADOPTION AT THE NEXT REGULAR MEETING OF THE CITY COUNCIL.

Council Member Page requested an amendment to the motion. He asked that the motion be amended to include direction to the Planning Commission to review the current conditional use permits for Fatima Villa.

Vice Mayor Miller and Council Member Cappello accepted the amendment to the motion.

MILLER/CAPPELLO MOVED TO WAIVE THE FIRST READING OF THE ATTACHED ORDINANCE TO ADD THE PLANNED-COMBINED ZONING DISTRICT DESIGNATION TO AN EXISTING SITE AT 20400 SARATOGA-LOS GATOS ROAD; DIRECT STAFF TO PLACE THE ORDINANCE ON THE CONSENT CALENDAR FOR ADOPTION AT THE NEXT REGULAR MEETING OF THE CITY COUNCIL; AND DIRECT THE PLANNING COMMISSION TO REVIEW THE TERMS OF THE CURRENT CONDITIONAL USE PERMITS FOR FATIMA VILLA. MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

11. Zoning Amendment (Article 15-47) Water Efficient Landscaping

Recommended action:

1. Conduct a public hearing
2. Introduce and waive the first reading of the ordinance to amend Article 15-47 - Water Efficient Landscaping
3. Direct staff to place the ordinance on the Consent Calendar for adoption at the next regular meeting of the City Council

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.

MILLER/PAGE MOVED TO **WAIVE THE FIRST READING OF THE ORDINANCE TO AMEND ARTICLE 15-47 - WATER EFFICIENT LANDSCAPING; DIRECT STAFF TO AMEND SECTION (A)(1) OF 15-47.014 OF THE ORDINANCE BY MAINTAINING THE THRESHOLD TO 5,000 SQUARE FEET; AND DIRECT STAFF TO PLACE THE AMENDED 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.

Council Member Page noted that there were members in the audience for Item 13 and he requested that it be heard next. The City Council proceeded to Item 13.

12. Annual Code Update (ZOA14-0003)

Recommended action:

1. Conduct a public hearing.
2. Introduce and waive the first reading of the attached ordinance amending various sections of the City Code 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, presented the staff report. He noted that a desk item had been presented to the Council with revisions to the proposed ordinance.

Mayor Lo invited public comment on the item.

No one requested to speak.

MILLER/CAPPELLO MOVED TO **WAIVE THE FIRST READING OF THE ATTACHED ORDINANCE AMENDING VARIOUS SECTIONS OF THE CITY CODE AND DIRECT STAFF TO PLACE THE ORDINANCE, INCLUDING REVISIONS TO 6-10.080, 15-65.020, 15-65.030 AS PRESENTED DURING THE OCTOBER 15, 2014 REGULAR CITY COUNCIL MEETING, 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

None

NEW BUSINESS

13. Santa Cruz Mountains Wine Trail

Recommended action:

Receive presentation and direct staff to prepare a wayfinding program for wineries in and around the City of Saratoga for Council consideration.

Brian Babcock, Administrative Analyst I, presented the staff report and introduced Megan Metz, Executive Director of the Santa Cruz Mountains Winegrowers Association, and Bruce Knopf, Asset and Economic Development Director for the County of Santa Clara, to speak about the Wine Trail Program.

Mayor Lo invited public comment on the item.

The following people requested to speak:

Doris Cooper

Bill Cooper

No one else requested to speak.

PAGE/CAPPELLO MOVED TO **DIRECT STAFF TO WORK WITH THE COUNTY OF SANTA CLARA AND SANTA CRUZ MOUNTAINS WINEGROWERS ASSOCIATION TO PREPARE A WAYFINDING PROGRAM FOR WINERIES IN AND AROUND THE CITY OF SARATOGA FOR COUNCIL CONSIDERATION.**

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

At 9:44 p.m., Mayor Lo invited students from Prospect High School up on stage to introduce themselves. The City Council then proceeded to Item 12 on the agenda.

14. 2014 Pavement Management Program Project – Award of Construction Contract

Recommended action:

1. Move to declare Granite Rock Company to be the lowest responsible bidder on the project.
2. Move to award a construction contract to Granite Rock Company in the amount of \$403,032.10
3. Move to authorize staff to execute change orders to the contract up to \$60,000.00.

Public Works Director John Cherbone presented the staff report.

Council Member Page requested that the street pavement schedule, including the rating of individual streets, be added to the City's website, so that the public can see when streets are expected to be repaved.

Public Works Director John Cherbone agreed to add the schedule to the City's website.

Council Member Cappello requested a long term forecast of streets to be paved at the City Council Retreat.

Public Works Director John Cherbone agreed to provide the forecast at the City Council Retreat.

Mayor Lo invited public comment on the item.

No one requested to speak.

MILLER/PAGE MOVED TO: 1) **DECLARE GRANITE ROCK COMPANY TO BE THE LOWEST RESPONSIBLE BIDDER ON THE PROJECT;** 2) **AWARD A CONSTRUCTION CONTRACT TO GRANITE ROCK COMPANY IN THE AMOUNT OF \$403,032.10;** AND 3) **AUTHORIZE STAFF TO EXECUTE CHANGE ORDERS TO THE CONTRACT UP TO \$60,000.00.** MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

ADHOC & AGENCY ASSIGNMENT REPORTS

Mayor Emily Lo

Santa Clara County Library District Joint Powers Authority – the Board is expected to discuss the fee for non-residents and decide if the fee should be maintained at the next Board Meeting.

Vice Mayor Howard Miller

Cities Association of Santa Clara County – Vice Mayor Miller attended the last Cities Association meeting on behalf of Mayor Lo. During the meeting, the Cities Association discussed the group's position on a number of propositions that will be going before voters in November. Additionally, the Board received a presentation from Santa Clara County Superior Court Judge Brian Walsh and Chief Executive Officer David Yamasaki on the current state of courts in California and the Santa Clara County Superior Court. The Board also received a report on affordable housing following dismantling of redevelopment agencies.

Council Finance Committee – during the last meeting, staff provided information about the payroll update included in the Annual Code Updates. Additionally, the CAFR is expected to be complete earlier than any previous year.

Valley Transportation Authority Policy Advisory Committee (PAC) – there have been some recent questions about how to find information about PAC and VTA Board meeting agendas and schedule of meetings. PAC and VTA Board meetings are noticed at the VTA offices, agendas are posted on the VTA website, and meeting information is available on the VTA calendar. Additionally, meeting information is on the VTA homepage. The public may also sign up to receive emails containing the agenda and agenda packet. At the last PAC meeting, which set a new record for most consecutive meetings with a quorum, the group was informed that the County will be updating its trail master plan. As part of the update, the County will consider using right-of-way areas along roadways for trails, bicycle lanes, or other types of paths. Additionally, VTA staff is recommending that the Board of Directors approve implementation of express lanes on State Route 85 as a single-lane conversion and allocate \$285,000 to conduct a noise reduction study to address noise concerns on State Route 85. Vice Mayor Miller also shared that he submitted an application to the West Valley Mayors and Managers to be considered for the West Valley representative on the VTA Board of Directors.

Council Member Manny Cappello

Santa Clara County Housing and Community Development (HCD) Council Committee – the next meeting will be on November 1, 2014 to kick off the CDBG process.

Council Member Chuck Page

Santa Clara County Expressway Plan 2040 Policy Advisory Board – the Board will be meeting one last time this year and then have a final meeting next year after the County has completed its public outreach meetings. There are several upcoming outreach meetings and the public is encouraged to attend to learn more about proposed expressway improvements and provide input. Some changes are proposed for Lawrence Expressway, including adding an additional left turn lane going northbound on Lawrence Expressway from both Saratoga Avenue and Prospect Road. *Saratoga Sister City Committee Liaison* – representatives of the Sister City Committee are currently in Japan.

West Valley Sanitation District – during the last meeting, the Board of Directors discussed properties that have changed use without obtaining proper sanitation hookups and have consequently not paid property sewage fees. The Board will be determining how to proceed with any charges and fees that are owed to the District. Additionally, Council Member Page informed the Board that he will end his term as Council Member in December and will consequently not be able to attend the Board's December meeting. He has asked Council Member Cappello to attend as the alternate. Council Member Page also provided a status report on the San Jose-Santa Clara Regional Wastewater Facility Treatment Plant Advisory Committee (TPAC). The TPAC has become much more open and transparent since it started, which he hopes will continue.

Council Member Jill Hunter

KSAR Community Access TV Board – at the last meeting, the Board received a presentation from a gentleman who handles the financial planning for CreaTV. Because there was not a quorum, the Board listened to the presentation, but did not take action.

Saratoga Historical Foundation – the next meeting is on October 16, 2014.

CITY COUNCIL ITEMS

Vice Mayor Miller requested that Council Members send the City Manager all of their agency and ad hoc assignments to ensure that the City has a comprehensive list of assignments. The City Council will be updating the Council agency and ad hoc assignments in December.

CITY MANAGER'S REPORT

None

ADJOURNMENT

PAGE/MILLER MOVED TO **ADJOURN THE MEETING AT 10:30 P.M.** MOTION PASSED. AYES: LO, MILLER, CAPPELLO, PAGE, HUNTER. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

Minutes respectfully submitted:

Crystal Bothelio, City Clerk