

MINUTES
WEDNESDAY, FEBRUARY 18, 2015
SARATOGA CITY COUNCIL SPECIAL MEETING

At 6:00 p.m., the City Council held a Closed Session in the Administrative Conference Room at Saratoga City Hall at 13777 Fruitvale Avenue.

SARATOGA CITY COUNCIL REGULAR MEETING

Mayor Miller called the regular meeting to order at 7:05 p.m. and led the Pledge of Allegiance.

ROLL CALL

PRESENT Mayor Howard Miller, Vice Mayor Manny Cappello, Council Members Emily Lo, Mary-Lynne Bernald, Rishi Kumar

ABSENT: None

ALSO PRESENT: James Lindsay, City Manager
Richard Taylor, City Attorney
Crystal Bothelio, City Clerk

REPORT OF CITY CLERK ON POSTING OF AGENDA

The agenda for this meeting was properly posted on February 12, 2015.

REPORT FROM CLOSED SESSION

Mayor Miller announced that City Council was meeting in Closed Session prior to the Regular Meeting. The Closed Session was continued to the Administrative Conference Room after adjournment of the Regular Meeting.

COMMUNICATIONS FROM COMMISSIONS & PUBLIC

Oral Communications on Non-Agendized Items

Trish Cypher requested that the City refrain from using the word “ceremonial” in connection with the oath of office and stated she felt that oaths of office should not take place under “Ceremonial Items” on the agenda.

Oral Communications - Council Direction to Staff

Mayor Miller said he would speak with the City Attorney and City Manager to determine if changes to oath of office practices are in order.

Communications from Boards and Commissions

Mayor Miller reported that there was no Joint Meeting and therefore no report on the Joint Meeting.

Council Direction to Staff

None

ANNOUNCEMENTS

Council Member Kumar shared that the Saratoga Cares Foundation is holding its monthly open mic night at Blue Rock Shoot on Friday, February 20, 2015. The event is free. He also provided information about new weekly classes that will be offered by the Saratoga Hindu Temple, including therapy yoga. Classes will begin March 1 and are free and open to everyone. He noted that students in grades 4th and 5th grade are invited to participate in the California Arts Council Conservation Creativity Challenge Poster Contest. The submittal deadline is March 31, 2015. More information is online at <http://www.arts.ca.gov/conservation/>. Additionally, the City of Saratoga is currently accepting applications for the Community Event Grant Program. The deadline to apply is March 3, 2015. Additional information is on the City website: <http://www.saratoga.ca.us/eventgrant>. There will also be the Annual Hindu New Year Celebration on March 7, 2015 at the Joan Pisani Community Center from 6:00 p.m. to 10:00 p.m. Tickets are available at <http://www.saratogatemple.org/>.

Council Member Lo shared information about the Silicon Valley Reads program for 2015. This year's theme is "Homeland & Home: The Immigrant Experience." There are a variety of events taking place as part of Silicon Valley Reads. More information is online at <http://www.siliconvalleyreads.org/>. She also announced that Hakone Gardens will be having a centennial exhibition that opens Saturday, February 18, 2015 at 1:00 p.m. at the Gardens. Then, on March 1, 2015, there will be a Lunar New Year Celebration from 11:00 a.m. to 3:00 p.m. at Hakone Gardens. Attendees are encouraged to carpool or take the shuttle bus. More information is on the Hakone website: <http://www.hakone.com/>.

Mayor Miller shared information about the variety of programs offered by the Saratoga Recreation Department, which are included in the recently published Recreation Activity Guide. Additionally, he announced recruitments for two City Commissions – the Planning Commission and the Youth Commission. Additional information is on the City website at www.saratoga.ca.us/comvac.

CEREMONIAL ITEMS

1. Commendation for Gurdeep Kaur Chawla

Recommended action:

Present the commendation recognizing Gurdeep Kaur Chawla.

Gurdeep Kaur Chawla provided a presentation on her life and career.

The Mayor and City Council presented the commendation recognizing Gurdeep Kaur Chawla.

SPECIAL PRESENTATIONS

None

CONSENT CALENDAR

2. City Council Meeting Minutes

Recommended action:

Approve the City Council minutes for the Special City Council Meeting, Regular City Council Meeting, and Study Session on February 4, 2015.

Council Member Bernald removed this item from the Consent Calendar to request a change to the February 4, 2015 Regular City Council Meeting minutes. She asked that her report on the Saratoga Sister City Meeting be changed to note that KSAR will be an integral part of the recording process for an effort to collect the oral history of Saratoga.

Mayor Miller invited public comment on the item.

No one requested to speak.

BERNALD/LO MOVED TO **APPROVE THE CITY COUNCIL MINUTES FOR THE SPECIAL CITY COUNCIL MEETING, REGULAR CITY COUNCIL MEETING WITH AMENDMENTS, AND STUDY SESSION ON FEBRUARY 4, 2015.** MOTION PASSED. AYES: MILLER, CAPPELLO, LO, BERNALD, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

3. City Council Retreat Minutes

Recommended action:

Approve the City Council minutes for the City Council Retreat on January 23, 2015.

Vice Mayor Miller removed this item from the Consent Calendar to request two changes. He asked that the word, "AirBNB," be stricken from the minutes and he asked that the minutes include a comment that he made during the discussion on the Youth Commission work plan about encouraging youth to be civically engaged.

Mayor Miller invited public comment on the item.

No one requested to speak.

CAPPELLO/BERNALD MOVED TO **APPROVE THE CITY COUNCIL MINUTES FOR THE CITY COUNCIL RETREAT ON JANUARY 23, 2015 WITH THE CHANGES REQUESTED BY VICE MAYOR CAPPELLO.** MOTION PASSED. AYES: MILLER, CAPPELLO, LO, BERNALD, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

4. Review of Accounts Payable Check Registers

Recommended action:

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

2/3/2015 Period 8

2/10/2015 Period 8

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

Mayor Miller invited public comment.

The following people requested to speak:

Trish Cypher raised concerns regarding Council review of the check register and its placement on the Consent Calendar.

No one else requested to speak.

MILLER/BERNALD MOVED TO **ACCEPT CHECK REGISTERS FOR THE FOLLOWING ACCOUNTS PAYABLE PAYMENT CYCLES: 2/3/2015 PERIOD 8; AND 2/10/2015 PERIOD 8**. MOTION PASSED. AYES: MILLER, CAPPELLO, LO, BERNALD, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

PUBLIC HEARINGS

None

OLD BUSINESS

None

NEW BUSINESS

5. Amended 2015 City Council Assignments – Architecture 101 Ad Hoc Committee

Recommended action:

Approve resolution amending City Council Member assignments for 2015.

City Clerk Crystal Bothelio presented the staff report.

Mayor Miller invited public comment on the item.

No one requested to speak.

RESOLUTION NO. 15-005

CAPPELLO/BERNALD MOVED TO **APPROVE RESOLUTION AMENDING CITY COUNCIL MEMBER ASSIGNMENTS FOR 2015 AND APPOINTING VICE MAYOR CAPPELLO AND COUNCIL MEMBER BERNALD TO THE ARCHITECTURE 101 AD HOC COMMITTEE**. MOTION PASSED. AYES: MILLER, CAPPELLO, LO, BERNALD, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

6. First Amendment to the Hakone Gardens Master Plan Development Agreement

Recommended action:

Consider a request by the Hakone Foundation to amend the payment terms contained in the Master Plan Development Agreement.

City Manager James Lindsay presented the staff report.

Mayor Miller invited public comment on the item.

The following people requested to speak:

Mark Weisler spoke in opposition to the development agreement amendment.

Trish Cypher spoke in opposition to the development agreement amendment.

Peggy Lynne spoke in opposition to the development agreement amendment.

Ann Waltonsmith, Chair of the Hakone Foundation Board of Trustees, spoke in favor of the development agreement amendment.

No one else requested to speak.

CAPPELLO/KUMAR MOVED TO **AMEND THE PAYMENT TERMS CONTAINED IN THE HAKONE GARDENS MASTER PLAN DEVELOPMENT AGREEMENT.** MOTION PASSED. AYES: MILLER, CAPPELLO, LO, BERNALD, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

Mayor Miller invited students from Presentation High School to introduce themselves on stage.

7. FY 2014/15 Mid-Year Budget Status Report and Budget Adjustment Resolution

Recommended action:

Review the FY 2014/15 budget status report and proposed budget adjustments, and adopt the attached resolution approving the City's FY 2014/15 mid-year budget amendments.

City Manager James Lindsay presented the staff report on this item.

Mayor Miller invited public comment on this item.

The following person requested to speak:

Trish Cypher raised concerns about projects funded by Community Development Block Grant monies.

No one else requested to speak.

RESOLUTION NO. 15-006

LO/KUMAR MOVED TO **ADOPT THE RESOLUTION APPROVING THE CITY'S FY 2014/15 MID-YEAR BUDGET AMENDMENTS.** MOTION PASSED. AYES: MILLER, CAPPELLO, LO, BERNALD, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

8. CalPERS Unfunded Accrued Liability and Budget Adjustment Resolution

Recommended action:

Review report and approve the attached budget adjustment resolution to appropriate funding for an approximate \$3.3 million payment toward the City's share of the CalPERS Unfunded Accrued Liability, and authorize the Administrative Services Director to issue the payment.

City Manager James Lindsay presented the staff report on this item.

Mayor Miller invited public comment on the item.

The following person requested to speak:

Trish Cypher asked questions about City retirement offerings and suggested that the City withdraw from CalPERS.

No one else requested to speak.

RESOLUTION NO. 15-007

KUMAR/LO MOVED TO APPROVE THE BUDGET ADJUSTMENT RESOLUTION TO APPROPRIATE FUNDING FOR AN APPROXIMATE \$3.3 MILLION PAYMENT TOWARD THE CITY'S SHARE OF THE CALPERS UNFUNDED ACCRUED LIABILITY, AND AUTHORIZE THE ADMINISTRATIVE SERVICES DIRECTOR TO ISSUE THE PAYMENT. MOTION PASSED. AYES: MILLER, CAPPELLO, LO, BERNALD, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

COUNCIL MEMBER ASSIGNMENT REPORTS

Mayor Miller invited public comment.

The following person requested to speak:

Trish Cypher raised concerns about public comment on Council assignment reports, the purpose of the Cities Association of Santa Clara County-Legislative Action Committee, and Saratoga Library's use of BiblioCommons.

No one else requested to speak.

Mayor Howard Miller

Council Finance Committee – the Finance Committee will be working on the operating reserve and discussing how to pay down the remainder of the CalPERS UAL.

Valley Transportation Authority (VTA) Policy Advisory Committee – during the last meeting, a new Chair and Vice Chair were selected and an orientation was held for new members.

West Valley Mayors and Managers Association – the group will be meeting soon and discussing agenda items for upcoming meetings.

West Valley Solid Waste Management Joint Powers Authority – during the last meeting, the Board selected Steven Leonardis from the Town of Los Gatos to serve as Chair and Mayor Miller was selected to serve as Vice Chair. During the meeting, potential uses of liquidated damages funds were discussed. Additionally, the hauler and landfill agreements were reviewed.

Vice Mayor Manny Cappello

Hakone Foundation Board – Vice Mayor Cappello reported that he was in attendance at the February 5, 2015 Board Meeting, which Council Member Lo reported on.

Santa Clara County Housing and Community Development (HCD) Council Committee – the Committee received presentations from the applicants for CDBG funds. The technical advisory committee will be making funding recommendations for the HCD to consider. The HCD will then make funding recommendations for the Board of Supervisors to decide upon.

Saratoga Area Senior Coordinating Council (SASCC) – at the upcoming meeting, the Board will receive an update on efforts to partner with Live Oak to oversee the Adult Care Center.

West Valley Sanitation District – during the last meeting, the Board discussed recent flow studies conducted on single family and multi-family uses. The commercial flow study still needs to be conducted.

Council Member Emily Lo

Hakone Foundation Board & Executive Committee – there were a series of meetings on February 10th and 11th for the Hakone Gardens Master Plan. The meetings included site visits, workshops, and opportunities for the public to provide their thoughts on the future of Hakone. There will be additional opportunities for the public to participate in the future. The Board also discussed the Lunar New Year Festival on March 1, 2015 at Hakone from 11:00 a.m. to 3:00 p.m., with the opening ceremony at noon. Visitors are encouraged to take the shuttle bus or carpool. The Board has been meeting once or twice a month and moving forward, expects to meet at least once a month. The number of meetings may decline during the summer. The update to the bylaws is in progress and preliminary proposals for the bylaws will be discussed at the next meeting.

Santa Clara County Library Joint Powers Authority – the District held a forum for library commissions and friends organizations that was well attended. One of the most popular sessions was, “What You Don’t Know About the Library.” There will also be a workshop on March 28th starting at 9:30 a.m. at Saratoga Library that the Council has been invited to attend.

Saratoga Chamber of Commerce & Destination Saratoga – Council Member Lo reported that she attended the Saratoga Chamber and Destination Saratoga meetings on behalf of Council Member Kumar. The Chamber voted to end discussions on the possible merger with the Los Gatos Chamber of Commerce. The Chamber will be surveying businesses and community members to identify the needs of businesses that the Chamber can address or support. The Chamber is also assisting with the Village Directory. Additionally, Destination Saratoga is considering a press event on a smaller scale than the Village Dinner proposal.

Council Member Mary-Lynne Bernald

Cities Association of Santa Clara County – Council Member Bernald shared that she attended the Cities Association Meeting on behalf of Mayor Miller. During the meeting, the group voted to endorse the Community Plan to End Homelessness. The group also heard a presentation from former San Jose Mayor Chuck Reed on the Silicon Valley Talent Partnership. An update on anticipated State legislation was also provided. Anticipated legislation includes bills that address climate change, medical marijuana, and transportation infrastructure. At the May meeting the group is expected to discuss the next Super Bowl and its economic impact and opportunities for the region.

Cities Association of Santa Clara County-Selection Committee – Jeff Cristina was appointed as the ABAG Executive Board Alternate for a term expiring June 2016.

Saratoga Historical Foundation – the next meeting is scheduled for February 19, 2015.

Saratoga Sister City Organization – the website is currently under development. The group also discussed the Gomersall Scholarship and is thinking of giving a scholarship to a Hakone Gardens staff member for water management classes.

Council Member Rishi Kumar

Saratoga Chamber of Commerce & Destination Saratoga – the Chamber has been discussing the formation of a business improvement district over the last few months. They plan to seek input on potential Chamber offerings, service enhancements, and priorities that might be addressed through a business improvement district.

Valley Transportation Authority (VTA) Policy Advisory Committee – Council Member Kumar shared that he attended the last meeting, which included an orientation for new members. The orientation was well done. Additionally, Council Member Kumar attended the opening of the VTA Innovation Center.

CITY COUNCIL ITEMS

Council Member Bernald brought it to the attention of the City Council that the County Public Health Department will be offering grant funding for health related initiatives, such as smoking restrictions for multifamily housing and regulations on e-cigarettes.

CITY MANAGER'S REPORT

None

ADJOURNMENT

Mayor Miller announced that after adjournment of the Regular Meeting, the City Council would be reconvening to the Closed Session in the Administrative Conference Room and report out from the Closed Session there.

CAPPELLO/LO MOVED TO **ADJOURN THE REGULAR MEETING AT 9:26 P.M.**
MOTION PASSED. AYES: MILLER, CAPPELLO, LO, BERNALD, KUMAR. NOES: NONE.
ABSTAIN: NONE. ABSENT: NONE.

Minutes respectfully submitted:

Crystal Bothelio, City Clerk
City of Saratoga