

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

At 5:00 p.m., the City Council held a Closed Session in the Administrative Conference Room at Saratoga City Hall at 13777 Fruitvale Avenue. At 5:45 p.m., the City Council considered a request from Malika Singh to excuse an absence from a Youth Commission Meeting.

CAPPELLO/KUMAR MOVED TO **EXCUSE MALIKA SINGH'S ABSENCE FROM THE YOUTH COMMISSION AND REINSTATE HER ON THE YOUTH COMMISSION.** MOTION PASSED. AYES: MILLER, CAPPELLO, LO, BERNALD, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

MILLER/CAPPELLO MOVED TO **DIRECT STAFF TO INCLUDE A QUESTION ON YOUTH COMMISSION APPLICATIONS TO REQUEST APPLICANTS DISCLOSE DATES OF MEETINGS THAT THEY EXPECT TO ABSENT FROM.** MOTION PASSED. AYES: MILLER, CAPPELLO, LO, BERNALD, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

At 6:00 p.m., the City Council held a Joint Meeting with the Parks and Recreation Commission and the Pedestrian, Equestrian, and Bicycle Trails Advisory Committee (PEBTAC).

SARATOGA CITY COUNCIL REGULAR MEETING

Mayor Miller called the meeting to order at 7:00 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
John Cherbone, Public Works Director
Mary Furey, Finance & Administrative Services Director
Erwin Ordoñez, Community Development Director
Michael Taylor, Recreation & Facilities Director
Brian Babcock, Administrative Analyst I
Mainini Cabute, Management Analyst II
Tony McFarlane, Accounting Manager
Iveta Harvancik, Senior Engineer
Monica LaBossiere, Human Resources Manager

REPORT OF CITY CLERK ON POSTING OF AGENDA

The City Clerk reported that the agenda for this meeting was properly posted on March 12, 2015.

REPORT FROM CLOSED SESSION

Mayor Miller announced that there was nothing to report from Closed Session. He added that during open session, the City Council heard an appeal from a Youth Commissioner requesting that one of her absences from a Youth Commission Meeting be excused. The Council excused one of the absences and reinstated the Commissioner.

COMMUNICATIONS FROM COMMISSIONS & PUBLIC

Oral Communications on Non-Agendized Items

Annette Stransky, President of the Saratoga Historical Foundation, invited everyone to the Blossom Festival on March 21, 2015 at the Civic Center and Heritage Orchard.

Jim Stallman, Chair of the PEBTAC, shared that changes that the Valley Transportation Authority (VTA) will be making to Saratoga bus routes starting at the end of the calendar year.

Renee Paquier, Chair of the Parks and Recreation Commission, provided an overview of the Commission's Joint Meeting with the City Council. She shared that the annual Movie Night events will be taking place on June 19, July 17, and August 21. She also shared information about upcoming Commission activities.

Jim Stallman, Chair of the PEBTAC, shared an overview of the PEBTAC Joint Meeting with the City Council, including a summary of efforts to improve pedestrian safety on Highway 9, establish trail connections near the Garrod Property, and add a pedestrian crossing to Joe's Trail at Fredericksburg Drive and Guava Court.

Georgia Bacil, Directing Attorney for Senior Adults Legal Assistance (SALA), shared information about services provided by SALA to older adults at the Saratoga Area Senior Coordinating Council. Additional information is available online at www.sala.org.

Oral Communications - Council Direction to Staff

None

Communications from Boards and Commissions

None

Council Direction to Staff

None

ANNOUNCEMENTS

Council Member Kumar announced that the California Public Library Advocates is holding a workshop at Saratoga Library on March 28, 2015 from 9:30 a.m. to 1:30 p.m. on how libraries can achieve greater success in the community. More information is online at www.cpladvocates.org/workshops/. He also shared that on April 4, 2015 from 9:00 a.m. to noon,

Whimsy, TUTU School, and Gluten Free Gourmet will be holding a grand opening celebration. Additionally, Stride for Susie will be taking place this year on Sunday, May 24, 2015 at Saratoga High School. Information is available online at <http://saratoga2015.yournextstepisthecure.org/>. The Saratoga Talent Show is also coming up on August 22, 2015. This year, participants will be need to audition. Information about the event and auditions is available at www.saratogatalent.com/.

Council Member Bernald reminded everyone that the Blossom Festival will be happening on March 21, 2015 and there will be a number of people dressed as important figures from Saratoga's history. Additionally, there will be a Crime Prevention Forum on May 19, 2015 from 6:00 p.m. to 9:00 p.m. in the Saratoga Senior Center.

Mayor Miller encouraged the public to sign up for one of the classes offered through the City of Saratoga Recreation Department. There are classes for all ages and interests, including a Chinese Calligraphy classes for youth and adults.

CEREMONIAL ITEMS

1. Commendation Recognizing Mary-Lynne Bernald and Pragati Grover for Service on the Planning Commission

Recommended action:

Present commendations to Mary-Lynne Bernald and Pragati Grover recognizing their service on the Saratoga Planning Commission.

The City Council presented commendations recognizing the service of Mary-Lynne Bernald and Pragati Grover.

2. Commissioner Appointment and Oath of Office

Recommended action:

Adopt the resolution appointing Sunil Ahuja and Joyce Hlava to terms on the Planning Commission that begin April 1, 2015 and end March 31, 2019.

RESOLUTION NO. 15-010

CAPPELLO/BERNALD MOVED TO ADOPT THE RESOLUTION APPOINTING SUNIL AHUJA AND JOYCE HLAVA TO TERMS ON THE PLANNING COMMISSION THAT BEGIN APRIL 1, 2015 AND END MARCH 31, 2019. MOTION PASSED. AYES: MILLER, CAPPELLO, LO, BERNALD, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

The City Clerk administered the Oath of Office to Joyce Hlava.

CONSENT CALENDAR

3. City Council Meeting Minutes

Recommended action:

Approve the City Council minutes for the Special and Regular City Council Meeting on March 4, 2015.

Council Member Bernald removed this item from the Consent Calendar to request a correction to the minutes be made. She clarified that her comments on Item 7 – Summer 2015 Issue of the Saratogan, stating that she recommending making it easier to find the Saratogan from the homepage – not the Saratoga Sister Group information.

BERNALD/LO MOVED TO **APPROVE THE CITY COUNCIL MINUTES FOR THE SPECIAL AND REGULAR CITY COUNCIL MEETING ON MARCH 4, 2015 WITH THE CORRECTION TO COUNCIL MEMBER BERNALD’S COMMENTS ON ITEM 7 OF THE REGULAR MEETING AGENDA.** 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:

3/3/2015 Period 9

3/10/2015 Period 9

3/11/2015 Period 9

CAPPELLO/KUMAR MOVED TO **ACCEPT CHECK REGISTERS FOR THE FOLLOWING ACCOUNTS PAYABLE PAYMENT CYCLES: 3/3/2015 PERIOD 9; 3/10/2015 PERIOD 9; AND 3/11/2015 PERIOD 9.** MOTION PASSED. AYES: MILLER, CAPPELLO, LO, BERNALD, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

5. Treasurer’s Report for the Month Ended January 31, 2015

Recommended action:

Review and accept the Treasurer’s Report for the month ended January 31, 2015.

CAPPELLO/KUMAR MOVED TO **ACCEPT THE TREASURER’S REPORT FOR THE MONTH ENDED JANUARY 31, 2015.** MOTION PASSED. AYES: MILLER, CAPPELLO, LO, BERNALD, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

6. Second Reading of Ordinance Amending Chapter 11 of the City Code (Electronic Smoking Devices & Flavored Tobacco)

Recommended action:

Waive the second reading and adopt the attached ordinance updating Chapter 11 of the City Code.

ORDINANCE NO. 325

CAPPELLO/KUMAR MOVED TO **WAIVE THE SECOND READING AND ADOPT THE ATTACHED ORDINANCE UPDATING CHAPTER 11 OF THE CITY CODE.** MOTION PASSED. AYES: MILLER, CAPPELLO, LO, BERNALD, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

7. Highway 9 Safety Improvement Project, Phase IV - Cooperative Agreement and Design Contract Approval

Recommended action:

1. Adopt a resolution authorizing the City Manager to execute a Cooperative Agreement between the City of Saratoga and the City of Monte Sereno for the Highway 9 Safety Improvement Project Phase IV.
2. Approve an Independent Contractor Agreement with BKF Engineers in the amount of \$32,195 for engineering services, authorize the City Manager to execute the same and authorize staff to approve additional costs up to 10% of the contract amount (\$3,200) as a project contingency.
3. Approve budget adjustment.

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

Public Works Director John Cherbone addressed Council questions.

RESOLUTIONS NO. 15-011 & 15-012

BERNALD/CAPPELLO MOVED TO: **1)ADOPT A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A COOPERATIVE AGREEMENT BETWEEN THE CITY OF SARATOGA AND THE CITY OF MONTE SERENO FOR THE HIGHWAY 9 SAFETY IMPROVEMENT PROJECT PHASE IV; 2) APPROVE AN INDEPENDENT CONTRACTOR AGREEMENT WITH BKF ENGINEERS IN THE AMOUNT OF \$32,195 FOR ENGINEERING SERVICES, AUTHORIZE THE CITY MANAGER TO EXECUTE THE SAME AND AUTHORIZE STAFF TO APPROVE ADDITIONAL COSTS UP TO 10% OF THE CONTRACT AMOUNT (\$3,200) AS A PROJECT CONTINGENCY; AND 3) APPROVE BUDGET ADJUSTMENT.** MOTION PASSED. AYES: MILLER, CAPPELLO, LO, BERNALD, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

PUBLIC HEARINGS

8. Public Hearing on Resolution Ordering Abatement of a Public Nuisance by Removal of Hazardous Vegetation (Weeds)

Recommended action:

Open the public hearing, listen to public testimony, and close public hearing. Consider any objections to the proposed Order for Abatement of Hazardous Vegetation and sustain or overrule any objections as to specific properties. Adopt the resolution ordering abatement as to specified properties (with modifications if any objections are sustained).

City Clerk Crystal Bothelio presented the staff report.

Mayor Miller invited public comment on the item.

No one requested to speak.

RESOLUTION NO. 15-013

KUMAR/BERNALD MOVED TO **ADOPT THE RESOLUTION ORDERING ABATEMENT AS TO SPECIFIED PROPERTIES.** MOTION PASSED. AYES: MILLER, CAPPELLO, LO, BERNALD, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

OLD BUSINESS

None

NEW BUSINESS

9. Allocation of Street Closure Grant Funds

Recommended action:

Review Saratoga Street Closure Grant application and determine allocation.

Brian Babcock, Administrative Analyst in the City Manager's Office, presented the staff report.

Tiger Teerlink, speaking on behalf of the Chamber of Commerce, addressed Council questions regarding the application.

Mayor Miller invited public comment on the item.

No one requested to speak.

KUMAR/BERNALD MOVED TO **AWARD STREET CLOSURE GRANT FUNDS IN THE AMOUNT OF \$10,000 TO THE SARATOGA CHAMBER OF COMMERCE 6TH ANNUAL CLASSIC CAR SHOW IN THE FISCAL YEAR 2015/16 BUDGET.**

MOTION PASSED. AYES: MILLER, CAPPELLO, LO, BERNALD, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

10. Allocation of Community Event Grant Program Funds

Recommended action:

Review the one Saratoga Community Event Grant Program application for this fiscal year and provide direction. Consider grant requests for next fiscal year and determine allocations.

Brian Babcock, Administrative Analyst in the City Manager's Office, presented the staff report.

Mayor Miller invited public comment on the grant request for Fiscal Year 2014/15.

The following people requested to speak:

Neal Casteel, Saratoga Odd Fellows Lodge

No one else requested to speak.

CAPPELLO/KUMAR MOVED TO ALLOCATE \$200 FROM THE CITY COUNCIL DISCRETIONARY FUND IN THE FISCAL YEAR 2015/15 BUDGET FOR THE SARATOGA ODD FELLOWS LODGE 2015 EASTER EGG HUNT ON APRIL 4, 2015. MOTION PASSED. AYES: MILLER, CAPPELLO, LO, BERNALD, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

Mayor Miller then invited public comment on grant requests for Fiscal Year 2015/16.

The following people requested to speak:

Jill Hunter

Cynthia Chang

Annette Stransky

Lisa Huening

Sue Barrera

Kathleen Casey

Sarah Okuno

Tiger Teerlink

Emily Lou Harris

Ekta Khandelwal

No one else requested to speak.

Lo/Bernald moved to ALLOCATE \$9,195 FROM THE COUNCIL DISCRETIONARY FUND TO THE COMMUNITY EVENT GRANT PROGRAM FOR FISCAL YEAR 2015/16 AND FUND THE COMMUNITY EVENT GRANT PROGRAM REQUESTS FOR FISCAL YEAR 2015/16 AS FOLLOWS:

<u>BLOSSOM FESTIVAL</u>	<u>\$4,600</u>
<u>CHINESE MID-AUTUMN FESTIVAL</u>	<u>\$350</u>
<u>CLASSIC CAR SHOW</u>	<u>\$4,000</u>
<u>HOLIDAY WINE STROLL</u>	<u>\$4,000</u>
<u>IOOF EASTER EGG HUNT</u>	<u>\$600</u>
<u>MEMORIAL DAY OBSERVANCE</u>	<u>\$1,000</u>
<u>MONTALVO ARTS SPLASH</u>	<u>\$3,500</u>
<u>OPERA IN THE PARK</u>	<u>\$1,750</u>
<u>PUBLIC CELEBRATION 85 YEARS IN SANTA CLARA COUNTY & GATEWAY</u>	<u>\$3,000</u>
<u>OPEN HOUSE</u>	<u>\$3,000</u>
<u>SARATOGA BOLLYWOOD</u>	<u>\$1,500</u>

<u>SARATOGA COMMUNITY BAND</u>	<u>\$725</u>
<u>SARATOGA JULY FOURTH CELEBRATION</u>	<u>\$2,670</u>
<u>SARATOGA GRAMMAR SCHOOL REUNION</u>	<u>\$1,000</u>
<u>SASCC HEALTH AND WELLNESS EXPO</u>	<u>\$5,000</u>
<u>ST. PADDY'S DAY PARTY</u>	<u>\$500</u>

MOTION PASSED. AYES: MILLER, CAPPELLO, LO, BERNALD, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

At 9:14 p.m., the City Council took a recess and returned to the meeting at 9:24 p.m.

11. Council Resolution to Adopt Memorandum of Understanding for the “UNION” (Northern California Carpenters Regional Council, Carpenters Forty Six Northern California Counties Conference Board And Their Affiliated Local Unions) July 1, 2015 to June 30, 2019.

Recommended action:

Staff recommends the City Council approve the proposed Memorandum of Understanding and adopt Council Resolution to Adopt Memorandum of Understanding for the “UNION” (Northern California Carpenters Regional Council, Carpenters Forty Six Northern California Counties Conference Board And Their Affiliated Local Unions) July 1, 2015 to June 30, 2019.

Human Resources Manager Monica LaBossiere and Accounting Manager Tony McFarlane presented the staff report.

Mayor Miller noted that the MOU was provided to the City Council as a desk item following the Closed Session on March 18, 2015 at 5:00 p.m. Copies were made available to the public at the meeting and the MOU was posted on the City of Saratoga website.

Mayor Miller invited public comment on the item.

No one requested to speak.

RESOLUTION NO. 15-014

LO/KUMAR MOVED TO **APPROVE THE PROPOSED MEMORANDUM OF UNDERSTANDING AND ADOPT COUNCIL RESOLUTION TO ADOPT THE MEMORANDUM OF UNDERSTANDING FOR THE “UNION” (NORTHERN CALIFORNIA CARPENTERS REGIONAL COUNCIL, CARPENTERS FORTY SIX NORTHERN CALIFORNIA COUNTIES CONFERENCE BOARD AND THEIR AFFILIATED LOCAL UNIONS) JULY 1, 2015 TO JUNE 30, 2019.** MOTION PASSED. AYES: MILLER, CAPPELLO, LO, BERNALD, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

12. Refinement of City Story Pole Requirements

Recommended action:

Review staff research regarding other cities’ story pole requirements and provided direction to the Planning Commission.

Community Development Director Erwin Ordoñez presented the staff report.

Mayor Miller invited public comment on the item.

No one requested to speak.

Mayor Miller summarized City Council consensus on direction to the Planning Commission regarding refinement of story pole requirements: the Council agreed that controlling cost is important; the Council would like to see story poles more accurately represent proposed projects; the Council concurred that accuracy of foundation height, whether through pad certificates or some other means, is important when erecting story poles; and the Council accepted that additional certifications or measures to ensure accuracy of story poles may be required for unique projects or unusual circumstances.

13. Modification to the Project Background for Capital Improvement Project No. 9331-002 - Community Cool Roof Replacement.

Recommended action:

Adopt a resolution approving the modifications to Capital Improvement Project No. 9331-002 - Community Center Cool Roof Replacement.

Recreation and Facilities Director Michael Taylor presented the staff report.

Mayor Miller invited public comment on the item.

No one requested to speak.

RESOLUTION NO. 15-015

LO/KUMAR MOVED TO **ADOPT A RESOLUTION APPROVING THE MODIFICATIONS TO CAPITAL IMPROVEMENT PROJECT NO. 9331-002 - COMMUNITY CENTER COOL ROOF REPLACEMENT.** MOTION PASSED. AYES: MILLER, CAPPELLO, LO, BERNALD, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

14. Donation Policy

Recommended action:

Adopt resolution establishing the City of Saratoga Donation Policy.

City Clerk Crystal Bothelio presented the staff report.

Mayor Miller invited public comment on the item.

No one requested to speak.

RESOLUTION NO. 15-016

CAPPELLO/BERNALD MOVED TO **ADOPT RESOLUTION ESTABLISHING THE CITY OF SARATOGA DONATION POLICY AND DIRECTED STAFF TO INCLUDE STANDARDS FOR ACCEPTANCE OF DONATIONS SET BY THE FISCAL YEAR 2014/15 BUDGET FISCAL POLICY STATEMENTS.** MOTION PASSED. AYES: MILLER, CAPPELLO, LO, BERNALD, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

CITY COUNCIL ASSIGNMENT REPORTS

Mayor Howard Miller

Council Finance Committee – during the Finance Committee meeting, anticipated changes to the capital budget for Fiscal Year 2015/16 were discussed. Additional information will be presented at the Budget Study Session in April.

Valley Transportation Authority (VTA) Policy Advisory Committee – during the PAC meeting, the annual transit report was presented. Additionally, the goals and priorities for Envision Silicon Valley 2016 were reviewed. Mayor Miller noted that he requested quality of life be considered in the goals and priorities. The goals and priorities will be finalized in May and used to determine the projects to be proposed for funding if the ballot measure is approved by voters in 2016. Mayor Miller asked that staff send the goals and priorities to the City Council.

West Valley Mayors and Managers Association – the next meeting will be on March 25, 2015.

Vice Mayor Manny Cappello

West Valley Sanitation District – the Sanitation District just received a transparency certificate of excellence. Additionally, the District is working on a financing strategy for the improvements planned for the San Jose/Santa Clara Regional Wastewater Facility.

Council Member Emily Lo

Hakone Foundation Board & Executive Committee – the next meeting is March 19, 2015.

KSAR Community Access TV Board – the Board voted to continue discussions about participating in a consortium that would provide educational content, such as local activities, issues and initiatives, and academic content. Partners would include KSAR, West Valley College, Mission College, CreaTV, KMTV, and Mid-Peninsula Media Center.

Saratoga Chamber of Commerce – Council Member Lo attended the Chamber of Commerce meeting on behalf of Council Member Kumar and reported that the Chamber is holding an e-waste collection event on March 28. The spring wine stroll will be taking place on May 9. Additionally, the Chamber may be planning some other activities that draw people to the Village, such as a blood drive or long-term collection of food.

Council Member Mary-Lynne Bernald

Council Member Bernald shared she attended the Markkula Center for Applied Ethics training on Friday, March 13. The training included a presentation from former Council Member and Mayor Norm Kline on issues surrounding community trust of government and engaging the public through technology.

Architecture 101 Ad Hoc Committee – the Ad Hoc met last week to discuss the Architecture 101 presentation on April 29, 2015.

Cities Association of Santa Clara County – during the last meeting, the Executive Director of Neighborhood Services Silicon Valley gave a presentation about the organization's efforts to protect below market housing. Additionally, Jim Lawson from VTA spoke about VTA's current priorities and shared information about Envision Silicon Valley.

Saratoga Historical Foundation – the next meeting is March 19, 2015.

Saratoga Sister City Organization – the next meeting is March 20, 2015.

Council Member Rishi Kumar

No report

CITY COUNCIL ITEMS

None

CITY MANAGER'S REPORT

City Manager James Lindsay reported that he will be attending ICMA training next week. During his absence, Recreation and Facilities Director Michael Taylor will be acting City Manager and City Clerk Crystal Bothelio would be attending the West Valley Mayors and Managers meeting on his behalf.

ADJOURNMENT

CAPPELLO/BERNALD MOVED TO **ADJOURN THE MEETING AT 10:52 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