

MINUTES
WEDNESDAY, MAY 20, 2015
SARATOGA CITY COUNCIL SPECIAL MEETING

At 5:00 p.m., the Saratoga City Council called the Special Meeting to order in the Administrative Conference Room at Saratoga City Hall at 13777 Fruitvale Avenue and adjourned to Closed Session. At 6:00 p.m., the City Council held a Joint Meeting with the Mountain Winery and Montalvo Arts Center.

SARATOGA CITY COUNCIL REGULAR MEETING

Mayor Miller called the meeting to order at 7:00 p.m. and Boy Scout Troop 535 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
Catherine Engberg, Acting 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
Tony McFarlane, Finance Manager
Mainini Cabute, Public Works Management Analyst
Brian Babcock, Administrative Analyst

REPORT OF CITY CLERK ON POSTING OF AGENDA

City Clerk Crystal Bothelio reported that the agenda for this meeting was properly posted on May 15, 2015.

REPORT FROM CLOSED SESSION

Mayor Miller reported that during Closed Session, the City Council directed the City Attorney to file the lawsuit against the California Department of Transportation (Caltrans) for failing to comply with the California Environmental Quality Act (CEQA) in connection with the proposed State Route 85 Express Lanes Project.

COMMUNICATIONS FROM COMMISSIONS & PUBLIC

Oral Communications on Non-Agendized Items

Nancy Kirk announced the farmers market in Blaney Plaza on Wednesdays from 2:30 p.m. to 6:30 p.m.

A resident expressed concerns about excessive use of safety lights in her neighborhood.

Bill Hirshman, one of the owners at Mountain Winery, provided an overview of the discussion during the Joint Meeting and shared updates about upcoming events and performances at the Mountain Winery.

Angela McConnell, Executive Director of Montalvo Arts, also commented upon the Joint Meeting and announced upcoming events and programs at Montalvo.

Oral Communications - Council Direction to Staff

Mayor Miller requested that Community Development Director Erwin Ordoñez speak with the resident who raised concerns about excessive security lighting.

Communications from Boards and Commissions

None

Council Direction to Staff

None

ANNOUNCEMENTS

Council Member Kumar shared information about Stride for Susie, the Foothill Club's Memorial Day event, the City Council's Joint Meeting with Saratoga Neighborhoods on June 3, and announced free programming for youth that will start May 31 at 3:00 p.m. at the Joan Pisani Community Center.

Mayor Howard Miller announced some of the summer camps offered by the City of Saratoga Recreation Department, including Wild Coyotes for children ages 6 through 10.

CEREMONIAL ITEMS

1. Asian/Pacific American Heritage Month

Recommended action:

Present the proclamation declaring May 2015 as Asian/Pacific American Heritage Month.

Mayor Howard Miller presented the proclamation to Ester Ann and Christopher Kong.

SPECIAL PRESENTATIONS

2. Special Presentation from the Santa Clara Valley Water District

Recommended action:

Receive presentation from representatives of the Santa Clara Valley Water District on current drought conditions and efforts to reduce water use; and adopt resolution urging residents to reduce water use by 30 percent.

Mayor Miller introduced the item and invited representatives of the Santa Clara Valley Water District to give a presentation.

Santa Clara Valley Water District Director Nai Hsueh and Rachael Gibson with the Santa Clara Valley Water District Office of Government Relations delivered a presentation to the City Council.

Mayor Miller invited John Tang, San Jose Water Company Vice President of Government Relations and Corporate Communications, to address City Council questions.

Mayor Miller invited public comment on the item.

The following people requested to speak:

Wolfgang Hausen

Cheriel Jensen

Don Simpson

Terry Mudroch

Lori Burns

San Karan

Lou Righam

Sesh Ramaswami

Mr. Andrade

Rita Benton

Ralph Mullins

Pamela Roper

Mike Arnold

Patty Workman

Udek Kapur

Ralph Minster

No one else requested to speak.

Mayor Miller closed the public comment period.

RESOLUTION NO. 15-029

CAPPELLO/BERNALD MOVED TO **ADOPT RESOLUTION URGING RESIDENTS TO REDUCE WATER USE BY 30 PERCENT**. MOTION PASSED. AYES: MILLER, CAPPELLO, LO, BERNALD, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

At 9:03 p.m., the City Council took a short break. During the break, Mayor Miller invited the members of Boy Scout Troop 535 on stage to introduce themselves.

CONSENT CALENDAR

3. City Council Meeting Minutes

Recommended action:

Approve the City Council minutes for the Special Meeting on April 29, 2015 and the Special and Regular City Council Meeting on May 6, 2015.

LO/BERNALD MOVED TO **APPROVE THE CITY COUNCIL MINUTES FOR THE SPECIAL MEETING ON APRIL 29, 2015 AND THE SPECIAL AND REGULAR CITY COUNCIL MEETING ON MAY 6, 2015**. 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:
5/5/2015 Period 11
5/12/2015 Period 11

LO/BERNALD MOVED TO **ACCEPT CHECK REGISTERS FOR THE FOLLOWING ACCOUNTS PAYABLE PAYMENT CYCLES: 5/5/2015 PERIOD 11; AND 5/12/2015 PERIOD 11**. MOTION PASSED. AYES: MILLER, CAPPELLO, LO, BERNALD, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

5. Approve Donation from Roku, Inc. and Other Local Businesses to Sponsor Movie Night Events 2015

Recommended action:

Authorize the City Manager execute donation agreement with Roku and accept a donation from Roku in the amount of \$5,000 and other in-kind donations by local businesses for sponsorship of the 2015 Summer Movie Night events.

LO/BERNALD MOVED TO **AUTHORIZE THE CITY MANAGER EXECUTE DONATION AGREEMENT WITH ROKU AND ACCEPT A DONATION FROM ROKU IN THE AMOUNT OF \$5,000 AND OTHER IN-KIND DONATIONS BY LOCAL BUSINESSES FOR SPONSORSHIP OF THE 2015 SUMMER MOVIE NIGHT EVENTS**. MOTION PASSED. AYES: MILLER, CAPPELLO, LO, BERNALD, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

6. Motor Vehicle (MV) Resolution Installing Stop Signs at the Intersection of Thelma and Hammons

Recommended action:

Adopt Motor Vehicle (MV) Resolution Installing Stop Signs at the intersection of Thelma Avenue and Hammons Avenue creating all all-way stop.

MV RESOLUTION NO. MV-309

LO/BERNALD MOVED TO **ADOPT MOTOR VEHICLE (MV) RESOLUTION INSTALLING STOP SIGNS AT THE INTERSECTION OF THELMA AVENUE AND HAMMONS AVENUE CREATING ALL ALL-WAY STOP.** MOTION PASSED. AYES: MILLER, CAPPELLO, LO, BERNALD, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

7. Motor Vehicle (MV) Resolution Installing a No U-Turn Sign on Prospect Avenue Median Eastbound at Covina Court

Recommended action:

Adopt Motor Vehicle (MV) Resolution Installing a No U-Turn Sign on Prospect Avenue Median Eastbound at Covina Court.

MV RESOLUTION NO. MV-310

LO/BERNALD MOVED TO **ADOPT MOTOR VEHICLE (MV) RESOLUTION INSTALLING A NO U-TURN SIGN ON PROSPECT AVENUE MEDIAN EASTBOUND AT COVINA COURT.** MOTION PASSED. AYES: MILLER, CAPPELLO, LO, BERNALD, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

PUBLIC HEARINGS

8. Fiscal Year 2015/16 Proposed Operating & Capital Budget Public Hearing

Recommended action:

Conduct a public hearing on the proposed FY 2015/16 Operating & Capital Budgets, and provide direction to staff for budget adoption on June 3, 2015

Finance and Administrative Services Director Mary Furey and Finance Manager Tony McFarlane presented the staff report on this item.

Mayor Miller invited public comment on this item.

No one requested to speak.

LO/BERNALD MOVED TO **DIRECT STAFF TO PLACE THE FY 2015/16 OPERATING & CAPITAL BUDGETS ON THE JUNE 3, 2015 AGENDA FOR ADOPTION AND AUTHORIZED STAFF TO MAKE MINOR UPDATES AS NEEDED.** MOTION PASSED. AYES: MILLER, CAPPELLO, LO, BERNALD, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

The City Council took a short recess at 9:36 p.m. and returned to the meeting at 9:38 p.m.

OLD BUSINESS

None

NEW BUSINESS

9. Review of Water Efficient Landscape Ordinance

Recommended action:

Review the adopted Water Efficient Landscape Ordinance and provide direction to staff as appropriate given current drought conditions.

Community Development Director Erwin Ordoñez presented the staff report on this item.

Mayor Miller invited public comment on the item.

No one requested to speak.

BERNALD/CAPPELLO MOVED TO **DIRECT THE PLANNING COMMISSION TO REVIEW THE WATER EFFICIENT LANDSCAPE ORDINANCE THRESHOLD AND DEVELOP A RECOMMENDATION FOR THE CITY COUNCIL TO CONSIDER THAT TAKES CURRENT DROUGHT CONDITIONS INTO ACCOUNT AND DOES NOT REPRESENT SIGNIFICANT INCREASES TO TIME, COST, OR EFFORT TO COMPLY.** MOTION PASSED. AYES: MILLER, CAPPELLO, LO, BERNALD, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

10. TFCA Grant Agreement with VTA for the Guava Court Railroad Pedestrian Crossing

Recommended action:

Authorize the City Manager to execute the TFCA Grant Agreement with Valley Transportation Authority (VTA) in the amount of \$300,000, with a local match of \$45,880 for the Guava Court railroad pedestrian crossing.

Mainini Cabute, Public Works Management Analyst, delivered the staff report on this item.

Mayor Miller invited public comment on the item.

No one requested to speak.

LO/KUMAR MOVED TO **AUTHORIZE THE CITY MANAGER TO EXECUTE THE TFCA GRANT AGREEMENT WITH VALLEY TRANSPORTATION AUTHORITY (VTA) IN THE AMOUNT OF \$300,000, WITH A LOCAL MATCH OF \$45,880 FOR THE GUAVA COURT RAILROAD PEDESTRIAN CROSSING.** MOTION PASSED. AYES: MILLER, CAPPELLO, LO, BERNALD, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

11. McFarland Ave Curb and Gutter Rehabilitation Phase 1 – Award of Contract

Recommended action:

1. Move to declare George Bianchi Construction the lowest responsible bidder on the project.
2. Move to award a construction contract to George Bianchi Construction in the amount of \$177,500.00.
3. Move to authorize staff to execute change orders to the contract up to \$53,000.00.

Public Works Director John Cherbone presented the staff report.

Mayor Miller invited public comment on this item.

No one requested to speak.

CAPPELLO/KUMAR MOVED TO: **1) DECLARE GEORGE BIANCHI CONSTRUCTION THE LOWEST RESPONSIBLE BIDDER ON THE PROJECT; 2) AWARD A CONSTRUCTION CONTRACT TO GEORGE BIANCHI CONSTRUCTION IN THE AMOUNT OF \$177,500.00.; AND 3) AUTHORIZE STAFF TO EXECUTE CHANGE ORDERS TO THE CONTRACT UP TO \$53,000.00.**

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

12. Resolution of Support for Tax Equity Allocation Changes in 2015-16 May State Budget Revision

Recommended action:

Adopt resolution of support for the Tax Equity Allocation changes proposed in Governor Jerry Brown's 2015-16 May Budget Revision.

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

Mayor Miller invited public comment on the item.

No one requested to speak.

RESOLUTION NO. 15-030

CAPPELLO/BERNALD MOVED TO **ADOPT RESOLUTION OF SUPPORT FOR THE TAX EQUITY ALLOCATION CHANGES PROPOSED IN GOVERNOR JERRY BROWN'S 2015-16 MAY BUDGET REVISION.** MOTION PASSED. AYES: MILLER, CAPPELLO, LO, BERNALD, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

CITY COUNCIL ASSIGNMENT REPORTS

Mayor Howard Miller

Cities Association of Santa Clara County – the Cities Association met last week at Levi Stadium and discussed efforts for Super Bowl 50.

Valley Transportation Authority (VTA) Policy Advisory Committee – during the last meeting, the PAC voted to postpone a vote on the State Route 85 Express Lane Project. The Technical Advisory Committee also decided that they lacked information to take action. However, the project may still go before the VTA Board of Directors on June 4, 2015. Those interested in the project should monitor the Board's agendas, as it may appear on the June 4 agenda.

West Valley Solid Waste Management Joint Powers Authority – during the last meeting, the Board ratified rates. Saratoga residents will see an increase of approximately 6 percent.

Vice Mayor Manny Cappello

Saratoga Area Senior Coordinating Council (SASCC) – the next meeting is the week of May 25.

West Valley Sanitation District – the Sanitation District's most recent meeting included matters of routine business.

Council Member Emily Lo

Hakone Foundation Board & Executive Committee – the Matsuri Festival was very successful, more than 1,000 people attended.

KSAR Community Access TV Board – during the last meeting, the Board authorized purchase of new equipment for the control booth in the Civic Theater. The new equipment will be installed during the City Council summer recess.

Council Member Mary-Lynne Bernald

Association of Bay Area Governments – there was a meeting by teleconference last week and the minutes and budget were approved.

Saratoga Historical Foundation – the next meeting is May 21, 2015.

Council Member Bernald also shared that she attended *Thriving as a Region*, a Council workshop, and the Water District's drought summit last week.

Council Member Rishi Kumar

Saratoga Chamber of Commerce & Destination Saratoga – during the last Chamber meeting, Council Member Kumar shared updates about the City, including the Village Vision project, changes at Hakone, and upcoming trail projects.

CITY COUNCIL ITEMS

Mayor Miller proposed a future agenda item for the City Council to discuss opportunities to increase the threshold for eligibility and whether Youth Commissioners should be limited to 1 term, without the opportunity to be appointed again after a break from the Commission.

Council Member Lo supported the request.

CITY MANAGER'S REPORT

None

ADJOURNMENT

CAPPELLO/BERNALD MOVED TO **ADJOURN THE MEETING AT 10:19 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