

**MINUTES
WEDNESDAY, OCTOBER 7, 2015
SARATOGA CITY COUNCIL SPECIAL MEETING**

At 5:30 p.m., the City Council held a Joint Meeting with representatives of Saratoga Schools in the Saunders Room at the Saratoga Senior Center at 19655 Allendale Avenue.

SARATOGA CITY COUNCIL REGULAR MEETING

Mayor Miller called the Regular Meeting to order at 7:03 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
Debbie Bretschneider, Acting City Clerk
Mary Furey, Finance & Administrative Services Director
Erwin Ordonez, Community Development Director
John Cherbone, Public Works Director
Michael Taylor, Recreation & Facilities Director
Brian Babcock, Administrative Analyst
Kate Bear, Arborist

REPORT OF CITY CLERK ON POSTING OF AGENDA

Acting City Clerk Debbie Bretschneider reported that the agenda for this meeting was properly posted on October 2, 2015.

COMMUNICATIONS FROM COMMISSIONS & PUBLIC

Oral Communications on Non-Agendized Items

None

Oral Communications - Council Direction to Staff

None

Communications from Boards and Commissions

None

Council Direction to Staff

None

ANNOUNCEMENTS

Council Member Kumar announced that October 17 from 7 p.m. to midnight is the Dandia Celebration at West Valley College Large Gym. <http://www.saratogadandia.org/> He also announced the November 14 Festival of Lights, www.saratogadiwali.org

Council Member Bernald announced that the Saratoga Historical Museum is having an October 18 fundraiser at Hakone Gardens. The money raised is going to fund a Blacksmith exhibit at the museum. <http://www.saratogahistory.com/> She also announced that the Witchy-Walk-About is in the Village on October 31 from 1-4 p.m.

Council Member Lo announced that the Hakone Gardens on the 1st Tuesday of every month is free admission for Saratoga residents, plus may bring 2 guests. Also, Saratoga based non-profits can rent Hakone gardens during the week for 50% off rental. <http://www.hakone.com/visit-us/visitor-info.html>

Vice Mayor Cappello announced that also on October 31 from 10 a.m. to 1 p.m. is the Health and Wellness Expo, put on by the Senior Center. This is a free event with free health screenings and flu shots and will be at the Joan Pisani Community Center. <http://www.sascc.org/community-events/>

Mayor Miller showed the Fall Recreation Guide and highlighted the Reading Comprehension class. <http://www.saratoga.ca.us/cityhall/rec/default.asp>

Mayor Miller also announced the Quarry Park grand opening on Oct. 31 at 10:30 a.m. with free shuttle buses at 9:30 am in the Village up to the Quarry. There is not enough parking at the Quarry! There will be give-aways of water bottles and logo pins. The Council is hoping that this will be the first stage of Sea-to-Saratoga trail. http://www.saratoga.ca.us/whatsnew/quarry_park.asp

CEREMONIAL ITEMS

1. Appointment of Park & Recreation Commissioner and Oath of Office

Recommended action:

Adopt the resolution appointing Renee Paquier to a full term on the Parks & Recreation Commission ending September 30, 2019 and direct the City Clerk to administer the Oath of Office.

RESOLUTION 15-060

CAPPELLO/BERNALD MOVED TO ADOPT THE RESOLUTION APPOINTING RENEE PAQUIER TO A FULL TERM ON THE PARKS & RECREATION COMMISSION ENDING SEPTEMBER 30, 2019 AND DIRECT THE CITY CLERK TO ADMINISTER THE OATH OF OFFICE. MOTION PASSED. AYES: MILLER, CAPPELLO, LO, BERNALD, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

The Acting City Clerk administered the Oath of Office to Renee Paquier.

2. Commendations for America in Bloom Volunteers

Recommended action:

Present the commendations.

The City Council presented commendations to the America in Bloom Entry Volunteers. Former Mayor Jill Hunter announced that the City of Saratoga is an official America in Bloom City.

SPECIAL PRESENTATIONS

3. Presentation on Rinconada Water Treatment Plant

Recommended action:

Receive presentation by staff of the Santa Clara Valley Water District on the Rinconada Water Treatment Plant.

The City Council received the presentation by the Santa Clara Valley Water District. The Director, Nai Hsueh, of the Santa Clara Valley Water District introduced Mike Munson, Engineering Manager, who presented on the Rinconada Water Treatment Plant.

CONSENT CALENDAR

4. City Council Meeting Minutes

Recommended action:

Approve the City Council minutes for the Special and Regular City Council Meeting on September 16, 2015.

CAPPELLO/BERNALD MOVED TO **APPROVE THE CITY COUNCIL MINUTES FOR THE SPECIAL AND REGULAR CITY COUNCIL MEETING ON SEPTEMBER 16, 2015.** MOTION PASSED. AYES: MILLER, CAPPELLO, LO, BERNALD, KUMAR. 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:

9/15/2015: Period 3

9/22/2015: Period 3

9/29/2015: Period 3

CAPPELLO/BERNALD MOVED TO **REVIEW AND ACCEPT CHECK REGISTERS FOR THE FOLLOWING ACCOUNTS PAYABLE PAYMENT CYCLES: 9/15/2015: PERIOD 3, 9/22/2015: PERIOD 3, 9/29/2015: PERIOD 3.** MOTION PASSED. AYES: MILLER, CAPPELLO, LO, BERNALD, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

6. Second Reading of Procurement Ordinance Update

Recommended action:

Adopt Ordinance

ORDINANCE 332

CAPPELLO/BERNALD MOVED TO **ADOPT THE PROCUREMENT ORDINANCE.** MOTION PASSED. AYES: MILLER, CAPPELLO, LO, BERNALD, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

7. Second Reading of a Zoning Amendment to add a Planned-Combined Zoning District (P-C) to an existing site at 13716 & 13718 Saratoga Road

Recommended action:

Waive the second reading and adopt the attached ordinance to add the Planned-Combined Zoning District (P-C) to an existing site at 13716 & 13718 Saratoga Road (Sacred Heart Church Parish).

ORDINANCE 333

CAPPELLO/BERNALD MOVED TO **ADOPT THE ATTACHED ORDINANCE TO ADD THE PLANNED-COMBINED ZONING DISTRICT (P-C) TO AN EXISTING SITE AT 13716 & 13718 SARATOGA ROAD (SACRED HEART CHURCH PARISH).** MOTION PASSED. AYES: MILLER, CAPPELLO, LO, BERNALD, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

8. Approve Donation from Saratoga-Monte Sereno Foundation for the October 31, 2015 Saratoga Quarry Park Grand Opening

Recommended action:

Authorize the City Manager to execute a donation agreement with the Saratoga-Monte Sereno Foundation and accept a donation for \$626.56 for the October 31, 2015 Saratoga Quarry Park Grand Opening.

CAPPELLO/BERNALD MOVED TO **AUTHORIZE THE CITY MANAGER TO EXECUTE A DONATION AGREEMENT WITH THE SARATOGA-MONTE SERENO FOUNDATION AND ACCEPT A DONATION FOR \$626.56 FOR THE OCTOBER 31, 2015 SARATOGA QUARRY PARK GRAND OPENING.** MOTION PASSED. AYES: MILLER, CAPPELLO, LO, BERNALD, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

9. Saratoga Falcon Newspaper Correction

Recommended action:

Accept informational report.

Council Member Lo removed this item for the Consent calendar to commend the City staff and the faculty at the Saratoga High Falcon newspaper for their quick action in removing an incorrect article from the newspaper's website. And to remind the student newspapers that the Mayor is the official voice of the Council and the Mayor is available for interviews.

LO/BERNALD MOVED TO **ACCEPT INFORMATIONAL REPORT.** MOTION PASSED. AYES: MILLER, CAPPELLO, LO, BERNALD, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

PUBLIC HEARINGS

10. Confirmation of Report and Assessment of Weed/Brush Abatement Program

Recommended action:

Open public hearing, accept public testimony, close public hearing, and adopt resolution confirming report and assessment of hazardous vegetation abatement charges.

Acting City Clerk Debbie Bretschneider presented the staff report and introduced Ray Moreno from the Santa Clara County Weed Abatement Program to answer any questions.

Mayor Miller asked the Council for their questions to staff.

There were no questions for staff.

Mayor Miller invited public comment on the item.

No one requested to speak.

RESOLUTION 15-061

BERNALD/ CAPPELLO MOVED TO **ADOPT RESOLUTION CONFIRMING REPORT AND ASSESSMENT OF HAZARDOUS VEGETATION ABATEMENT CHARGES.** MOTION PASSED. AYES: MILLER, CAPPELLO, LO, BERNALD, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

Mayor Miller wanted to remind all residents that defensible space is important in the City especially after the fires that happened in California this year.

11. Amendments to City Code Article 4-55 Massage Establishments and Massage Practitioners

Recommended action:

1. Conduct a public hearing.
2. Introduce and waive the first reading of the ordinance to amend Article 4-55 Massage Establishments and Massage Practitioners
3. Direct staff to place the ordinance on the Consent Calendar for adoption at the next regular meeting of the City Council.

Community Development Director Erwin Ordonez presented the staff report.

Mayor Miller asked the Council for their questions to staff.

Council Member Bernald asked if in the definitions section of the ordinance why the definitions were in topic order instead of alphabetical order? Community Development Director Ordonez stated that the corrected ordinance had fixed that problem.

Council Member Lo asked if law enforcement can do random inspections of massage establishments. Santa Clara Valley County Sheriff Captain Sung stated that they inspect any establishment that they have received complaints about.

Mayor Miller invited public comment on the item.

No one requested to speak.

Further discussion by Council.

Council Member Lo stated that she supports the permit process and glad to have local control. Proposes to add operating hours for 7 am to 10 p.m. to ordinance. City Attorney Taylor stated that the ordinance includes “no massages between 10 p.m. and 7 a.m.”

LO/CAPPELLO MOVED TO **INTRODUCE AND WAIVE FIRST READING OF THE ORDINANCE TO AMEND ARTICLE 4-55 AS REVISED IN THE DESK ITEM PRESENTED TO COUNCIL WITHOUT THE STAFF NOTATIONS IN THE MARGINS AND DIRECT STAFF TO PLACE THE ORDINANCE ON THE CONSENT CALENDAR FOR ADOPTION AT THE NEXT REGULAR MEETING.** MOTION PASSED. AYES: MILLER, CAPPELLO, LO, BERNALD, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

OLD BUSINESS

None.

NEW BUSINESS

12. Local cities’ requirements for dead tree removal.

Recommended action:

Receive report and provide direction to staff.

Arborist Kate Bear presented the staff report.

Mayor Miller asked to start the discussion as he had asked for this item to be brought to the Council. Since everyone is worried about fire danger, the Council could add a provision to the tree ordinance stating that a dead tree is a nuisance and to use code compliance to have the tree removed.

Council Member Lo asked if owners have to replace the tree. Arborist Bear said that yes they have to replace it with a 15 gallon tree.

Mayor Miller invited public comment on the item.

No one requested to speak.

BERNALD/CAPPELLO MOVED TO **ADD A DEFINITION FOR A DEAD TREE AS A NUISANCE IN THE CITY CODE THAT IS NOT IN ZONING REGULATIONS (CHAPTER 15) AND TO BRING AMENDMENT TO THE CITY CODE BACK TO COUNCIL FOR ADOPTION.** MOTION PASSED. AYES: MILLER, CAPPELLO, LO, BERNALD, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

Mayor Miller invited all students to come up on stage.

13. Participation in a County-Wide Housing Nexus Study

Recommended action:

Adopt resolution authorizing City participation in a County-wide Housing Nexus Study

Community Development Director Erwin Ordonez presented the staff report.

Mayor Miller invited public comment on the item.

No one requested to speak.

RESOLUTION 15-062

CAPPELLO/BERNALD MOVED TO **ADOPT RESOLUTION AUTHORIZING CITY PARTICIPATION IN A COUNTY-WIDE HOUSING NEXUS STUDY.** 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 –meeting tomorrow. Review of Senator Beall’s Transportation initiative.

VTA Board West Valley Cities Alternate –Highway 85 Task Force has not had a meeting yet. West Valley Cities asked the VTA for studies from the letter they recently sent on mass transit. VTA staff is putting together a proposal for a year-long study. With a second in-depth analysis taking another 2 years.

Vice Mayor Manny Cappello

Hakone Foundation Board - Jacob, Master Gardener, will be going to Japan for 3 weeks to work on the Tsunami memorial. Partially paid for by Sister City group.

Saratoga Area Senior Coordinating Council (SASCC) –2 meetings ago, the Executive Director presented a balanced budget. The Renovation plan for the Senior Center is complete, now need to raise money. At last week’s meeting, approved funding for a study from fundraising consultants to see if money can be raised for the renovations. Health Fair on October 31 from 10-2 at Joan Pisani Community Center.

Council Member Emily Lo

Hakone Foundation Board & Executive Committee –Centennial Gala was well attended. Net proceeds \$18,000. Hakone rental 50% off for non-profits on weekdays.

Santa Clara County Library Joint Powers Authority –Friends of the Library working with the City’s Recreation Department to have a Friend of the Library bookshelf with books for sale in the Recreation Department lobby.

Council Member Mary-Lynne Bernald

League of California Cities Conference –attended this 3-day conference.

Association of Bay Area Governments –conference call with ABAG coming up.

Saratoga Sister City Organization –membership is growing. Membership is \$30 for individual, \$50 for family. New Mayor of Muko City is coming to visit Saratoga, possibly January 17-19, 2016.

Council Member Rishi Kumar

League of California Cities Conference –attended this 3-day conference.

CITY COUNCIL ITEMS.

Council Member Kumar asked for the Council to consider making an enhancement to the ordinance on cell towers.

There was no second.

Mayor Miller responded that the ordinance on cell towers is a new ordinance and the City went through a very public process which took several years to create this ordinance for Saratoga.

Council Member Kumar asked about having an emergency alert button on the Council dais because of security concerns.

Mayor Miller suggested that staff to figure out how to make this happen.

Council Member Kumar saw information at the League of California Cities conference on surveillance cameras that could possibly be used by the Lighting and Landscaping Districts.

There was no second.

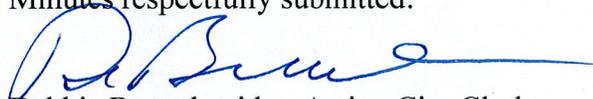
CITY MANAGER'S REPORT

No report.

ADJOURNMENT

CAPPELLO/LO MOVED TO **ADJOURN THE MEETING AT 9:34 P.M.** MOTION PASSED. AYES: MILLER, CAPPELLO, LO, BERNALD, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

Minutes respectfully submitted:



Debbie Bretschneider, Acting City Clerk
City of Saratoga