

**MINUTES  
WEDNESDAY, DECEMBER 16, 2015  
SARATOGA CITY COUNCIL SPECIAL MEETING**

At 5:30 p.m., the City Council Called to order the Special Meeting and conducted a study session on the Library Commission. The Council considered the objectives of the Commission, potential goals for the future, greater involvement with the Library's teen advisory board, the Commission regular meeting schedule, and Commission budget. The City Council then held a study session on the City Council Norms of Operation.

**SARATOGA CITY COUNCIL REGULAR MEETING**

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

**ROLL CALL**

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

ABSENT: None

ALSO PRESENT: James Lindsay, City Manager  
Richard Taylor, City Attorney  
Crystal Bothelio, City Clerk/Assistant to the City Manager  
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  
Kirk Heinrichs, Special Projects Manager

**REPORT OF CITY CLERK ON POSTING OF AGENDA**

City Clerk Crystal Bothelio reported that the agenda for this meeting was properly posted on December 11, 2015.

**COMMUNICATIONS FROM COMMISSIONS & PUBLIC**

Mayor Cappello shared that the City Council held a study session on the Library Commission and City Council Norms of Operation. Although no decisions were made, the study sessions were productive.

**Oral Communications on Non-Agendized Items**

Marcus Breitbacs, one of the owners of Help and Care, introduced his business to the City Council. The owners recently moved the business to Saratoga from Los Gatos.

**Oral Communications - Council Direction to Staff**

None

## **Communications from Boards and Commissions**

None

## **Council Direction to Staff**

None

## **ANNOUNCEMENTS**

Council Member Kumar shared that the start of the Young Silicon Valley Coders book camp is on January 10, 2016. The program will run through March and Silicon Valley Tech Day will be June 12, 2016 from 1:00 p.m. to 5:00 p.m. at the Joan Pisani Community Center. Additional information is online at <http://www.siliconvalleycoders.org/>. He also shared information about Unity in the Community Day on January 17, 2016 at the Joan Pisani Community Center. Last, he announced that the Free Sunday classes at the Joan Pisani Community Center will resume on January 10, 2016. Information is online at [www.tinyurl.com/Saratogaaclass](http://www.tinyurl.com/Saratogaaclass).

Council Member Miller announced that City Hall will be closed from December 24, 2015 to January 3, 2016. Additionally, the Recreation Activity Guide includes a number of programs for all ages and interests, including tap dancing for adults. He also shared that the Saratoga High School Marching Band will be marching in the Tournament of Roses Parade on New Year's Day. The parade begins at 8:00 a.m. and HGTV will be covering footage of the entire parade. NBC and Univision will be covering parts of the parade.

Council Member Bernald shared that the Saratoga Historical Foundation's exhibit, "Home for the Holidays," will be open through January 31. The public can see the exhibit on Friday, Saturday, or Sunday from 1:00 p.m. to 4:00 p.m. Additionally, the Saratoga Sister City Organization is coordinating a tour of the Asian Art Museum in San Francisco on January 27, 2016. The tour cost is estimated at \$50. For more information, contact Peter Marra.

Vice Mayor Lo announced that the Wednesday Farmers Market in the Village is taking a break during the holidays and will resume on January 6, 2016. She also reminded the public to visit Saratoga businesses during the holidays.

Mayor Cappello announced the City's recruitment for the Traffic Safety Commission and Library Commission.

## **CEREMONIAL ITEMS**

1. Appointment of Commissioners and Oath of Office

### **Recommended action:**

Adopt the attached resolution appointing 1 member to the Heritage Preservation Commission and 3 members to the Traffic Safety Commission; and direct the City Clerk to administer the Oath of Office.

## RESOLUTION NO. 15-073

MILLER/BERNALD MOVED TO **ADOPT THE ATTACHED RESOLUTION APPOINTING 1 MEMBER TO THE HERITAGE PRESERVATION COMMISSION AND 3 MEMBERS TO THE TRAFFIC SAFETY COMMISSION; AND DIRECT THE CITY CLERK TO ADMINISTER THE OATH OF OFFICE.** MOTION PASSED. AYES: CAPPELLO, LO, BERNALD, MILLER, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

## **SPECIAL PRESENTATIONS**

None

## **CONSENT CALENDAR**

### 2. City Council Meeting Minutes

#### **Recommended action:**

Approve the City Council minutes for the Special City Council Meeting on December 1, 2015 and the Special and Regular City Council Meeting on December 2, 2015.

BERNALD/LO MOVED TO **APPROVE THE CITY COUNCIL MINUTES FOR THE SPECIAL CITY COUNCIL MEETING ON DECEMBER 1, 2015 AND THE SPECIAL AND REGULAR CITY COUNCIL MEETING ON DECEMBER 2, 2015.**

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

### 3. Review of Accounts Payable Check Registers

#### **Recommended action:**

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

11/17/2015: Period 5

11/24/2015: Period 5

12/01/2015: Period 6

12/08/2015: Period 6

BERNALD/LO MOVED TO **ACCEPT CHECK REGISTERS FOR THE FOLLOWING ACCOUNTS PAYABLE PAYMENT CYCLES: 11/17/2015 PERIOD 5; 11/24/2015 PERIOD 5; 12/01/2015 PERIOD 6; AND 12/08/2015 PERIOD 6.** MOTION PASSED.

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

### 4. Treasurer's Report for the Month Ended September 30, 2015

#### **Recommended action:**

Review and accept the Treasurer's Report for the month ended September 30, 2015.

BERNALD/LO MOVED TO **ACCEPT THE TREASURER'S REPORT FOR THE MONTH ENDED SEPTEMBER 30, 2015.** MOTION PASSED. AYES: CAPPELLO, LO, BERNALD, MILLER, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

5. Notice of Completion - McFarland Ave Curb and Gutter Rehabilitation - Phase 1

**Recommended action:**

Move to accept the McFarland Ave Curb and Gutter Rehabilitation - Phase 1 as complete and authorize staff to record the Notice of Completion for construction contract.

BERNALD/LO MOVED TO **ACCEPT THE MCFARLAND AVE CURB AND GUTTER REHABILITATION - PHASE 1 AS COMPLETE AND AUTHORIZE STAFF TO RECORD THE NOTICE OF COMPLETION FOR CONSTRUCTION CONTRACT.** MOTION PASSED. AYES: CAPPELLO, LO, BERNALD, MILLER, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

**PUBLIC HEARINGS**

None

**OLD BUSINESS**

None

**NEW BUSINESS**

6. Progress Update - Implementation of Phase I of the Saratoga Village Plan Update Process---  
Community Outreach

**Recommended action:**

No Action Required

Kirk Heinrichs, Special Projects Manager, presented the staff report.

Mayor Cappello invited public comment on the item.

No one requested to speak.

7. Spring 2016 Issue of The Saratogan

**Recommended action:**

Provide direction to staff on the theme and distribution method of the Spring 2016 issue of The Saratogan.

Brian Babcock, Administrative Analyst I, presented the staff report.

Mayor Cappello invited public comment on the item.

No one requested to speak.

MILLER/KUMAR MOVED TO **DIRECT STAFF TO: PROCEED WITH THE THEME, "COMMUNITY"; INCLUDE WINTER STORM INFORMATION IN THE NEXT ISSUE OF THE NEWSLETTER; SEND A POSTCARD TO RESIDENTS WITH LARGE FONT AND A SIMPLE DESIGN AND PRINT A NOTICE ON THE BACK PAGE OF THE RECREATION ACTIVITY GUIDE WITH SARATOGAN BRANDING TO NOTIFY RESIDENTS THAT THE NEWSLETTER IS AVAILABLE ON THE CITY'S WEBSITE AND PROVIDE INFORMATION ON HOW TO SUBSCRIBE TO RECEIVE THE NEWSLETTER BY EMAIL; USE DISTINCT WEB ADDRESSES TO CAPTURE DATA ABOUT HOW RESIDENTS ARE FINDING THE SARATOGAN AND SUBSCRIBING TO IT; AND PRINT A LIMITED SUPPLY OF NEWSLETTERS FOR DISTRIBUTION AT CITY HALL AND OTHER LOCATIONS THROUGHOUT THE CITY.** MOTION PASSED. AYES: CAPPELLO, LO, BERNALD, MILLER, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

8. Fiscal Year 2016/17 Community Event Grant Program and Street Closure Grant Allocations  
**Recommended action:**

Approve the recommendations of the Council Finance Committee for FY 2016/17:

1. Allocate \$35,000 for the Community Event Grant Program.
2. Allocate \$30,000 for two street closures.

Brian Babcock, Administrative Analyst I, presented the staff report.

Mayor Cappello invited public comment on the item.

No one requested to speak.

LO/MILLER MOVED TO **DIRECT STAFF TO ALLOCATE \$35,000 FOR THE COMMUNITY EVENT GRANT PROGRAM AND \$30,000 FOR TWO STREET CLOSURES IN THE FISCAL YEAR 2016/17 BUDGET.** MOTION PASSED. AYES: CAPPELLO, LO, BERNALD, MILLER, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

9. BAAQMD's Grant Funding for Plug-In Electric Vehicle Stations

**Recommended action:**

1. Authorize the City Manager or designee to apply for and accept TFCA Electric Vehicle Charging Station Demonstration Project Program and/or Chase! Program grant funds from the Bay Area Air Quality Management District (BAAQMD) for the purpose of installing a DC Fast Charger Plug-In Electric Vehicle Charging Station in the Saratoga Library parking lot, and
2. Direct staff to implement the Plug-In Electric Vehicle Station project if grant is awarded, and
3. Authorize Budget Adjustment to augment the current CIP Electric Vehicle Station project budget.

Finance & Administrative Services Director Mary Furey presented the staff report.

Mayor Cappello invited public comment on the item.

No one requested to speak.

**RESOLUTIONS NO. 15-071 & 15-072**

KUMAR/MILLER MOVED TO: **1) AUTHORIZE THE CITY MANAGER OR DESIGNEE TO APPLY FOR AND ACCEPT TFCA ELECTRIC VEHICLE CHARGING STATION DEMONSTRATION PROJECT PROGRAM AND/OR CHASE! PROGRAM GRANT FUNDS FROM THE BAY AREA AIR QUALITY MANAGEMENT DISTRICT (BAAQMD) FOR THE PURPOSE OF INSTALLING A DC FAST CHARGER PLUG-IN ELECTRIC VEHICLE CHARGING STATION IN THE SARATOGA LIBRARY PARKING LOT; 2) DIRECT STAFF TO IMPLEMENT THE PLUG-IN ELECTRIC VEHICLE STATION PROJECT IF GRANT IS AWARDED; AND 3) AUTHORIZE BUDGET ADJUSTMENT TO AUGMENT THE CURRENT CIP ELECTRIC VEHICLE STATION PROJECT BUDGET.** MOTION PASSED. AYES: CAPPELLO, LO, BERNALD, MILLER, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

10. 2016 Hazardous Vegetation Program Commencement Resolution

**Recommended action:**

Approve resolution declaring hazardous vegetation (weeds) as a public nuisance and setting a public hearing on January 20, 2016 to consider objections to the Abatement List.

City Clerk Crystal Bothelio presented the staff report.

Mayor Cappello invited public comment on the item.

No one requested to speak.

**RESOLUTION NO. 15-074**

LO/BERNALD MOVED TO **APPROVE RESOLUTION DECLARING HAZARDOUS VEGETATION (WEEDS) AS A PUBLIC NUISANCE AND SETTING A PUBLIC HEARING ON JANUARY 20, 2016 TO CONSIDER OBJECTIONS TO THE ABATEMENT LIST.** MOTION PASSED. AYES: CAPPELLO, LO, BERNALD, MILLER, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

11. Commission Qualifications and Terms Expiring in 2016

**Recommended action:**

Accept the list of Commission qualifications and terms expiring in the 2016 calendar year.

City Clerk Crystal Bothelio presented the staff report.

Mayor Cappello invited public comment.

No one requested to speak.

BERNALD/LO MOVED TO **ACCEPT THE LIST OF COMMISSION QUALIFICATIONS AND TERMS EXPIRING IN THE 2016 CALENDAR YEAR.** MOTION PASSED. AYES: CAPPELLO, LO, BERNALD, MILLER, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

12. Adoption of City Council Assignments

**Recommended action:**

Approve the resolution adopting the 2016 City Council assignments.

City Clerk Crystal Bothelio presented the staff report.

Mayor Cappello invited public comment on the item.

No one requested to speak.

**RESOLUTION NO. 15-075**

MILLER/BERNALD MOVED TO **APPROVE THE RESOLUTION ADOPTING THE 2016 CITY COUNCIL ASSIGNMENTS WITH MAYOR CAPPELLO DESIGNATED AS THE ALTERNATE TO THE CITIES ASSOCIATION LEGISLATIVE ACTION COMMITTEE AND SELECTION COMMITTEE.** MOTION PASSED. AYES: CAPPELLO, LO, BERNALD, MILLER, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

13. Consider Updates to the City Council Handbook, Council & Commission Expense Policy, E-Communications Policy and Council Norms

**Recommended action:**

1. Adopt the resolution approving modifications to Council and Commission Expense Policy
2. Receive report on the Council and Commission E-Communication Policy
3. Review updates to the City Council Handbook
4. Provide direction on any updates to the City Council Norms of Operation

City Manager James Lindsay presented the staff report.

Mayor Cappello invited public comment.

No one requested to speak.

**RESOLUTION NO. 15-076**

MILLER/KUMAR MOVED TO **ADOPT THE RESOLUTION APPROVING MODIFICATIONS TO THE COUNCIL AND COMMISSION EXPENSE POLICY AND DIRECTED STAFF TO CORRECT THE TYPO IN THE E-COMMUNICATIONS POLICY IN SECTION III G.** MOTION PASSED. AYES: CAPPELLO, LO, BERNALD, MILLER, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

## **CITY COUNCIL ASSIGNMENT REPORTS**

### **Mayor Manny Cappello**

*Santa Clara County Housing and Community Development (HCD) Council Committee* – in January, the Committee will receive applications for public service funding. In February, the Committee will make funding recommendations.

*Saratoga Area Senior Coordinating Council (SASCC)* – during the last meeting, there was a report on SASCC's capital campaign. Based on initial feedback, it appears that SASCC will be able to reach fundraising goals. Additionally, the Board took action to allocate funds to engage the campaign consultant on the next phase of SASCC's fundraising efforts.

*West Valley Sanitation District* – during the last meeting, the District Board of Directors discussed changes that the District would like to the Regional Wastewater Facility agreement.

### **Vice Mayor Emily Lo**

*Hakone Foundation Board & Executive Committee* – the Board will be meeting on December 17 and a report will be given at the next regular Council Meeting.

*KSAR Community Access TV Board* – KSAR is moving forward on a video program and at the next meeting the Board will discuss a policy and guidelines for content. The Board will also consider whether to add a television monitor in the Civic Theater lobby.

*Santa Clara County Library Joint Powers Authority* – a new foundation for the Santa Clara County Library has been recently formed and board members are currently being recruited and will be ratified at the January 28 meeting.

### **Council Member Mary-Lynne Bernald**

No report

### **Council Member Howard Miller**

*VTA Board West Valley Cities Alternate* – during the Board meeting, former Mountain View Mayor John McAlister spoke on behalf of the North and West county cities interests in conducting a study on State Route 85 as well as taking a strategic look at the entire County, modes of transportation, and projected job growth to address current and future transportation needs.

*VTA State Route 85 Corridor Policy Advisory Board* – during the last meeting, the group discussed policies and objectives for the Board. There is concern about the role of the group and its focus.

### **Council Member Rishi Kumar**

*Saratoga Chamber of Commerce & Destination Saratoga* – the Chamber holiday party was held at Claudine's Wine Experience and was well attended. There was discussion of the Village Creek Trail.

Council Member Kumar also shared that he attended an infrastructure symposium in San Francisco. The symposium included representatives from the U.S. Department of Energy who discussed energy-related legislation that has been introduced.

## **CITY COUNCIL ITEMS**

Council Member Bernald proposed an agenda item to support HR 3965 and 3385, as well as the FAA initiative to address noise concerns of Santa Cruz/Santa Clara/San Mateo/San Francisco Counties.

Council Member Miller alternatively suggested that the Mayor draft letters on these issues.

Council Member Bernald and Mayor Cappello accepted the proposal to draft letters of support for HR 3965 and 3385 and commenting on the FAA initiative to address noise concerns of Santa Cruz/Santa Clara/San Mateo/San Francisco Counties.

### **CITY MANAGER'S REPORT**

City Manager James Lindsay announced that City Hall would be closed from December 24, 2015 through January 3, 2016.

### **ADJOURNMENT**

MILLER/BERNALD MOVED TO **ADJOURN THE MEETING AT 9:30 P.M.** MOTION PASSED. AYES: CAPPELLO, LO, BERNALD, MILLER, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

Minutes respectfully submitted:

Crystal Bothelio, City Clerk/Assistant to the City Manager  
City of Saratoga