

MINUTES
WEDNESDAY, JANUARY 20, 2016
SARATOGA CITY COUNCIL SPECIAL MEETING

At 5:30 p.m., the City Council called to order the Special Meeting in the Administrative Conference Room at City Hall and adjourned to Closed Session. At 5:45 p.m., the City Council conducted Library Commission interviews. At 6:00 p.m., the Council held a Joint Meeting with Santa Clara County Supervisor Joe Simitian.

SARATOGA CITY COUNCIL REGULAR MEETING

At 7:04 p.m., Mayor Cappello called the meeting to order 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

REPORT ON POSTING OF AGENDA

City Clerk Crystal Bothelio reported that the agenda for the meeting was properly posted on January 14, 2016.

REPORT FROM CLOSED SESSION

Mayor Cappello announced that there was nothing to report from Closed Session.

REPORT FROM JOINT MEETING

Mayor Cappello provided a summary of the Joint Meeting with Supervisor Joe Simitian, sharing that the group discussed the impacts of Proposition 47, as well as seniors and age friendly communities. During the meeting, Supervisor Simitian also provided information about his various appointments.

ORAL COMMUNICATIONS ON NON-AGENDIZED ITEMS

Rod Sinks, Cupertino City Council Member, encouraged the City Council to consider supporting a proposal from the West Valley and North County cities on the allocation of a potential half-cent tax measure that would provide more transportation funding in the West Valley and North County area.

CITY COUNCIL ANNOUNCEMENTS

Council Member Kumar shared that on January 30, 2016, the first ever Federation of Indian Americans Republic Day Celebration will take place at Saratoga High School. Information is online at www.tinyurl.com/fiarepublicdaysignup. There will be a seminar, College Admission Process Demystified, on February 6 from 3:30 p.m. to 5:00 p.m. at the Joan Pisani Community Center. Information is online at <http://www.rishikumar.com/events.html>. Last, the free Sunday classes at the Joan Pisani Community Center are back. Information is available at <http://www.rishikumar.com/events.html>.

Council Member Miller announced that despite recent rain, California is still suffering from a drought and it is important to continue conserving water or further reduce water use if possible. Additionally, there are a number of exciting classes being offered through the City of Saratoga Recreation Department, including driver's education and lifeguard/CPR training for teens. Information is available in the Saratoga Recreation Activity Guide.

Council Member Bernald announced that the Sister City Group will be holding a potluck at the Joan Pisani Community Center on January 27, 2016. Additionally, a delegation of 15 people from Muko, Japan visited Saratoga from January 18th through the 20th. The delegation, which included the Mayor of Muko, had the opportunity to visit different locations throughout the City, including the Saratoga Historical Museum and Hakone Gardens.

Vice Mayor Lo shared that Saratoga residents can visit Hakone for free on the first Tuesday of every month. The next day residents can visit the park for free is February 2. The park is open from 10:00 a.m. to 4:00 p.m. The public can also purchase a membership to Hakone Gardens and visit the park at no cost anytime of the year.

Mayor Cappello announced that the City is accepting applications for the Planning Commission and Library Commission. The Planning Commission applications are due February 23 and Library Commission applications are due March 1. Information is on the City's website at www.saratoga.ca.us/comvac. He also announced that the State of the City will take place on February 27 from 3:00 p.m. to 5:00 p.m. at the Civic Theater. The event will include refreshments, live music, and information about what is happening in the City. Additionally, applications for the Community Event and Street Closure grants are due March 1. Information is on the City's website at www.saratoga.ca.us. The City is also conducting a survey on the Saratoga Village. The survey and additional information can be found online at www.saratogavillageplan.org.

CEREMONIAL ITEMS

Commendation for Supervisor Joe Simitian

Recommended Action:

Present the commendation to Supervisor Joe Simitian.

Mayor Cappello presented the commendation to Supervisor Joe Simitian.

SPECIAL PRESENTATIONS

Presentation by Midpeninsula Regional Open Space District

Recommended Action:

Receive a presentation by the Midpeninsula Regional Open Space District representatives.

Pete Siemens, Midpeninsula Regional Open Space District Director for Ward 1, provided a presentation on the current status of the voter-approved Measure AA bond funds.

Mayor Cappello invited public comment.

No one requested to speak.

1. CONSENT CALENDAR

1.1. City Council Meeting Minutes

Recommended Action:

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

MILLER/BERNALD MOVED **TO APPROVE THE CITY COUNCIL MINUTES FOR THE SPECIAL AND REGULAR CITY COUNCIL MEETING ON DECEMBER 16, 2015.** MOTION PASSED. AYES: CAPPELLO, LO, BERNALD, MILLER, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

1.2. Review of Accounts Payable Check Registers

Recommended Action:

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

12/16/2015: Period 6

01/05/2016: Period 7

01/12/2016: Period 7

MILLER/BERNALD MOVED **TO ACCEPT CHECK REGISTERS FOR THE FOLLOWING ACCOUNTS PAYABLE PAYMENT CYCLES: 12/16/2015 PERIOD 6; 01/05/2016 PERIOD 7; AND 01/12/2016 PERIOD 7.** MOTION PASSED. AYES: CAPPELLO, LO, BERNALD, MILLER, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

1.3. Treasurer's Report for the Month Ended October 31, 2015

Recommended Action:

Review and accept the Treasurer's Report for the month ended October 31, 2015.

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

1.4. Treasurer's Report for the Month Ended November 30, 2015

Recommended Action:

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

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

1.5. Resolution Authorizing Final Disposition of Certain City Records

Recommended Action:

Adopt resolution authorizing final disposition of certain city records.

RESOLUTION NO. 16-001

MILLER/BERNALD MOVED **TO ADOPT RESOLUTION AUTHORIZING FINAL DISPOSITION OF CERTAIN CITY RECORDS.** MOTION PASSED. AYES: CAPPELLO, LO, BERNALD, MILLER, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

1.6. Approval of Contract with NBBM for Janitorial Services

Recommended Action:

Staff recommends that Council approve a contract with NBBM Services for janitorial services of City facilities in the amount of \$67,000.

MILLER/BERNALD MOVED **TO APPROVE A CONTRACT WITH NBBM SERVICES FOR JANITORIAL SERVICES OF CITY FACILITIES IN THE AMOUNT OF \$67,000.** MOTION PASSED. AYES: CAPPELLO, LO, BERNALD, MILLER, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

1.7. Resolution Updating Unrepresented Employee's Compensation and Terms of Employment

Recommended Action:

Adopt the resolution approving compensation and terms of employment for Unrepresented Employees.

RESOLUTION NO. 16-002

MILLER/BERNALD MOVED **TO ADOPT THE RESOLUTION APPROVING COMPENSATION AND TERMS OF EMPLOYMENT FOR UNREPRESENTED EMPLOYEES.** MOTION PASSED. AYES: CAPPELLO, LO, BERNALD, MILLER, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

1.8. Library Commission Meeting Schedule

Recommended Action:

Adopt resolution amending the Library Commission meeting schedule.

RESOLUTION NO. 16-003

MILLER/BERNALD MOVED **TO ADOPT RESOLUTION AMENDING THE LIBRARY COMMISSION MEETING SCHEDULE.** MOTION PASSED. AYES: CAPPELLO, LO, BERNALD, MILLER, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

2. PUBLIC HEARING

2.1. Consider Actions Related to the formation of a Community Choice Energy Program

Recommended Action:

1. Receive report on the attached Draft Silicon Valley Community Choice Energy Technical Study.
2. Conduct a Public Hearing and introduce and waive the first reading of the attached Ordinance to authorize the implementation of a Community Choice Energy Program and find that the project is exempt from CEQA pursuant to CEQA Guidelines 15378(a), 15061(b)(3), and 15308 .

Mary Furey, Finance and Administrative Services Director, presented the staff report. Melody Tovar, Regulatory Programs Division Manager at the City of Sunnyvale, provided a presentation on the Community Choice Energy Program.

Mayor Cappello invited public comment on the item.

The following people requested to speak:

Rod Sinks, Cupertino City Council Member, spoke in favor of the ordinance authorizing implementation of the Community Choice Energy Program.

Gary Latshaw with the Sierra Club and Carbon Free Mountain View spoke in favor of the ordinance authorizing implementation of the Community Choice Energy Program.

Jan Butts with Carbon Free Mountain View spoke in favor of the ordinance authorizing implementation of the Community Choice Energy Program.

No one else requested to speak.

LO/KUMAR MOVED TO WAIVE THE FIRST READING OF THE ORDINANCE TO AUTHORIZE THE IMPLEMENTATION OF A COMMUNITY CHOICE ENERGY PROGRAM; DIRECT STAFF TO PLACE THE ORDINANCE ON THE AGENDA OF THE NEXT REGULAR MEETING FOR SECOND READING AND ADOPTION; AND FIND THAT THE PROJECT IS EXEMPT FROM CEQA PURSUANT TO CEQA GUIDELINES 15378(A), 15061(B)(3), AND 15308. MOTION PASSED. AYES: CAPPELLO, LO, BERNALD, MILLER, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

2.2. Hazardous Vegetation Program Resolution Declaring Abatement of Public Nuisance

Recommended Action:

Conduct public hearing and adopt resolution.

Crystal Bothelio, City Clerk/Assistant to the City Manager, presented the staff report.

Moe Kumre, Santa Clara County Weed Abatement Program Manager, addressed City Council questions.

Mayor Cappello invited public comment on the item.

Charles Luke raised concerns about the listing of his property on the Commencement Report, as he has been compliant with the Weed Abatement Program requirements and understood that his property should have been removed after meeting program requirements the last 3 years.

Moe Kumre confirmed that his property should have been removed if it has been compliant the last 3 years and his property may have been listed by mistake. If the property has been listed by mistake, it will be removed from the Commencement Report.

No one else requested to speak.

RESOLUTION NO. 16-004

BERNALD/MILLER MOVED TO **ADOPT THE RESOLUTION AND DIRECTED STAFF TO WORK WITH THE COUNTY TO INCLUDE ADDITIONAL LANGUAGE ON HOW TO BE REMOVED FROM THE WEED ABATEMENT PROGRAM AND COMMENCEMENT LIST ON PROGRAM NOTICES.** MOTION PASSED. AYES: CAPPELLO, LO, BERNALD, MILLER, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

3. OLD BUSINESS

None

4. NEW BUSINESS

4.1. Amendment to the Policy Pertaining to Naming City-Owned Land and Facilities

Recommended Action:

Adopt a resolution amending the City policy pertaining to the naming of City-owned land and facilities.

Recreation and Facilities Director Michael Taylor presented the staff report.

Mayor Cappello invited public comment on the item.

The following people requested to speak:

Lisa Huening, Saratoga Area Senior Coordinating Council Board President

Ann WaltonSmith, Hakone Foundation Board of Trustees Chair, spoke in favor of the naming policy amendments.

Tylor Taylor, Saratoga Area Senior Coordinating Council Board Member, spoke in favor of the naming policy amendments.

No one else requested to speak.

RESOLUTION NO. 16-005

BERNALD/MILLER MOVED TO **ADOPT A RESOLUTION AMENDING THE CITY POLICY PERTAINING TO THE NAMING OF CITY-OWNED LAND AND FACILITIES TO ALLOW A LOCAL NON-PROFIT ORGANIZATION OPERATING CITY-OWNED LAND OR FACILITIES TO OFFER NAMING RIGHTS TO MAJOR DONOR(S) AS ENTICEMENT TO RECEIVE CAPITAL PROJECT CONTRIBUTIONS UPON CITY COUNCIL APPROVAL OF A FUNDRAISING PLAN AND GIVING THE CITY COUNCIL FINAL APPROVAL OF THE PROPOSED NAME.** MOTION PASSED. AYES: CAPPELLO, LO, BERNALD, MILLER, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

4.2. Resolution Calling for a Collaborative Solution to Homelessness in Santa Clara County

Recommended Action:

Adopt resolution finding that homelessness is a regional crisis and calling for a collaborative solution in Santa Clara County.

City Clerk/Assistant to the City Manager Crystal Bothelio presented the staff report.

Mayor Cappello invited public comment on the item.

No one requested to speak.

RESOLUTION NO. 16-006

MILLER/KUMAR MOVED TO **ADOPT RESOLUTION FINDING THAT HOMELESSNESS IS A REGIONAL CRISIS AND CALLING FOR A COLLABORATIVE SOLUTION IN SANTA CLARA COUNTY.** MOTION PASSED. AYES: CAPPELLO, LO, BERNALD, MILLER, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

CITY COUNCIL ASSIGNMENT REPORTS

Mayor Manny Cappello

Cities Association of Santa Clara County – during the last meeting, the group discussed priorities for the year. They included medical marijuana, the minimum age to purchase tobacco, FAA flight paths, senior community services, and other topics.

West Valley Mayors and Managers – the group generated a list of topics to be covered during 2016. These included transportation funding, the CalPERS unfunded accrued liability, the Community Choice Energy Program, a bike share joint grant application, sub regional housing needs allocations, the MTC/ABAG merger, FAA flight paths, senior transportation, gun store regulations, and smoking and medical marijuana regulations.

West Valley Sanitation District – Mayor Cappello was selected as Chair of the Board and Campbell Council Member Michael Kotowski was selected as Vice Chair. The District is working with the City of San Jose on the master agreement for the water treatment plant and the payment schedule.

Vice Mayor Emily Lo

KSAR Community Access TV Board – there was a meeting the week of January 11, 2016 and the Board discussed the video program and preparation for the Joint Meeting with the City Council. *Saratoga Chamber of Commerce & Destination Saratoga* – during the Chamber of Commerce meeting last week, the Board learned that the new banner at the Chamber office is drawing visitors to the office. Additionally, the Chamber has received requests for a brochure on the Quarry Park with directions to the park. The group is also making plans for the next car show, scheduled for July 17, 2016. Nominations for Citizen of the Year are open and due by February 12, 2016. The Citizen of the Year award will be presented at the State of the City. Lastly, she shared that there is a Chamber mixer on January 28, 2016.

Council Member Mary-Lynne Bernald

West Valley Solid Waste Management Joint Powers Authority – Council Member Bernald shared that she met with the Executive Director of the Authority to get an overview of the Authority.

Council Member Howard Miller

Valley Transportation Authority (VTA) Policy Advisory Committee – the Committee voted to reappoint the current Chair and Vice Chair during the last meeting.

VTA Board West Valley Cities Alternate – during the last meeting, there was discussion of VTA participating in the Clipper Card system. Information about Super Bowl preparations was shared. The BART project is well ahead of schedule and also under budget. VTA is also launching a pilot program for on-demand shuttle service in the North San Jose/Santa Clara area.

Council Member Rishi Kumar

Santa Clara Valley Water District Commission – the next meeting is the week of January 25, 2016.

Council Member Kumar also shared that he has been appointed to several League of California Cities policy committees, including the employee relations and administrative policy committees, and will attend committee meetings on January 21, 2016 in Sacramento. In March, he also plans to visit Washington DC with a delegation of CEOs to advocate for additional transportation funds for Silicon Valley. Council Member Kumar also shared that he attended a Community Choice Energy Program meeting at the Convention Center the week of January 11.

CITY COUNCIL ITEMS

None

CITY MANAGER'S REPORT

None

ADJOURNMENT

MILLER/BERNALD MOVED TO **ADJOURN THE MEETING AT 9:59 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