

**MINUTES**  
**WEDNESDAY, MAY 18, 2016**  
**SARATOGA CITY COUNCIL REGULAR MEETING**

At 5:00 p.m., the City Council held a Site Visit at Hakone Gardens at 21000 Big Basin Way in Saratoga on the Hakone Gardens Master Plan. At 6:00 p.m. the City Council held a Joint Meeting with the Hakone Foundation in the Administrative Conference Room at City Hall at 13777 Fruitvale Avenue in Saratoga.

Mayor Cappello called the regular session to order at 7:02 p.m. and Ryan Matsumoto, a second grade student at Saint Andrew's Episcopal School, 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 and Administrative Services Director  
Erwin Ordoñez, Community Development Director  
Michael Taylor, Recreation and Facilities Director  
Tony McFarlane, Finance Manager  
Mainini Cabute, Public Works Analyst  
Debbie Brestschneider, Deputy City Clerk  
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 May 13, 2016.

**REPORT FROM JOINT MEETING**

Ann Waltonsmith, Hakone Foundation Chair, and Shozo Kagoshima, Executive Director of the Hakone Foundation, provided an overview of the Council's Joint Meeting with the Hakone Foundation.

**ORAL COMMUNICATIONS ON NON-AGENDIZED ITEMS**

None

**ANNOUNCEMENTS**

Council Member Kumar shared information about his introduction of presidential candidate Senator Bernie Sanders at an event at the Santa Clara County Fairgrounds. He also commented upon the notable achievements of athletes at Saratoga High School this year. He then announced a seminar, Innovative Approaches to Water Conservation, on May 21 from 3:00 p.m. to 5:00 p.m. at the Saratoga Prospect Center. He also shared that Boy Scout Troop 581 is holding a yard

sale at Immanuel Lutheran Church on May 7 from 9:00 a.m. to 2:00 p.m. Funds will support activities of Troop 581.

Council Member Miller noted that water conservation requirements remain in place, so residents should continue to be mindful of water use. He also shared that there is Valley Transportation Authority (VTA) Board Meeting on June 2 at 5:30 p.m. The Board will be discussing a potential sales tax measure and Council Member Miller encouraged residents to attend to advocate that noise mitigation on State Route 85 be included in the projects to be funded if the measure is passed.

Council Member Bernald that the Saratoga Historical Foundation is holding Honoring Saratogans on May 22. Saratoga residents Bob Cancelliere, Ernie Kraule, and Betty Peck will be recognized. Information is available at <http://www.saratogahistory.com/>. Additionally, there will be an ABAG meeting on May 19, 2016 where there will be continued discussion of the MTC and ABAG merger. There are also a series of meetings hosted by the FAA Select Committee on South Bay Arrivals in Santa Cruz County, San Mateo County, and Santa Clara County where noise from air traffic and potential solutions will be discussed. Information is online at <http://quietskiesnorcal.org/>.

Vice Mayor Lo reminded residents that every first Tuesday of the month, they may enter Hakone Gardens for free.

Mayor Cappello announced the annual Memorial Day Observance on May 30 starting at 9:30 a.m. at Blaney Plaza. He also shared information about the City Council Joint Meeting with Neighborhoods on June 1 at West Valley College at 5:30 p.m. and noted that the City is currently accepting applications for the Library Commission as well as the Parks and Recreation Commission.

## **CEREMONIAL ITEMS**

Proclamation Declaring May 2016 as Foster Care Appreciation Month

**Recommended Action:**

Present the proclamation declaring May 2016 as Foster Care Appreciation Week to Saratoga Foster Care parents.

Mayor Cappello presented the proclamation declaring May 2016 as Foster Care Appreciation Month.

Commendations Recognizing Outgoing Youth Commissioners

**Recommended Action:**

Receive presentation on efforts of the Youth Commission during the 2015/16 school year and present commendations to Daniel Eem, Nupur Maheshwari, Mitali Shanbhag, Malika Singh, Roshan Verma, and Alexis Weisend recognizing their service on the Saratoga Youth Commission.

Mayor Cappello and the members of the City Council presented proclamations recognizing the service of the City's outgoing Youth Commissioners.

Appointment of Youth Commissioners and Oath of Office

**Recommended Action:**

Approve the attached resolution appointing 6 members to the Saratoga Youth Commission and direct the City Clerk to administer the Oath of Office.

**RESOLUTION NO. 16-031**

KUMAR/MILLER MOVED TO **APPROVE THE RESOLUTION APPOINTING 6 MEMBERS TO THE SARATOGA YOUTH 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.

City Clerk Crystal Bothelio administered the Oath of Office to the new Youth Commissioners.

**1. CONSENT CALENDAR**

1.1 City Council Meeting Minutes

**Recommended Action:**

Approve the City Council minutes for the Special Meeting on April 18, 2016 and Regular City Council Meeting on May 4, 2016.

LO/BERNALD MOVED TO **APPROVE THE CITY COUNCIL MINUTES FOR THE SPECIAL MEETING ON APRIL 18, 2016 AND REGULAR CITY COUNCIL MEETING ON MAY 4, 2016.** 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: 5/3/2016: Period 11, 5/10/2016: Period 11

LO/BERNALD MOVED TO **ACCEPT CHECK REGISTERS FOR THE FOLLOWING ACCOUNTS PAYABLE PAYMENT CYCLES: 5/3/2016: PERIOD 11, 5/10/2016: PERIOD 11.** MOTION PASSED. AYES: CAPPELLO, LO, BERNALD, MILLER, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

1.3. Contract Renewal for Geotechnical Consultant Services with Cotton, Shires, and Associates, Inc.

**Recommended Action:**

Approve a 3 year contract with Cotton, Shires, and Associates, Inc. for geotechnical consultant services and authorize City Manager to execute the same.

LO/BERNALD MOVED TO **APPROVE A 3 YEAR CONTRACT WITH COTTON, SHIRES, AND ASSOCIATES, INC. FOR GEOTECHNICAL CONSULTANT SERVICES AND AUTHORIZE CITY MANAGER TO EXECUTE THE SAME.** MOTION PASSED. AYES: CAPPELLO, LO, BERNALD, MILLER, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

- 1.4. Contract renewal for Traffic Engineering Services with Fehr and Peers Transportation Consultants

**Recommended Action:**

Approve a 3 year contract with Fehr and Peers Transportation Consultants for Traffic Engineering services and authorize City Manager to execute the same.

LO/BERNALD MOVED TO **APPROVE A 3 YEAR CONTRACT WITH FEHR AND PEERS TRANSPORTATION CONSULTANTS FOR TRAFFIC ENGINEERING SERVICES AND AUTHORIZE CITY MANAGER TO EXECUTE THE SAME.** MOTION PASSED. AYES: CAPPELLO, LO, BERNALD, MILLER, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

- 1.5. Amended Agreement with CSG Consultants Inc.

**Recommended Action:**

Authorize the City Manager to execute an amended agreement with CSG Consultants, Inc. extending the term of the agreement to June 30, 2017 and increasing the total contract amount to \$70,000.

LO/BERNALD MOVED TO **AUTHORIZE THE CITY MANAGER TO EXECUTE AN AMENDED AGREEMENT WITH CSG CONSULTANTS, INC. EXTENDING THE TERM OF THE AGREEMENT TO JUNE 30, 2017 AND INCREASING THE TOTAL CONTRACT AMOUNT TO \$70,000.** MOTION PASSED. AYES: CAPPELLO, LO, BERNALD, MILLER, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

- 1.6. Resolution Establishing Local Goals & Policies for Community Facilities Districts

**Recommended Action:**

Approve the resolution establishing local goals and policies for community facilities districts (CFD).

**RESOLUTION NO. 16-032**

LO/BERNALD MOVED TO **APPROVE THE RESOLUTION ESTABLISHING LOCAL GOALS AND POLICIES FOR COMMUNITY FACILITIES DISTRICTS (CFD).** MOTION PASSED. AYES: CAPPELLO, LO, BERNALD, MILLER, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

With permission from the City Council, Mayor Cappello proceeded to the New Business items.

## **2. PUBLIC HEARING**

- 2.1. Fiscal Year 2016/17 Proposed Operating & Capital Budget Public Hearing

**Recommended Action:**

Conduct a public hearing on the proposed FY 2016/17 Operating & Capital Budgets, and provide direction to staff for budget adoption on June 1, 2016.

Mary Furey, Finance and Administrative Services Director, and Tony McFarlane, Finance Manager, provided a staff report.

Mayor Cappello invited public comment on the item.

No one requested to speak.

MILLER/LO MOVED TO DIRECT **STAFF TO PLACE THE PROPOSED BUDGET TO THE CITY COUNCIL JUNE 1, 2016 AGENDA FOR ADOPTION.** MOTION PASSED. AYES: CAPPELLO, LO, BERNALD, MILLER, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

### 3. OLD BUSINESS

None

### 4. NEW BUSINESS

#### 4.1. Hakone Master Plan and Initial Study/ Negative Declaration

**Recommended Action:**

1. Approve Resolution adopting the Initial Study/ Negative Declaration for the Hakone Master Plan.
2. Approve Hakone Master Plan Summary Dated April 18, 2016.

Public Works Director John Cherbone provided a staff report on the item and invited Dennis Meyer with the Portico Group to provide a presentation on the master plan. Dennis Meyer with the Portico Group spoke about the master plan.

Ann Waltonsmith, Hakone Foundation Chair, and Shozo Kagoshima, Hakone Foundation Executive Director, addressed Council questions.

Mayor Cappello invited public comment on the item.

The following person requested to speak:

Jasim Ahmad

No one else requested to speak.

#### **RESOLUTION NO. 16-033**

BERNALD/LO MOVED TO **APPROVE RESOLUTION ADOPTING THE INITIAL STUDY/ NEGATIVE DECLARATION FOR THE HAKONE MASTER PLAN.** MOTION PASSED. AYES: CAPPELLO, LO, BERNALD, MILLER, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

BERNALD/LO MOVED TO **APPROVE HAKONE MASTER PLAN SUMMARY DATED APRIL 18, 2016.** MOTION PASSED. AYES: CAPPELLO, LO, BERNALD, MILLER, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

#### 4.2. Village Community Outreach Results

##### **Recommended Action:**

Consider the Planning Commission and Heritage Preservation Commission recommendations and direct staff accordingly.

Kirk Heinrichs, Special Projects Manager, provided a staff report.

Bryan Godbe, with Godbe Research, spoke about the polling conducted in Saratoga.

Mayor Cappello invited public comment on the item.

The following people requested to speak:

Jill Hunter

William Brooks

Sean Halasz

Larry Schuck, Heritage Preservation Commission Chair

Rina Shah, Heritage Preservation Commission Vice Chair

Dede Smullen, Planning Commission Chair

Mayor Cappello read a letter submitted by resident Marilyn White

No one else requested to speak.

MILLER/BERNALD MOVED TO **DIRECT STAFF TO RETURN TO THE CITY COUNCIL WITH A FUTURE AGENDA ITEM DETAILING A WORK PLAN AND SCHEDULE FOR THE PLANNING COMMISSION TO BRING FORTH AMENDMENTS TO THE GENERAL PLAN, VILLAGE DESIGN GUIDELINES, AND ZONING ORDINANCE, IF NECESSARY.** 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 of the Executive Board, there was further discussion of the recent minimum wage study and how some cities in the County will be implementing minimum wage changes. During the general membership meeting, there was a presentation and panel discussion on transportation.

*West Valley Mayors and Managers* – during the last meeting, the group discussed the transportation needs assessment and all the Mayors expressed interest in participating. The group will also be holding meetings during the summer and hopes to have regional and state elected leaders at future meetings.

Vice Mayor Emily Lo

*KSAR Community Access TV Board* – changes to the bylaws were approved at the last meeting to adjust requirements for a quorum.

Council Member Mary-Lynne Bernald

*Association of Bay Area Governments* – there will be a meeting on May 19 to further discuss the merger between ABAG and MTC.

*FAA Select Committee on South Bay Arrivals* – there was a meeting on May 6 and County Supervisor Joe Simitian was selected to serve as Chair. There will be several public outreach meetings coming up in the three counties represented by the Committee.

*Public Art Ad Hoc* – the Ad Hoc met with a citizen about a potential art piece proposed to be placed outside the Historical Museum.

*Saratoga Sister City Organization* – during the meeting the week of May 9, the group discussed a trip in August to San Francisco to see the Emperor’s Treasures.

*West Valley Solid Waste Management Joint Powers Authority* – rates for Fiscal Year 2016/17 were ratified at the May meeting.

Council Member Howard Miller

*Council Finance Committee* – this year the Finance Committee completed a complete review of all of the City’s financial policies. The next meeting is scheduled for September.

*Silicon Valley Clean Energy Authority Board of Directors* – the Board selected an Executive Director and is working on finalizing the plans for implementation of the clean energy program. Some members of the Board are interested in advancing the timeline.

*VTA Board West Valley Cities Alternate* – during the last meeting, the Board approved a change to standard contract language that includes LGBTQ in the standards for minority owned businesses. While the proposed sales tax measure calls for funding for noise mitigation, so far there is not language that specifically provides for noise mitigation on State Route 85. A prior request to VTA to make funds through BART project cost savings available to Measure A projects. As a result, the BART savings are expected to be used to prepare the Vasona Light Rail Extension and a light rail extension to Eastridge Mall shovel ready.

A subcommittee of the North Valley transportation group recently met with senior VTA staff to discuss requests of the group.

Council Member Rishi Kumar

*Santa Clara Valley Water District Commission* – there will be a seminar, Innovative Approaches to Water Conservation, on May 21. Additionally, the Board of Directors will consider potential changes to water conservation targets at their meeting on June 14. If changes are proposed, San Jose Water Company will mirror those changes.

Council Kumar also noted he attended the Saratoga Chamber of Commerce meeting on behalf of Vice Mayor Lo.

**CITY COUNCIL ITEMS**

None

**CITY MANAGER'S REPORT**

None

## **ADJOURNMENT**

MILLER/BERNALD MOVED TO ADJOURN THE MEETING AT 11:10 P.M. MOTION PASSED. AYES: CAPPELLO, LO, BERNALD, MILLER, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

Minutes respectfully submitted:

Crystal Bothelio, City Clerk  
City of Saratoga