

**MINUTES**  
**WEDNESDAY, JUNE 15, 2016**  
**SARATOGA CITY COUNCIL REGULAR MEETING**

At 6:00 p.m., the Saratoga City Council called to order the Joint Meeting with the Santa Clara County Fire Department and Santa Clara County FireSafe Council in the Administrative Conference Room at 13777 Fruitvale Avenue, Saratoga.

At 7:04 p.m., Mayor Cappello called the regular session to order in the Civic Theater at 13777 Fruitvale Avenue, Saratoga and led the Pledge of Allegiance.

**ROLL CALL**

PRESENT: Mayor Manny Cappello, Vice Mayor Emily Lo, Council Member Mary-Lynne Bernald

ABSENT: Council Members Howard Miller (excused), Rishi Kumar (excused)

ALSO PRESENT: James Lindsay, City Manager  
Richard Taylor, 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  
Kate Bear, City Arborist

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

City Clerk Crystal Bothelio reported that the agenda for this meeting was properly posted on June 10, 2016.

**ORAL COMMUNICATIONS ON NON-AGENDIZED ITEMS**

Jim Stallman addressed the City Council regarding the proposed State Route 85 Express Lane project and requested entrance and exit points in Saratoga at Saratoga Avenue.

**ANNOUNCEMENTS**

Council Member Bernald announced that July 1 is Olivia de Havilland's birthday and the Saratoga Historical Museum will be celebrating her birthday with a showing of *Gone with the Wind* on June 18 at 7:00 p.m. There will also be an exhibit on Olivia de Havilland. Council Member Bernald also shared that the Sister City Group is planning a tour to the Asian Art Museum on August 3, RSVPs are due by June 30 to Peter Marra. She also announced that information about the FAA Select Committee is now available on the City website.

Vice Mayor Lo announced summer programs at the Library, including the Summer Reading Program. She also provided information about a variety of resources available through the Library, including access to the New York Times.

Mayor Cappello announced the annual Summer Movie Night series at El Quito Park hosted by the Parks and Recreation Commission, with the first movie on June 17. He also shared that the July 4 celebration will take place at Kevin Moran Park from 9:30 a.m. to 11:00 a.m. Information is online at [www.saratogajuly4.com](http://www.saratogajuly4.com). Additionally, the City is accepting applications for the Library Commission and Parks and Recreation Commission.

## CEREMONIAL ITEMS

None

## SPECIAL PRESENTATIONS

Presentation on Community Wildfire Protection Plan from Santa Clara County Fire Department

**Recommended Action:**

Receive presentation from the Santa Clara County Fire Department on efforts to establish a Community Wildfire Protection Plan for communities in Santa Clara County.

Santa Clara County Fire Chief John Justice provided a presentation on the Community Wildfire Protection Plan.

Patty Ciesla with the Santa Clara County FireSafe Council addressed City Council questions.

Mayor Cappello invited public comment on the item.

No one requested to speak.

## 1. CONSENT CALENDAR

### 1.1. City Council Meeting Minutes

**Recommended Action:**

Approve the City Council minutes for the Regular City Council Meeting on June 1, 2016.

BERNALD/LO MOVED TO **APPROVE THE CITY COUNCIL MINUTES FOR THE REGULAR CITY COUNCIL MEETING ON JUNE 1, 2016**. MOTION PASSED. AYES: CAPPELLO, LO, BERNALD. NOES: NONE. ABSTAIN: NONE. ABSENT: MILLER, KUMAR.

### 1.2. Review of Accounts Payable Check Registers

**Recommended Action:**

Review and accept check registers for the following accounts payable payment cycles: 5/31/2016 Period 11, 06/07/2016 Period 12.

BERNALD/LO MOVED TO **ACCEPT CHECK REGISTERS FOR THE FOLLOWING ACCOUNTS PAYABLE PAYMENT CYCLES: 5/31/2016 PERIOD 11, 06/07/2016 PERIOD 12**. MOTION PASSED. AYES: CAPPELLO, LO, BERNALD. NOES: NONE. ABSTAIN: NONE. ABSENT: MILLER, KUMAR.

1.3. Resolution Calling for General Municipal Election – November 8, 2016

**Recommended Action:**

Approve the attached resolution calling for a consolidated, General Municipal Election on November 8, 2016.

Council Member Lo removed this item from the Consent Calendar to request additional information.

City Clerk Crystal Bothelio addressed questions from the Council.

**RESOLUTION NO. 16-039**

LO/BERNALD MOVED TO **APPROVE THE ATTACHED RESOLUTION CALLING FOR A CONSOLIDATED, GENERAL MUNICIPAL ELECTION ON NOVEMBER 8, 2016.** MOTION PASSED. AYES: CAPPELLO, LO, BERNALD. NOES: NONE. ABSTAIN: NONE. ABSENT: MILLER, KUMAR.

1.4. Final map approval for seven lots located at the terminus of Paramount Drive and Paramount Court, Owner: Paramount Venture, LLC

**Recommended Action:**

1. Move to adopt Resolution granting final map approval of tentative map application No. SUB 13-0003 for seven lots located at the terminus of Paramount Drive and Paramount Court.
2. Move to authorize the City Manager to execute the Subdivision Improvement Agreement.
3. Move to authorize the City Manager to execute Stormwater Treatment Measures Construction, Inspection and Maintenance Agreement

**RESOLUTION NO. 16-040**

BERNALD/LO MOVED TO: **1) ADOPT RESOLUTION GRANTING FINAL MAP APPROVAL OF TENTATIVE MAP APPLICATION NO. SUB 13-0003 FOR SEVEN LOTS LOCATED AT THE TERMINUS OF PARAMOUNT DRIVE AND PARAMOUNT COURT; 2) AUTHORIZE THE CITY MANAGER TO EXECUTE THE SUBDIVISION IMPROVEMENT AGREEMENT; AND 3) AUTHORIZE THE CITY MANAGER TO EXECUTE STORMWATER TREATMENT MEASURES CONSTRUCTION, INSPECTION AND MAINTENANCE AGREEMENT.** MOTION PASSED. AYES: CAPPELLO, LO, BERNALD. NOES: NONE. ABSTAIN: NONE. ABSENT: MILLER, KUMAR.

1.5. Budget Adjustment Resolution – Santa Clara County Public Health Department Grant for Water Refilling Station

**Recommended Action:**

Approve budget adjustment resolution for Fiscal Year 2015/16.

**RESOLUTION NO. 16-041**

BERNALD/LO MOVED TO **APPROVE BUDGET ADJUSTMENT RESOLUTION FOR FISCAL YEAR 2015/16.** MOTION PASSED. AYES: CAPPELLO, LO, BERNALD. NOES: NONE. ABSTAIN: NONE. ABSENT: MILLER, KUMAR.

1.6. Donation Agreement for Movie Night 2016

**Recommended Action:**

Authorize the City Manager to execute a donation agreement with Intero Real Estate Services and accept a donation from Intero Real Estate Services in the amount of \$1,500 for the June 17, 2016 Summer Movie Night at El Quito Park.

**BERNALD/LO MOVED TO AUTHORIZE THE CITY MANAGER TO EXECUTE A DONATION AGREEMENT WITH INTERO REAL ESTATE SERVICES AND ACCEPT A DONATION FROM INTERO REAL ESTATE SERVICES IN THE AMOUNT OF \$1,500 FOR THE JUNE 17, 2016 SUMMER MOVIE NIGHT AT EL QUITO PARK.** MOTION PASSED. AYES: CAPPELLO, LO, BERNALD. NOES: NONE. ABSTAIN: NONE. ABSENT: MILLER, KUMAR.

Council Member Bernald thanked Intero Real Estate for its donation to the Movie Night event on June 17, 2016.

**2. PUBLIC HEARING**

2.1. Resolution Ordering Abatement of a Public Nuisance by Removal of Hazardous Vegetation (Brush)

**Recommended Action:**

1. Open public hearing, listen to public testimony, and close public hearing; and
2. Adopt resolution overruling objections and ordering hazardous vegetation abatement (brush).

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

Mayor Cappello invited public comment on the item.

The following person requested to speak:

Patty Ciesla

No one else requested to speak.

**RESOLUTION NO. 16-042**

**BERNALD/LO MOVED TO ADOPT RESOLUTION OVERRULING OBJECTIONS AND ORDERING HAZARDOUS VEGETATION ABATEMENT (BRUSH).** MOTION PASSED. AYES: CAPPELLO, LO, BERNALD. NOES: NONE. ABSTAIN: NONE. ABSENT: MILLER, KUMAR.

2.2. Annual Code Update for 2016

**Recommended Action:**

Conduct the public hearing, introduce and waive the first reading of the attached ordinance updating various provisions of the City Code, and direct staff to place the matter on the consent calendar for the next regular meeting of the City Council.

City Attorney Richard Taylor presented the staff report.

Mayor Cappello invited public comment.

No one requested to speak.

LO/BERNALD MOVED TO **INTRODUCE AND WAIVE THE FIRST READING OF THE ATTACHED ORDINANCE UPDATING VARIOUS PROVISIONS OF THE CITY CODE WITH REVISIONS TO SECTION 06-015.030 TO ALLOW THE MAYOR'S DESIGNEE TO SERVE AS CHAIR OF THE DISASTER COUNCIL AND TO SECTIONS 16-75.070 AND 16-75.080 TO REMOVE THE DEFINITION OF ELECTRONIC SIGNATURE AND RELATED PROVISIONS AND PLACE IT ON THE CONSENT CALENDAR FOR THE NEXT REGULAR MEETING OF THE CITY COUNCIL ALONG WITH A MOTOR VEHICLE RESOLUTION ALLOWING SHORT-TERM PARKING AT THE ELECTRIC VEHICLE CHARGING STATION ON TURKEY TRACK LANE.** MOTION PASSED. AYES: CAPPELLO, LO, BERNALD. NOES: NONE. ABSTAIN: NONE. ABSENT: MILLER, KUMAR.

3. OLD BUSINESS

None

4. NEW BUSINESS

4.1. Citywide 2020 x 2020 Tree Planting Program

**Recommended Action:**

1. Approve the Mayor's challenge to plant 2,020 trees citywide by the year 2020.
2. Allocate \$10,000 from the City's Tree Fund to offset the cost of new trees planted in residential front yards.
3. Provide direction to staff on the level of City funding for each tree planted under the program.

City Arborist Kate Bear presented the staff report on the item.

Mayor Cappello invited public comment on the item.

No one requested to speak.

**BERNALD/LO MOVED TO APPROVE THE MAYOR'S CHALLENGE TO PLANT 2,020 TREES CITYWIDE BY THE YEAR 2020; AND ALLOCATE \$10,000 FROM THE CITY'S TREE FUND TO OFFSET THE COST OF NEW TREES PLANTED IN RESIDENTIAL FRONT YARDS WITH A RESIDENT CONTRIBUTION OF \$100 AND CITY CONTRIBUTION OF \$105 PER TREE.**  
MOTION PASSED. AYES: CAPPELLO, LO, BERNALD. NOES: NONE.  
ABSTAIN: NONE. ABSENT: MILLER, KUMAR.

- 4.2. Resolution Updating the Library Commission's Structure, Administration, Responsibilities, Duties, and Relationships  
**Recommended Action:**  
Approve the resolution updating the Library Commission's structure, administration, responsibilities, duties, and relationships.

City Clerk Crystal Bothelio presented the staff report.

Mayor Cappello invited public comment on the item.

No one requested to speak.

### **RESOLUTION NO. 16-043**

**LO/BERNALD MOVED TO APPROVE THE RESOLUTION UPDATING THE LIBRARY COMMISSION'S STRUCTURE, ADMINISTRATION, RESPONSIBILITIES, DUTIES, AND RELATIONSHIPS.** MOTION PASSED.  
AYES: CAPPELLO, LO, BERNALD. NOES: NONE. ABSTAIN: NONE. ABSENT: MILLER, KUMAR.

## **CITY COUNCIL ASSIGNMENT REPORTS**

### **Mayor Manny Cappello**

*Cities Association of Santa Clara County* – a proposal from the Minimum Wage Subcommittee was endorsed. The proposal calls for increasing the minimum wage to \$15/hour by 2019 in 3 phases, starting in January 2017. Additionally, the dues were raised by 5% for Fiscal year 2016/17.

*West Valley Mayors and Managers* – the group unanimously agreed to sign a joint letter opposing the Governor's by-right housing proposal.

*VTA Board West Valley Cities Alternate* – Mayor Cappello read a report from Council Member Miller, noting that the Board voted at the June 2, 2016 to unanimously move forward with a half-cent sales tax measure on the November 2016 ballot. If the sales tax measure is approved, it will provide funding for a number of projects, such as chokepoints on State Route 85, and provide funding for local roads.

### **Vice Mayor Emily Lo**

*Hakone Foundation Board & Executive Committee* – the board will be meeting on June 16, 2016.

*KSAR Community Access TV Board* – during the meeting on June 14, there was discussion regarding KSAR's contract with the City. Both Vice Mayor Lo and Brian Babcock in the City Manager's Office abstained from the discussion. Additionally, Brian Babcock with the assistance of Finance Department staff is taking over the role of treasurer.

*Saratoga Chamber of Commerce & Destination Saratoga* – the Chamber sent an email to its membership requesting that they participate in a survey on the Silicon Valley Clean Energy program. The car show will take place on July 17 on Big Basin Way. Over 250 cars are expected. Additionally, the Chamber installation will be held on July 28.

*Santa Clara County Library Joint Powers Authority* – the Board met on June 2 and the Friends of the Saratoga Library presented a donation to Saratoga Library. The Board also adopted a policy on surveillance cameras at the libraries.

Council Member Mary-Lynne Bernald

*Cities Association of Santa Clara County-Legislative Action Committee* – Santa Clara County Assessor Larry Stone provided a presentation on the assessment of commercial airlines and two bills before the State legislature that propose changes to airline assessments. The Legislative Action Committee opposed one of these bills (Senate Bill 1329) and supported the other (Assembly Bill 2622 as amended). The Committee also heard from Campbell Vice Mayor Liz Gibbons and Seth Williams of the League of California Cities regarding the Governor’s by-right housing proposal. Leslye Corsiglia of the Silicon Valley at Home urged that the Non-Profit Housing Association’s position be considered.

*Cities Association of Santa Clara County-Selection Committee* – a number of appointments were made. This included the appointments of Jim Davis of Sunnyvale and Greg Scharff of Palo Alto to the ABAG Executive Board. Additionally, Chris Clark of Mountain View and Council Member Bernald were appointed as alternatives to the ABAG Executive Board.

*FAA Select Committee on South Bay Arrivals* – the FAA Select Committee has been holding meetings throughout the region. The next meeting will be on June 29, 2016. Information is online at <http://quietskiesnorcal.org/>.

*Saratoga Sister City Organization* – a visit to the Asian Art Museum is planned for August 3 and the Taiko Drummers are going strong, with 4 new members. The group will be performing at Wharf to Wharf.

Council Member Howard Miller

No report

Council Member Rishi Kumar

No report

**CITY COUNCIL ITEMS**

Council Member Bernald noted a recent traffic incident on Quito Road near Sobey Road and requested that staff or the Traffic Safety Commission consider options to reduce speeding in this area, such as a radar feedback sign or trailer.

City Manager James Lindsay said he would work with Public Works to have a radar feedback trailer placed in the area.

Vice Mayor Lo suggested outreach on fire prevention.

Mayor Cappello suggested that the City could take advantage of informational materials from the County Fire Department and time outreach with Fire Safe Month in October.

## **CITY MANAGER'S REPORT**

No report

## **ADJOURNMENT**

Mayor Cappello noted that the City of Saratoga was designated as an Age-Friendly Community by AARP and the World Health Organization. He congratulated the Senior Center and the others working towards making Saratoga an Age-Friendly Community.

LO/BERNALD MOVED TO **ADJOURN THE MEETING AT 9:08 P.M.** MOTION PASSED. AYES: CAPPELLO, LO, BERNALD. NOES: NONE. ABSTAIN: NONE. ABSENT: MILLER, KUMAR.

Minutes respectfully submitted:

Crystal Bothelio, City Clerk  
City of Saratoga