

**MINUTES**  
**WEDNESDAY, NOVEMBER 16, 2016**  
**SARATOGA CITY COUNCIL REGULAR MEETING**

At 5:00 p.m., the City Council held interviews for the Heritage Preservation Commission and Traffic Safety Commission in the Administrative Conference Room at City Hall, 13777 Fruitvale Avenue. At 5:30 p.m., the Council conducted a Closed Session. At 6:00 p.m., the City Council held a joint meeting with State Senator Jim Beall, Jr.

At 7:00 p.m., Vice Mayor Emily Lo called the Regular Session to order in the Civic Theater at 13777 Fruitvale Avenue and led the Pledge of Allegiance.

**ROLL CALL**

**PRESENT:** Vice Mayor Emily Lo, Council Members Mary-Lynne Bernald, Howard Miller, Rishi Kumar  
**ABSENT:** Mayor Manny Cappello (excused)  
**ALSO PRESENT:** James Lindsay, City Manager  
Richard Taylor, City Attorney  
Crystal Bothelio, City Clerk/Asst. to City Manager  
John Cherbone, Public Works Director  
Erwin Ordoñez, Community Development Director  
Michael Taylor, Recreation & Facilities Director  
Bridget Bolanos, Recreation Supervisor

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

City Clerk Crystal Bothelio reported that the agenda was property posted on November 10, 2016.

**REPORT FROM CLOSED SESSION**

Vice Mayor Emily Lo shared that there was nothing to report from Closed Session.

**REPORT FROM JOINT MEETING**

State Senator Jim Beall, Jr. provided an overview of the joint meeting with the City Council. He shared information about legislative cycle and initiatives he will be working on.

**ORAL COMMUNICATIONS ON NON-AGENDIZED ITEMS**

Meera Prahlad read a poem that she wrote about veterans in honor of Veteran's Day.

**ANNOUNCEMENTS**

Council Member Kumar spoke about recent break-in trend, encouraged residents to stay alert, and shared his recent efforts and those of the Saratoga Safe Citizens Committee to reduce crime. He also announced a forum that the Sheriff's Office is holding on body worn cameras on November 21.

Council Member Miller announced the Silicon Valley Turkey Trot on Thanksgiving Day and the Ministerial Association Interfaith Service also on Thanksgiving Day. He also shared information about the Tree Lighting and Celebration of Light on November 26.

Council Member Bernald shared Saratoga Historical Foundation Museum special hours and activities on November 26, announced the Foundation's new exhibit on collectibles, and provided information about Historical Foundation memberships.

Vice Mayor Emily Lo announced the 2020 by 2020 Tree Planting Kickoff on November 19.

## **CEREMONIAL ITEMS**

Commendation for Warren B. Heid

**Recommended Action:**

Present the commendation to Warren B. Heid

Vice Mayor Emily Lo and the City Council presented the commendation to Warren B. Heid.

Proclamation Declaring November 17, 2016 as Pancreatic Cancer Awareness Day

**Recommended Action:**

Present the proclamation declaring November 17, 2016 as Pancreatic Cancer Awareness Day to the Silicon Valley Chapter of the Pancreatic Cancer Action Network.

Vice Mayor Emily Lo and the City Council presented the proclamation to volunteers of the Silicon Valley Chapter of the Pancreatic Cancer Action Network.

Tobacco-Free Coalition Recognition of the City of Saratoga

**Recommended Action:**

Receive recognition from the Tobacco-Free Coalition of Santa Clara County for the City of Saratoga's efforts to reduce youth access to tobacco and exposure to secondhand smoke.

Vice Mayor Emily Lo and the City Council received a special recognition from the Tobacco-Free Coalition of Santa Clara County.

## **1. CONSENT CALENDAR**

1.1. City Council Meeting Minutes

**Recommended Action:**

Approve the City Council minutes for the Regular City Council Meeting on November 2, 2016.

**BERNALD/MILLER MOVED TO APPROVE THE CITY COUNCIL MINUTES FOR THE REGULAR CITY COUNCIL MEETING ON NOVEMBER 2, 2016. MOTION PASSED. AYES, LO, BERNALD, MILLER, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: CAPPELLO.**

1.2. Review of Accounts Payable Check Registers

**Recommended Action:**

Review and accept check registers for the following accounts payable payment cycles: 10/28/2016 Period 4; 11/01/2016 Period 5; and 11/08/2016 Period 5.

BERNALD/MILLER MOVED TO **ACCEPT CHECK REGISTERS FOR THE FOLLOWING ACCOUNTS PAYABLE PAYMENT CYCLES: 10/28/2016 PERIOD 4; 11/01/2016 PERIOD 5; AND 11/08/2016 PERIOD 5.** MOTION PASSED. AYES, LO, BERNALD, MILLER, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: CAPPELLO.

1.3. Treasurer's Report for the Month Ended September 30, 2016

**Recommended Action:**

Review and accept the Treasurer's Report for the month ended September 30, 2016.

BERNALD/MILLER MOVED TO **ACCEPT THE TREASURER'S REPORT FOR THE MONTH ENDED SEPTEMBER 30, 2016.** MOTION PASSED. AYES, LO, BERNALD, MILLER, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: CAPPELLO.

1.4. Second Reading of Locking Mailbox Ordinance (Article 6-25)

**Recommended Action:**

Waive the second reading and adopt the attached locking mailbox ordinance adding City Code Article 6-25 (Locking Mailboxes).

**ORDINANCE NO. 344**

BERNALD/MILLER MOVED TO **WAIVE THE SECOND READING AND ADOPT THE ATTACHED LOCKING MAILBOX ORDINANCE ADDING CITY CODE ARTICLE 6-25 (LOCKING MAILBOXES).** MOTION PASSED. AYES, LO, BERNALD, MILLER, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: CAPPELLO.

1.5. Ordinance Enabling Bingo Events

**Recommended Action:**

Waive the second reading and adopt the ordinance amending the City Code to authorize the conduct of bingo games in Saratoga.

**ORDINANCE NO. 345**

BERNALD/MILLER MOVED TO **WAIVE THE SECOND READING AND ADOPT THE ORDINANCE AMENDING THE CITY CODE TO AUTHORIZE THE CONDUCT OF BINGO GAMES IN SARATOGA.** MOTION PASSED. AYES, LO, BERNALD, MILLER, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: CAPPELLO.

1.6. Adoption of the 2016 California Building Standards Code with Local Modifications

**Recommended Action:**

Waive the second reading and approve the attached resolution making the findings regarding proposed modifications to the referenced sections of the California Building Standards Code (CBSC) with Local Modifications. Adopt the attached ordinance modifying the referenced codes.

**RESOLUTION NO. 16-064**

**ORDINANCE NO. 346**

BERNALD/MILLER MOVED TO WAIVE THE SECOND READING AND APPROVE THE ATTACHED RESOLUTION MAKING THE FINDINGS REGARDING PROPOSED MODIFICATIONS TO THE REFERENCED SECTIONS OF THE CALIFORNIA BUILDING STANDARDS CODE (CBSC) WITH LOCAL MODIFICATIONS. ADOPT THE ATTACHED ORDINANCE MODIFYING THE REFERENCED CODES. MOTION PASSED. AYES, LO, BERNALD, MILLER, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: CAPPELLO.

1.7. Fiscal Year 2015/16 Development impact Fee Report

**Recommended Action:**

Review and accept the annual AB1600 Development Impact Fee Report for the fiscal year ended June 30, 2016.

BERNALD/MILLER MOVED TO ACCEPT THE ANNUAL AB1600 DEVELOPMENT IMPACT FEE REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2016. MOTION PASSED. AYES, LO, BERNALD, MILLER, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: CAPPELLO.

**2. PUBLIC HEARING**

None

**3. OLD BUSINESS**

None

**4. NEW BUSINESS**

4.1. Resolution Amending Youth Commission Administration, Responsibilities, and Duties Policy

**Recommended Action:**

Approve the resolution amending the Youth Commission Administration, Responsibilities, and Duties Policy

Recreation Supervisor Bridget Bolanos presented the staff report.

Vice Mayor Emily Lo invited public comment on the item.

No one requested to speak.

**RESOLUTION NO. 16-064**

KUMAR/MILLER MOVED TO APPROVE THE RESOLUTION AMENDING THE YOUTH COMMISSION ADMINISTRATION, RESPONSIBILITIES, AND DUTIES POLICY. MOTION PASSED. AYES, LO, BERNALD, MILLER, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: CAPPELLO.

#### 4.2. Community Event Grant Program Priorities

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

Provide direction on the Community Event Grant Program requirements and priorities.

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

Vice Mayor Emily Lo invited public comment on the item.

No one requested to speak.

**MILLER/BERNALD MOVED TO DIRECT STAFF TO INCLUDE EVENT GRANT FUNDING IN THE FISCAL YEAR 2017/18 BUDGET FOR TRADITIONAL EVENTS/EVENT ORGANIZERS, INCLUDING THE SARATOGA CHAMBER OF COMMERCE AT \$8,000, JULY 4<sup>TH</sup> AT \$2,500, BLOSSOM FESTIVAL AT \$5,000, SARATOGA COMMUNITY BAND AT \$1,000, MEMORIAL DAY AT \$1,000, AND SARATOGA VILLAGE DEVELOPMENT COUNCIL AT \$2,000; CONFIRM THAT THE ORGANIZERS OF THESE TRADITIONAL EVENTS PREFER TO GRANT FUNDS DIRECTLY ALLOCATED INSTEAD OF PARTICIPATING IN THE COMPETITIVE PROCESS; AND ALLOCATE \$22,500 TO THE COMPETITIVE COMMUNITY EVENT GRANT PROGRAM, MAKING THE TOTAL COMMUNITY EVENT GRANT FUNDING \$42,000 FOR FISCAL YEAR 2017/18.**  
MOTION PASSED. AYES, LO, BERNALD, MILLER, KUMAR. NOES: NONE.  
ABSTAIN: NONE. ABSENT: CAPPELLO.

#### **CITY COUNCIL ASSIGNMENT REPORTS**

##### Mayor Manny Cappello

No report

##### Vice Mayor Emily Lo

*KSAR Community Access TV Board* – during the KSAR meeting the week of November 7, the Board discussed the importance of networking with other organizations. Additionally, the Board is considering a website upgrade and enhancing the video quality for City Council and Planning Commission meetings.

*Saratoga Chamber of Commerce & Destination Saratoga* – there was a Chamber meeting the week of November 7. The next big event for the Chamber is the Holiday Wine Stroll and Open House.

##### Council Member Mary-Lynne Bernald

*FAA Select Committee on South Bay Arrivals* – another meeting was held on November 3, 2016 and there was a conference call on November 14. On November 17, the Committee will wrap up its 10 month effort to make a recommendation to congressional representatives for the FAA on South Bay Arrivals.

*West Valley Solid Waste Management Joint Powers Authority* – as a reminder, Council Member Bernald noted that residents should contact the garbage hauler immediately if there is a missed pickup. She noted that the hauler agreement requires picking up within 24 hours of a missed pickup.

Council Member Bernald shared that she attended the SASCC lunch honoring veterans. She noted that it was a wonderful experience and commended SASCC for holding the event.

Council Member Howard Miller

*Council Finance Committee* – the next meeting will be on November 17.

*Ministerial Association* – Council Member Miller stated he attended the Ministerial Association on behalf of Council Member Kumar. During the meeting, conversation was focused on the interfaith service on Thanksgiving Day.

*Silicon Valley Clean Energy Authority Board of Directors* – the organization continues to make great progress in rolling out the clean energy program. There will be 3 items related to Silicon Valley Clean Energy at the next City Council Meeting, including a decision about which energy portfolio the City wants to subscribe to.

*VTA Board West Valley Cities Alternate* – Measure B appears to have passed and set records for largest margin of victory for any California transportation measure. Passage of Measure B means Saratoga will receive \$600,000 per year for roadways. There were some issues with VTA’s paratransit services, as Outreach was shut down by the FBI and services were transitioned to a new provider. Additionally, VTA is currently engaged in a strategic planning process. He also noted that the City’s report related to vehicle registration fees is past due to VTA.

Council Member Rishi Kumar

Santa Clara Valley Water District Commission – since the last Water Commission Meeting, Council Kumar has met with several members of the Santa Clara Valley Water District Board of Directors, including Nai Hsueh and Gary Kremen, two other Commissioners, and met with the City Manager and City Attorney to identify a process by which the Commission can encourage the Board of Directors to eliminate the drought mandate.

Vice Mayor Emily Lo invited students from Prospect High School on stage to introduce themselves.

**CITY COUNCIL ITEMS**

Council Member Miller nominated a capital project to fund a clock tower in the Village. He noted that the nomination is supported by Mayor Cappello.

**CITY MANAGER'S REPORT**

None

**ADJOURNMENT**

KUMAR/MILLER MOVED TO **ADJOURN THE MEETING AT 8:19 P.M.** MOTION PASSED. AYES, LO, BERNALD, MILLER, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: CAPPELLO.

Minutes respectfully submitted:

Crystal Bothelio, City Clerk/Asst. to City Manager  
City of Saratoga