



AGENDA

CITY OF MONTE SERENO

Tuesday, August 5, 2014

REGULAR MEETING
OF THE
CITY COUNCIL
7:00 p.m.

Monte Sereno City Council Chambers - 18041 Saratoga - Los Gatos Road, Monte Sereno, Ca
95030

And via teleconference from the lobby of the Hyatt Regency Denver 650 15th Street,
Denver, Co 80202 and from 3311 Richards Road, Wausau, Wi 54401

MEETING CALLED TO ORDER

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL

ORDERS OF THE DAY

ORAL COMMUNICATIONS

WRITTEN COMMUNICATIONS

CONSENT CALENDAR (It is recommended that all items listed be acted on simultaneously unless separate discussion and/or action is required by a Councilmember or a member of the audience.)

1. Approve Minutes Of July 15, 2014 City Council Meeting

Minutes ↗

2. Approve Warrant List

Warrant List ↗

PUBLIC HEARINGS

3. Adopt Proposed Resolution Confirming A Weed Abatement Report And Assessment List Filed By The County Fire Marshal And Remanding Same To Said Fire Marshal To Be Entered On The Tax Assessment Roll

Staff Report ➤

UNFINISHED BUSINESS

4. Consider Youth Commission Appointment

Staff Report ➤

NEW BUSINESS

5. Discuss Qualifications for Monte Sereno Youth Commissioners

Staff Report ➤

6. Introduce and Hold First Reading Of An Ordinance Of The City Council Of The City Of Monte Sereno Repealing Monte Sereno Municipal Code Chapter 7.02 Regulating Swimming Pool Services

Staff Report ➤

7. Discuss Monte Sereno Traffic Circulation

Staff Report ➤

COMMITTEE/COMMISSION REPORTS

COUNCIL MEMBER COMMENTS

CITY MANAGER'S REPORT

ADJOURNMENT

*** All items on the agenda are subject to action/or change by the City Council**

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk (408) 354-7635. If requested of the City Clerk, agendas and documents in the agenda packet can be made available in appropriate alternative formats to persons with a disability. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28CFR 35.102-35.104 ADA Title II]



**MONTE SERENO CITY COUNCIL
MEETING MINUTES**

JULY 15, 2014

SPECIAL MEETING CALLED TO ORDER

At 7:00 p.m., Mayor Craig called the meeting to order.

PLEDGE OF ALLIANCE

ROLL CALL

Present: Council Members Allan and Anstandig and Mayor Craig

Absent: Council Members Huff and Rogers

Staff Present: City Manager Loventhal, City Attorney Powell, and City Clerk Chelemengos

PRESENTATION

- Present Retiring Los Gatos/Monte Sereno Police Chief Scott Seaman with a Proclamation of Appreciation

Council Member Allan moved to adopt the Proclamation of Appreciation for Retiring Police Chief Seaman to be presented at his retirement dinner. The motion was seconded by Council Member Anstandig and the motion passed with a 3-0 vote.

ORDERS OF THE DAY

There were no changes to the orders of the day.

ORAL COMMUNICATIONS

None

WRITTEN COMMUNICATIONS

CONSENT CALENDAR

1. Approve Minutes Of June 17, 2014 City Council Meeting
2. Approve Warrant List in the amount of \$236, 703.85

3. Approve Monthly Treasurer's Report For The Month Of June 2014
4. Approve Monthly Financial Report For The Month Of June 2014

Council Member Anstandig moved to approve the Consent Calendar. The motion was seconded by Council Member Allan and the motion passed (3-0) with the following vote.

Ayes: Council Members Allan, Anstandig and Mayor Craig
Noes: None
Abstain: None
Absent: Council Members Huff and Rogers

PUBLIC HEARINGS

None

UNFINISHED BUSINESS

5. Consider Resolution Amending Salary Ranges For Employees And Establishing The Position Of Management Analyst/Planner

City Manager Loventhal presented a report and answered questions from the Council.

At 7:05 p.m., Mayor Craig invited public comment. There was no one wishing to speak.

Council Member Anstandig moved to approve the resolution amending salary ranges for employees and establishing the position of Management Analyst/Planner. The motion was seconded by Council Member Allan and the motion passed (3-0) with the following vote.

Ayes: Council Members Allan, Anstandig and Mayor Craig
Noes: None
Abstain: None
Absent: Council Members Huff and Rogers

Brief discussion commenced regarding the upcoming open position of Building Official. City Manager Loventhal stated that the City would be considering all viable options with regard to obtaining Building Official services.

6. Consider Resolution Placing Measure Proposing an Increase of City Council Term Limits from 2 consecutive terms to 3 consecutive terms on the November 5, 2014 Ballot

City Manager Loventhal presented a report and answered questions from the Council.

Discussion commenced.

At 7:15 p.m. Mayor Craig opened the floor for public comment. There was no one wishing to speak.

Council Member Allan moved that the Council adopt the Resolution placing a measure proposing an increase of city council term limits from two consecutive four year terms to three consecutive four year terms on the November 5, 2014 ballot. The motion was seconded by Council Member Anstandig.

Council Member Anstandig expressed concern with the language in the proposed ordinance defining the two year hiatus and how it is confusing and may actually prohibit one from being eligible to run in the Council election two years following the last term of service.

The City Attorney suggested the following wording to help clarify the issue raised by Council Member Anstandig - Shall an ordinance be adopted that would change the number of consecutive terms a Council Member may serve from two to three with a right to serve again after at least two years have lapse since last holding office.

Council Member Allan moved to amend the motion as suggested by the City Attorney (above). Council Member Anstandig, seconder of the motion, accepted the amended motion.

Council Member Allan stated that he has gone back and forth with regard to his position on the matter. He reported that he had polled constituents regarding the matter and found that only a few voiced support for extension of the term limits. He expressed concern with the cost of placing the issue on the ballot and the change having little effect. He stated that he hesitates to place the matter on the ballot at such a cost and without strong community support.

Council Member Anstandig stated that he was not in favor of the proposed resolution. He stated that the cost seems to be excessive and extension of term limit is not necessary, since there is already a provision that allows for additional terms. He stated that in a way term limits help to ensure diversity among the Council. He stated that in a community the size of Monte Sereno, civic participation needs to be encouraged and opportunity provided and sometimes re-running of incumbents deter new candidates. He recalled the last time the issue was considered and the opposition voiced at that time.

Mayor Craig agreed that the cost is expensive. However he stated he found some interest and support among the residents of Monte Sereno when he posed the question on a social media site.

Mayor Craig called for the question. The motion (above) failed with the following 1-2 vote:

Ayes: Mayor Craig
Noes: Council Members Allan and Anstandig
Abstain: None

Absent: Council Members Huff and Rogers

6. Update On City Council Goals For 2014

City Manager Loventhal presented a report and answered questions from the Council regarding the goals.

NEW BUSINESS

7. Consider Youth Commission Appointments

City Manager Loventhal provided a staff report and answered questions from the Council report.

Saya Sivaram, Youth Commission applicant, introduced herself and explained why she would like to serve on the Youth Commission.

Nikolas Mekechuck, past youth commissioner, introduced himself and stated that he had enjoyed serving on the Youth Commission and would like to be re-appointed, but that he has temporarily moved out of the City.

Vishall Narayan, Youth Commission applicant, introduced himself and discussed his reasons for wanting to serve on the Youth Commission.

The Council commended the youth for their interest and for introducing themselves to the Council.

Discussion commenced. The Council explained that although Nikolaus Mekechuck had served previously on the Youth Commission, and was and would be an asset to the Youth Commission, and that they would like to re-appoint him to the Youth Commission, the rules governing eligibility of applicants prohibit his appointment at this time. The Council encouraged Nikolaus to continue to participate with the Youth Commission and at the time he has resumed his residency in the City, to contact staff so that his appointment to the Youth Commission can be promptly placed on the City Council agenda.

Council Member Allan moved that the Council appoint all ten applicants. The motion was seconded by Council Member Anstandig and the motion passed with the following 3-0 roll call vote:

Ayes: Council Members Allan, Anstandig, and Mayor Craig
Noes: None
Abstain: None
Absent: Council Members Huff and Rogers

COMMITTEE/COMMISSION REPORTS

The Council Members reported on the activities of their assigned Commissions/Committees.

COUNCIL MEMBER COMMENTS

None

CITY MANAGER'S REPORT

City Manager Loventhal reported on various administrative matters.

Mayor Craig acknowledged Mr. Knowles and asked if had wanted to speak on a matter.

Jonathon Knowles, representing the Los Gatos Music and Arts, thanked the Council and the City for its past and continued support of the organization and presented a letter of thanks.

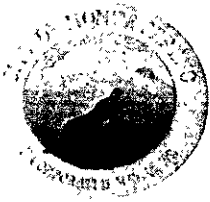
ADJOURNMENT

At 7:55 p.m., Mayor Craig adjourned the meeting to 7:00 p.m. Tuesday, August 5, 2014 to be held in the City Council Chambers located at 18041 Saratoga-Los Gatos Road, Monte Sereno, California.

Burton Craig, Mayor

ATTEST:

Andrea M. Chelemengos, City Clerk

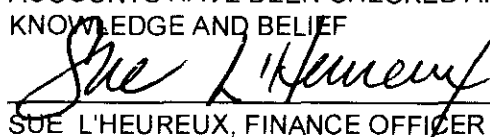


**CITY OF MONTE SERENO
REGISTER OF ACCOUNTS PAYABLE**

AS OF THIS DATE.
August 5, 2014 warrants
July 22, 2014 payroll

CHECK NO.	TO	FOR	AMOUNT	ACCOUNT
15107-15122		July 2014 payroll	94,905.49	
15123	Howard, Rome & Martin	Litigation services	929.14	01-427
15124	Los Gatos/Monte Sereno Police	Chief retirement dinner	130.00	01-505
15125	Ali Fatapour, P.E.	Structural plan checks	5,376.28	01-765
15126	CSG Consultants	Engineering services	1,010.00	01-765
15127	CSG Consultants	Inspection and Code Enforcement	2,014.00	VAR
15128	CSG Consultants	Engineering services	11,312.00	01-765
15129	Goldfarb & Lipman	Litigation services	1,918.00	01-427
15130	Alhambra	Service for July	43.60	01-710
15131	Los Gatos Comm. Concert	FY2014-15 Community Contribution	1,000.00	01-550
15132	Allegiance Cleaning Service	Janitorial services and supplies	323.00	01-860
15133	ARC	Plan copies	160.95	01-725
15134	PG&E	Office utility	704.82	01-705
15135	ICS	Cable and wire installation	777.16	01-805
15136	American Express	Office supplies	105.55	01-710
15137	Municipal Code Corp.	Calif Code updates	244.47	01-521
15138	COMCAST	Internet provider	130.71	01-720
15139	AT&T	Long distance phone service	95.34	01-720
15140	Actors Annex	Newsletter editing	1,200.00	01-535
15141	SC County Recorder	SDU recording fee	51.00	01-565
15142	SC County Recorder	SDU recording fee	51.00	01-565
15143	WV Sanitation District	Program fees & half assessment	20,242.00	VAR
15144	PG&E	Street lighting services	589.44	VAR
15145*	Verizon	Post office phone service	50.55	06-580
15146	BAGG Engineers	Street project engineering	980.00	12-905
15147	G. Bortolotto & Co., Inc	Street rehab Project	195,892.63	12-905
		Checking bank fee	3.00	
		Total August 5, 2014 warrants	245,334.64	
		Total July 2014 payroll	94,905.49	
		Grand Total	340,240.13	

I, SUE L'HEUREUX, FINANCE OFFICER DO HEREBY CERTIFY THAT THE PROCEEDING ACCOUNTS HAVE BEEN CHECKED AND FOUND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF


SUE L'HEUREUX, FINANCE OFFICER

Reimbursable expense

RESOLUTION NO. 3569

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTE SERENO
CONFIRMING A WEED ABATEMENT REPORT AND ASSESSMENT LIST FILED BY
THE COUNTY FIRE MARSHAL AND REMANDING SAME TO SAID FIRE
MARSHAL TO ENTERED ON THE TAX ASSESSMENT ROLL**

WHEREAS, the County Fire Marshal file a Report and Weed Abatement Assessment List with the City Clerk on July 16, 2014, in conformance with Chapter 2 of Title 8, entitled "Public Works", of the Monte Sereno Municipal Code; and

WHEREAS, hearing was held on said Report and Assessment List on August 5, 2014, which hearing concluded,

NOW, THEREFORE, BE IT ORDERED AND DETERMINED by the City Council of the City of Monte Sereno as follows:

1. That the Report and Assessment List of said County Fire Marshall is hereby confirmed.

2. That the Assessment List is hereby remanded to said County Fire Marshal to be entered on the Tax Assessment Roll as provided by Chapter 2 of Title 8 of the Monte Sereno Municipal Code.

REGULARLY PASSED AND ADOPTED by the CITY COUNCIL of the CITY OF MONTE SERENO this 5th day of August, 2014, by the following roll call vote:

AYES:

NOES:

ABSENT:

By _____
Burton Craig, Mayor

ATTEST:

By _____
Andrea M. Chelemengos, City Clerk

**2014 Weed Abatement Program
Assessment Report
City of Monte Sereno**

Exhibit A

Situs	APN	OWNER ADDRESS	TAX ROLL AMT	IRA
1	18245 Saratoga-los Gatos	Do Cuong Viet & Minha Ton Trustee 18245 Saratoga-los Gatos Rd	95030-3142	16003
2	18220 Daves	Semichy, Robert Lloyd And Semichy, 18220 Daves Av	95030-3112	16003
TOTAL			\$332.00	



Councilmember: Lon Allan
Councilmember: Marshall Anstandig
Councilmember: Burton Craig
Councilmember: Walter Huff
Councilmember: Curtis Rogers

City of Monte Sereno

City Manager: Brian Loventhal
City Clerk: Andrea Chelemengos
Finance Officer: Sue L'Heureux
Building Official: Howard T. Bell

NOTICE OF HEARING ON REPORT AND ASSESSMENT FOR WEED, DIRT RUBBISH AND OTHER ABATEMENT

NOTICE IS HEREBY GIVEN that on July 16, 2014, the Fire Marshall filed with the City Clerk of the City of Monte Sereno a Report and Assessment on Abatement of weeds, dirt, rubbish and other hazardous material within said City, one copy of which is posted on the bulletin board near the entrance door at the City Office.

NOTICE IS FURTHER GIVEN that on Tuesday, August 5, 2014, at 7:00 p.m. in the Council Chambers at the City Hall, 18041 Saratoga-Los Gatos Road, Monte Sereno, California, said Report and Assessment List will be presented to the City Council of said City for consideration and confirmation; that any and all persons interested, having any objections to said Report and Assessment List, or to any matter or thing contained therein, may appear at said time and place and be heard.

Dated: July 25, 2014

ANDREA M. CHELEMENGOS, CITY CLERK

MEETING DATE

August 5, 2014

REPORT TO MONTE SERENO CITY COUNCIL

2014/2015 Youth Commission Appointment

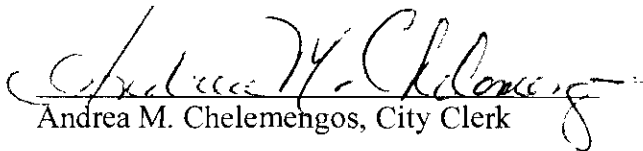
RECCOMENDATION:

Staff recommends the City Council consider the application for Youth Commissioner and appoint the applicant to the Youth Commission.

BACKGROUND/DISCUSSION:

The Youth Commission ordinance allows for up to twelve (12) Youth Commissioners. At the July 15, 2014 City Council meeting, the Council appointed 10 applicants. The City had received an application from Ashlee Kupor seeking re-appointment prior to the filing deadline. Ms. Kupor's application had inadvertently been left out of the packet presented to the Council at the last City Council meeting.

By making the requested appointment the Monte Sereno Youth Commission will have 11 filled seats leaving 1 yet to be filled.


Andrea M. Chelemengos, City Clerk


Approved by

MEETING DATE

August 5, 2014

REPORT TO MONTE SERENO CITY COUNCIL

Discuss Youth Commission Qualifications

RECOMMENDATION:

City staff recommends that the City Council consider the information and provide direction to staff.

BACKGROUND/DISCUSSION:

The City Council recently made appointments to the Monte Sereno Youth Commission. The Council is also considering an additional appointment earlier on City Council agenda at this meeting. If the City Council makes the additional appointment the City will have filled 11 out of 12 seats on the Commission. However, during the recent appointment process some City Council members questioned whether the residency requirement for youth commissioners should be revised.

Monte Sereno Municipal Code Section 12.03.020 sets the minimum qualifications for the Youth Commission. An excerpt of the code follows:

- "A. The Commission shall consist of a minimum of five (5) and a maximum of twelve (12) members, each of whom shall serve for a term of one year. Commissioners shall be appointed during the month of August of each year and serve until the following August.*
- B. All members of the Commission shall be residents of the City of Monte Sereno.*
- C. All members shall be, at the time of appointment, enrolled in grades eight (8) through twelve (12), or entering grades eight (8) through twelve (12) in the next school year. "*


City Manager

MEETING DATE

August 5, 2014

REPORT TO MONTE SERENO CITY COUNCIL

Introduce and Hold First Reading of an Ordinance
Repealing Monte Sereno Municipal Code Chapter 7.02

RECOMMENDATION:

Introduce and hold the first reading of an ordinance, as read by title only, repealing Monte Sereno Municipal Code Chapter 7.02 relating to swimming pool service regulations, and to waive further reading of the ordinance.

BACKGROUND/DISCUSSION:

Monte Sereno Municipal Code Chapter 7.02 regulates swimming pool services. The code requires that swimming pool professionals be certified or registered with Santa Clara County. The regulation was adopted many years ago and is no longer applicable. Therefore, staff recommends that the City Council consider repealing the regulation by ordinance.



City Manager

ORDINANCE NO. NS-_____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTE SERENO
REPEALING MONTE SERENO MUNICIPAL CODE CHAPTER 7.02 REGULATING
SWIMMING POOL SERVICES**

Be it ordained by the City Council of the City of Monte Sereno as follows:

SECTION 1. Title 7 of the Monte Sereno Municipal Code is hereby amended by repealing Chapter 7.02.

SECTION 2. EFFECTIVE DATE.

This Ordinance shall take effect thirty (30) days after the date of its passage, and shall be posted within the City of Monte Sereno in three (3) public places.

SECTION 3. SEVERABILITY.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction such portion shall be deemed a separate, distinct and independent provision of such Ordinance and shall not affect the validity of the remaining portions thereof.

This Ordinance was introduced at a regular meeting of the City Council held this 5th day of August, 2014, and thereafter, was passed and adopted at a regular meeting of the City Council held this 19th day of August, 2014, by the following roll call vote:

AYES:
NOES:
ABSENT:

By: _____
Burton Craig, Mayor

ATTEST:

Andrea Chelemengos, City Clerk

MEETING DATE
August 5, 2014

REPORT TO MONTE SERENO CITY COUNCIL
Discuss Monte Sereno Traffic Circulation

RECOMMENDATION:

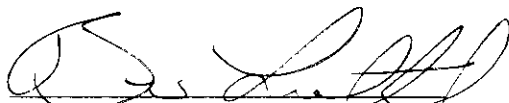
City staff recommends that the City Council consider the information and provide direction to staff.

BACKGROUND/DISCUSSION:

Over the years the City receives periodic complaints from residents about vehicle traffic in their neighborhood. Complaints range from vehicles not stopping at stop signs, vehicles driving too fast and vehicle volume on streets. In these cases the City typically will request additional traffic enforcement. However, residents often have the expectation that the City will install speed humps, close the street off, reduce speed limits, or install new stop signs. Although every case is different the City has in the past explored various traffic calming alternatives depending on the circumstances.

If the Council is interested in exploring this issue City staff will develop a summary of traffic alternatives that have been used over time. Staff would also analyze the cost and effectiveness of the alternatives. The intent would be to provide the City with a comprehensive list or "tool box" of acceptable traffic calming measures that could be considered on a case by case basis to solve traffic concerns should they arise in the future.

This work would entail consulting with a traffic engineer and the Los Gatos/Monte Sereno Police Department to develop the necessary information.


City Manager