



**MONTE SERENO CITY COUNCIL
MEETING MINUTES**

SEPTEMBER 2, 2014

MEETING CALLED TO ORDER

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

PLEDGE OF ALLIEGIANCE

ROLL CALL

Present: Council Members Allan, Anstandig, Huff, and Mayor Craig

Absent: Council Member Rogers

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

ORDERS OF THE DAY

There were no changes to the orders of the day.

ORAL COMMUNICATIONS

None

WRITTEN COMMUNICATIONS

None

CONSENT CALENDAR

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 August 19, 2014 City Council Meeting
2. Approve Minutes Of August 20, 2014 Special City Council Meeting
3. Approve Warrant List
4. Adopt Proclamation Of The City Council Of The City Of Monte Sereno Proclaiming September 15 – 21, 2014 As National Drive Electric Week

Council Member Allan moved to approve the Consent Calendar. The motion was seconded by Council Member Anstandig and the motion passed (4-0) with the following vote.

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

PUBLIC HEARINGS

5. Introduction And First Reading Of An Ordinance Of The City Council Of The City Of Monte Sereno Adding Section 10.06.150 To Chapter 10.06 Of Title 10 Extending The Secondary Dwelling Unit Amnesty Program

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

At 7:05p.m. the Public Hearing was opened. Since no one wished to speak, the Public Hearing was closed.

Council Member Huff moved to waive further reading of the ordinance and introduce and hold first reading of the ordinance as read by title only. The motion was seconded by Council Member Anstandig and the motion passed with a 5-0 vote;

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

UNFINISHED BUSINESS

6. Update From Law Enforcement Ad Hoc Committee

Mayor Craig updated the Council on the latest meeting of the Police Services Ad Hoc Committee.

Council Member Anstandig provided background information on the matter of the Town of Los Gatos seeking reimbursement for funds spent on the Monte Sereno homicide investigation. He stated that as a result of the requested reimbursement, an ad hoc committee had been formed. He stated that at the latest meeting of the ad hoc committee representatives from Los Gatos had indicated that there was interest in renegotiating the contract or drafting a memorandum of understanding defining what is covered by the existing contract and what is not. He concluded by stating that the ad hoc committee is due to meet again on Friday, September 5th.

Council Member Allan stated that he felt the request for reimbursement was inappropriate and that when the thirty year contract was drawn up Los Gatos was well aware that there would be more crime during some years than other years. He also pointed out that at the time of the contract drafting Los Gatos police, with their years of police experience, probably knew that the likelihood a major crime occurring during the 30 year contract duration was very probable. We wondered about the actual cost of police services over the past years when there had been minimal crime and wondered why some of the funds during those low crime years had not been set aside to cover, or offset, the cost of police services in higher crime years or in the instance of a major crime. Council Member Allan stated that he does not feel that Monte Sereno, according to the contract, is liable for additional payments to Los Gatos and that rendering additional payments could be considered a gift of public funds. He stated that he is not interested in renegotiating the contract prior to the end of the contract term.

Council Member Huff concurred with Councilmember Allan's comments.

Mayor Craig stated that at some point during earlier discussions of the matter there had been some mention of consideration given by the Monte Sereno City Council of paying a portion of the amount invoiced to the City.

Council Member Anstandig acknowledged the difficulty of the situation. He stated that he would hate for conflict to arise over the matter, but yet he is opposed to renegotiation of the contract before the end of the term. He stated that he did not see how a memorandum of understanding would be able to clearly define circumstances covered or not within the contracted amount. He pointed out that the contract allows for annual increases which, in his opinion, assists the Town of Los Gatos in controlling costs. He stated that he would like to protect the interests of the residents of Monte Sereno without offending the Town of Los Gatos. However, he stated that he has no interest in drawing up a memorandum of understanding or renegotiating the contract. Council Member Anstandig also commented about past years where crime in Monte Sereno had been low and no credit given or funds set aside in anticipation of a possible major crime or investigation.

Council Member Huff inquired about the allocation of the \$100,000 annual grant that the City of Monte Sereno receives and passes on to the Town of Los Gatos for additional police funding.

In conclusion, Mayor Craig stated that it is clear that the Council is not interested in renegotiating the police contract with the Town of Los Gatos prior to the end of the current contract.

7. Update On City Website Project

City Manager Loventhal discussed the needed improvements on the City's website, discussed vendor options and some of the upgraded features anticipated for the website. He also answered questions from the Council.

NEW BUSINESS

8. Update On Water Use Regulations Of The State Water Resources Control Board And Water Rate Increases By San Jose Water Company

City Manager Loventhal provided information on the upcoming water rate increase and water use regulation and answered questions from the Council.

Discussion commenced.

Following discussion, Mayor Craig opened the floor for public comment.

Sharon Snyder, resident, discussed instances where it has taken weeks for the water company to respond to reports of leaking water. She wondered if the water company would be held to their own regulations with regard to water usage and water waste.

Mayor Craig reported that the issue raised by Ms. Snyder had been discussed at a recent Mayors/City Managers luncheon and he explained that there are many internal processes that need happen before the water company can schedule a survey of reported problems. Because of the required internal process, it takes weeks for a response from the water company.

COMMITTEE/COMMISSION REPORTS

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

COUNCIL MEMBER COMMENTS

Mayor Craig reported on recent block party discussion on traffic.

CITY MANAGER'S REPORT

City Manager Loventhal reported on various administrative matters.

ADJOURNMENT

At 7:55 p.m., Mayor Craig adjourned the meeting to 7:00 p.m., Tuesday, September 16, 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