

MINUTES
WEDNESDAY, FEBRUARY 20, 2019
SARATOGA CITY COUNCIL REGULAR MEETING

Mayor Cappello called the FY 2019/20 Capital Improvement Plan (CIP) Budget Study Session to order at 5:00 p.m. in the Linda Callon Conference Room at 13777 Fruitvale Avenue in Saratoga. The City Council took a recess from the Study Session at 6:55 p.m. to start the City Council Regular Session and the Study Session was reconvened at 9:40 p.m.

Finance Manager Dennis Jaw presented the Fiscal Year (FY) 2019/20 CIP and asked the Council to complete the prioritization process.

Mayor Cappello invited public comment on the item.

No one requested to speak.

MILLER/BERNALD MOVED TO APPROVE THE CHANGES LISTED BELOW FOR THE FISCAL YEAR 2019/20 CAPITOL IMPROVEMENT PLAN BUDGET:

1. Projects to be Closed FY 19/20

The City Council directed staff to close the following projects in FY 19/20:

- Big Basin Way Turnaround
- Long-Term Trash Plan Capture Devices
- Hakone Gardens Koi Pond Improvements
- Joe's Trail at Saratoga/De Anza
- Quarry Park Walkway Clearing
- Electrical Panel Upgrade
- Community Center Stage Renovation
- Trak-it Software System Upgrade
- Village Visioning

2. Unfunded Projects FY 19/20

The City Council directed staff to remove the following projects from the Unfunded List in FY 19/20:

- Beaumont Avenue Traffic Circle
- Congress Springs Park-Northside Entrance
- Quarry Park Pond Improvements
- Village Clock

3. Projects with no Recommended Changes

The City Council requested no change to the projects listed in Attachment H: Current Projects with No Recommended Changes in the staff report.

4. Current Projects with Additional Funding Requests

The City Council denied the additional funding request for the following project:

- Quito Road Sidewalk Improvements

The City Council directed staff to include the following additional funding request in the FY 19/20 budget:

• Roadway Safety & Traffic Calming	\$25,000
• Citywide Signal Upgrade Project -Phase II	\$100,000
• Infrastructure Maintenance & Repairs	\$50,000
• Village Sidewalk & Pedestrian Enhancement -P2	\$50,000
• Park & Trail Safety Improvements	\$40,000
• Guava Ct/Fredericksburg Entrance	\$50,000
• Saratoga Village to Quarry Park Walkway	\$175,000
• Saratoga-to-the-Sea Trail	\$1,130,000
• CDD Lobby Remodel	\$165,000
• Senior Center Entrance Remodel	\$150,000

Staff was directed to prepare a midyear budget adjustment to fund the additional funding request of \$215,000 for the Garden Patio/Bocce Ball Court and the additional funding request of \$150,000 for the Senior Center Entrance Remodel at \$150,000 in FY 18/19.

The City Council directed staff to seek out grant opportunities for the Guava Court/Fredericksburg Entrance and Saratoga Village to Quarry Park Walkway projects, including grant opportunities available through VTA.

5. Nominated Projects

The City Council provided the following direction on the nominated capital projects:

- Automatic License Plate Reader: No funding was allocated at this time, but the City Council directed staff to do a study of automated license plate readers, including a future City Council Agenda item outlining the scope of work for the study.
- Parks & Trail Master Plan: No funding was allocated at this time.
- Preschool Turf Conversion: The City Council directed staff to allocate \$25,000 to the project in the FY 19/20 budget.
- Restroom & Shower Trailer: No funding was allocated at this time and staff was directed to apply seek grant opportunities for the project.
- Fire Protection Systems Update: No funding was allocated at this time. The Finance Committee was asked to consider options for phasing implementation of fire protection system updates.
- Community Center Improvement Program: The City Council directed staff to allocate \$185,000 to the project for the FY19/20 budget.

The City Council requested that the Finance Committee review the Risk Management Mitigation Project and Fire Protection Systems Update.

MOTION PASSED. AYES: CAPPELLO, MILLER, KUMAR, BERNALD, ZHAO. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

Mayor Cappello called the Regular Session to order in the Civic Theater, Council Chambers at 13777 Fruitvale Avenue in Saratoga at 7:01 p.m. and led the Pledge of Allegiance.

ROLL CALL

PRESENT: Mayor Manny Cappello, Vice Mayor Howard A. Miller, Council Members Rishi Kumar, Mary-Lynne Bernald, Yan Zhao

ABSENT: None

ALSO PRESENT: James Lindsay, City Manager
Richard Taylor, City Attorney
Crystal Bothelio, Deputy City Manager
Debbie Bretschneider, City Clerk
John Cherbone, Public Works Director
Mary Furey, Finance & Administrative Services Director
Debbie Pedro, Community Development Director
Michael Taylor, Recreation & Facilities Director
Dennis Jaw, Finance Manager
Lauren Pettipiece, Public Information Officer
Victoria Hernandez, Planner I
Mainini Cabute, Administrative Analyst II
Gina Scott, Accounting Tech

REPORT ON POSTING OF THE AGENDA

City Clerk Debbie Bretschneider reported that the agenda for this meeting was properly posted on February 14, 2019.

REPORT FROM STUDY SESSION

Mayor Cappello reported that the Council had been holding the FY 2019/20 CIP Budget Study Session prior to the Regular Session and would return to the Study Session after the Regular Session.

ORAL COMMUNICATIONS ON NON-AGENDIZED ITEMS

Antoinette Romeo spoke about term limits for City Commissioners.

ANNOUNCEMENTS

Mayor Cappello announced the Summer 2019 Recreation Guide, the new leaf blower requirements, and recent telephone scams.

CEREMONIAL ITEMS

Commendations for Science Fair Winners

Recommended Action:

Present commendations to the 2018 Synopsys Silicon Valley Science and Technology Championship Science Fair participants who live in Saratoga.

Mayor Cappello and the City Council presented commendations to the 2018 Synopsys Silicon Valley Science and Technology Championship Science Fair participants.

1. CONSENT CALENDAR

1.1. City Council Meeting Minutes

Recommended Action:

Approve the City Council minutes for the Special City Council Meeting on February 1, 2019 and the Regular City Council Meeting on February 6, 2019.

MILLER/KUMAR MOVED TO **APPROVE THE CITY COUNCIL MINUTES FOR SPECIAL CITY COUNCIL MEETING ON FEBRUARY 1, 2019 AND THE REGULAR CITY COUNCIL MEETING ON FEBRUARY 6, 2019.** MOTION PASSED. AYES: CAPPELLO, MILLER, KUMAR, BERNALD, ZHAO. 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: 02/05/2019 Period 8; and 02/12/2019 Period 8.

MILLER/KUMAR MOVED TO **ACCEPT CHECK REGISTERS FOR THE FOLLOWING ACCOUNTS PAYABLE PAYMENT CYCLES: 02/05/2019 PERIOD 8; AND 02/12/2019 PERIOD 8.** MOTION PASSED. AYES: CAPPELLO, MILLER, KUMAR, BERNALD, ZHAO. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

1.3. City Council Meeting Cancellation

Recommended Action:

Move to cancel the regular City Council meeting scheduled for April 3, 2019 and authorize the City Manager to reinstate the meeting with at least 72 hours' notice if there is a matter that requires City Council action prior to the next regularly scheduled meeting.

MILLER/KUMAR MOVED TO **CANCEL THE REGULAR CITY COUNCIL MEETING SCHEDULED FOR APRIL 3, 2019 AND AUTHORIZE THE CITY MANAGER TO REINSTATE THE MEETING WITH AT LEAST 72 HOURS' NOTICE IF THERE IS A MATTER THAT REQUIRES CITY COUNCIL ACTION PRIOR TO THE NEXT REGULARLY SCHEDULED MEETING.** MOTION PASSED. AYES: CAPPELLO, MILLER, KUMAR, BERNALD, ZHAO. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

1.4. Tree Maintenance Service Contracts – Amendment to Contracts

Recommended Action:

Approve amendments to Tree Maintenance Service Contracts with Oscars Expert Tree Service, Trees 360 Degrees, and Ian Geddes Tree Care for tree maintenance services.

RESOLUTION 19-004

MILLER/KUMAR MOVED TO **APPROVE AMENDMENTS TO TREE MAINTENANCE SERVICE CONTRACTS WITH OSCARS EXPERT TREE SERVICE, TREES 360 DEGREES, AND IAN GEDDES TREE CARE FOR TREE MAINTENANCE SERVICES AND TO APPROVE THE BUDGET ADJUSTMENT RESOLUTION.** MOTION PASSED. AYES: CAPPELLO, MILLER, KUMAR, BERNALD, ZHAO. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

1.5. Budget Adjustment for the Arrowhead Community Facility District 2016 Bond Fund

Recommended Action:

Approve budget adjustment to appropriate Arrowhead Community Facility District 2016 Debt Service Fund's bond issuance, debt service, and related revenue and expenditure activity.

RESOLUTION 19-005

MILLER/KUMAR MOVED TO **APPROVE BUDGET ADJUSTMENT TO APPROPRIATE ARROWHEAD COMMUNITY FACILITY DISTRICT 2016 DEBT SERVICE FUND'S BOND ISSUANCE, DEBT SERVICE, AND RELATED REVENUE AND EXPENDITURE ACTIVITY.** MOTION PASSED. AYES: CAPPELLO, MILLER, KUMAR, BERNALD, ZHAO. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

1.6. Financial Services Agreement with West Valley Clean Water Program Authority

Recommended Action:

Approve the financial services agreement between West Valley Clean Water Program Authority and the City of Saratoga and authorize the City Manager to execute the document.

MILLER/KUMAR MOVED TO **APPROVE THE FINANCIAL SERVICES AGREEMENT BETWEEN WEST VALLEY CLEAN WATER PROGRAM AUTHORITY AND THE CITY OF SARATOGA AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE DOCUMENT.** MOTION PASSED. AYES: CAPPELLO, MILLER, KUMAR, BERNALD, ZHAO. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

1.7. Amendment to Services Agreement with Los Gatos-Saratoga Recreation

Recommended Action:

Authorize the City Manager to execute an amendment to the agreement with LGS Recreation increasing the amount not to exceed from \$126,000 to \$224,000.

MILLER/KUMAR MOVED TO **AUTHORIZE THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH LGS RECREATION INCREASING THE AMOUNT NOT TO EXCEED FROM \$126,000 TO \$224,000.** MOTION PASSED. AYES: CAPPELLO, MILLER, KUMAR, BERNALD, ZHAO. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

1.8. Award of Contract to Cotton, Shires and Associates, Inc. for Geotechnical Services at 3 Distressed City Locations

Recommended Action:

1. Move to award a contract to Cotton, Shires and Associates, Inc. in the amount of \$75,800.00, and authorize the City Manager to execute the same.
2. Move to authorize staff to execute change orders to the contract up to \$7,500.

MILLER/KUMAR MOVED TO **AWARD A CONTRACT TO COTTON, SHIRES AND ASSOCIATES, INC. IN THE AMOUNT OF \$75,800.00, AUTHORIZE THE CITY MANAGER TO EXECUTE THE SAME, AND MOVE TO AUTHORIZE STAFF TO EXECUTE CHANGE ORDERS TO THE CONTRACT UP TO \$7,500.**

MOTION PASSED. AYES: CAPPELLO, MILLER, KUMAR, BERNALD, ZHAO. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

2. PUBLIC HEARING

2.1. APCC19-0001 - Appeal of a Design Review Application at 12901 Pierce Road.

Recommended Action:

Conduct a public hearing and de novo review of the appeal, and adopt the attached resolution denying appeal APCC19-0001 and approving the Design Review and Arborist Review approvals (PDR18-0029/ARB18-0048) for the construction of a new one-story residence with a basement, detached garage and detached accessory dwelling unit, and the removal of eight (8) protected trees at 12901 Pierce Road.

Victoria Hernandez, Planner I, presented the staff report.

Mayor Cappello opened the public hearing.

The appellant, Donald Ichikawa, provided opening remarks.

The applicants, Ana Mendez and Gregory J. Rubens, provided opening remarks.

Mayor Cappello invited public comment on the item.

The following people requested to speak:

Lynn Weber spoke in support of the appeal

Tina Walia

No one else requested to speak.

The applicant, Ana Mendez, provided closing remarks.

The appellant, Donald Ichikawa, provided closing remarks.

Mayor Cappello closed the public hearing for this item and asked for Council discussion.

ZHAO MOVED TO **UPHOLD THE APPEAL ON 12901 PIERCE ROAD.**

Due to lack of a second, the motion failed.

RESOLUTION 19-006

MILLER/KUMAR MOVED TO **ADOPT THE RESOLUTION DENYING APPEAL APCC19-0001 AND APPROVING THE DESIGN REVIEW AND ARBORIST REVIEW APPROVALS (PDR18-0029/ARB18-0048) FOR THE CONSTRUCTION OF A NEW ONE-STORY RESIDENCE WITH A BASEMENT, DETACHED GARAGE AND DETACHED ACCESSORY DWELLING UNIT, AND THE REMOVAL OF EIGHT (8) PROTECTED TREES AT 12901 PIERCE ROAD, WITH THE CONDITION OF A PERMANENT CONDITION OF A SCREEN SOLUTION FOR THE CABANA SPACE FACING THE NEIGHBOR'S PROPERTY, WITH THE SCREEN HAVING A MINIMUM OF 80% OPACITY FOR THE FIRST 6 FEET AND THEN A MINIMUM OF 50% OPACITY FOR THE REMAINING AND THE DESIGN FOR THE SCREEN NEEDS TO BE APPROVED BY THE PLANNING DEPARTMENT PRIOR TO SUBMITTAL OF PLANS FOR THE BUILDING PERMIT.** MOTION PASSED. AYES: CAPPELLO, MILLER, KUMAR, BERNALD, ZHAO. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

3. GENERAL BUSINESS

3.1. Resolution Establishing a New Public Safety Task Force

Recommended Action:

Approve the resolution establishing a new Public Safety Task Force.

Crystal Bothelio, Deputy City Manager, presented the staff report.

Mayor Cappello invited public comment on the item.

No one requested to speak.

RESOLUTION 19-007

MILLER/BERNALD MOVED TO **APPROVE THE RESOLUTION ESTABLISHING A NEW PUBLIC SAFETY TASK FORCE.** MOTION PASSED. AYES: CAPPELLO, MILLER, KUMAR, BERNALD, ZHAO. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

COUNCIL ASSIGNMENTS

Mayor Manny Cappello

Cities Association of Santa Clara County Board of Directors – the Executive Director of Silicon Valley Clean Energy provided a report and the Legislative Action Chair led a discussion on CASA, including a list from each City on their housing issues. The Association will be sending out a statement about the CASA proposal.

West Valley Mayors and Managers – we held the first meeting of the year with a brief discussion on the CASA impact. Also had a request from the Los Gatos Mayor for a discussion about widening Highway 17 and then conversed about discussion topics for the rest of year.

West Valley Sanitation District – at the meeting standard routine items were discussed.

Vice Mayor Howard Miller

Silicon Valley Clean Energy Authority Board of Directors – the CPUC has decided to move residents to rate schedules is based on power use during different times of the to roll out in 2020 and they have asked PG&E to take lead on letting the residents know about these changes.

Valley Transportation Authority (VTA) Policy Advisory Committee – a new chair was selected for this Committee. The Committee discussed Measure B and funding for noise mitigation testing on Route 85.

VTA State Route 85 Corridor Policy Advisory Board – this Board has not met in a long time, but there is a meeting next Monday. The Board will be making a recommendation to VTA Board about Route 85.

Council Member Rishi Kumar

West Valley Clean Water Program Authority – attended meeting and will provide report at next Council meeting.

West Valley Solid Waste Management Joint Powers Authority – attended meeting and will provide report at next Council meeting.

Council Member Mary-Lynne Bernald

Hakone Foundation Board & Executive Committee – there is a meeting tomorrow.

Santa Clara/Santa Cruz Airport/Community Roundtable – the first meeting is on February 27.

Council Member Yan Zhao

Hakone Foundation Board – there is a meeting tomorrow.

Saratoga Chamber of Commerce & Destination Saratoga – there is a meeting tomorrow.

CITY COUNCIL ITEMS

None

COUNCIL COMMUNICATIONS

Councilmember Kumar announced that San Jose Water Co. released financial results for 2018 which are lower than 2017.

CITY MANAGER'S REPORT

None

ADJOURNMENT

At 9:30 p.m., Mayor Cappello closed the Regular Session and announced that the City Council would reconvene the FY 2019/20 CIP Budget Study Session in the Linda Callon Conference Room at 9:40 p.m.

BERNALD/MILLER MOVED TO **ADJOURN THE MEETING AT 10:19 P.M.** MOTION PASSED. AYES: CAPPELLO, MILLER, KUMAR, BERNALD, ZHAO. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

Minutes respectfully submitted:

Debbie Bretschneider, City Clerk
City of Saratoga