

MINUTES
WEDNESDAY, MAY 16, 2018
SARATOGA CITY COUNCIL REGULAR MEETING

At 6:00 p.m., the City Council held a Joint Meeting with KSAR Community Access TV Board in the Linda Callon Conference Room at 13777 Fruitvale Avenue in Saratoga.

Mayor Bernald called the regular session to order in the Civic Theater, Council Chambers at 13777 Fruitvale Avenue in Saratoga at 7:03 p.m. and led the Pledge of Allegiance.

ROLL CALL

PRESENT: Mayor Mary-Lynne Bernald, Vice Mayor Manny Cappello
Council Members, Howard Miller, Emily Lo, Rishi Kumar

ABSENT: None

ALSO PRESENT: James Lindsay, City Manager
Richard Taylor, City Attorney
Crystal Bothelio, Deputy City Manager
Nora Pimentel, City Clerk
Debbie Pedro, Community Development Director
Mary Furey, Finance and Administrative Services Director
Michael Taylor, Recreation and Facilities Director
John Cherbone, Public Works Director
Tony McFarlane, Finance Manager
Kayla Nakamoto, Recreation Coordinator
Lauren Pettipiece, Administrative Analyst

REPORT ON POSTING OF THE AGENDA

City Clerk Nora Pimentel reported that the agenda for this meeting was properly posted on May 11, 2018.

REPORT FROM JOINT MEETING

Tom Moran, Board Member of KSAR Community Access TV Board, provided an overview of the Joint Meeting held earlier which included updates and future activities.

ORAL COMMUNICATIONS ON NON-AGENDIZED ITEMS

None.

ANNOUNCEMENTS

Mayor Bernald announced the City's food drive for West Valley Community Services, the Hakone Matsuri Japanese Festival on May 20, 2018 from 11:00 a.m. to 4:00 p.m., Saratoga's Safety Fair on May 20, 2018 from 1:00 p.m. to 5:00 p.m., Living Room Conversation on May 22, 2018, the Saratoga Historical Foundation Lecture, "Ohlone Territory" on May 23, 2018, Luau Dance for Individuals with Disabilities on June 1, 2018, and the Annual Neighborhoods Joint Meeting on June 6, 2018 from 5:30 p.m. to 7:00 p.m.

CEREMONIAL ITEMS

Commendation for Rabbi Philip Ohriner

Recommended Action:

Present commendation to Rabbi Philip Ohriner.

Mayor Bernald and the City Council presented a commendation to Rabbi Philip Ohriner recognizing his contributions to the community.

Commendation to Yoshihiro Uchida

Recommended Action:

Present commendation to Yoshihiro Uchida in honor of Asian Heritage Month.

Mayor Bernald and the City Council presented a commendation to Yoshihiro Uchida in honor of Asian Heritage Month.

Proclamation Declaring May 19, 2018 as Kids to Parks Day

Recommended Action:

Present the proclamation to the Saratoga Parks & Recreation Commission.

Mayor Bernald and the City Council presented Commissioner Renee Pacquier a proclamation declaring May 19, 2018 as Kids to Parks Day.

Walk and Bike to School Day Proclamation

Recommended Action:

Present the proclamation declaring the Walk and Bike to School Day to the Saratoga Youth Commission.

Mayor Bernald and the City Council presented the Youth Commission with the Walk and Bike to School Day Proclamation.

Commendations Recognizing Outgoing Youth Commissioners

Recommended Action:

Receive presentation on efforts of the Youth Commission during the 2017/18 school year and present commendations to outgoing Commissioners Holly Cunningham, Rashi Garg, Ruchi Maheshwari, Jiwoo Song, Charu Vijay and Stephen Zhong recognizing their service on the Saratoga Youth Commission.

The Youth Commissioners presented their 2017/18 school year efforts and activities.

Mayor Bernald and the City Council presented outgoing commissioners Cunningham, Maheshwari, Song, Vijay and Zhong with commendations recognizing their service on the Youth Commission.

Appointment of Youth Commissioners and Oath of Office

Recommended Action:

Approve the attached resolution appointing 6 members to the Saratoga Youth Commission and direct the City Clerk to administer the Oath of Office.

Nora Pimentel, City Clerk, administered the Oath of Office to 6 new Youth Commission Members.

Resolution No. 18-024

MILLER/ CAPPELLO MOVED **TO ADOPT A RESOLUTION APPOINTING 6 MEMBERS TO THE SARATOGA YOUTH COMMISSION.** MOTION PASSED. AYES: BERNALD, CAPPELLO, MILLER, LO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE

SPECIAL PRESENTATIONS

Presentation from #PandaPower FIRST LEGO League Team

Recommended Action:

Receive presentation from #PandaPower FIRST LEGO League team members, Aarthi Venkatraman, Anika Mehrotra, Kaya Rammohan, and Gabrielle Chen.

The City Council received #PandaPower FIRST LEGO League team presentation.

1. CONSENT CALENDAR

1.1. City Council Meeting Minutes

Recommended Action:

Approve the City Council minutes for the Special City Council Meeting on April 17, 2018 and the Regular City Council Meeting on May 2, 2018.

CAPPELLO/LO MOVED **TO APPROVE THE CITY COUNCIL MINUTES FOR THE SPECIAL CITY COUNCIL MEETING ON APRIL 17, 2018 AND THE REGULAR CITY COUNCIL MEETING ON MAY 2, 2018.** MOTION PASSED.

AYES: BERNALD, CAPPELLO, MILLER, LO, KUMAR. 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: 05/01/2018 Period 11; and 05/08/2018 Period 11.

CAPPELLO/LO MOVED **TO ACCEPT CHECK REGISTERS FOR THE FOLLOWING ACCOUNTS PAYABLE PAYMENT CYCLES: 05/01/2018 PERIOD 11; AND 05/08/2018 PERIOD 11.** MOTION PASSED. AYES: BERNALD, CAPPELLO, MILLER, LO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE

1.3. Resolution Updating the City's Records Retention Schedule

Recommended Action:

Adopt the resolution updating the City's Records Retention Schedule.

Resolution No. 18-025

CAPPELLO/LO MOVED **TO ADOPT A RESOLUTION UPDATING THE CITY'S RECORDS RETENTION SCHEDULE.** MOTION PASSED. AYES: BERNALD, CAPPELLO, MILLER, LO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE

1.4. Extension of Contract for Street Sweeping Service

Recommended Action:

1. Move to extend street sweeping contract with Contract Sweeping Services for an additional one year term for FY 2018/19
2. Move to approve amended payments terms on the extended contract to include a 3.6% increase as well as an additional \$5,000 for unscheduled sweeping

CAPPELLO/LO MOVED **TO 1) EXTEND STREET SWEEPING CONTRACT WITH CONTRACT SWEEPING SERVICES FOR AN ADDITIONAL ONE YEAR TERM FOR FY 2018/19; AND 2) APPROVE AMENDED PAYMENTS TERMS ON THE EXTENDED CONTRACT TO INCLUDE A 3.6% INCREASE AS WELL AS AN ADDITIONAL \$5,000 FOR UNSCHEDULED SWEEPING.** MOTION PASSED. AYES: BERNALD, CAPPELLO, MILLER, LO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE

1.5. ZAG Technical Services Support Contract

Recommended Action:

Authorize the City Manager to amend the ZAG Technical Services contract for an additional three years for IT Support in an amount not to exceed \$30,000 per fiscal year.

CAPPELLO/LO MOVED **TO AUTHORIZE THE CITY MANAGER TO AMEND THE ZAG TECHNICAL SERVICES CONTRACT FOR AN ADDITIONAL THREE YEARS FOR IT SUPPORT IN AN AMOUNT NOT TO EXCEED \$30,000 PER FISCAL YEAR.** MOTION PASSED. AYES: BERNALD, CAPPELLO, MILLER, LO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE

1.6. Transportation Development Act (TDA) Article 3 Application for the Saratoga Avenue Walkway Project.

Recommended Action:

Adopt resolution supporting the Metropolitan Transportation Commission's Transportation Development Act Article 3 Pedestrian/Bicycle Grant Application for the Saratoga Avenue Walkway Project.

Resolution No. 18-026

CAPPELLO/LO MOVED **TO ADOPT A RESOLUTION SUPPORTING THE METROPOLITAN TRANSPORTATION COMMISSION'S TRANSPORTATION DEVELOPMENT ACT ARTICLE 3 PEDESTRIAN/BICYCLE GRANT APPLICATION FOR THE SARATOGA AVENUE WALKWAY PROJECT.** MOTION PASSED. AYES: BERNALD, CAPPELLO, MILLER, LO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE

1.7. 2017 General Plan Housing Element Annual Progress Report

Recommended Action:

Adopt a resolution accepting the 2017 General Plan Housing Element Annual Progress Report and direct staff to file the report with the Governor's Office of Planning and Research and the Department of Housing and Community Development.

Resolution No. 18-027

CAPPELLO/LO MOVED **TO ADOPT A RESOLUTION ACCEPTING THE 2017 GENERAL PLAN HOUSING ELEMENT ANNUAL PROGRESS REPORT AND DIRECT STAFF TO FILE THE REPORT WITH THE GOVERNOR'S OFFICE OF PLANNING AND RESEARCH AND THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT.** MOTION PASSED. AYES: BERNALD, CAPPELLO, MILLER, LO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE

2. PUBLIC HEARING

2.1. Amendments to Accessory Dwelling Units Ordinance

Recommended Action:

1. Conduct a public hearing.
2. Introduce and waive the first reading of the ordinance amending Chapter 15 (Zoning Regulations) of the Saratoga Municipal Code related to accessory dwelling units.
3. Direct staff to place the ordinance on the Consent Calendar for adoption at the next regular meeting of the City Council.

Debbie Pedro, Community Development Director, presented the staff report.

Mayor Bernald opened the public hearing.

No one requested to speak.

Mayor Bernald closed the public hearing.

MILLER/KUMAR MOVED **TO INTRODUCE AND WAIVE THE FIRST READING OF ORDINANCE AMENDING CHAPTER 15 (ZONING REGULATIONS) OF THE SARATOGA MUNICIPAL CODE RELATED TO ACCESSORY DWELLING UNITS; AND 2) DIRECT STAFF TO PLACE THE ORDINANCE ON THE CONSENT CALENDAR FOR ADOPTION AT THE JUNE 6, 2018 REGULAR MEETING OF THE CITY COUNCIL.** MOTION PASSED. AYES: BERNALD, CAPPELLO, MILLER, LO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE

2.2. Fiscal Year 2018/19 Proposed Operating & Capital Budget Public Hearing

Recommended Action:

Conduct a public hearing on the proposed FY 2018/19 Operating & Capital Budgets, and provide direction to staff for budget adoption on June 6, 2018.

Mary Furey, Finance Administrative Services Director, presented the staff report.

Tony McFarlane, Finance Manager presented the Capital Budget portion of the staff report. Mayor Bernald invited public comment on the item.

The following people requested to speak:

Jim Stallman

No one else requested to speak.

MILLER/CAPPELLO MOVED **TO DIRECT STAFF TO BEGIN THE RECRUITMENT PROCESS FOR THE BUILDING OFFICIAL POSITION IN THE PROPOSED FY 2018/19 BUDGET.** MOTION PASSED. AYES: BERNALD, CAPPELLO, MILLER, LO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE

3. GENERAL BUSINESS

3.1. Recreation Services Agreement with Los Gatos-Saratoga Recreation

Recommended Action:

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

Michael Taylor, Recreation and Facilities Director, presented the staff report.

Nancy Rollett, Executive Director of Los Gatos-Saratoga Recreation, provided some additional comments.

Mayor Bernald invited public comment on the item.

No one requested to speak.

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

3.2. Youth Commission Roles & Responsibilities Follow Up

Recommended Action:

Receive report and provide input.

Kayla Nakamoto, Recreation Coordinator, presented the staff report.

Mayor Bernald invited public comment on the item.

No one requested to speak.

CAPPELLO/MILLER MOVED **TO ACCEPT THE YOUTH COMMISSION ROLES & RESPONSIBILITIES REPORT** MOTION PASSED. AYES: BERNALD, CAPPELLO, MILLER, LO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE

3.3. Requirements for Registered Neighborhood Watch Groups

Recommended Action:

Consider and provide direction on the Public Safety Task Force's recommended requirements for registered Neighborhood Watch groups.

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

Mayor Bernald invited public comment on the item.

No one requested to speak.

Chuck Page, Vice Chair of the Public Safety Task Force provided some additional comments.

KUMAR/MILLER MOVED TO ACCEPT THE PUBLIC SAFETY TASK FORCE'S RECOMMENDATION TO REQUIRE NEIGHBORHOOD WATCH GROUPS TO HOLD 1 GATHERING PER YEAR TO STAY REGISTERED AND REQUIRE NEW GROUPS TO DEFINE BOUNDARIES THAT DO NOT OVERLAP WITH OTHER GROUPS, DEMONSTRATE ENGAGEMENT FROM A MAJORITY OF HOUSEHOLDS IN THE GROUP, DEFINE A COMMUNICATIONS PLAN, AND HOLD AN ORIENTATION WITH THE SHERIFF'S OFFICE THAT IS OPEN TO ALL RESIDENTS. STAFF WAS ALSO DIRECTED TO SEND A REMINDER TO NEIGHBORHOOD WATCH LEADS TO CONFIRM IF THEY HAVE HAD A GATHERING BEFORE THE DECEMBER 2018 DEADLINE TO HOLD A SOCIAL GATHERING AND SEND A POSTCARD TO RESIDENTS IN EACH OF THE NEIGHBORHOOD WATCH GROUPS WITH THE NEIGHBORHOOD WATCH NAME AND CONTACT FOR THE RESPECTIVE AREA. MOTION PASSED. AYES: BERNALD, CAPPELLO, MILLER, LO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

3.4. Storage and Reporting Lost/Stolen Firearms

Recommended Action:

Consider a request from Mayor Bernald to place an ordinance on a future agenda to amend the City Code to establish requirements for storage and reporting lost or stolen firearms.

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

Mayor Bernald invited public comment on the item

The following people requested to speak:

Eric Swanson

No one else requested to speak.

LO/CAPPELLO MOVED TO ACCEPT REQUEST FROM MAYOR BERNALD TO PLACE AN ORDINANCE ON A FUTURE AGENDA AMENDING THE CITY CODE TO ESTABLISH REQUIREMENTS FOR STORAGE AND REPORTING LOST OR STOLEN FIREARMS FOLLOWING A COMMUNITY MEETING AND STRIKING THE WORDS “TRIGGER LOCK” FROM THE SAMPLE ORDINANCE PROVIDED AND INSTEAD USE THE PHRASE “DISABLE WITH STATE APPROVED LOCKING MECHANISM.” MOTION PASSED. AYES: BERNALD, CAPPELLO, MILLER, LO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE

COUNCIL ASSIGNMENTS

Mayor Mary-Lynne Bernald

Saratoga Historical Foundation will meet on Thursday, May 17, 2018.

South Flow Arrivals Ad Hoc Committee will meet on Friday, May 18, 2018 and they will receive the final comments on the proposed By Laws and Memorandum of Understanding which will be presented to the Cities Association in June.

West Valley Clean Water Program Authority met on Thursday, May 10, 2018.

West Valley Solid Waste Management Joint Powers Authority met on Thursday, May 10, 2018 and there was discussion on real time recording during garbage pick-up to identify problems that occur.

Vice Mayor Manny Cappello

Cities Association of Santa Clara County Board of Directors met on Thursday, May 10, 2018 and the focus was a panel discussion on housing and transportation.

West Valley Sanitation District held a rate hearing last week and 20 appeal letters were submitted. The funding proposal was passed as well as the budget associated with it.

Council Member Howard Miller

Council Finance Committee met and discussed the budget which was approved by Council.

Silicon Valley Clean Energy Authority Board of Directors met several times and Council Member Miller shared a few highlights from those meetings.

Council Member Emily Lo

Hakone Foundation Board & Executive Committee met and discussed the Annual Hakone Gala coming up on September 16, 2018.

Santa Clara County Library Joint Powers Authority will meet next month, the library will send two postcards reminding residents that they may access free ecards online.

Council Member Rishi Kumar

Saratoga Chamber of Commerce & Destination Saratoga met and there was a discussion on the Big Basin Turnaround and a public hearing coming up at the Traffic Safety Commission meeting on June 7, 2018.

CITY COUNCIL ITEMS

None

COUNCIL COMMUNICATIONS

Council Member Kumar reported that the Community Development Department has launched a new program for mediation and dispute resolution offered to residents for free. The primary election is on June 5 and absentee ballots may be dropped off at the City Manager's Office in the ballot drop off box located in the lobby. On Friday, May 18, 2018 Saratoga High School will be hosting a spaghetti night, tickets are \$8 and it will take place between 4:30 p.m. and 6:30 p.m. Council Member Kumar added that he read a post on Next Door about speeding around schools and encouraged everyone to slow down.

CITY MANAGER'S REPORT

None

ADJOURNMENT

MILLER/CAPPELLO MOVED TO **ADJOURN THE MEETING AT 9:41 P.M.** MOTION PASSED. AYES: BERNALD, CAPPELLO, MILLER, LO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

Minutes respectfully submitted:

Nora Pimentel, MMC
City Clerk
City of Saratoga