

MINUTES
WEDNESDAY, JUNE 6, 2018
SARATOGA CITY COUNCIL REGULAR MEETING

At 4:30 p.m., the City Council held a Closed Session in the Linda Callon Conference Room at 13777 Fruitvale Avenue in Saratoga.

At 5:15 p.m. the City Council held a Study Session to consider reinstatement to the Youth Commission in the Joan Pisani Community Center, Recreation Conference Room. Following Council discussion and deliberation the Council unanimously agreed to reinstate Kami Cheatham to the Youth Commission.

At 5:30 p.m. the City Council held a Joint Meeting with Saratoga Neighborhoods & Neighborhood Watch in the Joan Pisani Community Center, Multipurpose Room.

Mayor Bernald called the regular session to order in the Civic Theater, Council Chambers at 13777 Fruitvale Avenue in Saratoga at 7:00 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: 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
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 31, 2018.

REPORT FROM CLOSED SESSION

Mayor Bernald reported that a Closed Session was held earlier and it was voted unanimously to authorize legal counsel to defend the City on the matter of Curri vs the City of Saratoga.

REPORT FROM JOINT MEETING

Mayor Bernald provided an overview of the Joint Meeting with the Saratoga Neighborhoods and Neighborhood Watch.

ORAL COMMUNICATIONS ON NON-AGENDIZED ITEMS

None

ANNOUNCEMENTS

Mayor Bernald announced the following: Saratoga Movie Nights; Blossom Festival on June 23, 2018; Saratoga Historical Foundation event, Honoring Sartogans on June 24, 2018; and, Living Room Conversations on June 26, 2018.

CEREMONIAL ITEMS

Commendation for Saratoga High School M-SET Fish 649 Robotics Team

Recommended Action:

Present the Commendation to the Saratoga High School M-SET Fish 649 Robotics Team.

Mayor Bernald and the City Council presented commendations to the Saratoga High School M-SET Fish 649 Robotics Team.

1. CONSENT CALENDAR

1.1. City Council Meeting Minutes

Recommended Action:

Approve the City Council Minutes for the Regular City Council Meeting on May 16, 2018.

MILLER/CAPPELLO MOVED TO **APPROVE THE CITY COUNCIL MINUTES FOR THE REGULAR CITY COUNCIL MEETING ON MAY 16, 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: 05/15/2018 Period 11; 05/22/2018 Period 11; and 05/29/2018 Period 11.

MILLER/CAPPELLO MOVED **TO ACCEPT CHECK REGISTERS FOR THE FOLLOWING ACCOUNTS PAYABLE PAYMENT CYCLES: 05/15/2018 PERIOD 11; AND 05/22/2018 PERIOD 11; AND 05/29/2018 PERIOD 11.** MOTION PASSED.

AYES: BERNALD, CAPPELLO, MILLER, LO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

1.3. Treasurer's Report for the Month Ended April 30, 2018

Recommended Action:

Review and accept the Treasurer's Report for the month ended April 30, 2018.

MILLER/CAPPELLO MOVED **TO REVIEW AND ACCEPT THE TREASURER'S REPORT FOR THE MONTH ENDED APRIL 30, 2018.** MOTION PASSED.

AYES: BERNALD, CAPPELLO, MILLER, LO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

1.4. Fiscal Year 2018/19 Operating & Capital Budget Adoption

Recommended Action:

Adopt resolution approving the Proposed FY 2018/19 Operating and Capital Budgets, directing staff to incorporate within the final adopted budget any modifications related to late-breaking changes, minor corrections, carryforward appropriations, refined estimates, grant approvals, claim reimbursements, pass-through appropriations, or additional direction from Council upon adoption of the budget.

RESOLUTION NO. 18-028

MILLER/CAPPELLO MOVED **TO ADOPT A RESOLUTION APPROVING THE PROPOSED FY 2018/19 OPERATING AND CAPITAL BUDGETS, DIRECTING STAFF TO INCORPORATE WITHIN THE FINAL ADOPTED BUDGET ANY MODIFICATIONS RELATED TO LATE-BREAKING CHANGES, MINOR CORRECTIONS, CARRYFORWARD APPROPRIATIONS, REFINED ESTIMATES, GRANT APPROVALS, CLAIM REIMBURSEMENTS, PASS-THROUGH APPROPRIATIONS, OR ADDITIONAL DIRECTION FROM COUNCIL UPON ADOPTION OF THE BUDGET.** MOTION PASSED. AYES: BERNALD, CAPPELLO, MILLER, LO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

Mayor Bernald commented on this item.

1.5. Fiscal Year 2018/19 Gann Appropriation Limit

Recommended Action:

Review report and adopt resolution approving the Gann Appropriation Limit for FY 2018/19

RESOLUTION NO. 18-029

MILLER/CAPPELLO MOVED **TO ADOPT RESOLUTION APPROVING THE GANN APPROPRIATION LIMIT FOR FY 2018/19.** MOTION PASSED. AYES: BERNALD, CAPPELLO, MILLER, LO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

1.6. Annual Approval of the City's Investment Policy - for Fiscal Year 2018/19

Recommended Action:

Review and approve the Investment Policy for Fiscal Year 2018/19.

MILLER/CAPPELLO MOVED **TO APPROVE THE INVESTMENT POLICY FOR FISCAL YEAR 2018/19.** MOTION PASSED. AYES: BERNALD, CAPPELLO, MILLER, LO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

Council Member Miller commented on this item.

1.7. Authorize Disposal of City Vehicles

Recommended Action:

Move to authorize the disposal of the following vehicles:

1. 2006 Chevy Colorado Extended cab # 108 (Parks Division)

2. 2006 Chevy Colorado Extended cab #109 (Community Development)
3. 2007 Chevy Silverado Extended cab #107 (Street Division)
4. 2007 Chevy Silverado Long Bed/Fuel Tank #116 (Parks Division)

MILLER/CAPPELLO MOVED **TO AUTHORIZE THE DISPOSAL OF THE FOLLOWING VEHICLES: 1. 2006 CHEVY COLORADO EXTENDED CAB # 108 (PARKS DIVISION); 2. 2006 CHEVY COLORADO EXTENDED CAB #109 (COMMUNITY DEVELOPMENT); 3. 2007 CHEVY SILVERADO EXTENDED CAB #107 (STREET DIVISION); 4. 2007 CHEVY SILVERADO LONG BED/FUEL TANK #116 (PARKS DIVISION).** MOTION PASSED. AYES: BERNALD, CAPPELLO, MILLER, LO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

1.8. Final Acceptance of Subdivision Dedication – Subdivision Application No. SUB11-0003 14651 Big Basin Way

Recommended Action:

Move to adopt a resolution accepting the dedication of a pedestrian trail easement and a public service easement within Subdivision SUB11-0003.

RESOLUTION NO. 18-030

MILLER/CAPPELLO MOVED **TO ADOPT A RESOLUTION ACCEPTING THE DEDICATION OF A PEDESTRIAN TRAIL EASEMENT AND A PUBLIC SERVICE EASEMENT WITHIN SUBDIVISION SUB11-0003.** MOTION PASSED. AYES: BERNALD, CAPPELLO, MILLER, LO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

1.9. Amendments to the Accessory Dwelling Units (ADU) Ordinance Pursuant to 2017 State Legislation

Recommended Action:

Waive the second reading and adopt the attached ordinance amending Chapter 15 (Zoning Regulations) of the Saratoga Municipal Code related to accessory dwelling units.

ORDINANCE NO. 355

MILLER/CAPPELLO MOVED **TO ADOPT AN ORDINANCE AMENDING CHAPTER 15 (ZONING REGULATIONS) OF THE SARATOGA MUNICIPAL CODE RELATED TO ACCESSORY DWELLING UNITS.** MOTION PASSED. AYES: BERNALD, CAPPELLO, MILLER, LO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

1.10. Building Inspection Services Contract with 4Leaf, Inc.

Recommended Action:

1. Authorize the City Manager to amend the contract with 4Leaf, Inc. for as-needed professional building inspection services to increase the amount from \$24,999.00 to \$50,000.00 for FY 2017-2018; and
2. Authorize the City Manager to execute a contract with 4Leaf, Inc. for as-needed professional building inspection services in the amount of \$40,000.00 for FY 2018 2019.

MILLER/CAPPELLO MOVED **TO 1. AUTHORIZE THE CITY MANAGER TO AMEND THE CONTRACT WITH 4LEAF, INC. FOR AS-NEEDED PROFESSIONAL BUILDING INSPECTION SERVICES TO INCREASE THE AMOUNT FROM \$24,999.00 TO \$50,000.00 FOR FY 2017-2018; AND 2. AUTHORIZE THE CITY MANAGER TO EXECUTE A CONTRACT WITH 4LEAF, INC. FOR AS-NEEDED PROFESSIONAL BUILDING INSPECTION SERVICES IN THE AMOUNT OF \$40,000.00 FOR FY 2018-2019.** MOTION PASSED. AYES: BERNALD, CAPPELLO, MILLER, LO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

2. PUBLIC HEARING

2.1. Landscaping & Lighting Assessment District LLA-1 - Public Hearing, Approval of Engineer's Report, and Confirmation of Assessments for FY 18-19

Recommended Action:

Move to adopt the Resolution Ordering the Improvements and Confirming the Diagram and Assessments for FY 18-19.

John Cherbone, Public Works Director, presented the staff report.

Mayor Bernald opened the public hearing.

There were no speakers who requested to speak.

Mayor Bernald closed the public hearing.

RESOLUTION NO. 18-031

LO/KUMAR MOVED **TO ADOPT A RESOLUTION ORDERING THE IMPROVEMENTS AND CONFIRMING THE DIAGRAM AND ASSESSMENTS FOR FY 18-19.** MOTION PASSED. AYES: BERNALD, CAPPELLO, MILLER, LO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

3. GENERAL BUSINESS

3.1. Community Event Grant Program Application

Recommended Action:

Review Community Event Grant Program application for Fiscal Year 2018/19 and provide direction.

Lauren Pettipiece, Administrative Analyst, presented the staff report.

Anouk Yeh, President of RMS Leo Club, answered questions and provided additional information.

Mayor Bernald invited public comment on the item.

No one requested to speak.

CAPPELLO/MILLER MOVED **TO ALLOCATE \$500 FROM THE CITY COUNCIL DISCRETIONARY FUND FOR THE CELEBRATING DIFFERENCES EVENT IN FISCAL YEAR 2018/19**. MOTION PASSED. AYES: BERNALD, CAPPELLO, MILLER, LO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

3.2. Light Pole Banner Use Agreement

Recommended Action:

Approve resolution authorizing the Public Works Director to execute light pole banner use agreements with other public agencies and rescinding the existing light pole banner policy.

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

Mayor Bernald invited public comment on the item.

No one requested to speak.

RESOLUTION NO. 18-032

CAPPELLO/MILLER MOVED TO **APPROVE RESOLUTION AUTHORIZING THE PUBLIC WORKS DIRECTOR TO EXECUTE LIGHT POLE BANNER USE AGREEMENTS WITH OTHER PUBLIC AGENCIES AND RESCINDING THE EXISTING LIGHT POLE BANNER POLICY**. MOTION PASSED. AYES: BERNALD, CAPPELLO, MILLER, LO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE

COUNCIL ASSIGNMENTS

Mayor Mary-Lynne Bernald

Hakone Foundation Board will hold the general membership meeting on June 13, 2018.

South Flow Arrivals Ad Hoc Committee has finished its 120 days and defined that there is a necessity to continue a roundtable in the South Bay. Final report will be delivered to Committee members.

West Valley Mayors and Managers met a few weeks ago and there was discussion about firearm safety and Regional Housing Needs Assessment sub region update. At the next meeting, there will be discussion on Age Friendly and Healthy Cities.

Vice Mayor Manny Cappello

Cities Association of Santa Clara County Board of Directors Executive Board will meet on June 7, 2018 and the regular Board of Directors meeting will on June 14, 2018.

Saratoga Area Senior Coordinating Council (SASCC) met and there was discussion about the remodel and the RYDE program, which continues to grow. Additionally, the County has approved to continue funding for RYDE for next year.

Council Member Howard Miller

Council Finance Committee met on June 6, 2018 and Council Member Miller reported that the audit is well under way with no issues, thus far. Other items of discussion were the budget, the Gann Limit, and investment policy which were approved at the meeting tonight.

Saratoga Ministerial Association met and discussed the firearms storage proposal and Safe Park Program.

Saratoga Sister City Organization met on June 5, 2018 and the Sister City visit to Japan is coming up.

Silicon Valley Clean Energy Authority Board of Directors met on May 9, 2018 and Council Member Miller highlighted that the City of Milpitas has officially joined the Board and has begun to receive power at the rate of 6% less than PG&E for electricity and 100 % greenhouse gas free. There are also a plethora of regulatory concerns in both State legislature and CPUC. *Valley Transportation Authority (VTA) Policy Advisory Committee* will meet on June 7, 2018 and Council Member Miller announced that he will not be attending.

Council Member Emily Lo

Hakone Foundation Board & Executive Committee will meet next week.

KSAR Community Access TV Board met last week and Council Member Lo reported that a new member has joined the Board.

Santa Clara County Library Joint Powers Authority will meet on June 7, 2018

Council Member Rishi Kumar

Association of Bay Area Governments General Assembly met on May 31, 2018 and there was discussion and vote on the budget and bylaws update, which were both approved.

CITY COUNCIL ITEMS

None

COUNCIL COMMUNICATIONS

Mayor Bernald acknowledged the Parks and Recreation staff for their hard work on the Luau Dance for Individuals with Disabilities, which was a success.

CITY MANAGER'S REPORT

Crystal Bothelio, Deputy City Manager reported that City Manager James Lindsay is at the ICMA Senior Executive Institute.

ADJOURNMENT

CAPPELLO/MILLER MOVED TO ADJOURN THE MEETING AT 8:06 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