

**MINUTES**  
**WEDNESDAY, JULY 3, 2019**  
**SARATOGA CITY COUNCIL REGULAR MEETING**

At 6:00 p.m., the City Council held a Closed Session in the Linda Callon Conference Room at 13777 Fruitvale Avenue in Saratoga.

Mayor Cappello called the Regular Session to order in the Civic Theater, Council Chambers at 13777 Fruitvale Avenue in Saratoga at 7:04 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  
Lauren Pettipiece, Public Information Officer  
Nicole Johnson, Planner II

**REPORT ON POSTING OF THE AGENDA**

City Clerk Debbie Bretschneider reported that the agenda for this meeting was properly posted on June 27, 2019.

**REPORT FROM CLOSED SESSION**

Mayor Cappello announced that there is no report from the Closed Session.

**ORAL COMMUNICATIONS ON NON-AGENDIZED ITEMS**

Rhoda Fry spoke about the Cupertino Lehigh Quarry.

**ANNOUNCEMENTS**

Mayor Cappello announced the Independence Day Celebration at Kevin Moran Park, the America the Beautiful Project in the Saratoga Village, that Los Gatos-Saratoga Recreation is the City's new recreation provider, and the Saratoga Classic & Cool Car Show.

## 1. CONSENT CALENDAR

### 1.1. City Council Meeting Minutes

#### **Recommended Action:**

Approve the City Council minutes for the Special City Council Meeting June 11, 2019 and the Regular City Council Meeting on June 19, 2019.

Council Member Bernald pulled Item 1.1 to request corrections to the minutes of June 19, 2019. The report from the Santa Clara/Santa Cruz Airport/Community Roundtable should state that Council Member Bernald sent a letter to the Mayor of Palo Alto thanking the Palo Alto City Council for dropping proposed litigation against the FAA and for supporting the Roundtable.

**BERNALD/ZHAO MOVED TO APPROVE THE CITY COUNCIL MINUTES FOR THE SPECIAL CITY COUNCIL MEETING JUNE 11, 2019 AND THE CORRECTED REGULAR CITY COUNCIL MEETING ON JUNE 19, 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: 06/18/2019 Period 12; and 06/25/2019 Period 12.

**KUMAR/BERNALD MOVED TO ACCEPT THE CHECK REGISTERS FOR THE FOLLOWING ACCOUNTS PAYABLE PAYMENT CYCLES: 06/18/2019 PERIOD 12; AND 06/25/2019 PERIOD 12.** MOTION PASSED. AYES: CAPPELLO, MILLER, KUMAR, BERNALD, ZHAO. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

### 1.3. Treasurer's Report for the Month Ended May 31, 2019

#### **Recommended Action:**

Review and accept the Treasurer's Report for the month ended May 31, 2019.

**KUMAR/BERNALD MOVED TO ACCEPT THE TREASURER'S REPORT FOR THE MONTH ENDED MAY 31, 2019.** MOTION PASSED. AYES: CAPPELLO, MILLER, KUMAR, BERNALD, ZHAO. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

### 1.4. Amendments to Temporary Off-Site Signs Regulations

#### **Recommended Action:**

Waive the second reading and adopt the attached ordinance amending Chapter 15 (Zoning Regulations) of the Saratoga Municipal Code related to temporary off-site signs in residential districts.

Vice Mayor Miller and Mayor Cappello commented on this item.

## **ORDINANCE 362**

KUMAR/BERNALD MOVED TO **ADOPT THE ORDINANCE AMENDING CHAPTER 15 (ZONING REGULATIONS) OF THE SARATOGA MUNICIPAL CODE RELATED TO TEMPORARY OFF-SITE SIGNS IN RESIDENTIAL DISTRICTS.** MOTION PASSED. AYES: CAPPELLO, MILLER, KUMAR, BERNALD, ZHAO. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE

1.5. Resolution Authorizing Final Disposition of Certain City Records

**Recommended Action:**

Adopt resolution authorizing final disposition of certain city records.

## **RESOLUTION 19-043**

KUMAR/BERNALD MOVED TO **ADOPT THE RESOLUTION AUTHORIZING FINAL DISPOSITION OF CERTAIN CITY RECORDS.** MOTION PASSED. AYES: CAPPELLO, MILLER, KUMAR, BERNALD, ZHAO. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

1.6. Blaney Plaza Wireless Service

**Recommended Action:**

Authorize staff to remove wireless service connection at Blaney Plaza.

KUMAR/BERNALD MOVED TO **AUTHORIZE STAFF TO REMOVE WIRELESS SERVICE CONNECTION AT BLANEY PLAZA.** MOTION PASSED. AYES: CAPPELLO, MILLER, KUMAR, BERNALD, ZHAO. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

## **2. PUBLIC HEARING**

2.1. Approval of Saratoga to Sanborn Trail Plan and Adoption of Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program

**Recommended Action:**

Approve the Resolution Adopting the Saratoga to Sanborn Trail Plan and the Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program for the Plan.

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

Mayor Cappello opened the public hearing and invited public comment on the item.

No one requested to speak.

Mayor Cappello closed the public hearing for this item.

## **RESOLUTION 19-044**

MILLER/BERNALD MOVED TO **APPROVE THE RESOLUTION ADOPTING THE SARATOGA TO SANBORN TRAIL PLAN AND THE MITIGATED NEGATIVE DECLARATION AND A MITIGATION MONITORING AND REPORTING PROGRAM FOR THE PLAN.** MOTION PASSED. AYES: CAPPELLO, MILLER, KUMAR, BERNALD, ZHAO. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

### 3. GENERAL BUSINESS

#### 3.1. Village Design Guidelines Update

**Recommended Action:**

Review and approve the updated illustrations, format, and proposed text amendments to the Village Design Guidelines.

Nicole Johnson, Planner II, presented the staff report.

No one requested to speak.

BERNALD/MILLER MOVED TO **CONTINUE THIS ITEM TO AUGUST 21, 2019 AND DIRECT STAFF TO MAKE CHANGES TO THE GUIDELINES TO INCLUDE INFORMATION ON SIGNAGE LIGHTING WITH AN ILLUSTRATION, CHANGE THE ILLUSTRATION ON PAGE 8 REPRESENTING THE ARTIST, TAKE OUT RENDERING OF PASEO DE ROBLES ON PAGE 16, AND IMPROVE LANGUAGE IN DOCUMENT.** MOTION PASSED. AYES: CAPPELLO, MILLER, KUMAR, BERNALD, ZHAO. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

Mayor Cappello stated that the Council consensus is that changes in the Guidelines do not need to be approved by the Planning Commission and Heritage Preservation Commission before it comes back to Council for approval.

#### 3.2. EIR Project Description for the Mountain Winery Annexation Project

**Recommended Action:**

Accept the project description of the Environmental Impact Report (EIR) for the Mountain Winery Annexation Project in Attachment A.

James Lindsay, City Manager, presented the staff report.

No one requested to speak.

ZHAO/BERNALD MOVED TO **ACCEPT THE PROJECT DESCRIPTION OF THE ENVIRONMENTAL IMPACT REPORT (EIR) FOR THE MOUNTAIN WINERY ANNEXATION PROJECT IN ATTACHMENT A; INCLUDING RELATED GENERAL PLAN AND ZONING ORDINANCE AMENDMENTS, ADOPTION OF A PRECISE PLAN AND DEVELOPMENT AGREEMENT, AND SUBSEQUENT ANNEXATION OF THE PARCELS INTO THE CITY.** MOTION PASSED. AYES:

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

3.3. Annual Code Update for 2019

**Recommended Action:**

Review the proposed cleanup amendments to the City Code and direct staff to prepare an ordinance implementing the amendments for consideration by the City Council.

Richard Taylor, City Attorney, presented the staff report.

No one requested to speak.

BERNALD/ZHAO MOVED TO **DIRECT STAFF TO PREPARE AN ORDINANCE IMPLEMENTING THE ANNUAL CODE AMENDMENTS FOR CONSIDERATION BY THE CITY COUNCIL.** MOTION PASSED. AYES: CAPPELLO, MILLER, KUMAR, BERNALD, ZHAO. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

3.4. Agreement with Granicus, Inc.

**Recommended Action:**

Move to authorize the City Manager to execute a three-year service agreement with Granicus, Inc. for streaming video services, Peak Agenda Management Software, and replacement of Granicus Encoding Appliance Hardware.

Debbie Bretschneider, City Clerk, presented the staff report.

No one requested to speak.

MILLER/BERNALD MOVED TO **AUTHORIZE THE CITY MANAGER TO EXECUTE A THREE-YEAR SERVICE AGREEMENT WITH GRANICUS, INC. FOR STREAMING VIDEO SERVICES, PEAK AGENDA MANAGEMENT SOFTWARE, AND REPLACEMENT OF GRANICUS ENCODING APPLIANCE HARDWARE.** MOTION PASSED. AYES: CAPPELLO, MILLER, KUMAR, BERNALD, ZHAO. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

Vice Mayor Miller asked for staff to research the strategy of how the City can keep the meeting videos that are currently on Granicus.

3.5. Report on Campaign Expenditure Limits

**Recommended Action:**

Receive report and direct staff accordingly.

Debbie Bretschneider, City Clerk, presented the staff report.

The following people requested to speak:

Tom Picraux, member of League of Women Voters, spoke.

No one else requested to speak.

**BERNALD MOVED TO PREPARE A FUTURE AGENDA ITEM ENABLING THE CITY COUNCIL TO ESTABLISH CAMPAIGN FINANCE LIMITS WITH VOLUNTARY CAMPAIGN EXPENDITURE LIMITS OF \$1 PER REGISTERED VOTER, DONATION LIMITS OF \$750-1000 PER SOURCE, PROPOSES THE CITY PAYING \$500 OF THE CAMPAIGN STATEMENTS, KEEP 400 WORD CAMPAIGN STATEMENT.**

**MILLER/CAPPELLO MOVED TO PREPARE A FUTURE AGENDA ITEM ENABLING THE CITY COUNCIL TO ESTABLISH CAMPAIGN FINANCE LIMITS WITH VOLUNTARY CAMPAIGN EXPENDITURE LIMITS OF \$1 PER REGISTERED VOTERS PLUS THE COST OF THE CAMPAIGN STATEMENT, DONATION LIMITS OF \$750 -1000 PER SOURCE, PROPOSES THE CITY PAYING 1/2 OF CAMPAIGN STATEMENTS, AND KEEPING 400 WORD CAMPAIGN STATEMENT.**

Vice Mayor Miller withdrew his motion. Mayor Cappello concurred with the withdrawal.

**BERNALD/MILLER MOVE TO PREPARE A FUTURE STAFF REPORT ON A SURVEY ON VOLUNTARY CAMPAIGN EXPENDITURE LIMITS, CONTRIBUTION LIMITS, CITY PAYMENT OF A PORTION OF CANDIDATE STATEMENT OF QUALIFICATION COSTS, AND THE LENGTH OF CANDIDATE STATEMENTS (400 WORDS VS 200 WORDS).** MOTION PASSED. AYES: CAPPELLO, MILLER, KUMAR, BERNALD, ZHAO. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

## **COUNCIL ASSIGNMENTS**

### Mayor Manny Cappello

*West Valley Mayors and Managers* – the meeting included a discussion on crime with each City's Police Chief and the County Sheriff Captain present.

### Vice Mayor Howard Miller

*Saratoga Sister City Organization* – the meeting included discussion of the 35<sup>th</sup> Anniversary delegation visit.

*Silicon Valley Clean Energy Authority Board of Directors* - the Authority is planning on keeping rates at 3% less than PG&E rates until the end of year.

*Valley Transportation Authority (VTA) Policy Advisory Committee* – the meeting covered VTA's issues with labor groups and there was discussion of the Grand Jury report on VTA.

*VTA State Route 85 Corridor Policy Advisory Board* – the option of a rail line on Route 85 has been discarded.

Council Member Rishi Kumar

*Santa Clara County Library Joint Powers Authority* – Council Member Kumar was not able to attend the meeting.

Council Member Mary-Lynne Bernald

*Hakone Foundation Board & Executive Committee* – Hakone added a member to the Board.

*Public Art Committee* – the committee is very excited about the new proposed projects.

*Santa Clara/Santa Cruz Airport/Community Roundtable* – the Roundtable met in Santa Cruz to listen to a report from the FAA, which assessed the ability to transition SERFR flight path to the D5R overlay. The FAA is moving forward with changing the flight plan and thinks it will take 18-24 months to implement.

*Saratoga Historical Foundation* – the Museum is moving forward on building the Blacksmith shop and inner-urban rail station structure.

Council Member Yan Zhao

*Hakone Foundation Board* – the Board approved the FY 2018/19 actual budget and the FY 2019/20 projected budget. The Board also asked Hakone’s Executive Director to work with the City’s Public Works Director on a scope of work for the Koi Pond.

*Public Art Committee* –the Committee discussed two potential art projects and will be bringing the proposals to the City Council.

**CITY COUNCIL ITEMS**

Mayor Cappello spoke about the PG&E Public Safety Power Shutoff program and nominated a FY 2020/21 capital project to add a generator to the Joan Pisani Community Center and Senior Center building to be able to better support the Senior community in an emergency.

Vice Mayor Miller supported the nomination and suggested that food and water for emergency situations be added to the project.

Vice Mayor Miller also asked that the City and the Cities Association write to the State’s Legislators to demanding they act to make sure the State has safe, reliable power.

Mayor Cappello supported the action.

**COUNCIL COMMUNICATIONS**

None

**CITY MANAGER'S REPORT**

None

## **ADJOURNMENT**

BERNALD/MILLER MOVED TO **ADJOURN THE MEETING AT 9:43 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