

**MINUTES**  
**WEDNESDAY, SEPTEMBER 4, 2019**  
**SARATOGA CITY COUNCIL REGULAR MEETING**

At 5:45 p.m., the City Council held interviews at 13777 Fruitvale Avenue in the Linda Callon Conference Room to fill 1 term on the Parks & Recreation Commission. The Council selected incumbent Renee Paquier to fill the term beginning on October 1, 2019 and ending September 30, 2023.

At 6:00 p.m., the City Council held a Joint Meeting with Montalvo Arts 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 7:02 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  
Debbie Bretschneider, City Clerk  
John Cherbone, Public Works Director  
Debbie Pedro, Community Development Director  
Lauren Pettipiece, Public Information Officer  
Dennis Jaw, Finance Manager  
Manini Cabute, Environmental Programs Administrator  
Monica LaBossiere, Human Resources Manager

**REPORT ON POSTING OF THE AGENDA**

City Clerk Debbie Bretschneider reported that the agenda for this meeting was properly posted on August 30, 2019.

**REPORT FROM JOINT MEETING**

Kelly Hudson, Managing Director of Montalvo Arts, gave a report on the Joint Meeting.

**ORAL COMMUNICATIONS ON NON-AGENDIZED ITEMS**

None

## ANNOUNCEMENTS

Mayor Cappello announced composting workshops, the West Valley Striders Walking Group, the Time Travel Dance for Individuals with Disabilities, the Valley of Heart's Delight Talk with Orchardist Charlie Olson, and Saratoga's State of the City.

## SPECIAL PRESENTATIONS

West Valley Collections and Recycling Presentation

**Recommended Action:**

Receive report and provide direction to staff.

Wesley McConkey of West Valley Collections and Recycling presented to the City Council.

### 1. CONSENT CALENDAR

1.1. City Council Meeting Minutes

**Recommended Action:**

Approve the City Council minutes for the Regular City Council Meeting on August 21, 2019.

BERNALD/MILLER MOVED TO **APPROVE THE CITY COUNCIL MINUTES FOR THE REGULAR CITY COUNCIL MEETING AUGUST 21, 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: 08/21/2019 Period 2; and 08/27/2019 Period 2.

BERNALD/MILLER MOVED TO **ACCEPT CHECK REGISTERS FOR THE FOLLOWING ACCOUNTS PAYABLE PAYMENT CYCLES: 08/21/2019 PERIOD 2; AND 08/27/2019 PERIOD 2.** MOTION PASSED. AYES: CAPPELLO, MILLER, KUMAR, BERNALD, ZHAO. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

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

**Recommended Action:**

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

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

1.4. Landmark Designation for 20331 Orchard Road – Application No. LNDMRK19-0001

**Recommended Action:**

Waive the second reading and adopt the attached ordinance designating the residence at 20331 Orchard Road as a historic landmark.

**ORDINANCE 363**

BERNALD/MILLER MOVED TO **ADOPT THE ORDINANCE DESIGNATING THE RESIDENCE AT 20331 ORCHARD ROAD AS A HISTORIC LANDMARK.**

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

1.5. Annual Code Update for 2019

**Recommended Action:**

Waive the second reading and adopt the ordinance updating various provisions of the City Code.

**ORDINANCE 364**

BERNALD/MILLER MOVED TO **ADOPT THE ORDINANCE UPDATING VARIOUS PROVISIONS OF THE CITY CODE.** MOTION PASSED. AYES:

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

1.6. Summary Vacation of Right-of-Way Easement for Scully Avenue

**Recommended Action:**

Move to adopt the resolution vacating a Right-of-Way Easement at 12499 Scully Avenue.

**RESOLUTION 19-051**

BERNALD/MILLER MOVED TO **ADOPT THE RESOLUTION VACATING A RIGHT-OF-WAY EASEMENT AT 12499 SCULLY AVENUE.** MOTION PASSED.

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

1.7. Library Commission Responsibilities and Duties

**Recommended Action:**

Approve the resolution amending the Saratoga Library Commission's responsibilities and duties.

**RESOLUTION 19-052**

BERNALD/MILLER MOVED TO **APPROVE THE RESOLUTION AMENDING THE SARATOGA LIBRARY COMMISSION'S RESPONSIBILITIES AND DUTIES.**

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

1.8. Classification Project and Review of City's Compensation Methodology

**Recommended Action:**

Authorize the City Manager to enter into an agreement with Koff & Associates in the amount not to exceed \$58,880 (\$49,067 contract plus 20% contingency if needed) for a citywide classification review project and a review of the City's compensation methodology.

BERNALD/MILLER MOVED TO **AUTHORIZE THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH KOFF & ASSOCIATES IN THE AMOUNT NOT TO EXCEED \$58,880 (\$49,067 CONTRACT PLUS 20% CONTINGENCY IF NEEDED) FOR A CITYWIDE CLASSIFICATION REVIEW PROJECT AND A REVIEW OF THE CITY'S COMPENSATION METHODOLOGY.** MOTION PASSED. AYES: CAPPELLO, MILLER, KUMAR, BERNALD, ZHAO. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

2. PUBLIC HEARING

None

3. GENERAL BUSINESS

3.1. Notice of Completion – 2018 Pavement Management Program Project

**Recommended Action:**

Move to accept the 2018 Pavement Management Program contract as complete and authorize staff to record the Notice of Completion.

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

No one requested to speak.

MILLER/KUMAR MOVED TO **ACCEPT THE 2018 PAVEMENT MANAGEMENT PROGRAM CONTRACT AS COMPLETE AND AUTHORIZE STAFF TO RECORD THE NOTICE OF COMPLETION.** MOTION PASSED. AYES: CAPPELLO, MILLER, KUMAR, BERNALD, ZHAO. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

Mayor Cappello invited students from Prospect High School on the stage to introduce themselves.

3.2. Response to 2018-19 Civil Grand Jury of Santa Clara County Report "Inquiry into Governance of the Valley Transportation Authority"

**Recommended Action:**

Authorize the Mayor to execute the letter responding to the 2018-19 Civil Grand Jury of Santa Clara County Report "Inquiry into Governance of the Valley Transportation Authority."

James Lindsay, City Manager, presented the staff report.

No one requested to speak.

MILLER/BERNALD MOVED TO **AUTHORIZE THE MAYOR TO EXECUTE THE LETTER RESPONDING TO THE 2018-19 CIVIL GRAND JURY OF SANTA CLARA COUNTY REPORT “INQUIRY INTO GOVERNANCE OF THE VALLEY TRANSPORTATION AUTHORITY.”** MOTION PASSED. AYES: CAPPELLO, MILLER, KUMAR, BERNALD, ZHAO. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

## COUNCIL ASSIGNMENTS

### Mayor Manny Cappello

*Saratoga Area Senior Coordinating Council (SASCC)* – SASCC received a report on the upcoming Crime Stopper event.

*West Valley Mayors and Managers* –Kathy Robinson, Director of Housing Development, of Charities Housing gave a report and there was discussion on the VTA Grand Jury report.

### Vice Mayor Howard Miller

*Saratoga Ministerial Association* – due to a schedule change, Vice Mayor Miller asked Council Member Zhao to attend future meetings.

*Saratoga Sister City Organization* – there was discussion of the Muko Sister City delegation visit in October 2019. Council Member Miller provided information about activities planned during the delegation visit.

*Silicon Valley Clean Energy Authority Board of Directors* – the Board discussed the CEO’s review, the Authority’s credit rating, and Municipal Bonds.

*Valley Transportation Authority (VTA) Policy Advisory Committee* – VTA announced that BART’s four-station extension into San Jose is expected to receive \$125 million in federal funds.

### Council Member Rishi

No report

### Council Member Mary-Lynne Bernald

*Hakone Foundation Board & Executive Committee* – Council Member Bernald attended an event at Hakone to open a new art display.

*Santa Clara/Santa Cruz Airport/Community Roundtable* – the Roundtable considered a change to its fiscal year.

### Council Member Yan Zhao

*Saratoga Chamber of Commerce & Destination Saratoga* – the Chamber held a well-attended retreat to review past activities, to brainstorm next year’s events, and review membership.

## **CITY COUNCIL ITEMS**

None

## **COUNCIL COMMUNICATIONS**

Council Member Kumar shared information about San Jose Water Company and a possible rate increase. He also mentioned the potential El Paseo development in San Jose.

## **CITY MANAGER'S REPORT**

None

## **ADJOURNMENT**

ZHAO/BERNALD MOVED TO **ADJOURN THE MEETING AT 8:52 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