

MINUTES
WEDNESDAY, SEPTEMBER 19, 2018
SARATOGA CITY COUNCIL REGULAR MEETING

At 6:00 p.m., the City Council held a Joint Meeting with the Youth Commission 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. in memory of Richard Angus and former Mayor Dr. Francis Stutzman then 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
Debbie Bretschneider, Interim City Clerk
Debbie Pedro, Community Development Director
Mary Furey, Finance & Administrative Services Director
John Cherbone, Public Works Director
Michael Taylor, Recreations & Facilities Director
Sandy Bailey, Temporary Project Manager
Kayla Nakamoto, Recreation Coordinator

REPORT ON POSTING OF THE AGENDA

Interim City Clerk Debbie Bretschneider reported that the agenda for this meeting was properly posted on September 14, 2018.

REPORT FROM JOINT MEETING

Youth Commission Chair Chris Smails and Treasurer Naisha Agarwal reported on the Joint Meeting, which included presentation of the Youth Commission 2018/2019 Work Plan.

ORAL COMMUNICATIONS ON NON-AGENDIZED ITEMS

Urmila Vadali & Sharan Bal spoke about the Mosaic event at Saratoga High School on October 5, 2018 from 7:30-9:30 p.m.

Jeff Schwartz shared his memories with former Mayor Dr. Stutzman.

ANNOUNCEMENTS

Mayor Bernald announced that Living Room Conversations is on September 25, Commissions recruitments, the Traffic Safety Commission special meeting about the 4-way stop on Big Basin Way on September 25 at 6:30 p.m. at the Saratoga Prospect Center, and the display of “Saratoga Authors Hall of Fame” at the Saratoga Library during September.

CEREMONIAL ITEMS

Commendation for Outgoing City Commissioners

Recommended Action:

Read and present commendations to Anandi Krishnamurthy and Pallavi Sharma recognizing their service to the City of Saratoga.

Mayor Bernald and the City Council presented commendations to outgoing Parks & Recreation Commissioner Pallavi Sharma.

Appointment of Library Commissioner & Oath of Office

Recommended Action:

Approve the attached resolution appointing 1 member to the Library Commission; and direct the City Clerk to administer the Oath of Office.

RESOLUTION 18-048

CAPPELLO/MILLER MOVED TO ADOPT **A RESOLUTION APPOINTING 1 MEMBER TO THE LIBRARY COMMISSION AND DIRECT THE CITY CLERK TO ADMINISTER THE OATH OF OFFICE.** MOTION PASSED. AYES: BERNALD, CAPPELLO, MILLER, LO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

Proclamation Declaring September 2018 as National Preparedness Month

Recommended Action:

Present the proclamation declaring September 2018 as National Preparedness Month to representatives of the Saratoga Community Emergency Response Team (CERT).

Mayor Bernald and the City Council presented the proclamation to representatives of Saratoga CERT.

1. CONSENT CALENDAR

1.1. City Council Meeting Minutes

Recommended Action:

Approve the City Council minutes for the Regular City Council Meeting on September 5, 2018.

MILLER/CAPPELLO MOVED TO **APPROVE THE CITY COUNCIL MINUTES FOR THE REGULAR CITY COUNCIL MEETING ON SEPTEMBER 5, 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: 09/04/2018 Period 3; and 09/12/2018 Period 3.

MILLER/CAPPELLO MOVED TO **ACCEPT THE ACCOUNTS PAYABLE CHECK REGISTERS FOR THE FOLLOWING ACCOUNTS PAYABLE PAYMENT CYCLES: 09/04/2018 PERIOD 3; 09/12/2018 PERIOD 3** MOTION PASSED. AYES: BERNALD, CAPPELLO, MILLER, LO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

1.3. Treasurer's Report for the Month Ended July 31, 2018

Recommended Action:

Review and accept the Treasurer's Report for the month ended July 31, 2018.

MILLER/CAPPELLO MOVED TO **ACCEPT THE TREASURER'S REPORT FOR THE MONTH ENDED JULY 31, 2018.** MOTION PASSED. AYES: BERNALD, CAPPELLO, MILLER, LO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

1.4. Adoption of Local CEQA Guidelines and State CEQA Guidelines by Reference

Recommended Action:

Approve the update to Saratoga's Local CEQA Guidelines by adopting the Resolution in Attachment A.

RESOLUTION 18-049

MILLER/CAPPELLO MOVED TO **APPROVE THE UPDATE TO SARATOGA'S LOCAL CEQA GUIDELINES AND STATE CEQA GUIDELINES BY REFERENCE.** MOTION PASSED. AYES: BERNALD, CAPPELLO, MILLER, LO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

2. PUBLIC HEARING

2.1. Ordinance Amending Heritage Preservation Commission Membership Requirements

Recommended Action:

1. Conduct a public hearing.
2. Introduce and waive the first reading of the ordinance amending Chapter 13 (Heritage Preservation) of the Saratoga Municipal Code related to the Heritage Preservation Commission.
3. Direct staff to place the ordinance on the Consent Calendar for adoption at the next regular meeting of the City Council.

Sandy Bailey, Temporary Project Manager, presented the staff report.

Mayor Bernald opened the public hearing.

Mayor Bernald invited public comment on the item.

No one requested to speak.

CAPPELLO/MILLER MOVED TO **WAIVE THE FIRST READING OF THE ORDINANCE AMENDING CHAPTER 13 (HERITAGE PRESERVATION) OF THE SARATOGA MUNICIPAL CODE RELATED TO THE HERITAGE PRESERVATION COMMISSION, WITH AN ADDITIONAL CONDITION OF APPROVAL: (1) DELETE SUBSECTION (C) FROM THE ORDINANCE IN ITS ENTIRETY AND DIRECT STAFF TO PLACE THE ORDINANCE ON THE CONSENT CALENDAR FOR ADOPTION AT THE NEXT REGULAR MEETING OF THE CITY COUNCIL.** MOTION PASSED. AYES: BERNALD, CAPPELLO, MILLER, LO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

3. GENERAL BUSINESS

3.1. Review of Dangerous Dog Regulations

Recommended Action:

Review the dangerous dog regulations in Article 7-20 (Animals) of the Saratoga Municipal Code and direct staff to amend the ordinance as necessary.

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

Mayor Bernald invited public comment on this item.

The following people requested to speak:

Donna Poppenhagen

No one else requested to speak.

MILLER/LO MOVED TO **DIRECT STAFF TO BRING BACK TO COUNCIL AN ORDINANCE AMENDING ARTICLE 7-20 (ANIMALS) AS RECOMMENDED BY STAFF.** MOTION PASSED. AYES: BERNALD, CAPPELLO, MILLER, LO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

3.2. Saratoga-to-the-Sea Trail Design Contract

Recommended Action:

1. Approve Design Contract with Timothy C. Best, CEG for the Saratoga-to-the-Sea Trail project, in the amount of \$285,810, and authorize the City Manager to execute the same.
2. Authorize staff to execute change orders to the contract up to \$28,500.

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

Mayor Bernald invited public comment on this item.

The following people requested to speak:

Preva Kumar

No one else requested to speak.

LO/MILLER MOVED TO **APPROVE DESIGN CONTRACT WITH TIMOTHY C. BEST, CEG FOR THE SARATOGA-TO-THE-SEA TRAIL PROJECT, IN THE AMOUNT OF \$285,810, AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE SAME AND TO AUTHORIZE STAFF TO EXECUTE CHANGE ORDERS TO THE CONTRACT UP TO \$28,500.** MOTION PASSED. AYES: BERNALD, CAPPELLO, MILLER, LO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

3.3. Preview of Annual Code Update for 2018

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. Debbie Pedro, Community Development Director, answered questions from Council.

Mayor Bernald invited public comment on this item.

No one requested to speak.

MILLER/CAPPELLO MOVED TO **DIRECT STAFF TO PREPARE THE ANNUAL CODE AMENDMENTS ORDINANCE AS STATED IN THE STAFF REPORT AND TO CLARIFY THE DEFINITION OF SUBTERRANEAN STRUCTURES BY ADDING APPROPRIATE REFERENCES TO THE REGULATIONS APPLICABLE TO BASEMENTS AND ADD A REQUIREMENT THAT SUBTERRANEAN STRUCTURES NOT BE VISIBLE FROM THE PUBLIC RIGHT OF WAY.** MOTION PASSED. AYES: BERNALD, CAPPELLO, MILLER, LO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

Mayor Bernard invited the High School audience members to come on stage.

3.4. Neighborhood Watch Program and Grant

Recommended Action:

Receive report and provide direction to staff regarding the Neighborhood Watch Program and Grant, if desired.

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

Mayor Bernald invited public comment on this item.

The following people requested to speak:

Lakhinder Walia

Chuck Page

Anjali Kausar

No one else requested to speak.

CAPPELLO/MILLER MOVED TO DIRECT STAFF TO: (1) CREATE A PRIVACY POLICY FOR HOW NEIGHBORHOOD WATCH GROUPS HANDLE CONTACT INFORMATION AND OTHER SENSITIVE DATA THAT THEY HAVE COLLECTED; (2) REQUIRE CITY AUTHORIZATION FOR USE OF SHERIFF'S OFFICE RESOURCES AT NEIGHBORHOOD WATCH EVENTS AND ACTIVITIES; (3) REQUIRE NEIGHBORHOOD WATCH LEADS TO PROVIDE AT LEAST ONE METHOD THAT CAN BE USED BY THE PUBLIC TO CONTACT LEADS AND IS ACCESSIBLE THROUGH THE CITY WEBSITE AND MADE AVAILABLE ON NEIGHBORHOOD WATCH POSTCARDS PREVIOUSLY DIRECTED TO BE SENT TO RESIDENTS IN REGISTERED GROUPS; (4) WORK WITH NEIGHBORHOOD WATCH GROUPS TO ELIMINATE OVERLAPPING NEIGHBORHOOD WATCH BOUNDARIES; (5) SCHEDULE FINANCE COMMITTEE CONSIDERATION OF THE NEIGHBORHOOD WATCH GRANT PROGRAM FOR FISCAL YEAR 2019/20 AND INCLUDE AS AN AGENDA ITEM AT THE 2019 COUNCIL RETREAT; (6) INCREASE NEIGHBORHOOD WATCH RESOURCES AND INFORMATION AVAILABLE ON THE CITY WEBSITE; AND, (7)CREATE STANDARDS FOR OUTREACH MATERIALS USED BY NEIGHBORHOOD WATCH GROUPS TO CLEARLY INDICATE WHETHER THE OUTREACH MATERIALS ARE ASSOCIATED WITH NEIGHBORHOOD WATCH. MOTION PASSED. AYES: BERNALD, CAPPELLO, MILLER, LO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

3.5. Resolution in Opposition to Proposition 6

Recommended Action:

Consider adoption of resolution in opposition to Proposition 6.

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

Mayor Bernald invited public comment on this item.

No one requested to speak.

RESOLUTION 18-050

MILLER/LO MOVED TO **ADOPT THE RESOLUTION IN OPPOSITION TO PROPOSITION 6.** MOTION PASSED. AYES: BERNALD, CAPPELLO, MILLER, LO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

COUNCIL ASSIGNMENTS

Mayor Mary-Lynne Bernald

Saratoga Historical Foundation – meets on September 6, 2018.

West Valley Clean Water Program Authority – meeting next month to select an Executive Director.

West Valley Mayors and Managers – meeting is next week and the Chair will be accepting applications of elected officials for the position on Valley Transportation Association (VTA).

Vice Mayor Manny Cappello

Cities Association of Santa Clara County Board of Directors – Senator Wieckowski attended and gave report on legislation, which included information on accessory dwelling units and

affordable housing. Information on Census 2020, city transitions to district elections, and the nominating committee for Executive Board positions were started.

West Valley Sanitation District – no report, as discussion was in closed session.

Council Member Howard Miller

Silicon Valley Clean Energy Authority Board of Directors – the Board passed a mid-year budget adjustment, held a review of the CEO, discussed challenges to Community Choice Aggregation from the State, and made adjustments to employee benefits.

Valley Transportation Authority (VTA) Policy Advisory Committee – Caltrain is suspending service on weekends from October 6, 2018 to March 2019 and will be working on tunnels. The Committee also received a report on changes to Express Lanes with information on the new ordinance to be adopted that will change Carpool hours to Expressway hours, which will be carpool only all day. This will eventually affect Route 85, but they are starting with Highway 237.

Council Member Emily Lo

Hakone Foundation Board & Executive Committee – last weekend Hakone held a successful Gala with about 140 people attending.

Santa Clara County Library Joint Powers Authority – new outreach vehicle, GoGoBiblio, which is smaller than regular book mobile, is completely electric, and will attending events.

Council Member Rishi Kumar

Saratoga Chamber of Commerce & Destination Saratoga – was not able to the meeting last week, but Community Development Director Debbie Pedro was able to attend.

CITY COUNCIL ITEMS

None

COUNCIL COMMUNICATIONS

Council Member Lo announced that her position as President of League of CA Cities Peninsula Division has ended and she will serve as Immediate Past President. Larry Moody, East Palo Alto Mayor, is the new President.

Mayor Bernald announced that the Executive Director of the Cities Association has been attempting to bring most of the cities into the South Bay Roundtable. Campbell and Los Gatos are not joining.

CITY MANAGER'S REPORT

None

ADJOURNMENT

MILLER/CAPPELLO MOVED TO ADJOURN THE MEETING AT 10:43 P.M. MOTION PASSED. AYES: BERNALD, CAPPELLO, MILLER, LO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

Minutes respectfully submitted:

Debbie Bretschneider
Interim City Clerk
City of Saratoga