

MINUTES
WEDNESDAY, OCTOBER 2, 2019
SARATOGA CITY COUNCIL REGULAR MEETING

At 5:00 p.m., the City Council held a Joint Meeting with the West Valley-Mission Community College District Board of Trustees at the West Valley Community College, Kirkorian Pavilion, at 14000 Fruitvale Avenue in Saratoga.

At 6:00 p.m., the City Council held a Joint Meeting with the Saratoga Schools at the West Valley Community College, Campus Center, at 14000 Fruitvale Avenue in Saratoga.

Mayor Cappello called the Regular Session to order in the West Valley Community College, Baltic Room, at 14000 Fruitvale Avenue in Saratoga at 7:19 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, Assistant City Manager
Debbie Bretschneider, City Clerk
John Cherbone, Public Works Director
Debbie Pedro, Community Development Director
Dennis Jaw, Finance Manager
Lauren Pettipiece, Public Information Officer
Kayla Nakamoto, Community Engagement Coordinator

REPORT ON POSTING OF THE AGENDA

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

REPORT FROM JOINT MEETING

Mayor Cappello reported on the Joint Meeting with the West Valley-Mission Community College District Board of Trustees and the second Joint Meeting with the Saratoga Schools.

ORAL COMMUNICATIONS ON NON-AGENDIZED ITEMS

None

ANNOUNCEMENTS

Mayor Cappello announced the State of the City, West Valley Striders, and the Village Witchy Walk-A-Bout.

SPECIAL PRESENTATIONS

West Valley College Students

Recommended Action:

Receive remarks from West Valley College students.

Mayor Cappello invited students to speak.

A number of students spoke with the City Council on a variety of matters, including sustainability, renewable energy, and vaping.

Mayor Cappello closed the public comment period.

1. CONSENT CALENDAR

1.1. City Council Meeting Minutes

Recommended Action:

Approve the City Council minutes for the Regular City Council Meeting on September 18, 2019.

MILLER/BERNALD MOVED TO **APPROVE THE CITY COUNCIL MINUTES FOR THE REGULAR CITY COUNCIL MEETING SEPTEMBER 18, 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: 09/13/2019 Period 3 and 09/24/2019 Period 3.

MILLER/BERNALD MOVED TO **ACCEPT CHECK REGISTERS FOR THE FOLLOWING ACCOUNTS PAYABLE PAYMENT CYCLES: 09/13/2019 PERIOD 3 AND 09/24/2019 PERIOD 3.** MOTION PASSED. AYES: CAPPELLO, MILLER, KUMAR, BERNALD, ZHAO. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

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

Recommended Action:

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

MILLER/BERNALD MOVED **TO ACCEPT THE TREASURER'S REPORT FOR THE MONTH ENDED AUGUST 31, 2019.** MOTION PASSED. AYES: CAPPELLO,

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

1.4. Budget Adjustment - Landscaping and Lighting District (Zone 22)

Recommended Action:

Adopt a Budget Adjustment Resolution appropriating \$60,000 from Zone 22 fund balance into the Fiscal Year 2019/20 operating budget.

RESOLUTION 19-054

MILLER/BERNALD MOVED TO **ADOPT A BUDGET ADJUSTMENT RESOLUTION APPROPRIATING \$60,000 FROM ZONE 22 FUND BALANCE INTO THE FISCAL YEAR 2019/20 OPERATING BUDGET.** MOTION PASSED.

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

1.5. Award of Contract for Street Sweeping Services

Recommended Action:

1. Approve a Budget Resolution to authorize additional funding in the Fiscal Year 2019/2020 Street Sweeping Budget to avail sufficient funds for the Street Sweeping Contract.
2. Move to award a three-year street sweeping contract to Contract Sweeping Services in the amount of \$229,050 and authorize the City Manager to execute the same.
3. Authorize \$5,800 per year for unscheduled sweeping.

RESOLUTION 19-055

MILLER/BERNALD MOVED TO **APPROVE A BUDGET RESOLUTION TO AUTHORIZE ADDITIONAL FUNDING IN THE FISCAL YEAR 2019/2020 STREET SWEEPING BUDGET TO AVAIL SUFFICIENT FUNDS FOR THE STREET SWEEPING CONTRACT, TO AWARD A THREE-YEAR STREET SWEEPING CONTRACT TO CONTRACT SWEEPING SERVICES IN THE AMOUNT OF \$229,050 AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE SAME, AND TO AUTHORIZE \$5,800 PER YEAR FOR UNSCHEDULED SWEEPING.** MOTION PASSED. AYES: CAPPELLO, MILLER, KUMAR, BERNALD, ZHAO. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

1.6. Tree Maintenance Service Contract – Ian Geddes Tree Care, Inc.

Recommended Action:

Approve a Tree Maintenance Service Contract with Ian Geddes Tree Care, Inc. for tree maintenance services in the amount not to exceed \$110,500 and authorize the City Manager to execute the same.

MILLER/BERNALD MOVED TO **APPROVE A TREE MAINTENANCE SERVICE CONTRACT WITH IAN GEDDES TREE CARE, INC. FOR TREE MAINTENANCE SERVICES IN THE AMOUNT NOT TO EXCEED \$110,500 AND**

AUTHORIZE THE CITY MANAGER TO EXECUTE THE SAME. MOTION PASSED. AYES: CAPPELLO, MILLER, KUMAR, BERNALD, ZHAO. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

1.7. Tree Maintenance Service Contract – Oscars Expert Tree Service, Inc.

Recommended Action:

Approve a Tree Maintenance Service Contract with Oscars Expert Tree Service, Inc. for tree maintenance services in the amount not to exceed \$150,500 and authorize the City Manager to execute the same.

Vice Mayor Miller removed this item from the Consent Calendar to ask questions and discuss the contract.

Mayor Cappello invited public comment on the item.

No one requested to speak.

MILLER/BERNALD MOVED TO **APPROVE A TREE MAINTENANCE SERVICE CONTRACT WITH OSCARS EXPERT TREE SERVICE, INC. FOR TREE MAINTENANCE SERVICES IN THE AMOUNT NOT TO EXCEED \$150,500 AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE SAME.** MOTION PASSED. AYES: CAPPELLO, MILLER, KUMAR, BERNALD, ZHAO. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

1.8. Tree Maintenance Service Contract – Trees 360 Degrees, Inc.

Recommended Action:

Approve a Tree Maintenance Service Contract with Trees 360 Degrees, Inc. for tree maintenance services in the amount not to exceed \$100,500 and authorize the City Manager to execute the same.

MILLER/BERNALD MOVED TO **APPROVE A TREE MAINTENANCE SERVICE CONTRACT WITH TREES 360 DEGREES, INC. FOR TREE MAINTENANCE SERVICES IN THE AMOUNT NOT TO EXCEED \$100,500 AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE SAME.** MOTION PASSED. AYES: CAPPELLO, MILLER, KUMAR, BERNALD, ZHAO. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

1.9. Final map approval for two lots located at 15320 Peach Hill Road (517-22-112)

Owner: Teresa Raquel Carey, Trustee of the Carey Family Living Trust

Recommended Action:

Move to adopt Resolution granting final map approval of tentative map application No. SUB 18-0002 for two lots located at 15320 Peach Hill Road (APN 517-22-112).

RESOLUTION 19-056

MILLER/BERNALD MOVED TO **ADOPT RESOLUTION GRANTING FINAL MAP APPROVAL OF TENTATIVE MAP APPLICATION NO. SUB 18-0002 FOR TWO LOTS LOCATED AT 15320 PEACH HILL ROAD (APN 517-22-112).** MOTION PASSED. AYES: CAPPELLO, MILLER, KUMAR, BERNALD, ZHAO. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

1.10. Wireless Telecommunications Facilities Ordinance Update

Recommended Action:

Waive the second reading and adopt the attached ordinance updating Article 15-44 of the City Code related to Wireless Telecommunications Facilities.

This item was removed from the Consent Calendar for public comment.

Mayor Cappello invited public comment on the item.

The following people requested to speak:

Cheriel Jensen spoke in opposition to the ordinance

No one else requested to speak.

ORDINANCE 365

MILLER/BERNALD MOVED TO **WAIVE THE SECOND READING AND ADOPT THE ORDINANCE UPDATING ARTICLE 15-44 OF THE CITY CODE RELATED TO WIRELESS TELECOMMUNICATIONS FACILITIES.** MOTION PASSED. AYES: CAPPELLO, MILLER, BERNALD. NOES: KUMAR, ZHAO. ABSTAIN: NONE. ABSENT: NONE.

2. PUBLIC HEARING

None

3. GENERAL BUSINESS

None

COUNCIL ASSIGNMENTS

Mayor Manny Cappello

Saratoga Area Senior Coordinating Council (SASCC) – the Board discussed the Health Fair.
West Valley Mayors and Managers – the meeting had a speaker on Silicon Valley economic development who shared how cities can help their businesses thrive.

Vice Mayor Howard Miller

KSAR Community Access TV Board – the Board approved the Fiscal Year 2019/20 budget.

Saratoga Ministerial Association – Council Member Zhao attended the meeting on Vice Mayor Miller’s behalf.

Saratoga Sister City Organization – the meeting included discussion of the 35th Anniversary delegation visit.

Valley Transportation Authority (VTA) Policy Advisory Committee – the Committee received a report on the BART Phase I and Phase II.

VTA State Route 85 Corridor Policy Advisory Board – the Board received a report from VTA staff on State Route 85 noise mitigation.

Council Member Rishi

No report

Council Member Mary-Lynne Bernald

Public Art Committee – the Committee discussed ways to have more future participation with the public.

Council Member Yan Zhao

Public Art Committee – the Committee discussed the bronze acorn sculpture program and Rainy Day Poetry program.

Saratoga Ministerial Association – Council Member Zhao attended on behalf of Vice Mayor Miller and the Association discussed the upcoming Interfaith Thanksgiving Service.

CITY COUNCIL ITEMS

Vice Mayor Miller, with support from Council Member Bernald, requested more information about the El Paseo de Saratoga shopping center development in San Jose in a Council newsletter article.

COUNCIL COMMUNICATIONS

Council Member Kumar spoke about car break-ins happening in the area.

CITY MANAGER'S REPORT

City Manager James Lindsay thanked staff for coordination of the meetings at West Valley Community College.

ADJOURNMENT

MILLER/BERNALD MOVED TO **ADJOURN THE MEETING AT 9:03 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