

**MINUTES**  
**WEDNESDAY, NOVEMBER 6, 2019**  
**SARATOGA CITY COUNCIL REGULAR MEETING**

At 6:00 p.m., the City Council held a Joint Meeting with the KSAR Community Access TV Board 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 Boy Scout Troop 581 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  
Mary Fury, Administrative Services Director  
Kayla Nakamoto, Community Engagement Coordinator  
Nicole Johnson, Planner II  
Lauren Pettipiece, Public Information Officer

**REPORT ON POSTING OF THE AGENDA**

City Clerk Debbie Bretschneider reported that the agenda for this meeting was properly posted on October 31, 2019.

**REPORT FROM JOINT MEETING**

Tom Moran, President of KSAR Community Access TV Board, spoke about the Joint Meeting.

**ORAL COMMUNICATIONS ON NON-AGENDIZED ITEMS**

Paul Jacobs spoke about the PG&E power outage.

Papia Gambelin, President of Platinum Advisors, consultants to Valley Transportation Authority (VTA), spoke on the VTA Governance Assessment and opportunities for public input.

## ANNOUNCEMENTS

Mayor Cappello announced the Saratoga-to-the Sea Trail Groundbreaking, Friendship Park Ribbon Cutting, Kahoot with Saratoga Youth Commission, Silicon Valley Turkey Trot, Saratoga Ministerial Association Thanksgiving Day Interfaith Service, and the yearly Saratoga Tree Lighting.

## SPECIAL PRESENTATIONS

Presentation by Team Sky Reachers

**Recommended Action:**

Receive presentation by Team Sky Reachers.

Mayor Cappello and the Council received the presentation by Team Sky Reachers.

### 1. CONSENT CALENDAR

1.1. City Council Meeting Minutes

**Recommended Action:**

Approve the City Council minutes for the Regular City Council Meeting on October 16, 2019.

BERNALD/MILLER MOVED TO **APPROVE THE CITY COUNCIL MINUTES FOR THE REGULAR CITY COUNCIL MEETING OCTOBER 16, 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: 10/16/2019 Period 4; 10/22/2019 Period 4; 10/29/2019 Period 4.

BERNALD/MILLER MOVED TO **ACCEPT CHECK REGISTERS FOR THE FOLLOWING ACCOUNTS PAYABLE PAYMENT CYCLES: 10/16/2019 PERIOD 4; 10/22/2019 PERIOD 4; 10/29/2019 PERIOD 4.** MOTION PASSED. AYES: CAPPELLO, MILLER, KUMAR, BERNALD, ZHAO. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

1.3. Treasurer's Report for the Month Ended September 30, 2019

**Recommended Action:**

Review and accept the Treasurer's Report for the month ended September 30, 2019.

BERNALD/MILLER MOVED TO **ACCEPT THE TREASURER'S REPORT FOR THE MONTH ENDED SEPTEMBER 30, 2019.** MOTION PASSED. AYES: CAPPELLO, MILLER, KUMAR, BERNALD, ZHAO. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

1.4. Saratoga to Sanborn Trail – Biological Resources Monitoring Contract with H.T. Harvey & Associates

**Recommended Action:**

1. Approve Biological Resources Monitoring Contract with H.T. Harvey & Associates for the Saratoga to Sanborn Trail project, in the amount of \$120,744, and authorize the City Manager to execute the same.

2. Authorize staff to execute change orders to the contract up to \$12,000.

BERNALD/MILLER MOVED TO **APPROVE BIOLOGICAL RESOURCES MONITORING CONTRACT WITH H.T. HARVEY & ASSOCIATES FOR THE SARATOGA TO SANBORN TRAIL PROJECT, IN THE AMOUNT OF \$120,744, AUTHORIZE THE CITY MANAGER TO EXECUTE THE SAME, AND AUTHORIZE STAFF TO EXECUTE CHANGE ORDERS TO THE CONTRACT UP TO \$12,000.** MOTION PASSED. AYES: CAPPELLO, MILLER, KUMAR, BERNALD, ZHAO. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

Vice Mayor Miller commented on this item.

1.5. Saratoga to Sanborn Trail - Trail Signage and Amenities Contract with Placeworks

**Recommended Action:**

1. Approve Trail Signage and Amenities Contract with Placeworks for the Saratoga to Sanborn Trail project, in the amount of \$45,706, and authorize the City Manager to execute the same.

2. Authorize staff to execute change orders to the contract up to \$4,600.

BERNALD/MILLER MOVED TO **APPROVE TRAIL SIGNAGE AND AMENITIES CONTRACT WITH PLACEWORKS FOR THE SARATOGA TO SANBORN TRAIL PROJECT, IN THE AMOUNT OF \$45,706, AUTHORIZE THE CITY MANAGER TO EXECUTE THE SAME, AND TO AUTHORIZE STAFF TO EXECUTE CHANGE ORDERS TO THE CONTRACT UP TO \$4,600.** MOTION PASSED. AYES: CAPPELLO, MILLER, KUMAR, BERNALD, ZHAO. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

Vice Mayor Miller commented on this item.

1.6. Saratoga to Sanborn Trail Construction Observation Contract with Timothy C. Best, CEG

**Recommended Action:**

1. Approve Construction Observation Contract with Timothy C. Best, CEG for the Saratoga to Sanborn Trail project, in the amount of \$78,960, and authorize the City Manager to execute the same.

2. Authorize staff to execute change orders to the contract up to \$8,000.

BERNALD/MILLER MOVED TO **APPROVE CONSTRUCTION OBSERVATION CONTRACT WITH TIMOTHY C. BEST, CEG FOR THE SARATOGA TO**

**SANBORN TRAIL PROJECT, IN THE AMOUNT OF \$78,960, AUTHORIZE THE CITY MANAGER TO EXECUTE THE SAME, AND TO AUTHORIZE STAFF TO EXECUTE CHANGE ORDERS TO THE CONTRACT UP TO \$8,000.** MOTION PASSED. AYES: CAPPELLO, MILLER, KUMAR, BERNALD, ZHAO. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

Vice Mayor Miller commented on this item.

1.7. Storm Drain Easement Relocation - 19361 Valle Vista Drive

**Recommended Action:**

1. Adopt Resolution Accepting Offer to Dedicate Easement for Storm Drainage from the property owners of 19361 Valle Vista Drive to the City of Saratoga for a Storm Drainage System at 19361 Valle Vista Drive, City of Saratoga (APN 397-11-014).
2. Adopt Resolution Vacating the Existing Storm Drainage Easement currently held by the City of Saratoga.

**RESOLUTION 19-060 AND 19-061**

BERNALD/MILLER MOVED TO **ADOPT RESOLUTION ACCEPTING OFFER TO DEDICATE EASEMENT FOR STORM DRAINAGE FROM THE PROPERTY OWNERS OF 19361 VALLE VISTA DRIVE TO THE CITY OF SARATOGA FOR A STORM DRAINAGE SYSTEM AT 19361 VALLE VISTA DRIVE, CITY OF SARATOGA (APN 397-11-014) AND ADOPT RESOLUTION VACATING THE EXISTING STORM DRAINAGE EASEMENT CURRENTLY HELD BY THE CITY OF SARATOGA.** MOTION PASSED. AYES: CAPPELLO, MILLER, KUMAR, BERNALD, ZHAO. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

**2. PUBLIC HEARING**

2.1. 2019 California Building Standards Code Adoption

**Recommended Action:**

Open the public hearing and continue the hearing to the November 20, 2019 meeting.

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

No one requested to speak.

MILLER/BERNALD MOVED TO **CONTINUE THE PUBLIC HEARING TO THE NOVEMBER 20, 2019 COUNCIL MEETING.** MOTION PASSED. AYES: CAPPELLO, MILLER, KUMAR, BERNALD, ZHAO. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

### 3. GENERAL BUSINESS

3.1. Mills Act Agreement for 14475 Oak Place – Application No. MIL19-002

**Recommended Action:**

Adopt the attached Resolution authorizing the City Manager to enter into a Mills Act Agreement for the property located at 14475 Oak Place.

Nicole Johnson, Planner II, provided the staff report.

Mayor Cappello invited public comment on this item.

Matthew Duchesne, owner of 14475 Oak Place, spoke about the property.

No one else requested to speak.

#### **RESOLUTION 19-062**

BERNALD/MILLER MOVED TO **ADOPT THE RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A MILLS ACT AGREEMENT FOR THE PROPERTY LOCATED AT 14475 OAK PLACE.** MOTION PASSED. AYES: CAPPELLO, MILLER, KUMAR, BERNALD, ZHAO. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

3.2. Youth Commission Fundraising Plan

**Recommended Action:**

Approve the Youth Commission Fundraising Plan to collect donations and seek sponsorship of various Youth Commission initiatives.

Kayla Nakamoto, Community Engagement Coordinator, provided the staff report.

Youth Commission Chair Pranav Chittharanjan and Youth Commission Treasurer Nivi Madhan responded to questions from the Council.

Mayor Cappello invited public comment on this item.

No one requested to speak.

MILLER/ZHAO MOVED TO **APPROVE YOUTH COMMISSION FUNDRAISING PLAN TO COLLECT DONATIONS AND SEEK SPONSORSHIP OF VARIOUS YOUTH COMMISSION INITIATIVES.** MOTION PASSED. AYES: CAPPELLO, MILLER, KUMAR, BERNALD, ZHAO. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

Mayor Cappello invited Prospect High Students and Boy Scout Troop 581 to the stage to speak.

## **COUNCIL ASSIGNMENTS**

### Mayor Manny Cappello

*Saratoga Area Senior Coordinating Council (SASCC)* – at the meeting, the Board asked SASCC staff to work with Los Gatos-Saratoga Recreation on a new memorandum of understanding.

### Vice Mayor Howard Miller

*Saratoga Sister City Organization* – there was a review of the 35<sup>th</sup> Anniversary visit, and everyone was happy with how it went.

*Silicon Valley Clean Energy Authority Board of Directors* – there was a discussion of creating a request for proposal (RFP) for Virtual Power Plant batteries for residences.

*Valley Transportation Authority (VTA) Policy Advisory Committee* – there was a discussion of the Platinum Advisors public outreach on VTA governance.

### Council Member Rishi Kumar

*Santa Clara County Library Joint Powers Authority* – the Library JPA voted to change the meetings to start at noon.

*Santa Clara Valley Water District Commission* – Council Member Kumar will give an update at the next Council meeting.

### Council Member Mary-Lynne Bernald

*Santa Clara County Housing and Community Development (HCD) Council Committee* – this committee is restarting by launching a work program to use U.S. Department of Housing and Urban Development (HUD) grants in Santa Clara County.

### Council Member Yan Zhao

No report

## **CITY COUNCIL ITEMS**

Vice Mayor Miller, with support from Council Member Bernald, nominated a change to add accessibility improvements to the City Hall Courtyard project in the unfunded Capital Improvement Project (CIP).

Vice Mayor Miller, with support from Mayor Cappello, nominated a Capital Improvement Project (CIP) to improve the acoustics in the Senior Center, including the lobby, S. Ku Hall, and the Fireside Room.

## **COUNCIL COMMUNICATIONS**

Council Member Kumar spoke about the issue of burglaries in Saratoga and recommended all residents to join a Neighborhood Watch group.

## **CITY MANAGER'S REPORT**

No report

## **ADJOURNMENT**

MILLER/BERNALD MOVED TO **ADJOURN THE MEETING AT 8:10 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