

MINUTES
WEDNESDAY, JUNE 17, 2020
SARATOGA CITY COUNCIL REGULAR MEETING

At 5:30 p.m., the City Council held a virtual Joint Meeting with the Saratoga Ministerial Association via teleconferencing through Zoom.

Mayor Miller called the virtual Regular Session to order at 7:01 p.m. via teleconferencing through Zoom.

Prior to Roll Call, the Mayor and City Clerk explained that the City Council meeting was conducted pursuant to provisions of the Brown Act and a recent Executive Order issued by the Governor to facilitate teleconferencing to reduce the risk of COVID-19 transmission at public meetings. Ordinarily the Brown Act sets strict rules for teleconferencing. The Governor's Executive Order has suspended those rules. The Executive Order does require that public agencies continue to notice meetings in advance and provide members of the public an opportunity to observe the meeting and offer public comment. The City Council met all of the applicable notice requirements and the public is welcome to participate in this meeting. Information on how the public can observe the meeting and provide public comment was also shared. Additionally, the Mayor explained that votes would be taken through roll call.

ROLL CALL

PRESENT: Mayor Howard A. Miller, Vice Mayor Mary-Lynne Bernald,
Council Members Manny Cappello, Yan Zhao, Rishi Kumar
(All Council Members appearing via teleconference)

ABSENT: None

ALSO PRESENT: James Lindsay, City Manager
Richard Taylor, City Attorney
Crystal Bothelio, Assistant City Manager
Debbie Bretschneider, City Clerk
Mary Fury, Administrative Services Director
John Cherbone, Public Works Director
Debbie Pedro, Community Development Director
Dennis Jaw, Finance Manager
Manini Cabute, Environmental Program Administrator
Lauren Pettipiece, Public Information Officer
Tony Gonzalez, Code Compliance Officer
Kate Bear, Senior Arborist
Kayla Nakamoto, Community Engagement Coordinator
Emma Burkhalter, Assistant engineer
Nicole Johnson, Planner II
Victoria Banfield, Planner I
Macedonio Nunez, Senior Civil Engineer
(All staff members appearing via teleconference)

City Clerk Debbie Bretschneider confirmed all City Council members could hear the meeting proceedings and no doubts were expressed regarding the identities of the individuals representing themselves as City Council Members.

REPORT ON POSTING OF THE AGENDA

City Clerk Debbie Bretschneider reported that the agenda for this meeting was properly posted on June 12, 2020.

REPORT FROM JOINT MEETING

Kareem Syed, member of Saratoga Ministerial Association, reported on the Joint Meeting, which included discussing current events and Saratoga as an age-friendly city.

ORAL COMMUNICATIONS ON NON-AGENDIZED ITEMS

Ken Czworniak suggested that the Council continue to allow the public to participate in meetings via Zoom once the public is also able to participate in person.

ANNOUNCEMENTS

Mayor Miller shared information about the virtual Election Workshop, the virtual Saratoga July 4th Celebration, Friends of the Library is reopening, R.Y.D.E is delivering food for seniors, CHALK-Full of He-ART, and updates from the Santa Clara County Public Health Department.

CEREMONIAL ITEMS

Appointment of Traffic Safety Commissioner

Recommended Action:

Approve the resolution appointing 1 member to the Traffic Safety Commission and direct the City Clerk to administer the Oath of Office.

RESOLUTION 20-032

CAPPELLO/ZHAO MOVED TO **APPROVE THE RESOLUTION APPOINTING 1 MEMBER TO THE TRAFFIC SAFETY COMMISSION AND DIRECT THE CITY CLERK TO ADMINISTER THE OATH OF OFFICE.** MOTION PASSED BY VERBAL ROLL CALL. AYES: MILLER, BERNALD, ZHAO, CAPPELLO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

Commendations Recognizing Outgoing Youth Commissioners

Recommended Action:

Receive presentation on efforts of the Youth Commission during the 2019/20 school year and commend outgoing Commissioners Safia Peer, Nithya Koneru, Carolyn Pyun, Varsha Rammohan, and Pranav Chittharanjan recognizing their service on the Saratoga Youth Commission.

Mayor Miller and the City Council commended Safia Peer, Nithya Koneru, Carolyn Pyun, Varsha Rammohan, and Pranav Chittharanjan for their service on the Saratoga Youth Commission.

Appointment of Youth Commissioners

Recommended Action:

Approve the resolution appointing 6 members to the Youth Commission and direct the City Clerk to administer the Oath of Office.

RESOLUTION 20-033

KUMAR/BERNALD MOVED TO **APPROVE THE RESOLUTION APPOINTING 6 MEMBERS TO THE YOUTH COMMISSION AND DIRECT THE CITY CLERK TO ADMINISTER THE OATH OF OFFICE.** MOTION PASSED BY VERBAL ROLL CALL. AYES: MILLER, BERNALD, ZHAO, CAPPELLO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

Proclamation Declaring June 20, 2020 as Juneteenth National Freedom Day

Recommended Action:

Proclaim June 20, 2020 as Juneteenth National Freedom Day in the City of Saratoga.

Mayor Miller and the City Council proclaimed June 20, 2020 as Juneteenth National Freedom Day in the City of Saratoga.

1. CONSENT CALENDAR

1.1. City Council Meeting Minutes

Recommended Action:

Approve the City Council minutes for the Regular City Council Meetings on May 20, 2020 and June 3, 2020.

BERNALD/CAPPELLO MOVED TO **APPROVE THE CITY COUNCIL MINUTES FOR THE REGULAR CITY COUNCIL MEETING ON MAY 20, 2020 AND JUNE 3, 2020.** MOTION PASSED BY VERBAL ROLL CALL. AYES: MILLER, BERNALD, ZHAO, CAPPELLO, 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: 5/6/2020 Period 11; 5/13/2020 Period 11; 5/20/2020 Period 11; 5/27/2020 Period 11; 6/3/2020 Period 12; 6/10/2020 Period 12.

BERNALD/CAPPELLO MOVED TO **ACCEPT CHECK REGISTERS FOR THE FOLLOWING ACCOUNTS PAYABLE PAYMENT CYCLES: 5/6/2020 PERIOD 11; 5/13/2020 PERIOD 11; 5/20/2020 PERIOD 11; 5/27/2020 PERIOD 11; 6/3/2020 PERIOD 12; 6/10/2020 PERIOD 12.** MOTION PASSED BY VERBAL ROLL CALL. AYES: MILLER, BERNALD, ZHAO, CAPPELLO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

1.3. Annual Approval of the City's Investment Policy - for Fiscal Year 2020/21

Recommended Action:

Review and approve the Investment Policy for Fiscal Year 2020/21.

BERNALD/CAPPELLO MOVED TO **APPROVE THE INVESTMENT POLICY FOR FISCAL YEAR 2020/21.** MOTION PASSED BY VERBAL ROLL CALL. AYES: MILLER, BERNALD, ZHAO, CAPPELLO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

1.4. Fiscal Year 2020/21 Gann Appropriation Limit

Recommended Action:

Review report and adopt resolution approving the Gann Appropriation Limit for FY 2020/21.

RESOLUTION 20-034

BERNALD/CAPPELLO MOVED TO **ADOPT RESOLUTION APPROVING THE GANN APPROPRIATION LIMIT FOR FY 2020/21.** MOTION PASSED BY VERBAL ROLL CALL. AYES: MILLER, BERNALD, ZHAO, CAPPELLO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

1.5. Fiscal Year 2020/21 Operating & Capital Budget Adoption

Recommended Action:

Adopt resolution approving the Proposed FY 2020/21 Operating and Capital Budget, directing staff to incorporate within the final adopted budget any modifications related to late-breaking changes, minor corrections, carryforward appropriations, refined estimates, grant approvals, claim reimbursements, pass-through appropriations, or additional direction from Council upon adoption of the budget.

RESOLUTION 20-035

BERNALD/CAPPELLO MOVED TO **ADOPT RESOLUTION APPROVING THE PROPOSED FY 2020/21 OPERATING AND CAPITAL BUDGET, DIRECTING STAFF TO INCORPORATE WITHIN THE FINAL ADOPTED BUDGET ANY MODIFICATIONS RELATED TO LATE-BREAKING CHANGES, MINOR CORRECTIONS, CARRYFORWARD APPROPRIATIONS, REFINED ESTIMATES, GRANT APPROVALS, CLAIM REIMBURSEMENTS, PASS-THROUGH APPROPRIATIONS, OR ADDITIONAL DIRECTION FROM COUNCIL UPON ADOPTION OF THE BUDGET.** MOTION PASSED BY VERBAL ROLL CALL. AYES: MILLER, BERNALD, ZHAO, CAPPELLO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

Vice Mayor Bernald, Mayor Miller, and Council Member Cappello spoke on this agenda item.

1.6. Resolution to Establish Property Tax Levy for Debt Service Payments on the Arrowhead Community Facility District 2018 Bond

Recommended Action:

Adopt the attached resolution that sets the property tax levy rate for the Arrowhead Community Facility District's 2018 Bond's debt service payment at \$6,000 per parcel for the remaining twenty-two (22) participating property owners.

RESOLUTION 20-036

BERNALD/CAPPELLO MOVED TO **ADOPT THE RESOLUTION THAT SETS THE PROPERTY TAX LEVY RATE FOR THE ARROWHEAD COMMUNITY FACILITY DISTRICT'S 2018 BOND'S DEBT SERVICE PAYMENT AT \$6,000 PER PARCEL FOR THE REMAINING TWENTY-TWO (22) PARTICIPATING PROPERTY OWNERS.** MOTION PASSED BY VERBAL ROLL CALL. AYES: MILLER, BERNALD, ZHAO, CAPPELLO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

1.7. Resolution to Establish Property Tax Levy for Debt Service Payments on the Library General Obligation Bonds

Recommended Action:

Adopt the attached resolution to establish the property tax levy rate to provide for the Library General Obligation Bond's debt service payment at \$.0046 per \$100 of Assessed Valuation.

RESOLUTION 20-037

BERNALD/CAPPELLO MOVED TO **ADOPT THE RESOLUTION TO ESTABLISH THE PROPERTY TAX LEVY RATE TO PROVIDE FOR THE LIBRARY GENERAL OBLIGATION BOND'S DEBT SERVICE PAYMENT AT \$.0046 PER \$100 OF ASSESSED VALUATION.** MOTION PASSED BY VERBAL ROLL CALL. AYES: MILLER, BERNALD, ZHAO, CAPPELLO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

Mayor Miller spoke on this agenda item.

1.8. Award of contract to SYL Construction, Inc. for the McFarland Ave Curb and Gutter Rehabilitation Project

Recommended Action:

1. Move to declare SYL Construction, Inc. the lowest responsible bidder on the project.
2. Move to award a construction contract to SYL Construction, Inc. in the amount of \$238,224
3. Move to authorize staff to execute change orders to the contract up to \$50,000.

BERNALD/CAPPELLO MOVED TO **DECLARE SYL CONSTRUCTION, INC. THE LOWEST RESPONSIBLE BIDDER ON THE MCFARLAND AVE CURB AND GUTTER REHABILITATION PROJECT, TO AWARD A CONSTRUCTION CONTRACT TO SYL CONSTRUCTION, INC. IN THE AMOUNT OF \$238,224, AND TO AUTHORIZE STAFF TO EXECUTE CHANGE ORDERS TO THE CONTRACT UP TO \$50,000.** MOTION PASSED BY VERBAL ROLL CALL. AYES:

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

Mayor Miller spoke on this agenda item.

1.9. Renewal of 2 year contract with BMI Imaging Systems for document imaging services

Recommended Action:

Authorize the City Manager to approve the renewal of a two year contract with BMI Imaging Systems (BMI) for document imaging services.

BERNALD/CAPPELLO MOVED TO **AUTHORIZE THE CITY MANAGER TO APPROVE THE RENEWAL OF A TWO YEAR CONTRACT WITH BMI IMAGING SYSTEMS (BMI) FOR DOCUMENT IMAGING SERVICES.** MOTION PASSED BY VERBAL ROLL CALL. AYES: MILLER, BERNALD, ZHAO, CAPPELLO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

1.10. Senior Center Entrance Remodel – Budget Adjustment

Recommended Action:

Adopt Budget Resolution increasing the project budget for the Senior Center Entrance Remodel in the amount of \$35,000.

RESOLUTION 20-038

BERNALD/CAPPELLO MOVED TO **ADOPT BUDGET RESOLUTION INCREASING THE PROJECT BUDGET FOR THE SENIOR CENTER ENTRANCE REMODEL IN THE AMOUNT OF \$35,000.** MOTION PASSED BY VERBAL ROLL CALL. AYES: MILLER, BERNALD, ZHAO, CAPPELLO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

Council Member Cappello and Vice Mayor Bernald spoke on this agenda item.

1.11. Local Early Action Planning (LEAP) Grant

Recommended Action:

Adopt the attached resolution authorizing staff to submit an application to, and receive funds for the Local Early Action Planning Grant from the State Housing and Community Development Department.

RESOLUTION 20-039

BERNALD/CAPPELLO MOVED TO **ADOPT THE RESOLUTION AUTHORIZING STAFF TO SUBMIT AN APPLICATION TO AND RECEIVE FUNDS FOR THE LOCAL EARLY ACTION PLANNING GRANT FROM THE STATE HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT.** MOTION PASSED BY VERBAL ROLL CALL. AYES: MILLER, BERNALD, ZHAO, CAPPELLO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

1.12. Saratoga to Sanborn Trail – Amendment to the Trail Signage and Amenities Contract with Placeworks

Recommended Action:

1. Move to accept an amendment to the contract for Trail Signage and Amenities with Placeworks for the Saratoga to Sanborn Trail, in the amount of \$9,914.
2. Authorize staff to execute change orders to the contract up to \$1,000.

BERNALD/CAPPELLO MOVED TO **ACCEPT AN AMENDMENT TO THE CONTRACT FOR TRAIL SIGNAGE AND AMENITIES WITH PLACEWORKS FOR THE SARATOGA TO SANBORN TRAIL, IN THE AMOUNT OF \$9,914 AND TO AUTHORIZE STAFF TO EXECUTE CHANGE ORDERS TO THE CONTRACT UP TO \$1,000.** MOTION PASSED BY VERBAL ROLL CALL. AYES: MILLER, BERNALD, ZHAO, CAPPELLO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

Mayor Miller commented on this agenda item.

2. PUBLIC HEARING

2.1. Removal of a Planned Combined (P-C) District, approval of a Conditional Use Permit, and a lot line adjustment/lot merger located at 14434 and 14488 Oak Street

Recommended Action:

1. Conduct a public hearing.
2. Adopt a Resolution approving a Conditional Use Permit, and Lot Merger/Lot Line Adjustment subject to conditions of approval.
3. Introduce and waive the first reading of the attached ordinance to remove the Planned-Combined (P-C) District designation from the merged parcel created from a parcel located at 14434 Oak Street and a portion of a parcel located at 14488 Oak Street that is subject to the Conditional Use Permit.
4. Direct staff to place the ordinance on the Consent Calendar for adoption at the next regular meeting of the City Council.

Victoria Banfield, Planner I, presented the staff report.

Mayor Miller opened the public hearing.

Mayor Miller invited public comment on the item.

No one requested to speak.

Mayor Miller closed the public hearing for this item and asked for Council discussion.

RESOLUTION 20-040

BERNALD/ZHAO MOVED TO **ADOPT THE RESOLUTION APPROVING A CONDITIONAL USE PERMIT, AND LOT MERGER/LOT LINE ADJUSTMENT SUBJECT TO CONDITIONS OF APPROVAL; TO INTRODUCE AND WAIVE THE FIRST READING OF THE ORDINANCE TO REMOVE THE PLANNED-COMBINED (P-C) DISTRICT DESIGNATION FROM THE MERGED PARCEL CREATED FROM A PARCEL LOCATED AT 14434 OAK STREET AND A**

PORTION OF A PARCEL LOCATED AT 14488 OAK STREET THAT IS SUBJECT TO THE CONDITIONAL USE PERMIT; AND TO DIRECT STAFF TO PLACE THE ORDINANCE ON THE CONSENT CALENDAR FOR ADOPTION AT THE NEXT REGULAR MEETING OF THE CITY COUNCIL. MOTION PASSED BY VERBAL ROLL CALL. AYES: MILLER, BERNALD, ZHAO, CAPPELLO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

2.2. Weed and Brush Abatement Program Public Nuisance Declaration & Abatement Order

Recommended Action:

Conduct public hearing, receive public testimony, and consider requests to remove properties from the nuisance declaration and abatement order. Adopt the attached resolution declaring properties listed in the attached resolution to be a public nuisance; ordering abatement of properties to correct the public nuisance; and, authorizing the Santa Clara County Weed Abatement program to remove hazardous vegetation from these properties.

Tony Gonzalez, Code Compliance Officer, presented the staff report.

Mayor Miller opened the public hearing.

Mayor Miller invited public comment on the item.

No one requested to speak.

Mayor Miller closed the public hearing for this item.

RESOLUTION 20-041

BERNALD/ZHAO MOVED TO **ADOPT THE RESOLUTION DECLARING PROPERTIES LISTED IN THE RESOLUTION TO BE A PUBLIC NUISANCE; ORDERING ABATEMENT OF PROPERTIES TO CORRECT THE PUBLIC NUISANCE; AND, AUTHORIZING THE SANTA CLARA COUNTY WEED ABATEMENT PROGRAM TO REMOVE HAZARDOUS VEGETATION FROM THESE PROPERTIES.** MOTION PASSED BY VERBAL ROLL CALL. AYES: MILLER, BERNALD, ZHAO, CAPPELLO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

2.3. Amendment to Tree Regulations

Recommended Action:

1. Conduct a public hearing
2. Introduce and waive the first reading of the attached ordinance adopting and modifying Section 15-50.080, Tree Regulations of the Saratoga City Code to allow the removal of trees that would contribute to the increased risk and spread of wildfire
3. Direct staff to place the ordinance on the consent calendar for adoption on July 1, 2020

Kate Bear, Senior Arborist, presented the staff report.

Mayor Miller opened the public hearing.

Mayor Miller invited public comment on the item.

The following people requested to speak:

Ken Czworniak

No one else requested to speak.

Mayor Miller closed the public hearing for this item.

ZHAO/BERNALD MOVED TO **INTRODUCE AND WAIVE THE FIRST READING OF THE ORDINANCE ADOPTING AND MODIFYING SECTION 15-50.080, TREE REGULATIONS OF THE SARATOGA CITY CODE TO ALLOW THE REMOVAL OF TREES THAT WOULD CONTRIBUTE TO THE INCREASED RISK AND SPREAD OF WILDFIRE AND TO DIRECT STAFF TO PLACE THE ORDINANCE ON THE CONSENT CALENDAR FOR ADOPTION ON JULY 1, 2020, INCLUDING MORATORIUM OF REPLACEMENT TREES UNTIL JANUARY 1, 2021.** MOTION PASSED BY VERBAL ROLL CALL. AYES: MILLER, BERNALD, ZHAO, CAPPELLO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

2.4. City Code Amendment to Decrease the Speed Limit on a Portion of Saratoga Avenue

Recommended Action:

1. Conduct the public hearing,
2. Introduce and waive the first reading of the attached ordinance reducing the speed limit on Saratoga Avenue between Fruitvale Ave. and Dagmar Drive from 40 mph to 35 mph,
3. Direct staff to place the matter on the consent calendar for the next regular meeting of the City Council.

Mainini Cabute, Environmental Program Administrator, presented the staff report.

Mayor Miller opened the public hearing.

Mayor Miller invited public comment on the item.

No one requested to speak.

Mayor Miller closed the public hearing for this item.

BERNALD/CAPPELLO MOVED TO **INTRODUCE AND WAIVE THE FIRST READING OF THE ORDINANCE REDUCING THE SPEED LIMIT ON SARATOGA AVENUE BETWEEN FRUITVALE AVE. AND DAGMAR DRIVE FROM 40 MPH TO 35 MPH AND TO DIRECT STAFF TO PLACE THE MATTER ON THE CONSENT CALENDAR FOR THE NEXT REGULAR MEETING OF THE CITY COUNCIL, AND DIRECT STAFF TO USE THE FOLLOWING TO IMPLEMENT: USE BANNERS TO ADVERTISE ON SARATOGA AVENUE, ASK SHERIFF TO GIVE WARNINGS AT FIRST, ALERT WEST VALLEY COLLEGE OF CHANGES, AND START THE NEW SPEED LIMIT BEFORE SCHOOL STARTS.** MOTION PASSED BY VERBAL ROLL CALL. AYES: MILLER, BERNALD, ZHAO, CAPPELLO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

2.5. Landscaping and Lighting Assessment District LLA-1; Resolution Dissolving Zones 4, 5, 7, and 24.

Recommended Action:

Conduct the public hearing and following consideration of public comments adopt the Resolution dissolving Zones 4, 5, 7, and 24.

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

Mayor Miller opened the public hearing.

Mayor Miller invited public comment on the item.

No one requested to speak.

Mayor Miller closed the public hearing for this item.

RESOLUTION 20-042

BERNALD/ZHAO MOVED TO **ADOPT THE RESOLUTION DISSOLVING ZONES 4, 5, 7, AND 24 IN THE LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT LLA-1.** MOTION PASSED BY VERBAL ROLL CALL. AYES: MILLER, BERNALD, ZHAO, CAPPELLO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

2.6. Landscaping & Lighting Assessment District LLA-1 - Public Hearing, Approval of Engineer's Report, and Confirmation of Assessments for FY 20-21

Recommended Action:

Conduct the public hearing and following consideration of public comments adopt the Resolution Ordering the Improvements and Confirming the Diagram and Assessments for FY 20-21.

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

Mayor Miller opened the public hearing.

Mayor Miller invited public comment on the item.

No one requested to speak.

Mayor Miller closed the public hearing for this item.

RESOLUTION 20-043

CAPPELLO/BERNALD MOVED TO **ADOPT THE RESOLUTION ORDERING THE IMPROVEMENTS AND CONFIRMING THE DIAGRAM AND ASSESSMENTS FOR FY 20-21 LANDSCAPING & LIGHTING ASSESSMENT DISTRICT LLA-1.** MOTION PASSED BY VERBAL ROLL CALL. AYES: MILLER, BERNALD, ZHAO, CAPPELLO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

Mayor Miller called for a break at 8:58 p.m. and reconvened the meeting at 9:05 p.m.

3. GENERAL BUSINESS

3.1. Resolution Affirming the City of Saratoga's Commitment to Stand in Solidarity with the Black Community

Recommended Action:

Approve the resolution affirming the City of Saratoga's commitment to stand in solidarity with the black community.

Mayor Miller invited public comment on the item.

No one requested to speak.

RESOLUTION 20-044

MILLER/BERNALD MOVED TO **APPROVE THE RESOLUTION AFFIRMING THE CITY OF SARATOGA'S COMMITMENT TO STAND IN SOLIDARITY WITH THE BLACK COMMUNITY.** MOTION PASSED BY VERBAL ROLL CALL. AYES: MILLER, BERNALD, ZHAO, CAPPELLO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

3.2. 2040 General Plan Update & Climate Action Plan Status Report

Recommended Action:

1. Receive the status report on the Saratoga 2040 General Plan Update and Climate Action Plan projects and provide direction.
2. Direct staff to return with a process to ensure citywide notifications are mailed when changes are proposed to a property's General Plan land use designation.

James Lindsay, City Manager, introduced the item.

Nicole Johnson, Planner II, presented on the General Plan, which includes updates to the Land Use Element, Circulation and Scenic Highway Element, and Open Space and Conservation Element.

Mainini Cabute, Environmental Program Administrator, presented on the Climate Action Plan.

Mayor Miller invited public comment on the item.

The following people requested to speak:

Antionette Romeo spoke

Julianne Michaels spoke

Ken Czworniak spoke

No one else requested to speak.

City Council directed staff to: create a webpage on the General Plan Update that includes preliminary drafts of updates; prepare short information pages on each General Plan Element being updated that answers why the Element exists, what the Element means, and how the Element affects the City of Saratoga; allow community members to subscribe to receive email updates to receive information about the General Plan 2040 Update effort; include information on the City website on how residents can invite the City to small group meetings to share information about the General Plan Update; and, bring back a future City Council agenda item to amend the City's notification procedures to require a citywide mailing when General Plan land use designation changes are proposed.

3.3. City Infrastructure Projects - Update

Recommended Action:

Receive Report

John Cherbone, Public Works Director, and Macedonio Nunez, Senior Civil Engineer, presented the staff report.

Mayor Miller invited public comment on the item.

No one requested to speak.

Mayor Miller asked for the Pavement Management Program to be added to the webpage.

The City Council received the informational report on City Infrastructure Projects.

3.4. Proposed Ballot Measure to Adopt Term Limits for Saratoga City Council Members, Providing that No Council Member Serve More than Two Consecutive Full Terms Without an Intervening Period of Three Years

Recommended Action:

Staff recommends that the City Council:

1. Provide direction to staff regarding whether the City Council wishes to place a measure on the November 2020 ballot providing for term limits for Council Members.
2. If the City Council wishes to place a measure on the ballot, provide direction to staff on the following so that a formal resolution placing the measure on the ballot can be included on the Consent Calendar at the next regular Council meeting:
 - a. The specific terms of that measure;
 - b. The ballot question;
 - c. Whether the full text of the measure should appear in the voter pamphlet; and
 - d. Whether the City Council wishes to authorize one or more members to file arguments for or against the proposed measure.

Richard Taylor, City Attorney, presented the staff report.

Mayor Miller invited public comment on the item.

The following people requested to speak:

Lakhinder Walia spoke

Julianne Michaels spoke

No one else requested to speak.

BERNALD/ZHAO MOVED TO **DIRECT STAFF TO PREPARE A RESOLUTION FOR THE NEXT COUNCIL MEETING PLACING A BALLOT MEASURE ON THE NOVEMBER 3, 2020 BALLOT WITH THE TEXT PROPOSED IN THE STAFF REPORT, CALLING FOR THE FULL TEXT OF MEASURE TO BE INCLUDED IN THE BALLOT, AND AUTHORIZING ONE OR MORE COUNCIL MEMBERS TO FILE THE ARGUMENTS FOR AND AGAINST THE MEASURE.** MOTION PASSED BY VERBAL ROLL CALL. AYES: MILLER, BERNALD, ZHAO, CAPPELLO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

MILLER/BERNALD MOVED TO **DIRECT STAFF TO PREPARE A RESOLUTION FOR THE NEXT COUNCIL MEETING TO AFFIRM THAT EXISTING MEMBERS OF THE COUNCIL SHOULD VOLUNTARILY COMPLY WITH THE 1992 TERM LIMITS ADVISORY MEASURE IN FUTURE ELECTIONS.** MOTION PASSED BY VERBAL ROLL CALL. AYES: MILLER, BERNALD, ZHAO, CAPPELLO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

MILLER/BERNALD MOVED TO **DIRECT STAFF TO INCLUDE IN THE BALLOT MEASURE RESOLUTION AUTHORIZATION FOR MAYOR MILLER AND VICE MAYOR BERNALD TO FILE THE ARGUMENT AGAINST THE MEASURE AND FOR COUNCIL MEMBERS KUMAR AND ZHAO TO FILE THE ARGUMENT FOR THE MEASURE AND TO FURTHER PROVIDE THAT NO REBUTTAL ARGUMENTS SHALL BE FILED.** MOTION PASSED BY VERBAL ROLL CALL. AYES: MILLER, BERNALD, ZHAO, CAPPELLO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

COUNCIL ASSIGNMENTS

Mayor Howard Miller

Silicon Valley Clean Energy Authority Board of Directors – the Board announced that the SVCE rates will be 4 % less than PG&E and approved a new solar energy facility.

VTA State Route 85 Corridor Policy Advisory Board – the Board meet to discuss the recommendation to the VTA Board, and the consensus seems to be a transit-oriented solution that is not light rail for the recommendation.

Vice Mayor Mary-Lynne Bernald

Association of Bay Area Governments – the Association meeting topic was their budget, with a plan to raise rates 2.2% to the cities.

Cities Association of Santa Clara County-Legislative Action Committee – the Committee discussed the State housing bills that are removing local control, and the Committee approved SB795.

Cities Association of Santa Clara County- meetings – the Association approved a resolution on asking for changes in police policies and elimination of systematic racism throughout the nation.

Public Art Committee – the Nuts about Saratoga kickoff event is upcoming, please RSVP to attend. The Committee is also looking into working with Montalvo to find artists for a sculpture at the Gateway.

Santa Clara/Santa Cruz Airport/Community Roundtable – the Roundtable is exploring looking for a new fiscal manager and program manager.

Council Member Yan Zhao

Public Art Committee – the Committee discussed the Fiscal Year 2020/2021 budget, an update on Paint the City and decided on how to limit the number of locations an artist can be selected for, and the start of Saratoga is CHALK-Full of He-ART virtual summer event.

Saratoga Chamber of Commerce & Destination Saratoga – the Chamber discussed their social media project, “Saratoga Together.”

Council Member Manny Cappello

Saratoga Ministerial Association – the Association meeting had discussions about the Joint Meeting with the Council, and Black Lives Matter, and COVID’s effects on their congregations.

West Valley Sanitation District – the District had a Closed Session meeting and there was nothing to report.

Council Member Rishi Kumar

Nothing to report.

CITY COUNCIL ITEMS

None

COUNCIL COMMUNICATIONS

None

CITY MANAGER'S REPORT

None

ADJOURNMENT

CAPPELLO/BERNALD MOVED TO **ADJOURN THE MEETING AT 12:36 A.M.**
MOTION PASSED BY VERBAL ROLL CALL. AYES: MILLER, BERNALD, ZHAO,
CAPPELLO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

Minutes respectfully submitted:

Debbie Bretschneider, City Clerk
City of Saratoga