

**MINUTES**  
**WEDNESDAY, FEBRUARY 19, 2020**  
**SARATOGA CITY COUNCIL REGULAR MEETING**

At 5:00 p.m., the City Council held a Closed Session in the Linda Callon Conference Room at 13777 Fruitvale Avenue in Saratoga.

At 6:00 p.m., the City Council held a Joint Meeting in Linda Callon Conference Room at 13777 Fruitvale Avenue in Saratoga.

Mayor Miller called the Regular Session to order in the Civic Theater, Council Chambers at 13777 Fruitvale Avenue in Saratoga at 7:03 p.m. and led the Pledge of Allegiance.

Mayor Miller asked to dedicate this meeting as a day of remembrance of the February 19, 1942 President Roosevelt Executive Order 9066 authorizing the evacuation and internment of 120,000 Japanese Americans along the west coast of America.

**ROLL CALL**

**PRESENT:** Mayor Howard A. Miller, Vice Mayor Mary-Lynne Bernald,  
Council Members Manny Cappello, Yan Zhao, Rishi Kumar.

**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  
Debra Pedro, Community Development Director  
John Cherbone, Public Works Director  
Lauren Pettipiece, Public Information Officer  
Tony Gonzalez, Code Compliance Officer

**REPORT ON POSTING OF THE AGENDA**

City Clerk Debbie Bretschneider reported that the agenda for this meeting was properly posted on February 14, 2020.

**REPORT FROM CLOSED SESSION**

Mayor Miller announced that the Closed Session will continue after the Regular Meeting.

**REPORT FROM JOINT MEETING**

Saratoga Area Senior Coordinating Council Executive Director Tylor Taylor and President Lisa Oakley spoke about the Joint Meeting discussion, which included a new grant for R.Y.D.E., new classes for seniors, and new funding for Adult Day Program.

## **ORAL COMMUNICATIONS ON NON-AGENDIZED ITEMS**

Eleana Yick, League of Women Voters, spoke on Voters Choice Act and Census 2020.

Nancy Kirk, Saratoga Foothill Club, spoke about a fundraiser for the Saratoga Foothill Club Foundation.

Cheriel Jensen spoke about possible Mountain Winery housing and SB35.

Jeff Klopotic spoke about the Quito Village development.

Mayor Miller asked for an update on the Quito Village development process.

The City Manager reported on the status of the Quito Village development process.

Mayor Miller noted that many cities have taken positions on SB 35 and asked the City Attorney to provide a City Council newsletter item on SB 35 litigation and how these may or may not relate to Saratoga.

Mary Ann Welch spoke about asking the CPUC for a San Jose Water Company audit.

Emily Lo spoke about the Hakone Lunar New Year celebration.

## **ANNOUNCEMENTS**

Mayor Miller announced open Commission recruitments, the Hakone Estate Lunar New Year celebration, the opening of Paint the City voting, and the Community Event Grant program.

## **CEREMONIAL ITEMS**

Commendation for Nancy Howe

**Recommended Action:**

Present commendation to Santa Clara County Librarian and Executive Director Nancy Howe.

Mayor Miller and the City Council presented the commendation to Santa Clara County Librarian and Executive Director Nancy Howe.

## **SPECIAL PRESENTATIONS**

Presentation by the League of Women Voters of Southwest Santa Clara Valley

**Recommended Action:**

Accept presentation by the League of Women Voters of Southwest Santa Clara Valley on the Local Election Finance Study II.

Mayor Miller invited public comment on this item.

The following people requested to speak.

Emily Lo spoke in favor of the contribution limit and for a ballot measure for term limits.

Mary Ann Welch spoke in appreciation of the League of Women Voters.

No one else requested to speak.

Mayor Miller and the City Council accepted the presentation by the League of Women Voters of Southwest Santa Clara Valley on the Local Election Finance Study II.

## 1. CONSENT CALENDAR

### 1.1. City Council Meeting Minutes

#### **Recommended Action:**

Approve the City Council minutes for the Regular City Council Meeting on February 5, 2020.

BERNALD/CAPPELLO MOVED TO **APPROVE THE CITY COUNCIL MINUTES FOR THE REGULAR CITY COUNCIL MEETING FEBRUARY 5, 2020.** MOTION PASSED. 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: 2/4/2020 Period 8; 2/12/2020 Period 8.

BERNALD/CAPPELLO MOVED TO **ACCEPT CHECK REGISTERS FOR THE FOLLOWING ACCOUNTS PAYABLE PAYMENT CYCLES: 2/4/2020 PERIOD 8; 2/12/2020 PERIOD 8.** MOTION PASSED. AYES: MILLER, BERNALD, ZHAO, CAPPELLO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

### 1.3. Final Acceptance of Subdivision Dedication – Subdivision Application No. SDR-1486 Ashley Way

#### **Recommended Action:**

Adopt the resolution rescinding the previously rejected Offers of Dedications and accepting the street dedications within Subdivision SDR-1486.

## **RESOLUTION 36-B-260**

BERNALD/CAPPELLO MOVED TO **ADOPT THE RESOLUTION RESCINDING THE PREVIOUSLY REJECTED OFFERS OF DEDICATIONS AND ACCEPTING THE STREET DEDICATIONS WITHIN SUBDIVISION SDR-1486.** MOTION

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

1.4. Approval of Fundraising Plan for Saratoga Village Town Clock

**Recommended Action:**

Approve the fundraising plan for Saratoga Village Town Clock and authorize the City Manager to execute a donation agreement with the Saratoga Village Development Council (SVDC) for the same.

BERNALD/CAPPELLO MOVED TO **APPROVE THE FUNDRAISING PLAN FOR SARATOGA VILLAGE TOWN CLOCK AND AUTHORIZE THE CITY MANAGER TO EXECUTE A DONATION AGREEMENT WITH THE SARATOGA VILLAGE DEVELOPMENT COUNCIL (SVDC) FOR THE SAME.** MOTION PASSED. AYES: MILLER, BERNALD, ZHAO, CAPPELLO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

Vice Mayor Bernald spoke about the Clock Tower.

1.5. Acoustical Study for Saratoga Senior Center

**Recommended Action:**

Authorize the use of City Council discretionary funds for an agreement to measure and analyze the acoustical state of the Senior Center's meeting rooms.

BERNALD/CAPPELLO MOVED TO **AUTHORIZE THE USE OF CITY COUNCIL DISCRETIONARY FUNDS FOR AN AGREEMENT TO MEASURE AND ANALYZE THE ACOUSTICAL STATE OF THE SENIOR CENTER'S MEETING ROOMS.** MOTION PASSED. AYES: MILLER, BERNALD, ZHAO, CAPPELLO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

Council Member Cappello spoke about the Saratoga Senior Center.

**2. PUBLIC HEARING**

2.1. Weed/Brush Abatement Program Assessment Hearing

**Recommended Action:**

1. Open the public hearing, accept public testimony and consider amendments to the assessment report: and
2. Adopt the attached resolution confirming report and assessment of weed/brush abatement program charges.

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

Mayor Miller opened the public hearing.

The following people requested to speak.

Mary Ann Welch spoke

No one else requested to speak.

Mayor Miller closed the public hearing.

### **RESOLUTION 20-005**

CAPPELLO/BERNALD MOVED TO **OPEN PUBLIC HEARING, ACCEPT PUBLIC TESTIMONY, CONSIDER AMENDMENTS TO ASSESSMENT REPORT, AND ADOPT THE RESOLUTION CONFIRMING THE ASSESSMENT REPORT AND ASSESSMENT OF WEED/BRUSH ABATEMENT PROGRAM CHARGES.**

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

### **3. GENERAL BUSINESS**

3.1. Saratoga Historical Foundation Signage Request

**Recommended Action:**

Consider request from Saratoga Historical Foundation to replace signage at the Saratoga Historical Park at the Saratoga Historical Foundation's expense.

Crystal Bothelio, Assistant City Manager, provided the staff report.

Mayor Miller invited public comment on this item.

The following people requested to speak:

Annette Stransky, Saratoga Historical Foundation President, spoke.

No one else requested to speak.

BERNALD/ZHAO MOVED TO **APPROVE THE REQUEST FROM SARATOGA HISTORICAL FOUNDATION TO REPLACE THE SIGNAGE AT THE SARATOGA HISTORICAL PARK AT THE SARATOGA HISTORICAL FOUNDATION'S EXPENSE.** MOTION PASSED. AYES: MILLER, BERNALD, ZHAO, CAPPELLO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

Mayor Miller thanked the Valley Foundation for their generous donation to the Saratoga Historical Foundation.

### **COUNCIL ASSIGNMENTS**

**Mayor Howard Miller**

*Council Finance Committee* – the Committee discussed the need for a new principal auditors contract, the Public Works Director asked to use money from the Hillside Reserve for an urgent

issue and that request will be on a future Council meeting, there was a discussion about the Capital Improvement Plan budget process, a report from staff on pension stabilization, and the Finance Director would like to create a long-term financial plan.

*Silicon Valley Clean Energy Authority Board of Directors* – the Directors received several, including that Saratoga rate payers have saved 1.5 million dollars in 2.5 years and reduced Saratoga’s carbon footprint by 20% and the Authority contracted for a new geothermal plant and another contract for extended battery capacity.

*VTA Board of Directors Meeting* – received a report on the environmental impact report on the Capitol Expressway connector lanes.

Vice Mayor Mary-Lynne Bernald

*Association of Bay Area Governments* – the meeting included a presentation on housing in the future, including possible State legislature to remove local control of housing approvals.

*Cities Association of Santa Clara County-City Selection Committee* – the Committee selected Gilroy Council Member Fred Tovar to the Santa Clara County Recycling & Waste Reduction Commission.

*Cities Association of Santa Clara County-Legislative Action Committee* – the Committee reviewed upcoming State legislation.

*Cities Association of Santa Clara County* – the meeting had a presentation on homelessness by Santa Clara County and there was a discussion of cities adding water efficiency requirements for new housing developments.

Council Member Yan Zhao

No report

Council Member Manny Cappello

*Santa Clara County Housing and Community Development (HCD) Council Committee* – Council Member Cappello was selected as co-chair along with Board of Supervisors President Cindy Chavez. The advisory committee will have three meetings in March and then will give recommendations to the Santa Clara County Supervisors.

*West Valley Sanitation District* – most of the meeting was a closed session and there is nothing to report.

Council Member Rishi Kumar

No report

**CITY COUNCIL ITEMS**

Mayor Miller reiterated his request for a Council newsletter item on SB35 litigation.

**COUNCIL COMMUNICATIONS**

None

**CITY MANAGER'S REPORT**

None

## **ADJOURNMENT**

BERNALD/CAPPELLO MOVED TO **ADJOURN THE REGULAR MEETING AT 8:25 P.M. AND THE CLOSED SESSION AT 9:45 P.M.** MOTION PASSED. AYES: MILLER, BERNALD, ZHAO, CAPPELLO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

After the adjournment of the Regular Meeting at 8:25 p.m., the Council continued the Closed Session in the Linda Callon Conference Room until 9:45 p.m. There was no report from Closed Session.

Minutes respectfully submitted:

Debbie Bretschneider, City Clerk  
City of Saratoga