

MINUTES
WEDNESDAY, MAY 6, 2020
SARATOGA CITY COUNCIL REGULAR MEETING

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

Mayor Miller called the virtual Regular Session to order at 7:03 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
Nicole Johnson, Planner II
Macedonio Nunez, Senior Civil Engineer
Leo Salindong, IT Supervisor
(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 May 1, 2020.

REPORT FROM JOINT MEETING

The Joint Meeting with the Saratoga Heritage Preservation Commission was discussed during the Ceremonial Items.

ORAL COMMUNICATIONS ON NON-AGENDIZED ITEMS

Alicia Moore spoke about the oral communications in the minutes of the April 15 Council Meeting.

Sandy Reed spoke about the Mountain Winery Annexation process and requested that the Mountain Winery Annexation public hearing be postponed.

Joanne Birmingham spoke about the Mountain Winery Annexation process and the April 15 Council Meeting minutes.

Hobart Birmingham requested that the Mountain Winery Annexation public hearing be postponed.

Lori Burns spoke about noticing about the Mountain Winery Annexation public hearing and costs pertaining to annexing the Mountain Winery.

ANNOUNCEMENTS

Mayor Miller shared information about the new Santa Clara County shelter at home order, resulting changes in available City services, the opening of Hakone Gardens, and an informational talk show, Saratoga Sunny Side Up.

CEREMONIAL ITEMS

Commendation for Leonard Almalech

Recommended Action:

Commend Leonard Almalech for his service on the Saratoga Planning Commission.

Mayor Miller and the City Council commended Leonard Almalech for his service on the Saratoga Planning Commission.

Proclamation Declaring May 2020 as National Preservation Month

Recommended Action:

Proclaim May 2020 as National Preservation Month in the City of Saratoga

Mayor Miller and the City Council proclaimed May 2020 as National Preservation Month in the City of Saratoga. The Heritage Preservation Commission Chair Alexandria Nugent summarized the Joint Meeting with the City Council.

1. CONSENT CALENDAR

1.1. City Council Meeting Minutes

Recommended Action:

Approve the City Council minutes for the Regular City Council Meeting on April 15, 2020.

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

Mayor Miller invited public comment on the item.

The following people requested to speak:

Angela Ling spoke

No one else requested to speak.

CAPPELLO/BERNALD MOVED TO **APPROVE THE CITY COUNCIL MINUTES FOR THE REGULAR CITY COUNCIL MEETING ON APRIL 15, 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: 4/15/2020 Period 10; 4/22/2020 Period 10; 4/29/2020 Period 10.

BERNALD/CAPPELLO MOVED TO **ACCEPT CHECK REGISTERS FOR THE FOLLOWING ACCOUNTS PAYABLE PAYMENT CYCLES: 4/15/2020 PERIOD 10; 4/22/2020 PERIOD 10; 4/29/2020 PERIOD 10.** MOTION PASSED BY VERBAL ROLL CALL. AYES: MILLER, BERNALD, ZHAO, CAPPELLO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

1.3. Treasurer's Report for the Month Ended March 31, 2020

Recommended Action:

Review and accept the Treasurer's Report for the month ended March 31, 2020.

BERNALD/CAPPELLO MOVED TO **ACCEPT THE TREASURER'S REPORT FOR THE MONTH ENDED MARCH 31, 2020.** MOTION PASSED BY VERBAL ROLL CALL. AYES: MILLER, BERNALD, ZHAO, CAPPELLO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

1.4. Prospect Road Improvements Project – Notice of Completion

Recommended Action:

Move to accept the Prospect Road Improvements Project as complete and authorize staff to record the Notice of Completion for the construction contract.

BERNALD/CAPPELLO MOVED TO **ACCEPT THE PROSPECT ROAD IMPROVEMENTS PROJECT AS COMPLETE AND AUTHORIZE STAFF TO RECORD THE NOTICE OF COMPLETION FOR THE CONSTRUCTION CONTRACT.** MOTION PASSED BY VERBAL ROLL CALL. AYES: MILLER, BERNALD, ZHAO, CAPPELLO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

Council Member Cappello spoke about the Prospect Road Improvement project.

1.5. Contract with H.T. Harvey & Associates to Provide Biological Support Services for the Mt. Eden Road Repair Project

Recommended Action:

1. Approve design contract with H.T. Harvey and Associates for the Mt. Eden Road Repair Project, in the amount of \$58,476, and authorize the City Manager to execute the same.
2. Authorize staff to execute change orders to the contract up to \$5,800.

BERNALD/CAPPELLO MOVED TO **APPROVE DESIGN CONTRACT WITH H.T. HARVEY AND ASSOCIATES FOR THE MT. EDEN ROAD REPAIR PROJECT, IN THE AMOUNT OF \$58,476, AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE SAME AND TO AUTHORIZE STAFF TO EXECUTE CHANGE ORDERS TO THE CONTRACT UP TO \$5,800.** MOTION PASSED BY VERBAL ROLL CALL. AYES: MILLER, BERNALD, ZHAO, CAPPELLO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

Mayor Miller recessed the meeting until 8:15 p.m.

Vice Mayor Bernald requested that the City Council hear Item #3.1 before Item #2.1. The City Council concurred.

2. PUBLIC HEARING

2.1. Proposed Fee Schedule Update for FY 2020/21

Recommended Action:

Open the public hearing, listen to public testimony and close public hearing. Adopt the resolution approving the updated fee schedule for Fiscal Year 2020/21, effective July 6, 2020.

Dennis Jaw, Finance Manager, 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 20-023

BERNALD/ CAPPELLO MOVED TO **ADOPT THE RESOLUTION APPROVING THE UPDATED FEE SCHEDULE FOR FISCAL YEAR 2020/21, EFFECTIVE JULY 6, 2020.** MOTION PASSED BY VERBAL ROLL CALL. AYES: MILLER, BERNALD, ZHAO, CAPPELLO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

3. GENERAL BUSINESS

3.1. Accept the Final Text and Location of Four Point of Interest Markers for the: 1) Caledonia Pasteboard Mill, 2) Ohlone Indians, 3) Saloons, and 4) The Saratoga Paper Mill
Recommended Action:

Adopt the attached resolutions accepting the final text, marker design and location of four Point of Interest Markers and authorizing and directing the Director of Community Development and the Director of Public Works to proceed with contracting for the manufacturing and installation of the markers.

Nicole Johnson, Planner II, presented the staff report.

Annette Stransky, Heritage Preservation Commission member, answered questions from the Council.

Mayor Miller invited public comment on the item.

No one requested to speak.

RESOLUTION 20-024
RESOLUTION 20-025
RESOLUTION 20-026
RESOLUTION 20-027

BERNALD/CAPPELLO MOVED TO **ADOPT THE RESOLUTIONS ACCEPTING THE FINAL TEXT WITH LIGHT EDITING BY STAFF, THE MARKER DESIGN AND LOCATION OF FOUR POINT OF INTEREST MARKERS, AND AUTHORIZING AND DIRECTING THE DIRECTOR OF COMMUNITY DEVELOPMENT AND THE DIRECTOR OF PUBLIC WORKS TO PROCEED WITH CONTRACTING FOR THE MANUFACTURING AND INSTALLATION OF THE MARKERS.** MOTION PASSED BY VERBAL ROLL CALL. AYES: MILLER, BERNALD, ZHAO, CAPPELLO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

3.2. Saratoga Village Town Clock

Recommended Action:

Approve purchase of the Saratoga Village Town Clock from the Verdin Company in the amount of \$23,062.60 using public donations for the same.

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

Mayor Miller invited public comment on the item.

The following people requested to speak:

Ken Czworniak spoke

No one else requested to speak.

MILLER/ZHAO MOVED TO **APPROVE PURCHASE OF THE SARATOGA VILLAGE TOWN CLOCK FROM THE VERDIN COMPANY IN THE AMOUNT OF \$23,062.60 USING PUBLIC DONATIONS FOR THE SAME AND THE COUNCIL RECOMMENDED THE BLACK CLOCK WITH LESS ELABORATE TOP AND ARABIC NUMERALS, BUT FURTHER DIRECTED STAFF TO WORK WITH THE DONORS ON CLOCK SELECTION, AND DIRECTED STAFF TO CHECK ON SAFETY OF LOCATION OF CLOCK.** MOTION PASSED BY VERBAL ROLL CALL. AYES: MILLER, BERNALD, ZHAO, CAPPELLO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

3.3. COVID-19 Community Service Grants

Recommended Action:

Accept the City Council Finance Committee's recommendation to:

- 1) Authorize \$60,000 from the City Council Discretionary account for one-time support funding as follows:
 - \$20,000 to the Saratoga Area Senior Coordinating to cover costs associated with mailing the Outlook publication to every Saratoga household.
 - \$20,000 to West Valley Community Services for providing housing assistance grants.
 - \$20,000 to Hakone Foundation for operational support and increasing revenue opportunities at Gardens.
- 2) Authorize a \$10,000 one-time support grant to the Chamber of Commerce in FY 20/2021 in place of the budgeted Community Event Grant if the Chamber is unable to hold the 2020 Saratoga Classic and Cool Car Show.
- 3) Authorize the City Manager to consolidate the FY2020/21 quarterly support payments to the Saratoga Area Senior Coordinating Council to one payment made at the beginning of the fiscal year.

James Lindsay, City Manager, presented the staff report.

Mayor Miller invited public comment on the item.

No one requested to speak.

CAPPELLO/ZHAO MOVED TO **ACCEPT THE CITY COUNCIL FINANCE COMMITTEE'S RECOMMENDATION TO:**

1) AUTHORIZE \$60,000 FROM THE CITY COUNCIL DISCRETIONARY ACCOUNT IN FISCAL YEAR (FY) 2019-2020 FOR ONE-TIME SUPPORT FUNDING AS FOLLOWS:

•\$20,000 TO THE SARATOGA AREA SENIOR COORDINATING TO COVER COSTS ASSOCIATED WITH MAILING THE OUTLOOK PUBLICATION TO EVERY SARATOGA HOUSEHOLD.

•\$20,000 TO WEST VALLEY COMMUNITY SERVICES FOR PROVIDING HOUSING ASSISTANCE GRANTS.

•\$20,000 TO HAKONE FOUNDATION FOR OPERATIONAL SUPPORT AND INCREASING REVENUE OPPORTUNITIES AT GARDENS.

2) AUTHORIZE A \$15,000 ONE-TIME SUPPORT GRANT TO THE CHAMBER OF COMMERCE IN FY 2020/2021 IN PLACE OF THE BUDGETED COMMUNITY EVENT AND STREET CLOSURE GRANTS IF THE CHAMBER IS UNABLE TO HOLD THE 2020 SARATOGA CLASSIC AND COOL CAR SHOW.

3) AUTHORIZE A \$5,000 ONE-TIME SUPPORT GRANT IN FY 2019/2020 TO HAKONE FOUNDATION IN PLACE OF THE BUDGETED COMMUNITY EVENT GRANT AS THE MATSURI EVENT WAS CANCELLED.

4) AUTHORIZE THE CITY MANAGER TO CONSOLIDATE THE FY 2020/21 QUARTERLY SUPPORT PAYMENTS TO THE SARATOGA AREA SENIOR COORDINATING COUNCIL TO ONE PAYMENT MADE AT THE BEGINNING OF THE FISCAL YEAR. MOTION PASSED BY VERBAL ROLL CALL. AYES:

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

COUNCIL ASSIGNMENTS

Mayor Howard Miller

Council Finance Committee – the Committee had more public input through the Zoom meeting platform than with regular meetings.

Silicon Valley Clean Energy Authority Board of Directors – the Directors discussed keeping rates 4% less than PG&E. PG&E has programs for residents who need help with bills.

VTA Board of Directors – VTA is providing a minimal schedule for public transit, all riders must wear a mask, and VTA is equipping operators with personal protective equipment.

Vice Mayor Mary-Lynne Bernald

Council Finance Committee – the Committee reviewed revenue and funding requests for Fiscal Year 2019/20 and discussed the Fiscal Year 2020/21 budget.

Council Member Yan Zhao

No meetings to report

Council Member Manny Cappello

Saratoga Area Senior Coordinating Council (SASCC) – the Board approved establishing a line of credit and to keep the endowment in place.

Saratoga Ministerial Association – the Association members are putting together an Interfaith virtual event for all congregations and community members.

Council Member Rishi Kumar

Santa Clara County Library Joint Powers Authority – the Board approved the revised Building Policy and discussed the Fiscal Year 2020/21 budget.

CITY COUNCIL ITEMS

Council Member Kumar, with support from Council Member Zhao, asked for an agenda item for the May 20 Council meeting to postpone the public hearing on the Mt. Winery Annexation Discussion in advance of the public hearing.

Council Member Cappello, with support from Council Member Zhao, asked staff to provide a printed packet for future virtual Council meetings.

COUNCIL COMMUNICATIONS

Council Member Kumar spoke about San Jose Water and COVID-19 resources.

CITY MANAGER'S REPORT

None

ADJOURNMENT

CAPPELLO/ZHAO MOVED TO **ADJOURN THE MEETING AT 10:00 P.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