

MINUTES
WEDNESDAY, AUGUST 19, 2020
SARATOGA CITY COUNCIL REGULAR MEETING

At 3:30 p.m., Commission interviews were held for the Planning Commission vacancy via teleconferencing through Zoom.

At 5:00 p.m., the City Council held a virtual Closed Session via teleconferencing through Zoom.

At 5:45 p.m., Mayor Miller reported on Closed Session by announcing that the Council will be continuing this meeting after the Regular Meeting.

At 6:00 p.m., the City Council held a Joint Meeting with the Hakone Foundation Board via teleconferencing through Zoom.

Mayor Miller called the virtual Regular Session to order at 7:03 p.m. via teleconferencing through Zoom. Mayor Miller called the meeting to order in memory of Saratoga residents Sheila and David Brown.

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 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
Kayla Nakamoto, Administrative Analyst
Nicole Johnson, Senior Planner
(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 August 14, 2020.

REPORT ON CLOSED SESSION

Mayor Miller reported on Closed Session by announcing that the meeting will continue after the Regular Meeting.

REPORT FROM JOINT MEETING

Shozo Kagoshima, General Manager of Hakone, spoke about the discussion during the Joint Meeting.

ORAL COMMUNICATIONS ON NON-AGENDIZED ITEMS

Chuck Page requested that the City protect the identity of individuals who file Code Compliance complaints.

Phone Caller spoke about using City parks.

ANNOUNCEMENTS

Mayor Miller shared information on the CZU August Lightening Complex Fire, AlertSCC.com, Wildfire Preparedness, and COVID-19 testing.

SPECIAL PRESENTATIONS

Youth in Government 2020 Final Report and Presentation

Recommended Action:

Receive presentation from the Youth in Government Students and present certificates to Abhinav Patkar, Justin Guo, Safia Peer, Suraj Mehrotra, Tina Zhong, Angad Singh, Angelina Hong, Emily Choi, Esther Luan, Karishma Goswami, Meghana Simhadri, Alexandre Paquier, Anika Ramanathan, Chloe Lee, Keon Nikfar, and Natalie Lager for their completion of the Youth in Government 2020 program.

The City Council received the Special Presentation from Youth in Government 2020 students and presented certificates to the Youth in Government students.

1. CONSENT CALENDAR

1.1. City Council Meeting Minutes

Recommended Action:

Approve the City Council minutes for the Regular City Council Meeting on July 1, 2020 and Special City Council Meetings for July 16, 2020 and July 23, 2020.

BERNALD/ZHAO MOVED TO **APPROVE THE CITY COUNCIL MINUTES FOR THE REGULAR CITY COUNCIL MEETING ON JULY 1, 2020 AND SPECIAL CITY COUNCIL MEETINGS FOR JULY 16, 2020 AND JULY 23, 2020.** MOTION PASSED BY VERBAL ROLL CALL. AYES: MILLER, BERNALD, ZHAO, 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: 6/30/2020 Period 12; 7/8/2020 Period 13; 7/8/2020 Period 1; 7/15/2020 Period 13; 7/15/2020 Period 1; 7/22/2020 Period 13; 7/22/2020 Period 1; 7/29/2020 Period 13; 7/29/2020 Period 1; 8/5/2020 Period 13; 8/5/2020 Period 2; 8/12/2020 Period 13; 8/12/2020 Period 2.

BERNALD/ZHAO MOVED TO **ACCEPT CHECK REGISTERS FOR THE FOLLOWING ACCOUNTS PAYABLE PAYMENT CYCLES: 6/30/2020 PERIOD 12; 7/8/2020 PERIOD 13; 7/8/2020 PERIOD 1; 7/15/2020 PERIOD 13; 7/15/2020 PERIOD 1; 7/22/2020 PERIOD 13; 7/22/2020 PERIOD 1; 7/29/2020 PERIOD 13; 7/29/2020 PERIOD 1; 8/5/2020 PERIOD 13; 8/5/2020 PERIOD 2; 8/12/2020 PERIOD 13; 8/12/2020 PERIOD 2.** MOTION PASSED BY VERBAL ROLL CALL. AYES: MILLER, BERNALD, ZHAO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

1.3. Treasurer's Report for the Month Ended June 30, 2020

Recommended Action:

Review and accept the Treasurer's Report for the month ended June 30, 2020.

BERNALD/ZHAO MOVED TO **ACCEPT THE TREASURER'S REPORT FOR THE MONTH ENDED JUNE 30, 2020.** MOTION PASSED BY VERBAL ROLL CALL. AYES: MILLER, BERNALD, ZHAO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

1.4. Landmark Designation for 15320 Peach Hill Road – Application No. LNDMRK20-0001

Recommended Action:

Waive the second reading and adopt the attached ordinance designating the property at 15320 Peach Hill Road as a historic landmark

ORDINANCE 373

BERNALD/ZHAO MOVED TO **ADOPT THE ORDINANCE DESIGNATING THE PROPERTY AT 15320 PEACH HILL ROAD AS A HISTORIC LANDMARK.** MOTION PASSED BY VERBAL ROLL CALL. AYES: MILLER, BERNALD, ZHAO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

1.5. Saratoga to Sanborn Trail – Amendment to Extend the Early Completion Deadline for the Construction Contract

Recommended Action:

Move to amend the construction contract for the Saratoga to Sanborn Trail to extend the early completion deadline by 32 days due to COVID-19 delays.

BERNALD/ZHAO MOVED TO **AMEND THE CONSTRUCTION CONTRACT FOR THE SARATOGA TO SANBORN TRAIL TO EXTEND THE EARLY COMPLETION DEADLINE BY 32 DAYS DUE TO COVID-19 DELAYS.** MOTION PASSED BY VERBAL ROLL CALL. AYES: MILLER, BERNALD, ZHAO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

Mayor Miller commented about the Saratoga-to-Sanborn Trail opening.

2. PUBLIC HEARING

None.

3. GENERAL BUSINESS

3.1. Resolution Defining Authorities and Responsibilities of the Saratoga Library & Community Engagement Commission

Recommended Action:

Approve the resolution renaming the Saratoga Library Commission as the Saratoga Library and Community Engagement Commission and redefining the Commission’s authorities and responsibilities; and authorize the proposed work plan changes recommended by the Commission.

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

Bob Gulino, Chair of Library Commission, responded to questions from the Council.

Mayor Miller invited public comment on the item.

The following people requested to speak:

Chuck Page spoke

No one else requested to speak.

RESOLUTION 20-055

BERNALD/ZHAO MOVED TO **APPROVE THE RESOLUTION RENAMING THE SARATOGA LIBRARY COMMISSION AS THE SARATOGA LIBRARY AND COMMUNITY ENGAGEMENT COMMISSION AND REDEFINING THE COMMISSION’S AUTHORITIES AND RESPONSIBILITIES; AND AUTHORIZE THE PROPOSED WORK PLAN CHANGES RECOMMENDED BY THE COMMISSION, INCLUDING THE CHANGE IN THE SUPPLEMENTAL MEMO.** MOTION PASSED BY VERBAL ROLL CALL. AYES: MILLER, BERNALD, ZHAO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

3.2. Coronavirus Aid, Relief, and Economic Security (CARES) Act Funding

Recommended Action:

Receive report and provide direction.

Mary Fury, Administrative Services Director, presented the staff report.

Mayor Miller invited public comment on the item.

No one requested to speak.

BERNALD/ZHAO MOVED TO APPROVE USING THE CARES FUNDING FOR A REQUEST OF \$35,000 FOR THE SANTA CLARA COUNTY ISOLATION & QUARANTINE SUPPORT PROGRAM AND \$10,000 GREAT PLATES FEEDING PROGRAM; AND, DIRECT THE FINANCE COMMITTEE DISCUSS THE DISBURSEMENT OF THE REMAINING MONEY, INCLUDING A POSSIBLE BUSINESS LICENSE FEE WAIVER, AND RETURN TO COUNCIL WITH A RECOMMENDATION. MOTION PASSED BY VERBAL ROLL CALL. AYES: MILLER, BERNALD, ZHAO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

3.3. Proposed Wildfire Prevention and Preparedness Legislation

Recommended Action:

Consider the Wildfire Public Safety Task Force recommendation to approve the resolutions in support of Assembly Bill 2167 and Senate Bill 292, Assembly Bill 2178, Assembly Bill 3256, and Senate Bill 431.

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

Chuck Page, Wildfire Public Safety Task Force Chair, responded to questions from the Council.

Mayor Miller invited public comment on the item.

No one requested to speak.

RESOLUTION 20-056

RESOLUTION 20-057

RESOLUTION 20-058

RESOLUTION 20-059

ZHAO/MILLER MOVED TO APPROVE THE WILDFIRE PUBLIC SAFETY TASK FORCE RECOMMENDATION TO APPROVE THE RESOLUTIONS IN SUPPORT OF ASSEMBLY BILL 2167 AND SENATE BILL 292, ASSEMBLY BILL 2178, ASSEMBLY BILL 3256, AND SENATE BILL 431. MOTION PASSED BY VERBAL ROLL CALL. AYES: MILLER, BERNALD, ZHAO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

3.4. Designation of League of California Cities Annual Conference Voting Delegate and Alternates

Recommended Action:

Designate the City of Saratoga voting delegate and alternate voting delegate(s) for the 2020 League of California Cities Annual Conference.

Debbie Bretschneider, City Clerk, presented the staff report.

Mayor Miller invited public comment on the item.

No one requested to speak.

ZHAO/MILLER MOVED TO **DESIGNATE COUNCIL MEMBER YAN ZHAO AS THE LEAGUE OF CALIFORNIA CITIES VOTING DELEGATE, NO ALTERNATE SELECTED.** MOTION PASSED BY VERBAL ROLL CALL. AYES: MILLER, BERNALD, ZHAO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

COUNCIL ASSIGNMENTS

Mayor Howard Miller

Saratoga Sister City Organization – the organization held its first virtual meeting since the COVID shutdown.

Silicon Valley Clean Energy Authority Board of Directors – the Board held a review of the CEO. SVCE is writing an Integrated resource plan.

Valley Transportation Authority (VTA) Policy Advisory Committee – the Committee approved grant requirements and formed subcommittee about pensions for employees.

VTA State Route 85 Corridor Policy Advisory Board – Mayor Miller is trying to get noise mitigation added to the advisory to VTA, but other cities are resistant.

Mayor Miller announced that he is part of a Santa Clara County subcommittee on COVID testing.

Vice Mayor Mary-Lynne Bernald

Cities Association of Santa Clara County Board of Directors – the Board reviewed State legislation that impacts local control and wrote a letter to Legislators advocating against reducing local control on housing.

Cities Association of Santa Clara County-City Selection Committee – the Committee reappointed Mountain View Councilmember Chris Clark and Campbell Vice Mayor Liz Gibbons to serve as ABAG Executive Board Members.

Public Art Committee – “Silly Walk” signs are up in Village and Congress Springs Park.

Council Member Yan Zhao

KSAR Community Access TV Board – the Board held an election for Board members and are still looking for a new station manager.

Public Art Committee – the Committee discussed several new projects.

Saratoga Area Senior Coordinating Council (SASCC) – attended the meeting, but nothing to report.

Saratoga Chamber of Commerce & Destination Saratoga – attended the meeting, but nothing to report.

Council Member Rishi Kumar

West Valley Solid Waste Management Joint Powers Authority – the JPA had a confidential meeting.

CITY COUNCIL ITEMS

Vice Mayor Bernald, with support from Mayor Miller, requested information on accessibility of City Parks and playgrounds.

COUNCIL COMMUNICATIONS

None

CITY MANAGER'S REPORT

None

ADJOURNMENT

The Mayor announced that the Council would be reconvening the Planning Commission Interviews meeting and also the Closed Session meeting from earlier in the evening.

The City Council reconvened at 9:40 p.m.

BERNALD/ZHAO MOVED TO **ADJOURN THE MEETING AT 12:21 A.M.** MOTION PASSED BY VERBAL ROLL CALL. AYES: MILLER, BERNALD, ZHAO. NOES: NONE. ABSTAIN: NONE. KUMAR: NONE.

Minutes respectfully submitted:

Debbie Bretschneider, City Clerk
City of Saratoga