



# SARATOGA CITY COUNCIL REGULAR MEETING

APRIL 15, 2020

## Teleconference/Public Participation Information to Mitigate the Spread of COVID-19

This meeting will be entirely by teleconference. All Council members and staff will only participate via the Zoom platform using the process described below. The meeting is being conducted in compliance with the Governor's Executive Order N-29-20 suspending certain teleconference rules required by the Ralph M. Brown Act. The purpose of this order was to provide the safest environment for the public, elected officials, and staff while allowing for continued operation of the government and public participation during the COVID-19 pandemic.

Members of the public can view and participate in the **Joint Meeting** by:

1. Using the Zoom website <https://us04web.zoom.us/j/649103203> or App Webinar ID: 649 103 203 and using the tool to raise their hand in the Zoom platform to speak on an agenda item when directed by the Mayor; **OR**
2. Calling 1.669.900.6833 or 1.408.638.0968 and pressing \*9 to raise their hand to speak on an agenda item when directed by the Mayor.

Members of the public can view and participate in the **Regular Session** of the meeting by:

1. Using the Zoom website <https://us04web.zoom.us/j/737759541> or App Webinar ID: 737 759 541 and raising their hand to speak on an agenda item when directed by the Mayor.
2. Calling 1.669.900.6833 or 1.408.638.0968 and pressing \*9 to raise their hand to speak on an agenda item when directed by the Mayor; **OR**
3. Viewing the meeting on Saratoga Community Access Television Channel 15 (Comcast Channel 15, AT&T UVerse Channel 99) and calling 1.669.900.6833 or 1.408.638.0968 and pressing \*9 to raise their hand to speak on an agenda item when directed by the Mayor; **OR**
4. Viewing online at [http://saratoga.granicus.com/MediaPlayer.php?publish\\_id=2](http://saratoga.granicus.com/MediaPlayer.php?publish_id=2) and calling 1.669.900.6833 or 1.408.638.0968 and pressing \*9 to raise their hand to speak on an agenda item when directed by the Mayor.

The public will not be able to participate in the meeting in person.

As always, members of the public can send written comments to the Council prior to the meeting by commenting online at [www.saratoga.ca.us/comment](http://www.saratoga.ca.us/comment) prior to the start of the meeting. These emails will be provided to the members of the Council and will become part of the official record of the meeting.

During the meeting the Mayor will explain the process for members of the public to be recognized to offer public comment.

In accordance with the Americans with Disabilities Act and the Governor's Executive Order, if you need assistance to participate in this meeting due to a disability, please contact the City Clerk at [debbieb@saratoga.ca.us](mailto:debbieb@saratoga.ca.us) or calling 408.868.1216 as soon as possible before the meeting. The City will use its best efforts to provide reasonable accommodations to provide as much accessibility as possible while also maintaining public safety.

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## 6:00 P.M. JOINT MEETING

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Joint Meeting with Chamber of Commerce

[Discussion Topics](#)

[Supplemental Presentation](#)

[Supplemental Presentation II](#)

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## 7:00 P.M. REGULAR SESSION

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### ROLL CALL

### REPORT ON POSTING OF THE AGENDA

*The agenda for this meeting was properly posted on April 10, 2020.*

### REPORT FROM JOINT MEETING

### ORAL COMMUNICATIONS ON NON-AGENDIZED ITEMS

*Any member of the public may address the City Council for up to three (3) minutes on matters not on the Agenda. The law generally prohibits the City Council from discussing or taking action on such items. However, the Council may instruct staff accordingly.*

### ANNOUNCEMENTS

### CEREMONIAL ITEMS

Proclamation Recognizing April 19-25, 2020 as National Library Week

**Recommended Action:**

Proclaim April 19-25, 2020 as National Library Week in the City of Saratoga.

[Staff Report](#)

[Attachment A: Proclamation for April 19-25, 2020 as National Library Week](#)

### SPECIAL PRESENTATIONS

Presentation by West Valley Community Services

**Recommended Action:**

Receive presentation from West Valley Community Services.

[Staff Report](#)

[Supplemental Presentation](#)

## 1. CONSENT CALENDAR

*The Consent Calendar contains routine items of business. Items in this section will be acted on in one motion, unless removed by the Mayor or a Council Member. Any member of the public may speak on an item on the Consent Calendar at this time, or request that the Mayor remove an item from the Consent Calendar for discussion. Public Speakers are limited to three (3) minutes.*

### 1.1. City Council Meeting Minutes

#### **Recommended Action:**

Approve the City Council minutes for the City Council Retreat on February 28, 2020, the Regular City Council Meeting on March 4, 2020 and the City Council Special Meetings on March 9 and March 18, 2020.

#### [Staff Report](#)

[Attachment A – Minutes for the City Council Retreat on February 28, 2020](#)

[Attachment B – Minutes for the Regular City Council Meeting on March 4, 2020](#)

[Attachment C – Minutes for the City Council Special Meeting on March 9, 2020](#)

[Attachment D – Minutes for the City Council Special Meeting on March 18, 2020](#)

### 1.2. Review of Accounts Payable Check Registers

#### **Recommended Action:**

Review and accept check registers for the following accounts payable payment cycles: 3/16/2020 Period 9; 3/23/2020 Period 9; 3/31/2020 Period 9; 4/8/2020 Period 10.

#### [Staff Report](#)

[Check Register - 03-16-2020 Period 9](#)

[Check Register - 03-23-2020 Period 9](#)

[Check Register - 03-31-2020 Period 9](#)

[Check Register - 04-08-2020 Period 10](#)

### 1.3. Treasurer’s Report for the Month Ended February 29, 2020

#### **Recommended Action:**

Review and accept the Treasurer’s Report for the month ended February 29, 2020.

#### [Treasurer Report](#)

### 1.4. Amendment to Contract with Kimley-Horn and Associates, Inc. for Environmental Consulting Services for the Mountain Winery Annexation Project

#### **Recommended Action:**

Authorize the City Manager to amend the contract with Kimley-Horn and Associates, Inc. for environmental consulting services for the Mountain Winery Annexation Project in the amount of \$12,000.00.

#### [Staff Report](#)

[Attachment A - Original Contract and Amendment No. 1](#)

[Attachment B - Amendment No. 2 Kimley-Horn Contract](#)

[Supplemental Attachment - Written Communications](#)

### 1.5. McFarland Avenue Curb and Gutter Replacement Project – Budget Resolution

#### **Recommended Action:**

Adopt Budget Resolution creating a new Capital Improvement Program (CIP) project for

McFarland Avenue Curb and Gutter Replacement and fund project with Capital Reserve Funds in the amount of \$350,000.

[Staff Report](#)

[Attachment A - Budget Resolution](#)

1.6. Fruitvale Avenue and Allendale Avenue Intersection Improvements – Budget Resolution

**Recommended Action:**

Adopt Budget Resolution increasing the project budget for the Fruitvale Avenue and Allendale Avenue Intersection Improvements project in the amount of \$125,000.

[Staff Report](#)

[Attachment A - Budget Resolution](#)

1.7. Financial Audit Services Contract

**Recommended Action:**

Authorize the City Manager to execute a one-year contract with Chavan & Associates, LLP under lead partner Jeff Ira, CPA for the FY 2019/20 financial audits.

[Staff Report](#)

[Attachment A -C&ALLP Audit Contract](#)

[Attachment B - City of Saratoga Engagement Letter](#)

1.8. Traffic Signal Adaptive System Deployment – Award of Traffic Software and Hardware Contract

**Recommended Action:**

Authorize the City Manager to execute a contract for traffic software and hardware with Trafficware - Cubic for \$199,357.40

[Staff Report](#)

[Attachment A - Contract](#)

1.9. Amendment to Contract with BKF Engineers for the Guava Court Pedestrian/Bicycle Railroad Crossing Improvement Project

**Recommended Action:**

Authorize the second amendment to increase the scope and payment terms by \$37,560 to the contract with BKF Engineers for the Guava Court Pedestrian/Bicycle Railroad Crossing Improvement Project.

[Staff Report](#)

[Attachment A- Contract Amendment](#)

[Attachment B- Original Contract](#)

1.10. Resolution to adopt a list of projects funded by SB 1 for FY 2020-21: The Road Repair and Accountability Act

**Recommended Action:**

Adopt Resolution to adopt a list of projects funded by SB 1 for FY 2020-21: The Road Repair and Accountability Act for funding the Annual Roadway Improvements Project.

[Staff Report](#)

[Attachment A - Resolution](#)

## 2. PUBLIC HEARING

*Items placed under this section of the Agenda are those defined by law as requiring a special notice and/or a public hearing or those called by the City Council on its own volition. During Public Hearings for appeals, Applicants/Appellants and/or their representatives have a total of ten (10) minutes maximum for opening statements. Members of the public may comment on any item for up to three (3) minutes. The amount of time for public comment may be reduced by the Mayor or by action of the City Council. After public comment, the Applicant/Appellants and/or their representatives have a total of five (5) minutes maximum for closing statements. Items requested for continuance are subject to the City Council's approval at the Council Meeting.*

2.1. APCC20-0001 - Appeal of a Fence Exception denial to install a fence that exceeds the maximum allowable height within an exterior side setback located at 12452 Miller Avenue.

### **Recommended Action:**

1. Conduct a public hearing and de novo review of the appeal.
2. Adopt Resolution #20-XXX (Attachment C) upholding the Planning Commission's decision to deny the Fence Exception application.

[Staff Report](#)

[Attachment A - Appeal Application](#)

[Attachment B - Letter of Support](#)

[Attachment C - Resolution of the City Council to Deny the Appeal](#)

[Attachment D - Resolution of the City Council to Approve the Appeal](#)

[Attachment E - January 22, 2020 Planning Commission Resolution of Denial](#)

[Attachment F - January 22, 2020 Planning Commission Staff Report \(without attachments\)](#)

[Attachment G - January 22, 2020 Planning Commission Meeting Minutes](#)

[Attachment H - Project Plans](#)

[Attachment I - Streetview Photographs](#)

[Supplemental Attachment - Written Communications](#)

[Supplemental Presentation](#)

## 3. GENERAL BUSINESS

3.1. Allocation of Community Event Grant Program Funds

### **Recommended Action:**

Review the Community Event Grant Program applications for Fiscal Year 2020/21 and determine allocations.

[Staff Report](#)

[Attachment A – Community Event Grant Program Policy](#)

[Attachment B - Summary of Community Event Grant Applications and Secured Funding](#)

[Attachment C - Community Event Grant Applications](#)

[Supplemental Attachment](#)

3.2. Saratoga Speed Survey Report

### **Recommended Action:**

1. Adopt Resolution accepting the 2020 Speed Survey.
2. Direct staff to return to a future City Council meeting with legislation to increase the posted speed limit at Segment 28 - Quito Road from 25 mph to 30 mph and to decrease the posted speed limit at Segment 35 - Saratoga Avenue from 40 mph to 35 mph.

[Staff Report](#)

[Attachment A- Resolution Approving Speed Survey](#)  
[Attachment B: 2020 Speed Survey](#)  
[Attachment C- Notable Roadway Segments](#)  
[Supplemental Attachment - Written Communications](#)  
[Supplemental Presentation](#)

3.3. Landscaping and Lighting Assessment District LLA-1; Preliminary Approval of Engineer's Report; Adoption of Resolution of Intention for FY 20-21; and Adoption of Resolution of Intention to Dissolve Zones 4, 5, 7, and 24.

**Recommended Action:**

1. Adopt the Resolution granting preliminary approval of the Engineer's Report included as Attachment D for FY 20-21 for renewing the Landscaping and Lighting Assessment District LLA-1 excluding Zones 4, 5, 7, and 24 (Attachment A);
2. Adopt the Resolution of Intention to order the levy and collection of assessments for the Landscaping and Lighting Assessment District LLA-1 for FY 20-21 (Attachment B); and
3. Adopt the Resolution of Intention to dissolve Zones 4, 5, 7, and 24 (Attachment C).

[Staff Report](#)

[Attachment A – Resolution of Preliminary Approval of Engineer's Report with Dissolution of Zones 4, 5, 7, and 24](#)

[Attachment B – Resolution of Intention to Order the Levy and Collection of Assessments](#)

[Attachment C – Resolution of Intention to Undertake Proceedings for the Dissolution of Zones 4, 5, 7, and 24](#)

[Attachment D – Engineer's Report with Dissolutions](#)

[Attachment E – Map of Zones Proposed for Dissolution](#)

[Attachment F – Engineer's Report without Dissolutions](#)

3.4. Urgency Ordinance to Temporarily Suspend the Requirement to attend a Commission Meeting before Applying for a Position

**Recommended Action:**

Approve an urgency ordinance to temporarily suspend the requirement that applicants for City Commissions attend a Commission meeting before applying for the position.

[Staff Report](#)

[Attachment A – Urgency Ordinance to Temporarily waive the Requirement to attend a Commission Meeting before Applying for a Recruitment](#)

3.5. COVID-19 Local Emergency Proclamation, Continuity of Operations, Designation of Authorized Agents, and Authorization to Submit Disaster Relief Application(s)

**Recommended Action:**

Approve the resolutions: 1) affirming the continued existence of a local emergency due to the spread of novel coronavirus (COVID-19); 2) accepting the COVID-19 Continuity of Operations Plan (COOP); 3) approving the City of Saratoga Designation of Authorized Agents; and 4) authorizing submittal of a disaster relief application(s).

[Staff Report](#)

[Attachment A – Resolution No. 20-010](#)

[Attachment B – Resolution Affirming the Continued Existence of a Local Emergency](#)

[Attachment C – Resolution Approving the COVID-19 Continuity of Operations Plan](#)

[Attachment D – COVID-19 Continuity of Operations Plan](#)

[Attachment E – Resolution Designating Authorized Agents](#)

[Attachment F – Resolution Authorizing Submittal of COVID-19 Disaster Relief Applications](#)

3.6. Urgency Ordinance Temporarily Amending the Requirement to Periodically Review the Need for the COVID-19 Local Emergency Proclamation

**Recommended Action:**

Approve the urgency ordinance temporarily amending City Code Section 6-05.050(b)(1) to require review of the resolution proclaiming a local emergency due to the spread of novel coronavirus (COVID-19) every 60 days instead of every 30 days until the termination of the local emergency declared by Santa Clara County.

Staff Report

[Attachment A – Urgency Ordinance Temporarily Amending City Code Section 06-05.050\(b\)\(1\)](#)

## **COUNCIL ASSIGNMENTS**

Mayor Howard Miller

Council Finance Committee

Saratoga Sister City Organization

Silicon Valley Clean Energy Authority Board of Directors

Valley Transportation Authority (VTA) Policy Advisory Committee

VTA State Route 85 Corridor Policy Advisory Board

West Valley Mayors & Managers

Vice Mayor Mary-Lynne Bernald

Association of Bay Area Governments

Cities Association of Santa Clara County-City Selection Committee

Cities Association of Santa Clara County-Legislative Action Committee

Cities Association of Santa Clara County- meetings

Council Finance Committee

Hakone Foundation Board & Executive Committee

Public Art Committee

Santa Clara/Santa Cruz Airport/Community Roundtable

Saratoga Historical Foundation

Council Member Yan Zhao

Hakone Foundation Board

KSAR Community Access TV Board

Public Art Committee

Santa Clara County-Comprehensive County Expressway Planning Study Policy Advisory Board

Saratoga Chamber of Commerce & Destination Saratoga

Council Member Manny Cappello

Cities Association of Santa Clara County Board of Directors

Santa Clara County Housing and Community Development (HCD) Council Committee

Saratoga Area Senior Coordinating Council (SASCC)

Saratoga Ministerial Association

West Valley Sanitation District

Council Member Rishi Kumar

Santa Clara County Library Joint Powers Authority

Santa Clara Valley Water District Commission

West Valley Clean Water Program Authority

**CITY COUNCIL ITEMS**

**COUNCIL COMMUNICATIONS**

**CITY MANAGER'S REPORT**

**ADJOURNMENT**

**CERTIFICATE OF POSTING OF THE AGENDA, DISTRIBUTION OF THE AGENDA PACKET, COMPLIANCE WITH AMERICANS WITH DISABILITIES ACT**

*I, Debbie Bretschneider, City Clerk for the City of Saratoga, declare that the foregoing agenda for the meeting of the City Council was posted and available for review on April 10, 2020 at the City of Saratoga, 13777 Fruitvale Avenue, Saratoga, California and on the City's website at [www.saratoga.ca.us](http://www.saratoga.ca.us).*

*Signed this 10th day of April 2020 at Saratoga, California.*

*Debbie Bretschneider, City Clerk*

*In accordance with the Ralph M. Brown Act, copies of the staff reports and other materials provided to the City Council by City staff in connection with this agenda, copies of materials distributed to the City Council concurrently with the posting of the agenda, and materials distributed to the City Council by staff after the posting of the agenda are available on the City Website at [www.saratoga.ca.us](http://www.saratoga.ca.us). Following removal of State and local shelter in place orders these materials will be available for review in the office of the City Clerk at 13777 Fruitvale Avenue, Saratoga, California.*

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**CITY OF SARATOGA  
CITY COUNCIL MEETING CALENDAR 2020**

- 05/06 6:00 p.m. Joint Meeting with Heritage Preservation Commission | 7:00 p.m. Regular Session
- 05/11 6:00 p.m. Budget Study Session, S. Ku Hall
- 05/20 6:00 p.m. Joint Meeting with Board of Supervisor Joe Simitian | 7:00 p.m. Regular Session
  
- 06/02 Time Tentative: Youth Commission Interviews
- 06/03 5:00 p.m. Traffic Safety Commission Interviews | 5:30 p.m. Joint Meeting with Saratoga Neighborhood & Neighborhood Watch in Community Center, Multipurpose room
- 06/17 6:00 p.m. Joint Meeting with Saratoga Ministerial Association | 7:00 p.m. Regular Session
  
- 07/01 5:00 p.m. Closed Session | 7:00 p.m. Regular Session
- 07/15 No Meeting - Recess



08/05 No Meeting - Recess  
08/19 5:00 p.m. Closed Session | 6:00 p.m. Joint Meeting with Hakone Board and Sister City | 7:00 p.m. Regular Session

09/02 5:00 p.m. Commission Interviews for Library & Parks | 6:00 p.m. Joint Meeting with Montalvo Arts | 7:00 p.m. Regular Session  
09/16 6:00 p.m. Joint Meeting with Youth Commission | 7:00 p.m. Regular Session

10/07 5:00 p.m. Joint Meeting with West Valley – Mission Community College Board of Trustees | 6:00 p.m. Joint Meeting - Saratoga Schools and Boards at West Valley College | 7:00 p.m. Regular Session

10/21 6:00 p.m. Joint Meeting with Sheriff's Office | 7:00 p.m. Regular Session

11/04 6:00 p.m. Joint Meeting with KSAR | 7:00 p.m. Regular Session  
11/18 6:00 p.m. Joint Meeting with TBD | 7:00 p.m. Regular Session

12/02 5:00 p.m. Commission Interviews for HPC & TSC | 6:00 p.m. Joint Meeting with Historical Foundation | 7:00 p.m. Regular Session  
12/10 7:00 p.m. Council Reorganization  
12/16 6:00 p.m. Study Session – Council Norms | 7:00 p.m. Regular Session

*Unless otherwise stated, Joint Meetings and Study Sessions begin at 6:00 p.m. in the Linda Callon Conference Room at Saratoga City Hall at 13777 Fruitvale Avenue and Regular Session begins at 7:00 p.m. in the Civic Theater at 13777 Fruitvale Avenue*