



# SARATOGA CITY COUNCIL REGULAR MEETING

**JUNE 17, 2020**

**AMENDED 6/17/2020 -Supplemental Attachments**

## **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://us02web.zoom.us/j/87820828320> or App (Webinar ID 878 2082 8320) and using the tool to raise their hand in the Zoom platform when directed by the Mayor to speak on an agenda item; **OR**
2. Calling 1.408.638.0968 or 1.669.900.6833, entering the Webinar ID (878 2082 8320), 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://us02web.zoom.us/j/82282727313> or App (Webinar ID 822 8272 7313) and raising their hand when directed by the Mayor to speak on an agenda item; **OR**
2. Calling 1.408.638.0968 or 1.669.900.6833, entering the Webinar ID (822 8272 7313), 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, , entering the Webinar ID (822 8272 7313), 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 1.408.638.0968 or 1.669.900.6833, entering the Webinar ID (822 8272 7313), and pressing \*9 to raise their hand to speak on an agenda item when directed by the Mayor. Please mute your computer or television before giving public comment.

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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## 5:30 P.M. JOINT MEETING

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Joint Meeting with Saratoga Ministerial Association  
[Discussion Topics](#)

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## 7:00 P.M. REGULAR SESSION

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

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## ROLL CALL

### REPORT ON POSTING OF THE AGENDA

*The agenda for this meeting was properly posted on June 12, 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

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.

[Staff Report](#)

[Attachment A – Resolution of Appointment](#)

[Attachment B -- Oath of Office](#)

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.

[Staff Report](#)

[Attachment A - Commendation for Safia Peer](#)

[Attachment B - Commendation for Nithya Koneru](#)

[Attachment C - Commendation for Carolyn Pyun](#)

[Attachment D - Commendation for Varsha Rammohan](#)

[Attachment E - Commendation for Pranav Chittharanjan](#)

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.

[Staff Report](#)

[Attachment A – Resolution of Appointment](#)

[Attachment B - Oaths of Office](#)

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.

[Staff Report](#)

**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 Regular City Council Meetings on May 20, 2020 and June 3, 2020.

[Staff Report](#)

[Attachment A – Minutes for the Regular City Council Meeting on May 20, 2020](#)

[Attachment B – Minutes for the Regular City Council Meeting on June 3, 2020](#)

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.

[Staff Report](#)

[Check Register - 05-06-2020 Period 11](#)

[Check Register - 05-13-2020 Period 11](#)

[Check Register - 05-20-2020 Period 11](#)

[Check Register - 05-27-2020 Period 11](#)

[Check Register - 06-03-2020 Period 12](#)

[Check Register - 06-10-2020 Period 12](#)

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.

[Staff Report](#)

[Attachment A - Investment Policy](#)

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.

[Staff Report](#)

[Attachment A- Gann Limit Factors](#)

[Attachment B - GANN Limit Resolution](#)

[Attachment C - Price Factor and Population Information](#)

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.

[Staff Report](#)

[Attachment A - FY 2020-21 Budget Adoption Resolution](#)

[Attachment B - FY 2020-21 CIP Conformity](#)

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.

[Staff Report](#)

[Attachment A - Debt Service Schedule](#)

[Attachment B - Arrowhead Tax Levy Resolution](#)

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.

[Staff Report](#)

[Attachment A - General Obligation Bond Debt Service Schedule](#)

[Attachment B - GO Bond Tax Levy Resolution](#)

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.

[Staff Report](#)

[Attachment A - Bid Summary](#)

[Attachment B - Construction Contract](#)

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.

[Staff Report](#)

[Attachment A - BMI Contract](#)

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.

[Staff Report](#)

[Attachment A - Budget Resolution](#)

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.

[Staff Report](#)

[Attachment A - Resolution](#)

[Attachment B - LEAP 2020 NOFA and Application Guidelines](#)

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.

[Staff Report](#)

[Attachment A - Contract Amendment](#)

[Attachment B - Original Contract](#)

**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. s. 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. Items requested for continuance are subject to the City Council's approval at the Council Meeting.*

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.

[Staff Report](#)

[Attachment A - City Council Resolution of Approval](#)

[Attachment B - City Council Ordinance](#)

[Attachment C - May 27, 2020 Planning Commission Resolution Recommending Approval](#)

[Attachment D - May 27, 2020 Planning Commission Staff Report \(without attachments\)](#)

[Attachment E - Project Description](#)

[Attachment F - Proposed Lot Merger and Lot Line Adjustment](#)

[Attachment G - Existing Floor Plan](#)

[Attachment H - Site Photographs](#)

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.

[Staff Report](#)

[Attachment A - Resolution](#)

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

[Staff Report](#)

[Attachment A – Ordinance](#)

[Attachment B - WUI & Fire Hazard Map](#)

[Attachment C – Planning Commission meeting minutes dated May 13, 2020](#)

[Attachment D - Public Safety Task Force Minutes 2-3-20](#)

[Attachment E - Cal Fire Guidelines for Defensible Space](#)

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.

[Staff Report](#)

[Attachment A- Ordinance Saratoga Ave Speed Limit](#)

[Attachment B- 2020 Saratoga Speed Survey](#)

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.

[Staff Report](#)

[Attachment A – Resolution Dissolving Zones 4, 5, 7, and 24](#)

[Attachment B - Map](#)

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.

[Staff Report](#)

[Attachment A - Resolution](#)

[Attachment B - Engineer's Report](#)

**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.

[Staff Report](#)

[Attachment A – Resolution](#)

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.

[Staff Report](#)

[Supplemental Attachment](#)

3.3. City Infrastructure Projects - Update

**Recommended Action:**

Receive Report

[Staff Report](#)

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.

[Staff Report](#)



[Attachment A - Proposed Measure Text](#)  
[Attachment B - 1992 Advisory Measure](#)  
[Supplemental -Written Communications](#)

## **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  
West Valley Solid Waste Management Joint Powers 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 June 12 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 12th day of June 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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*[28 CFR 35.102-35.104 ADA title II]*



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

- |       |   |
|-------|---|
| 06/17 | 5:30 p.m. Joint Meeting with Saratoga Ministerial Association   7:00 p.m. Regular Session   |
| 07/01 | 5:00 p.m. Commission Interviews   5:30 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 |
| 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  
12/15 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*