



# SARATOGA CITY COUNCIL REGULAR MEETING

JULY 20, 2022

## AMENDED AGENDA

- **07/18/2022 ITEM 2.5 ALTERNATIVE TERM LIMIT BALLOT ARGUMENT ADDED**
- **07/20/2022 ITEM 1.3 WRITTEN COMMUNICATIONS ADDED**
- **07/20/2022 ITEM 1.4 WRITTEN COMMUNICATIONS ADDED**
- **07/20/2022 JOINT SESSION, SARATOGA HISTORICAL FOUNDATION PRESENTATION SLIDES ADDED**
- **07/20/2022 ITEM 2.1 PRESENTATION SLIDES ADDED**
- **07/20/2022 REGULAR SESSION LINK CORRECTED**

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

This meeting will be held entirely by teleconference. All members of the City Council and staff will only participate via the Zoom platform using the process described below. The meeting is being conducted pursuant to recent amendments to the teleconference rules required by the Ralph M. Brown Act allowing teleconferencing during a proclaimed state of emergency when local officials have recommended social distancing. The purpose of the amendments is 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 **6:00 p.m. Joint Session** by:

- Using the Zoom website <https://us02web.zoom.us/j/89219400018>; Webinar ID 892 1940 0018 **OR**
- Calling 1.408.638.0968 or 1.669.900.6833 and entering the Webinar ID provided above

Members of the public can view and participate in the **7:00 p.m. Regular Session** by:

- Using the Zoom website <https://us02web.zoom.us/j/82477752784>; Webinar ID 824 7775 2784 **OR**
- Calling 1.408.638.0968 or 1.669.900.6833 and entering the Webinar ID provided above; **OR**
- Viewing the meeting on Saratoga Community Access Television Channel 15 (Comcast Channel 15, AT&T UVerse Channel 99 and calling in following the direction above; **OR**
- Viewing online at [http://saratoga.granicus.com/MediaPlayer.php?publish\\_id=2](http://saratoga.granicus.com/MediaPlayer.php?publish_id=2) and calling in following the direction above.

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

## Written Communication

Comments can be submitted in writing at [www.saratoga.ca.us/comment](http://www.saratoga.ca.us/comment). Written communications will be provided to the members of the Council and included in the Agenda Packet and/or in supplemental meeting materials.

## **Public Comment**

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.

## **Meeting Recording Information**

In accordance with the Saratoga City Council's Meeting Recording Policy, City Council Study Sessions, Joint Meetings, Joint Sessions, Commission Interviews, Retreats, meetings with the Planning Commission, and Regular Session Meetings are recorded and made available following the meeting on the City website.

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## **6:00 PM JOINT SESSION**

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Joint Session with Saratoga Chamber of Commerce and Saratoga Historical Foundation

### **Recommended Action:**

Receive presentations and updates from Saratoga Chamber of Commerce and Saratoga Historical Foundation.

[Presentation Slides Saratoga Historical Foundation Joint Session Item \(added 07-20-2022\)](#)

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## **7:00 PM REGULAR SESSION**

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### **ROLL CALL**

### **REPORT ON POSTING OF THE AGENDA**

*The agenda for this meeting was properly posted on July 14, 2022.*

### **REPORT FROM JOINT SESSION**

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

*Any member of the public may address the City Council 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**

#### **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.*

##### **1.1. City Council Meeting Minutes**

### **Recommended Action:**

Approve the Minutes for the July 6, 2022 City Council Regular Meeting.

[Staff Report](#)

[Attachment A - Minutes for the July 6, 2022 City Council Regular Meeting](#)

##### **1.2. Review of Accounts Payable Check Registers**

### **Recommended Action:**

Review and accept check registers for the following accounts payable payment cycles:

6/30/22 Period 12; 7/7/22 Period 13; 7/7/22 Period 1.

[Staff Report](#)

[Attachment A - Check Register 06-30-2022 Period 12](#)

[Attachment B - Check Register 07-07-22 Period 13](#)

[Attachment C - Check Register 07-07-2022 Period 1](#)

1.3. Landmark Designation for 14666 Oak Street - Application No. LNDMRK22-0001

**Recommended Action:**

Waive the second reading and adopt the attached ordinance designating the property at 14666 Oak Street as a historic landmark.

[Staff Report](#)

[Attachment A- Ordinance](#)

[Attachment B- Public Comments](#)

[Supplemental Memo 07-20-2022, Item 1.3 Written Communications \(added 07-20-2022\)](#)

1.4. An ordinance to amend the City of Saratoga Municipal Code to implement Senate Bill 9 by setting forth objective standards applicable to projects required to be processed for only ministerial review under Government Code sections 65852.1 or 66411.7 such as lot splits and two-unit developments in single family zoning districts.

**Recommended Action:**

Waive the second reading and adopt the attached ordinance adopting Article 15-57 of the City Code regulating two-unit residential developments and urban lot splits.

[Staff Report](#)

[Attachment A - Ordinance](#)

[Supplemental Memo 07-20-2022, Item 1.4 Written Communications \(added 07-20-2022\)](#)

1.5. 4Leaf, Inc. Plan Review Services Contract for the Amount of \$240,000

**Recommended Action:**

Authorize the City Manager to execute a contract with 4Leaf, Inc. for plan review services in the amount of \$240,000 for FY 2022-23.

[Staff Report](#)

[Attachment 1 - Proposed Contract](#)

1.6. 4Leaf, Inc. Building Inspection Services Contract for the Amount of \$60,000

**Recommended Action:**

Authorize the City Manager to execute a contract with 4Leaf, Inc. for as-needed professional building inspection services in the amount of \$60,000.00 for FY 2022-23.

[Staff Report](#)

[Attachment 1 - Proposed Contract](#)

1.7. Lynx Technologies, Inc. Geographic Information System Consultant Contract in the amount of \$32,500

**Recommended Action:**

Authorize the City Manager to execute a contract with Lynx Technologies, Inc. Geographic Information System (GIS) Consultant services in the amount of \$32,500.00 for FY 2022-23.

[Staff Report](#)

[Attachment 1 - Proposed Contract](#)

1.8. Notice of Completion – 2021 Pavement Management Program Project

**Recommended Action:**

Move to accept the 2021 Pavement Management Program (2021 PMP) contract as complete and authorize staff to record the Notice of Completion.

[Staff Report](#)

[Attachment A - Notice of Completion for the 2020 Pavement Management Program Project](#)

1.9. Hakone Gardens Request for Redesignation of Community Event Secured Grant

**Recommended Action:**

Approve the request from Hakone Gardens to redesignate the Secured Community Event Grant for Hakone Matsuri to be used for “Hakone General Community Events”.

[Staff Report](#)

[Attachment A – Funding Redesignation Request Letter](#)

## 2. GENERAL BUSINESS

2.1. Authorize Contract for FY22/23 for Pavement Management Program Project in the Amount Not to Exceed \$3,623,225

**Recommended Action:**

1. Move to declare O’Grady Paving Inc. to be the lowest responsible bidder on the project.
2. Move to award a Construction Contract to O’Grady Paving Inc. in the amount of \$3,293,224.70, and authorize the City Manager to execute the same.
3. Move to authorize staff to execute change orders to the contract up to \$330,000 (10%).

[Staff Report](#)

[Attachment A - Bid Summary](#)

[Attachment B - Construction Contract](#)

[Presentation Slides Item 2.1 \(added 07-20-2022\)](#)

2.2. Structure Hardening Incentive Program

**Recommended Action:**

Approve the Structure Hardening Incentive Program as proposed by staff.

[Staff Report](#)

[Attachment A – Structure Hardening Incentive Program Description](#)

[Attachment B – CAL FIRE Low Cost Structure Hardening Retrofit List](#)

2.3. Reconsider and Confirm Findings Pursuant to Assembly Bill 361, Provide Direction on Reinstating August 17, 2022 Regular Meeting, and Provide Direction on Return to In-Person Meetings

**Recommended Action:**

1. Reconsider and confirm findings pursuant to Assembly Bill 361 of the continued public health officials’ recommendation to social distance and to therefore continue the option of holding City of Saratoga Brown Act meetings by teleconference.
2. Discuss and take possible action regarding reinstating the August 17, 2022 Regular Meeting
3. Discuss and take possible action regarding returning to in-person meetings

[Staff Report](#)

[Attachment A - City Council Resolution 21-073 Authorizing Teleconferenced Mtgs Pursuant to AB 361](#)

[Attachment B – Santa Clara County Health Officer Recommendation regarding public meetings](#)

2.4. City Manager’s Employment Agreement and Salary Schedule Amendments

**Recommended Action:**

Approve a Resolution Amending the City Manager’s Employment Agreement and a Resolution Amending the City Salary Schedule effective July 1, 2022.

[Staff Report](#)

[Attachment A - Resolution Amending the City Manager's Employment Agreement](#)

[Attachment B - Resolution Amending the City Salary Schedule Effective July 1, 2022](#)

2.5. Argument in Favor – Term Limit Ballot Measure

**Recommended Action:**

Approve the Argument in Favor for the City’s Term Limit Ballot Measure being presented to voters at the November 8, 2022 General Municipal Election.

[Staff Report](#)

[Attachment A - Draft Argument in Favor](#)

[Attachment B - City Council Resolution 22-018, Calling Election](#)

[Supplemental Memo - Alternative Term Limit Ballot Argument added 07-18-2022](#)

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

**Recommended Action:**

Designate the City of Saratoga’s voting delegate and alternate voting delegate(s) for the 2022 League of California Cities Annual Conference.

[Staff Report](#)

[Attachment A - Voting Delegate Packet](#)

## COUNCIL ASSIGNMENTS

### Mayor Tina Walia

Cities Association of Santa Clara County-City Selection Committee

Cities Association of Santa Clara County-Legislative Action Committee

Cities Association of Santa Clara County

Council Finance Committee

Hakone Foundation Executive Board

KSAR Community Access TV Board

Silicon Valley Clean Energy Authority Board of Directors

West Valley Mayors & Managers Association

### Vice Mayor Kookie Fitzsimmons

Council Finance Committee

Hakone Foundation Board of Trustees

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

Saratoga Chamber of Commerce Board

Saratoga Sister City Committee Liaison

### Council Member Mary-Lynne Bernald

Saratoga Historical Foundation Board of Directors

Council Member Rishi Kumar

Santa Clara County Library District Board of Directors  
Santa Clara Valley Water Commission  
West Valley Clean Water Program Authority Board of Directors  
West Valley Solid Waste Management Authority Board of Directors

Council Member Yan Zhao

Association of Bay Area Governments  
Saratoga Area Senior Coordinating Council Board of Directors  
Saratoga Ministerial Association  
Valley Transportation Authority (VTA) Policy Advisory Committee  
Valley Transportation Authority (VTA) State Route 85 Corridor Policy Advisory Board  
West Valley Sanitation District Board of Directors

**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, Britt Avrit, 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 July 14, 2022 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 14<sup>th</sup> day of July 2022 at Saratoga, California.

Britt Avrit, MMC, 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) and are available for review in the office of the City Clerk at 13777 Fruitvale Avenue, Saratoga, California.

In compliance with the Americans with Disabilities Act and the Governor's Executive Order, if you need assistance to participate in this meeting, please contact the City Clerk at [bavrit@saratoga.ca.us](mailto:bavrit@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.

[28 CFR 35.102-35.104 ADA title II]