



SARATOGA CITY COUNCIL REGULAR MEETING

OCTOBER 6, 2021

AGENDA AMENDED

- 10-6-2021, 2.1 AND 3.2 PRESENTATIONS ADDED
- 10-6-2021, ITEM 2.2 SUPPLEMENTAL MEMO
- 10-6-2021, ITEM 3.2 SUPPLEMENTAL MEMO
- 10-4-2021, ITEM 1.5 ATTACHMENT B ADDED

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 **Joint Meeting** by:

- Using the Zoom website <https://us02web.zoom.us/j/89759682783>; Webinar ID 897 5968 2783 **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 **Regular Session** of the meeting by:

- Using the Zoom website <https://us02web.zoom.us/j/86059969635>; Webinar ID 860 5996 9635; **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 and calling in following the direction above.

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 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.

6:00 PM JOINT MEETING

Joint Meeting with Santa Clara County Sheriff's Office
[Discussion Topics](#)

7:00 PM REGULAR SESSION

ROLL CALL

REPORT ON POSTING OF THE AGENDA

The agenda for this meeting was properly posted on September 30, 2021.

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

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 Minutes for the August 31, 2021 City Council and Planning Commission Study Session, the September 1, 2021 City Council Meetings and the September 15, 2021 City Council Meetings.

[Staff Report](#)

[Attachment A - 8-31-2021 City Council and Planning Commission Study Session Minutes](#)

[Attachment B - 9-1-2021 City Council Meetings Minutes](#)

[Attachment C - 9-15-2021 City Council Meetings Minutes](#)

1.2. Review of Accounts Payable Check Registers

Recommended Action:

Review and accept check registers for the following accounts payable payment cycles:
9/15/21 Period 3; 9/22/21 Period 3; 9/29/21 Period 3

[Staff Report](#)

[Check Register 9-15-21 P3](#)

[Check Register 9-22-21 P3](#)

[Check Register 9-29-21 P3](#)

1.3. Treasurer's Report for the Month Ended July 31, 2021

Recommended Action:

Review and accept the Treasurer's Report for the month ended July 31, 2021.

[Staff Report](#)

1.4. Amended Santa Clara County FireSafe Council Agreement

Recommended Action:

Authorize the City Manager to execute the amended agreement with the Santa Clara County FireSafe Council.

[Staff Report](#)

[Attachment A – Amended Agreement with Santa Clara County FireSafe Council](#)

1.5. Parking Restriction on Saratoga Avenue Between Scotland Drive and Highway 9

Recommended Action:

Approve the attached Motor Vehicle resolution to adopt a No Parking in Bike Lanes restriction on Saratoga Avenue between Scotland Drive and Highway 9.

[Staff Report](#)

[Attachment A - MV Resolution](#)

[Attachment B - Map of Parking Restriction, added 10-04-2021](#)

1.6. Shadow Art Project Authorization

Recommended Action:

Authorize execution of a grant agreement and issuance of a \$750 grant to Prospect High School, execution of artist agreements, and placement of shadow art designs in El Quito Park.

[Staff Report](#)

[Attachment A – Grant Agreement](#)

[Attachment B – Artist Agreements](#)

[Attachment C – Shadow Art Concepts](#)

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. SUB19-0002/ENV19-0004/GEO19-0014/ARB19-0042/ZOA19-0005/WIL19-0001. A Nine Lot Subdivision located at 18500 & 18520 Marshall Lane (APNs 397-02-110 and 397-02-111)

Recommended Action:

1. Conduct a public hearing

2. Adopt the resolution included in Attachment A adopting the Mitigated Negative Declaration and accepting the barn relocation to the Heritage Orchard.

3. Adopt the resolution included in Attachment B approving tentative cancellation of the Williamson Act contract.

4. Introduce and waive the first reading of the ordinance included in Attachment C amending the Zoning Map and direct staff to place the ordinance on the consent calendar for adoption on October 20, 2021.

5. Adopt the resolution included in Attachment D approving the nine lot subdivision.

[Staff Report](#)

[Attachment A - Resolution adopting MND and approving barn relocation](#)

[Attachment B - Resolution cancelling Williamson Act Contract](#)

[Attachment C- Ordinance amending the Zoning Map](#)

[Attachment D - Resolution approving the subdivision](#)

[Attachment E -September 8, 2021 Planning Commission staff report w/signed resolutions and w/o attachments 5-6](#)

[Attachment F- Vesting Tentative Map](#)

[Attachment G-Initial Study/Mitigated Negative Declaration](#)

[Item 2.1, Marshall Lane PC presentation](#)

2.2. ZOA21-0002 / Nonflammable 5 Foot Landscape Buffer for New Structures in the Wildland Urban Interface Area

Recommended Action:

1. Conduct a public hearing.

2. Introduce and waive the first reading of the attached ordinance adopting and modifying Article 15-45 (Single Family Dwelling Design Review) to modify the design review finding regarding landscaping to include a five-foot wide nonflammable buffer around the perimeter of all structures.

3. Direct staff to place the ordinance on the consent calendar for adoption on October 20, 2021.

[Staff Report](#)

[Attachment A - Ordinance ZOA21-0001](#)

[Supplemental Memo 10_06_2021, Item 2.2 Written Communications](#)

3. GENERAL BUSINESS

3.1. Proposed Statewide Initiative Regarding Local Land Use

Recommended Action:

Discuss the proposed statewide initiative regarding local land use and provide direction to staff.

[Staff Report](#)

[Attachment A - Californians for Community Planning Initiative](#)

[Attachment B - Ballot Measure Activities & Public Resources \(Institute for Local Government\)](#)

3.2. Final map approval located at 18764 Cox Avenue. Owners: SHP Quito Village, LLC

Recommended Action:

Move to adopt the attached Resolution granting final map approval for a two-lot subdivision located at 18764 Cox Avenue (APN 389-12-019). The final map is based on tentative map No. SUB 20-0004, approved March 25, 2020.

[Staff Report](#)

[Attachment A - Resolution for Final Map Approval](#)

[Attachment B - Site Map](#)

[Attachment C - Tentative Map and Tentative Map Conditions](#)

[Attachment D -Tract Map No. 10560](#)

[Attachment E – Easement Deed and Agreement](#)
[Attachment F – Subdivision Improvement Agreement](#)
[Supplemental Memo 10_06_2021, Item 3.2 Written Communications](#)
[Item 3.2, SUB20-0004 Quito Village presentation](#)

3.3. Assembly Bill 361 and Future Public Meetings

Recommended Action:

Provide direction on how to conduct City of Saratoga Brown Act meetings following adoption of Assembly Bill (AB) 361, which allows meetings to be conducted entirely by teleconference in the interests of public health.

[Staff Report](#)

[Attachment A – Santa Clara County Health Officer Recommendation Regarding Public Meetings](#)

3.4. Community Partner Joint Meeting Presentations

Recommended Action:

Direct staff accordingly.

[Staff Report](#)

COUNCIL ASSIGNMENTS

Mayor Yan Zhao

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
Council Finance Committee
Valley Transportation Authority (VTA) Policy Advisory Committee
VTA State Route 85 Corridor Policy Advisory Board
West Valley Mayors & Managers
West Valley Sanitation District

Vice Mayor Tina Walia

Council Finance Committee
KSAR Community Access TV Board
Saratoga Area Senior Coordinating Council (SASCC)
Silicon Valley Clean Energy Authority Board of Directors
Saratoga Ministerial Association

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

Council Member Kookie Fitzsimmons

Chamber of Commerce
Hakone Foundation Board
Santa Clara County Housing and Community Development (HCD) Council Committee
Saratoga Public Art Committee
Sister City Organization

Council Member Mary-Lynne Bernald
Hakone Foundation Board & Executive Committee
Santa Clara/Santa Cruz Airport/Community Roundtable
Saratoga Public Art Committee
Saratoga Historical Foundation

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 September 30, 2021 at the City of Saratoga, 13777 Fruitvale Avenue, Saratoga, California and on the City's website at www.saratoga.ca.us.

Signed this 30th day of September 2021 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 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 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]