



SARATOGA CITY COUNCIL REGULAR MEETING

NOVEMBER 4, 2020

AMENDED WITH WRITTEN COMMUNICATION

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 **6:00 p.m. Joint Meeting** by:

1. Using the Zoom website <https://us02web.zoom.us/j/89235243744> or App (Webinar ID 892 3524 3744) 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 (892 3524 3744) 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 **7:00 p.m. Regular Session** of the meeting by:

1. Using the Zoom website <https://us02web.zoom.us/j/85065123248> or App (Webinar ID 850 6512 3248) 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 (850 6512 3248), 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), calling 1.669.900.6833 or 1.408.638.0968, entering the Webinar ID (850 6512 3248), 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, calling 1.408.638.0968 or 1.669.900.6833, entering the Webinar ID (850 6512 3248), 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 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 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.

6:00 P.M. JOINT MEETING

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

1. Using the Zoom website <https://us02web.zoom.us/j/89235243744> or App (Webinar ID 892 3524 3744) and raising their hand when directed by the Mayor to speak on an agenda item; **OR**
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Joint Meeting with KSAR Community Access TV Board
[Discussion Topics](#)

7:00 P.M. REGULAR SESSION

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

1. Using the Zoom website <https://us02web.zoom.us/j/85065123248> or App (Webinar ID 850 6512 3248) 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 (850 6512 3248), and pressing *9 to raise their hand to speak on an agenda item when directed by the Mayor; **OR**
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ROLL CALL

REPORT ON POSTING OF THE AGENDA

The agenda for this meeting was properly posted on October 29, 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 Declaring November 2020 as Lung Cancer Awareness Month

Recommended Action:

Proclaim November 2020 as Lung Cancer Awareness Month in the City of Saratoga.

[Staff Report](#)

[Attachment A – Proclamation for Lung Cancer Awareness Month](#)

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 Meeting on October 21, 2020.

[Staff Report](#)

[Attachment A – Minutes for the Regular City Council Meeting on October 21, 2020](#)

1.2. Review of Accounts Payable Check Registers

Recommended Action:

Review and accept check registers for the following accounts payable payment cycles: 10/22/2020 Period 4; 10/28/2020 Period 4.

[Staff Report](#)

[Check Register - 10-22-2020 Period 4](#)

[Check Register - 10-28-2020 Period 4](#)

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

Recommended Action:

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

[Treasurer Report](#)

1.4. Youth Commission Fundraising Plan 2020/21

Recommended Action:

Approve the Youth Commission Fundraising Plan 2020/21 to collect donations and seek sponsorship of various Youth Commission initiatives.

[Staff Report](#)

[Attachment A - Youth Commission Fundraising Plan 2020/21](#)

[Attachment B - Donation Policy](#)

1.5. Resolution Defining the Role and Responsibilities of the Public Art Committee and Adding Advisory Members to the Committee

Recommended Action:

Approve the resolution defining the role and responsibilities of the Public Art Committee and adding advisory members to the Committee.

[Staff Report](#)

[Attachment A – Resolution Defining the Role and Responsibilities of the Public Art Committee and Adding Advisory Members to the Committee](#)

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 then comment on the 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. Persons speaking during opening or closing statements may not speak during public comment. Items requested for continuance are subject to the City Council's approval at the Council Meeting.

2.1. APCC20-0002 - Appeal of a Conditional Use Permit and Design Review Application for a Residential Care Facility for the Elderly (RCFE) on Saratoga Creek Drive (APNs 389-06-020 & 389-06-021)

Recommended Action:

1. Conduct a public hearing and de novo review of the application that is the subject of the appeal;

2. Adopt a resolution certifying the Environmental Impact Report (EIR), making findings, and adopting the Mitigation Monitoring and Reporting Program; and

3. Adopt a resolution denying the appeal (APCC20-0002) and approving the Conditional Use Permit, Design Review, and Arborist Report (CUP15-0002/PDR15-0019/ARB15-0053) for the construction of a RCFE on Saratoga Creek Drive with the Landscape Alternative (Alternative #3) from the FEIR subject to conditions of approval as approved by the Planning Commission.

[Staff Report](#)

[Attachment A- Resolution Certifying EIR](#)

[Attachment B- Resolution to Deny the Appeal](#)

[Attachment C-Appeal Application](#)

[Attachment D -Letter from applicant](#)
[Attachment E- September 9, 2020 Planning Commission Minutes and Staff Report](#)
[Attachment F - Errata to the FEIR](#)
[Attachment G -FEIR](#)
[Attachment H- Public Comments](#)
[Attachment I - Project Plans](#)
[Written Communication by Appellant](#)
[Written Communications](#)

3. GENERAL BUSINESS

3.1. CARES Act Community Grants

Recommended Action:

Approve the resolution accepting the City Council Finance Committee’s recommendation to authorize and appropriate \$40,000 from the City’s CARES Act allocation for one-time support funding as follows:

- \$10,000 to the Saratoga Area Senior Coordinating Council
- \$10,000 to West Valley Community Services
- \$10,000 to the Hakone Foundation
- \$10,000 to the Saratoga Chamber of Commerce

[Staff Report](#)

[Attachment A - Resolution](#)

[Attachment B - Requests from Community Groups](#)

3.2. Wall Mural in Saratoga Village

Recommended Action:

Authorize placement of a wall mural on the Mint Leaf Cuisine building in Saratoga Village, accept conceptual artwork for wall mural, approve and authorize the artist stipend in the amount of \$2,500, and authorize the City Manager to execute an agreement with the artist and with the property owner for the wall mural.

[Staff Report](#)

[Attachment A - Wall Mural Conceptual Artwork](#)

COUNCIL ASSIGNMENTS

Mayor Howard Miller

Council Finance Committee

Saratoga Ministerial Association

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 Board of Directors

Cities Association of Santa Clara County-City Selection Committee

Cities Association of Santa Clara County-Legislative Action Committee

Council Finance Committee
Hakone Foundation Board & Executive Committee
Public Art Committee
Santa Clara County Housing and Community Development (HCD) Council 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 Area Senior Coordinating Council (SASCC)
Saratoga Chamber of Commerce & Destination Saratoga
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, CMC, 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 October 29, 2020 at the City of Saratoga, 13777 Fruitvale Avenue, Saratoga, California and on the City's website at www.saratoga.ca.us.

Signed this 29th day of October 2020 at Saratoga, California.

Debbie Bretschneider, CMC, 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. 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**

- | | |
|-------|--|
| 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 Los Gatos-Saratoga Recreation 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 |