



# SARATOGA CITY COUNCIL REGULAR MEETING

APRIL 17, 2019

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## 5:00 P.M. CLOSED SESSION

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Linda Callon Conference Room, City Hall | 13777 Fruitvale Avenue, Saratoga, CA 95070

CONFERENCE WITH LABOR NEGOTIATORS (Gov't Code 54957.6)

Agency Designated Representatives:

City Manager James Lindsay, City Attorney Richard Taylor, Human Resources Manager Monica LaBossiere

Employee Organizations:

Saratoga Employee Association;

Northern California Carpenters Regional Council, Carpenters Forty Six Northern California Counties Conference Board and their Affiliated Local Unions

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## 5:30 P.M. JOINT MEETING

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Linda Callon Conference Room, City Hall | 13777 Fruitvale Avenue, Saratoga, CA 95070

Joint Meeting with Mountain Winery

[Discussion Topics](#)

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## 7:00 P.M. REGULAR SESSION

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Civic Theater, Council Chambers | 13777 Fruitvale Avenue, Saratoga, CA 95070

PLEDGE OF ALLEGIANCE

ROLL CALL

REPORT ON POSTING OF THE AGENDA

*The agenda for this meeting was properly posted on April 12, 2019.*

REPORT FROM CLOSED SESSION

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

Commendation for E.J. Tim Harris

**Recommended Action:**

Present the commendation to E.J. Tim Harris.

[Staff Report](#)

[Attachment A – Commendation for E.J. Tim Harris](#)

Proclamation Declaring May 12, 2019 as Courageous Kids Day

**Recommended Action:**

Present the proclamation to members of the leadership of Courageous Kids Day.

[Staff Report](#)

[Attachment A – Proclamation for Courageous Kids Day](#)

Public Safety Task Force Appointment

**Recommended Action:**

Approve the resolution adding a 6th member to the Public Safety Task Force, appointing a member to the Task Force, and directing the City Clerk to administer the Oath of Office to the Public Safety Task Force Member.

[Staff Report](#)

[Attachment A – Resolution of Appointment](#)

[Attachment B – Oath of Office](#)

[Attachment C – Resolution No. 19-007](#)

## 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 Special City Council Meeting on March 11, 2019 and the Regular City Council Meeting March 20, 2019.

[Staff Report](#)

[Attachment A – Minutes for the Special City Council Meeting on March 11, 2019](#)

[Attachment B – Minutes for the Regular City Council Meeting on March 20, 2019](#)

1.2. Review of Accounts Payable Check Registers

**Recommended Action:**

Review and accept check registers for the following accounts payable payment cycles: 03/19/2019 Period 9; 03/27/2019 Period 9; 04/02/2019 Period 10; and 04/09/2019 Period 10.

[Staff Report](#)

[Check Register - 03-19-2019 Period 9](#)

[Check Register - 03-27-2019 Period 9](#)

[Check Register - 04-02-2019 Period 10](#)

[Check Register - 04-09-2019 Period 10](#)

1.3. Treasurer's Report for the Month Ended February 28, 2019

**Recommended Action:**

Review and accept the Treasurer's Report for the month ended February 28, 2019.

[Treasurer Report for February 19](#)

1.4. Amendment of Contract with Almaden Press for Printing Services

**Recommended Action:**

Authorize the City Manager to execute the contract amendment with Almaden Press for \$4,000 in additional funding for recreation activity guide printing and mailing services for a total amount not to exceed \$36,000.

[Staff Report](#)

[Attachment A – Current Contract with Almaden Press](#)

[Attachment B – Proposed Contract Amendment with Almaden Press](#)

1.5. Amendment of Contract with BMI for Document Scanning Services

**Recommended Action:**

Authorize the City Manager to amend the contract with BMI Imaging Systems for city-wide document scanning services in the amount of \$74,500.00.

[Amendment of Contract with BMI for Document Scanning](#)

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

[Attachment B - BMI-Peelle Assumption of Contract Agreement](#)

1.6. Resolution to adopt a list of projects funded by SB 1 for FY 2019-20: The Road Repair and Accountability Act for funding the Annual Roadway Improvements Project.

**Recommended Action:**

Adopt Resolution to adopt a list of projects funded by SB 1 for FY 2019-20: The Road Repair and Accountability Act for funding the Annual Roadway Improvements Project.

[Staff Report](#)

[Attachment A - Resolution](#)

1.7. Vacation of Unused Portion of Saratoga-Sunnyvale Road, Vacation of Portions of Various Public Easements, and Sale of Vacated Portion of Road

**Recommended Action:**

1. Adopt resolution vacating an unused portion of Saratoga-Sunnyvale Road, vacating a portion of a Public Utility Easement, vacating a portion of a Fence Easement, and vacating a portion of a Non-Access Easement.
2. Adopt resolution approving a Purchase and Sale Agreement with the property owner of 13251 Paramount Drive for the vacated portion of Saratoga-Sunnyvale Road, in the amount of \$92,183.20.

[Staff Report](#)

[Attachment A - City Council Vacation Resolution](#)

[Attachment B - City Council Purchase and Sale Agreement Resolution](#)

[Attachment C - Exhibit for Easement Vacations](#)

[Attachment D - Tract 4673](#)

[Attachment E - PC Resolution No. 19-008](#)

[Attachment F - Utility Letters](#)

[Attachment G - Purchase and Sale Agreement](#)

1.8. Amendment to Ecological Consulting Services Contract with H.T. Harvey & Associates for the Saratoga-to-the-Sea Trail Project

**Recommended Action:**

1. Move to accept an amendment to the contract for Ecological Consulting services with H.T. Harvey & Associates for the Saratoga-to-the-Sea Trail Project, in the amount of \$35,342.
2. Move to accept a 10% contingency for this amendment, in the amount of \$3,534.

[Staff Report](#)

[Attachment A - Contract Amendment](#)

[Attachment B - Original Contract](#)

1.9. 2018/19 Winter Storm Damage - Budget Amendment

**Recommended Action:**

Authorize the City Manager to use Hillside Reserve funds in the amount of \$55,000 for repairs.

[Staff Report](#)

[Attachment A - Budget Resolution](#)

1.10. Cost Sharing Agreement for Annexation of The Mountain Winery

**Recommended Action:**

Authorize the City Manager to execute a cost sharing agreement with The Mountain Winery for work associated with the annexation of the subject property into the City of Saratoga.

[Staff Report Mountain Winery Cost Share Agreement](#)

[Attachment A - Mountain Winery Annexation Cost-Sharing Agreement](#)

1.11. Landscaping and Lighting Assessment District LLA-1; Preliminary Approval of Engineer's Report and Adoption of Resolution of Intention for FY 19-20

**Recommended Action:**

1. Move to adopt the Resolution granting preliminary approval of the Engineer's Report for FY 19-20 for renewing the Landscaping and Lighting Assessment District LLA-1.
2. Move to adopt the Resolution of Intention.

[Staff Report](#)

[Attachment A - Resolution of Preliminary Approval](#)

[Attachment B - Resolution of Intention](#)

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

**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. APCC19-0002 - Appeal of a modification to an existing Conditional Use Permit for Brookside Club of Saratoga located at 19127 Cox Avenue

**Recommended Action:**

Adopt the resolution denying appeal APCC19-0002 approving the proposed modifications to the existing Conditional Use Permit (CUP13-0002) for the Brookside Club of Saratoga (Brookside Club).

[Staff Report](#)

[Attachment A - Appeal Application](#)

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

[Attachment C - February 13, 2019 Brookside CUP PC Staff Report \(without attachments\)](#)

[Attachment D - February 13, 2019 Planning Commission Resolution of Approval](#)

[Attachment E - February 13, 2019 PC Meeting Minutes](#)

[Attachment F - Existing Brookside Club Use Permit UP-96-003](#)

[Attachment G - Proposed Conditional Use Permit modifications](#)

[Attachment H - Applicants responses to Dec 12, 2017 PC Study Session](#)

[Attachment I - Parking study prepared by Hexagon Transportation Consultants, dated 9-27-13](#)

[Attachment J - Parking Study prepared by Hexagon Transportation Consultants, dated 12-8-17](#)

[Attachment K - Procedure for Tennis Court Parking](#)

[Attachment L - Email correspondence from Neighboring Property Owners](#)

[Attachment M - Letters from neighboring property Owners](#)

[Attachment N - Appellant Appeal Information Report](#)

[Attachment O - Brookside Club Parking Plan](#)

[Attachment P - Letters in support of CUP modifications](#)

### 3. GENERAL BUSINESS

#### 3.1. LGS Recreation Lease Agreement

**Recommended Action:**

Authorize the City Manager to execute a Lease Agreement with Los Gatos-Saratoga Community Education and Recreation.

[Staff Report](#)

[Attachment A - Draft Lease Agreement](#)

#### 3.2. 2018 Pavement Management Project – Additional Work

**Recommended Action:**

1) Authorize Amendment to the contract for 2018 Pavement Management Project with O’Grady Paving.

2) Adopt Resolution to increase the construction contract for the 2018 Pavement Management Project by \$220,000.

3) Move to authorize contingency funds to execute change orders to the contract up to \$30,000.

[Staff Report](#)

[ATTACHMENT A - Amendment to Contract](#)

[ATTACHMENT B - Budget Adjustment Resolution](#)

[ATTACHMENT C - Original Contract](#)

#### 3.3. Approval of Park Design Plan for City property located at the corner of Quito and Pollard Roads

**Recommended Action:**

Approve park design plan for City property located at the corner of Quito and Pollard Roads.

[Staff Report](#)

[Attachment A - Park Plan](#)

#### 3.4. Community Event Grant Allocation Program

**Recommended Action:**

Review the proposed Community Event Grant Allocation guidelines and provide direction to finalize program policy effective with Fiscal Year 2020/21.

[Staff Report](#)

[Attachment A: Community Event Grant Policy](#)

#### 3.5. Automated License Plate Reader Study Scope

**Recommended Action:**

Provide direction to staff on the desired scope of the automated license plate reader study.

[Staff Report](#)

#### 3.6. Amendment to City Council Assignments

**Recommended Action:**

Approve the resolution amending the City Council Assignments for 2019 by naming a member and alternate to the Comprehensive County Expressway Planning Study Policy Advisory Board.

[Staff Report](#)

## **COUNCIL ASSIGNMENTS**

### Mayor Manny Cappello

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  
Saratoga Area Senior Coordinating Council (SASCC)  
West Valley Mayors and Managers  
West Valley Sanitation District

### Vice Mayor Howard Miller

Council Finance Committee  
KSAR Community Access TV Board  
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

### 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 Mary-Lynne Bernald

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

Association of Bay Area Governments  
Hakone Foundation Board  
Public Art Committee  
Saratoga Chamber of Commerce & Destination Saratoga

## **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 12, 2019 at the City of Saratoga, 13777 Fruitvale Avenue, Saratoga, CA 95070 and on the City's website at [www.saratoga.ca.us](http://www.saratoga.ca.us).*

*Signed this 12th day of April 2019 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 are available at the office of the City Clerk at 13777 Fruitvale Avenue, Saratoga, CA 95070. Note that copies of materials distributed to the City Council concurrently with the posting of the agenda are also available on the City Website at [www.saratoga.ca.us](http://www.saratoga.ca.us).*

*Any materials distributed by staff after the posting of the agenda are made available for public review at the office of the City Clerk at the time they are distributed to the City Council. These materials are also posted on the City website.*

*In Compliance with the Americans with Disabilities Act, if you need assistance to participate in this meeting, please contact the City Clerk at 408.868.1269. Notification 24 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102-35.104 ADA title II]*





## CITY OF SARATOGA CITY COUNCIL MEETING CALENDAR 2019

- 04/17 6:00 p.m. Joint Meeting with Mountain Winery | 7:00 p.m. Regular Session  
04/30 5:00 p.m. Youth Commission Interviews (time tentative)
- 05/01 5:00 p.m. Joint Meeting with Chamber of Commerce | 6:00 p.m. Joint Meeting with  
Planning Commission | 7:00 p.m. Regular Session  
05/15 6:00 p.m. Joint Meeting with Board of Supervisor President Joe Simitian | 7:00 p.m.  
Regular Session
- 06/05 5:30 p.m. Joint Meeting with Saratoga Neighborhood & Neighborhood Watch in Senior  
Center  
06/19 6:00 p.m. Joint Meeting with Hakone Board | 7:00 p.m. Regular Session
- 07/03 5:00 p.m. Closed Session | 7:00 p.m. Regular Session  
07/17 Recess
- 08/07 Recess  
08/21 5:00 p.m. Closed Session | 6:00 p.m. Joint Meeting with Youth in Government | 7:00 p.m.  
Regular Session
- 09/04 6:00 p.m. Joint Meeting with Montalvo Arts | 7:00 p.m. Regular Session  
09/18 5:00 p.m. Joint Meeting with KSAR | 6:00 p.m. Joint Meeting with Youth Commission |  
7:00 p.m. Regular Session
- 10/03 5:30 p.m. Joint Meeting with West Valley – Mission Community College Board of Trustees  
and Saratoga Schools and Boards at West Valley College | 7:00 p.m. Regular Session  
10/05 1:00 p.m. State of the City in Joan Pisani Community Center  
10/16 6:00 p.m. Joint Meeting with Historical Foundation | 7:00 p.m. Regular Session
- 11/06 6:00 p.m. Joint Meeting with State Senator Jim Beall Jr. | 7:00 p.m. Regular Session  
11/20 6:00 p.m. Joint Meeting with Assembly Member Evan Low | 7:00 p.m. Regular Session
- 12/04 6:00 p.m. Joint Meeting with Sheriff's Office | 7:00 p.m. Council Reorganization and  
Regular Session  
12/18 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.*