



SARATOGA CITY COUNCIL REGULAR MEETING

NOVEMBER 2, 2016

5:30 P.M. CLOSED SESSION

Administrative 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: Northern California Carpenters Regional Council, Carpenters Forty Six Northern California Counties Conference Board and their Affiliated Local Unions (Union); Saratoga Employee Association.

6:00 P.M. JOINT MEETING

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

Joint Meeting with West Valley-Mission Community College District

[Discussion Topics](#)

7:00 P.M. REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

ROLL CALL

REPORT ON POSTING OF AGENDA

The agenda for this meeting was properly posted on October 28, 2016.

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

America in Bloom Award Presentation

Recommended Action:

Accept the America in Bloom Urban Forestry Outstanding Achievement Award.

[Staff Report](#)

1. CONSENT CALENDAR

The Consent Calendar contains items of routine 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 19, 2016.

[Staff Report](#)

[Attachment A – Minutes for the Regular City Council Meeting on October 19, 2016](#)

1.2. Review of Accounts Payable Check Registers

Recommended Action:

Review and accept check registers for the following accounts payable payment cycles: 10/18/2016 Period 4; and 10/25/2016 Period 4.

[Staff Report](#)

[Check Register - 10-25-2016 Period 4](#)

[Check Register - 10-18-2016 Period 4](#)

1.3. Treasurer's Report for the Month Ended August 31, 2016

Recommended Action:

Review and accept the Treasurer's Report for the month ended August 31, 2016.

[Treasurer's Report for Month Ended August 31, 2016](#)

1.4. Resolution Urging Residents to Conserve Water

Recommended Action:

Adopt a resolution urging residents to reduce water use by 20 percent.

[Staff Report](#)

[Attachment A - Resolution Urging Residents to Reduce Water Use by 20 Percent](#)

1.5. Bainter Avenue Retaining Wall Construction Contract Award

Recommended Action:

1. Move to declare Engineered Soil Repairs, Inc. of Walnut Creek to be the lowest responsible bidder on the project and award the Construction Contract to this company in the amount of \$72,936.95.
2. Move to authorize staff to execute change orders to the construction contract up to \$7,200.00.

[Staff Report](#)

[Attachment A - Site Map](#)

[Attachment B - Construction Contract](#)

[Attachment C - Plans and Specifications](#)

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. 2016 California Uniform Codes with Local Modifications

Recommended Action:

- (1) Conduct a public hearing;
- (2) Introduce and waive the first reading of the attached ordinance adopting and modifying the referenced codes; and
- (3) Direct staff to place the ordinance and the attached resolution making findings regarding proposed modifications to the referenced codes on the consent calendar for adoption on November 16, 2016.

[Staff Report](#)

[1. Resolution w/ Summary Matrix](#)

[2. Ordinance](#)

2.2. Ordinance Enabling Bingo Events

Recommended Action:

Conduct public hearing; introduce and waive the first reading of the ordinance amending the City Code to authorize the conduct of bingo games in Saratoga; and direct staff to place the ordinance on the Consent Calendar for adoption at the next regular City Council Meeting.

[Staff Report](#)

[Attachment A – Ordinance Establishing Section 4-10.030 Bingo](#)

2.3. Proposed Urgency Interim Ordinance Imposing a Temporary Moratorium on the Outdoor Cultivation of Marijuana

Recommended Action:

After holding a public hearing and considering public testimony, staff recommends that the City Council adopt an urgency interim ordinance prohibiting the outdoor cultivation of marijuana in the City of Saratoga for 45 days and directing preparation of a report addressing the public health, safety, and welfare issues identified in the ordinance.

[Staff Report](#)

[Attachment A – Urgency Interim Ordinance](#)

3. OLD BUSINESS

None

4. NEW BUSINESS

4.1. Arrowhead Community Facilities District

Recommended Action:

Accept the petition from the Arrowhead neighborhood calling for formation of a Community Facilities District (CFD); approve the resolution of intent to establish a CFD for the Arrowhead neighborhood; and approve the resolution to incur bonded indebtedness for the proposed CFD.

[Staff Report](#)

[Attachment A – Resolution of Intent to Form a CFD](#)

[Attachment B – Resolution to Incur Bonded Indebtedness](#)

[Attachment C – Petition to Form a CFD](#)

4.2. City Council Meeting Schedule

Recommended Action:

Provide direction to staff regarding the City Council’s 2017 meeting schedule, including cancellation of the January 4, 2017 City Council Meeting.

[Staff Report](#)

[Attachment A – City Council Regular Meeting Calendar for 2017](#)

CITY COUNCIL ASSIGNMENTS

Mayor Manny Cappello

Cities Association of Santa Clara County

Council Finance Committee

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

Saratoga Area Senior Coordinating Council (SASCC)

West Valley Mayors and Managers

West Valley Sanitation District

Vice Mayor Emily Lo

Hakone Foundation Board & Executive Committee

KSAR Community Access TV Board

Public Art Ad Hoc
Saratoga Chamber of Commerce & Destination Saratoga
Santa Clara County Library Joint Powers Authority
Santa Clara County Expressway Plan 2040 Policy Advisory Board

Council Member Mary-Lynne Bernald

Association of Bay Area Governments
Cities Association of Santa Clara County-Legislative Action Committee
Cities Association of Santa Clara County-Selection Committee
FAA Select Committee on South Bay Arrivals
Hakone Foundation Board
Public Art Ad Hoc
Saratoga Historical Foundation
Saratoga Sister City Organization
West Valley Solid Waste Management Joint Powers Authority

Council Member Howard Miller

Council Finance Committee
Silicon Valley Clean Energy Authority Board of Directors
Valley Transportation Authority (VTA) Policy Advisory Committee
VTA State Route 85 Corridor Policy Advisory Board
VTA Board West Valley Cities Alternate

Council Member Rishi Kumar

Santa Clara Valley Water District Commission
Saratoga Ministerial Association

CITY COUNCIL ITEMS

CITY MANAGER'S REPORT

ADJOURNMENT

CERTIFICATE OF POSTING OF THE AGENDA, DISTRIBUTION OF THE AGENDA PACKET, COMPLIANCE WITH AMERICANS WITH DISABILITIES ACT

I, Crystal Bothelio, 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 28, 2016 at the City of Saratoga, 13777 Fruitvale Avenue, Saratoga, CA 95070 and on the City's website at www.saratoga.ca.us.

Signed this 28th day of October 2016 at Saratoga, California.

Crystal Bothelio, 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. 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 JOINT MEETING CALENDAR 2016**

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|-------|---|
| 11/02 | Regular Meeting – 5:30 p.m. Closed session 6:00 p.m. Joint Meeting with West Valley – Mission Community College Board of Trustees |
| 11/16 | Regular Meeting – 5:00 p.m. Commission Interviews, 6:00 p.m. Joint Meeting with Senator Beall Jr. |
| 12/07 | Regular Meeting – Joint Meeting with Representative Low |
| 12/15 | Reorganization |
| 12/21 | Regular Meeting – Council Norms Study Session |

Unless otherwise stated, Joint Meetings and Study Sessions begin at 6:00 p.m. in the Administrative Conference Room at Saratoga City Hall at 13777 Fruitvale Avenue.