



SARATOGA CITY COUNCIL REGULAR MEETING

JULY 1, 2020

AMENDED JULY 1, 2020 -SUPPLEMENTAL ATTACHMENTS

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 **Commission Interviews** by:

1. Using the Zoom website <https://us02web.zoom.us/j/85378667460> or App (Webinar ID 853 7866 7460) and using the tool to raise their hand in the Zoom platform when directed by the Mayor to speak on an agenda item; **OR**
1. Calling 1.408.638.0968 or 1.669.900.6833, entering the Webinar ID (853 7866 7460), and pressing *9 to raise their hand to speak on an agenda item when directed by the Mayor.

Members of the public can comment on **Closed Session** items by:

1. Using the Zoom website <https://us02web.zoom.us/j/83440547193> or App (Webinar ID 834 4054 7193) and using the tool to raise their hand in the Zoom platform 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 (834 4054 7193), and pressing *9 to raise their hand to speak when directed by the Mayor.

Please note that the public comment period will end by 5:40 p.m. or after the last speaker is heard, whichever occurs first. After the public comment period is closed, the Council will enter a confidential closed session as authorized by the Ralph M Brown Act and public will be unable to listen. Members of the public may hear a report out from Closed Session at 6:45 p.m. through the above methods and again during the Regular Session, which begins at 7:00 p.m. Access information for the Regular Session is below.

Members of the public can view and participate in the **Regular Session** of the meeting by:

1. Using the Zoom website <https://us02web.zoom.us/j/85011458855> or App (Webinar ID 850 1145 8855) 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 1145 8855), 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) and calling 1.669.900.6833 or 1.408.638.0968 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 and calling 1.408.638.0968 or 1.669.900.6833, entering the Webinar ID (850 1145 8855), 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.

5:00 P.M. COMMISSION INTERVIEWS

Members of the public can view and participate in the **Commission Interviews** by:

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INTERVIEWS:

Time	Name	Commission	Vacancies	Incumbent
5:15p.m.	Patty Peters Constantine	Heritage Preservation	1 Full Term (ending December 31, 2023)	No

5:30 P.M. CLOSED SESSION

PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Gov't Code Section 54957)

Title: City Attorney

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7:00 P.M. REGULAR SESSION

Members of the public can view and participate in the **Regular Session** of the meeting by:

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ROLL CALL

REPORT ON POSTING OF THE AGENDA

The agenda for this meeting was properly posted on June 26, 2020.

REPORT FROM CLOSED SESSION

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 City Council minutes for the Regular City Council Meetings on June 17, 2020.

[Staff Report](#)

[Attachment A – Minutes for the Regular City Council Meeting on June 17, 2020](#)

1.2. Review of Accounts Payable Check Registers

Recommended Action:

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

6/17/2020 Period 12; 6/24/2020 Period 12.

[Staff Report](#)

[Check Register - 06-17-2020 Period 12](#)

[Check Register - 06-24-2020 Period 12](#)

1.3. Treasurer's Report for the Month Ended May 31, 2020

Recommended Action:

Review and accept the Treasurer's Report for the month ended May 31, 2020.

[Treasurer Report](#)

1.4. Ordinance removing the Planned Combined (P-C) District overlay from 14434 and 14488 Oak Street

Recommended Action:

Waive the second reading and adopt the attached ordinance removing the Planned Combined (P-C) District overlay from the properties located at 14434 and 14488 Oak Street.

[Staff Report](#)

[Attachment A - Ordinance](#)

1.5. Resolution Authorizing Final Disposition of Certain City Records

Recommended Action:

Adopt resolution authorizing final disposition of certain city records.

[Staff Report](#)

[Attachment A - Resolution Authorizing the Final Disposition of Certain City Records](#)

[Attachment B - List of Records Proposed for Final Disposition](#)

1.6. Second Reading for Ordinance Amending the Tree Regulations

Recommended Action:

Waive the second reading and adopt the attached ordinance amending Chapter 15 (Zoning Regulations) of the Saratoga Municipal Code amending Section 15-50.080 of the Tree Regulations to allow the removal of trees that would contribute to the increased risk and spread of wildfire.

[Staff Report](#)

[Attachment A - Ordinance](#)

1.7. Contract Renewal for City Surveyor Consultant Services

Recommended Action:

Approve a three (3) year contract renewal with Giuliani & Kull, Inc. for city surveyor consulting services and authorize the City Manager to execute the same.

[Staff Report](#)

[Attachment A – Proposed Contract Renewal](#)

[Attachment B – Current City Surveyor Contract](#)

1.8. Ordinance Amendment to Decrease Speed Limit on Saratoga Avenue

Recommended Action:

Waive the second reading and adopt the attached ordinance amending Saratoga Municipal Code Sections 9-30-0609 (c)(d) (Establishment of prima facie speed limits) to reduce the speed limit on Saratoga Avenue between Fruitvale Avenue and Dagmar Drive from 40 mph to 35 mph.

[Staff Report](#)

[Attachment A: Ordinance Amendment- Saratoga Avenue](#)

1.9. Motor Vehicle (MV) Resolution Rolling Hills Road

Recommended Action:

Adopt Motor Vehicle (MV) Resolution adopting No Parking restrictions on Rolling Hills Road at the Prospect Road intersection.

[Staff Report](#)

[Attachment A: MV Resolution](#)

[Attachment B: Location Map](#)

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. 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. Items requested for continuance are subject to the City Council's approval at the Council Meeting.

2.1. Landmark Designation & Mills Act Agreement for 15320 Peach Hill Road
Application No. MIL20-001 & LNDMRK20-0001

Recommended Action:

The Heritage Preservation Commission (HPC) recommends that the City Council:

1. Conduct a public hearing on the proposal to designate the subject property as a historic landmark and enter into a Mills Act Agreement.
2. Introduce and waive first reading of the attached ordinance designating the property as a historic landmark.
3. Direct staff to place the ordinance on the Consent Calendar for adoption at the next regular meeting of the City Council.
4. Adopt the attached Resolution authorizing the City Manager to enter into a Mills Act Agreement for the property located at 15320 Peach Hill Road upon the effective date of the landmark ordinance.

[Staff Report](#)

[Attachment A - Landmark Status Ordinance](#)

[Attachment B - Resolution for Mills Act](#)

[Attachment C- Mills Act Historic Property Preservation Agreement](#)

[Attachment D - Peach Hill Rd 15320 DPR](#)

3. GENERAL BUSINESS

3.1. Community Event Grant Program Policy Amendment

Recommended Action:

Adopt the resolution amending the City of Saratoga's Community Event Grant Program Policy.

[Staff Report](#)

[Attachment A – Resolution Amending the Community Event Grant Program Policy](#)

[Attachment B – Proposed Community Event Grant Program Policy Changes](#)

3.2. 2019 Citywide Accessibility Assessment

Recommended Action:

1. Receive report on the 2019 Facility Survey (citywide accessibility assessment).
2. Move to accept an amendment to extend the contract with BKF Engineers for the citywide accessibility assessment project from June 30, 2020 to December 31, 2021.

[Staff Report](#)

[Attachment A](#) -Link for 2019 Citywide draft Facilities Survey

[Attachment A.1 -Link to Assessments](#)

[Attachment B - Current Contract](#)

[Attachment C - Contract Amendment](#)

3.3. Award of Contract to O’Grady Paving Inc. for the 2020 Pavement Management Program

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 \$1,558,615.50, and authorize the City Manager to execute the same.
3. Move to authorize staff to execute change orders to the contract up to \$327,309.26 (21%).

[Staff Report](#)

[Attachment A - Bid Summary](#)

[Attachment B - Construction Contract](#)

3.4. Urgency Ordinance Authorizing Special Event Permits for Restaurants to Provide Temporary Outdoor Dining on City-Owned Parking Lots

Recommended Action:

Adopt the attached Urgency Ordinance to allow Special Event Permits for temporary outdoor dining in the Village Parking District parking lots and to waive the Special Event Permit fees.

[Staff Report](#)

[Attachment A - Urgency Ordinance for Outdoor Dining](#)

[Attachment B - Santa Clara County Guide for Outdoor Dining, Effective June 5, 2020](#)

[Attachment C - Special Event Permit Application Form](#)

[Attachment D - Village Parking District Map](#)

3.5. City Council Positions on Proposed Legislation

Recommended Action:

Consider approving the resolutions in support of Senate Bill 795, in opposition to Senate Bill 902, and in opposition to Senate Bill 1120.

[Staff Report](#)

[Attachment A – Resolution in Support of SB 795](#)

[Attachment B – Resolution in Opposition to SB 902](#)

[Attachment C – Resolution in Opposition to SB 1120](#)

3.6. COVID-19 Local Emergency Proclamation Termination

Recommended Action:

Approve the resolution proclaiming the termination of the local emergency due to the spread of novel coronavirus (COVID-19).

[Staff Report](#)

[Attachment A – Resolutions No. 20-010, 20-019, & 20-031](#)

[Attachment B – Resolution Proclaiming the Termination of a Local Emergency](#)

3.7. Ballot Measure to Adopt Term Limits for Saratoga City Council Members and Resolution Regarding Voluntary Compliance with the Term Limits Described in the 1992 City of Saratoga Term Limits Advisory Measure

Recommended Action:

Based on direction provided at the June 17, 2020 Council meeting staff recommends that the City Council:

1. Adopt the attached resolution placing a measure on the November 2020 ballot providing for term limits for Council Members including:
 - a. The specific terms of that measure;
 - b. The ballot question;
 - c. Directing that the full text of the measure appear in the voter pamphlet together with an impartial analysis by the City Attorney;
 - d. Authorizing specified Council members to file arguments for and against the proposed measure; and
 - e. Declaring that rebuttal arguments are not authorized.
2. Adopt the attached resolution regarding voluntary compliance with the term limits described in the 1992 City of Saratoga term limits advisory measure.

Staff Report

[Attachment A – Resolution Regarding Voluntary Compliance with the Term Limits Described in the 1992 City of Saratoga Term Limits Advisory Measure](#)

[Attachment B – Resolution Calling an Election on the Term Limits Ordinance](#)
[Written Communications](#)

COUNCIL ASSIGNMENTS

Mayor Howard Miller

Council Finance Committee
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-City Selection Committee
Cities Association of Santa Clara County-Legislative Action Committee
Cities Association of Santa Clara County- meetings
Council Finance Committee
Hakone Foundation Board & Executive Committee
Public Art 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 Chamber of Commerce & Destination Saratoga

Council Member Manny Cappello

Cities Association of Santa Clara County Board of Directors
Santa Clara County Housing and Community Development (HCD) Council Committee
Saratoga Area Senior Coordinating Council (SASCC)
Saratoga Ministerial Association
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 June 26, 2020 at the City of Saratoga, 13777 Fruitvale Avenue, Saratoga, California and on the City's website at www.saratoga.ca.us.

Signed this 26th day of June 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

07/01	5:00 p.m. Commission Interviews 5:30 p.m. Closed Session 7:00 p.m. Regular Session
07/15	No Meeting - Recess
08/05	No Meeting - Recess
08/19	4:00 p.m. Commission Interviews 5:00 p.m. Closed Session 6:00 p.m. Joint Meeting with Hakone Board and Sister City 7:00 p.m. Regular Session
09/02	5:00 p.m. Commission Interviews for Library & Parks 6:00 p.m. Joint Meeting with Montalvo Arts 7:00 p.m. Regular Session
09/16	6:00 p.m. Joint Meeting with Youth Commission 7:00 p.m. Regular Session
10/07	5:00 p.m. Joint Meeting with West Valley – Mission Community College Board of Trustees 6:00 p.m. Joint Meeting - Saratoga Schools and Boards at West Valley College 7:00 p.m. Regular
10/21	6:00 p.m. Joint Meeting with Sheriff's Office 7:00 p.m. Regular Session
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 TBD 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
12/10	7:00 p.m. Council Reorganization
12/16	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