



SARATOGA CITY COUNCIL REGULAR MEETING

JULY 7, 2021
CORRECTED REPORTS IN Item 3.1
Presentations added

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 comment on **Closed Session** items by:

1. Using the Zoom website <https://us02web.zoom.us/j/82295016464> or App (Webinar ID 822 9501 6464) 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 (822 9501 6464), and pressing *9 to raise their hand to speak when directed by the Mayor.

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 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 **Study Session** by:

1. Using the Zoom website <https://us02web.zoom.us/j/83246724709> or App (Webinar ID 832 4672 4709) 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 (832 4672 4709), 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 **Regular Session** of the meeting by:

1. Using the Zoom website <https://us02web.zoom.us/j/82873006992> or App (Webinar ID 828 7300 6992) 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 (828 7300 6992), 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 (828 7300 6992), 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. CLOSED SESSION

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

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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 during the Regular Session, which begins at 7:00 p.m. Access information for the Regular Session is below.

PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Gov't Code Section 54957)
Title: City Attorney

6:00 P.M. STUDY SESSION

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

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City Council and Commissions Electronic Communications Policy

Recommended Action:

Discuss the 2010 City Council and Commissions Electronic Communications Policy and provide direction to staff regarding any proposed revisions to be brought forward for consideration at a regular meeting of the City Council.

[Staff Report](#)

[Attachment A – City Council and Commissions Electronic Communications Policy \(May 19, 2010\)](#)

[Attachment B – Possible Revisions to Electronic Communications Policy](#)

7:00 P.M. REGULAR SESSION

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/82873006992> or App (Webinar ID 828 7300 6992) and raising their hand when directed by the Mayor to speak on an agenda item; **OR**
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ROLL CALL

REPORT ON POSTING OF THE AGENDA

The agenda for this meeting was properly posted on July 2, 2021.

REPORT FROM CLOSED SESSION

REPORT FROM STUDY 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

CEREMONIAL ITEMS

Proclamation Declaring July 2021 as "Parks Make Life Better!" Month

Recommended Action:

Proclaim July 2021 as "Parks Make Life Better!" Month in the City of Saratoga.

[Staff Report](#)

[Proclamation Declaring July 2021 as "Parks Make Life Better!" 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 June 16, 2021.

[Staff Report](#)

[Attachment A – Minutes for the Regular City Council Meeting on June 16, 2021](#)

1.2. Review of Accounts Payable Check Registers

Recommended Action:

Review of Accounts Payable Check Registers

06/16/21 Period 12; 06/23/21 Period 12; 6/30/21 Period 12

[Staff Report](#)

[Check Register-06-16-21 P12](#)

[Check Register-06-23-21 P12](#)

[Check Register-06-30-21 P12](#)

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

Recommended Action:

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

[Treasurer Report](#)

1.4. Two-Year Landscape Maintenance Service Contract with Gachina Landscape Management in the amount of \$89,700 per year

Recommended Action:

Approve a two-year Landscape Maintenance Service Contract with Gachina Landscape Management for monthly landscape maintenance services in the amount of \$89,700 per year and authorize the City Manager to execute the same.

[Staff Report](#)

[Attachment A - Gachina Contract](#)

1.5. Two-Year Landscape Maintenance Service Contract with Vista Landscape Management in the amount of \$183,024 per year

Recommended Action:

Approve a two-year Landscape Maintenance Service Contract with Vista Landscape Maintenance for monthly landscape maintenance services in the amount of \$183,024 per year and authorize the City Manager to execute the same.

[Staff Report](#)

[Attachment A - Vista Contract](#)

1.6. Two-Year Landscape Maintenance Service Contract with Dinsmore Landscape Company in the Amount of \$32,088 per Year

Recommended Action:

Approve a two-year Landscape Maintenance Service Contract with Dinsmore Landscape Company for monthly landscape maintenance services in the amount of \$32,088 per year and authorize the City Manager to execute the same.

[Staff Report](#)

[Attachment A - Dinsmore Contract](#)

1.7. 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](#)

1.8. Budget Adjustment for Workers Compensation Program

Recommended Action:

Staff recommends the City Council approve the attached FY 2020/21 budget adjustment resolution to fund the higher than expected insurance premium cost in the Workers Compensation program budget.

[Staff Report](#)

[Attachment A – Budget Adjustment Resolution](#)

1.9. Three Year Contract with ZAG Technical Services for IT Support Services in the amount not to exceed \$40,000 per fiscal year

Recommended Action:

Authorize the City Manager to enter into a three-year contract with ZAG Technical Services for IT Support Services in the amount not to exceed \$40,000 per fiscal year.

[Staff Report](#)

[Attachment A - ZAG Contract](#)

1.10. Financial Audit Services Contract

Recommended Action:

1. Authorize the City Manager to exercise a two-year contract option with Chavan & Associates, LLP for the FY 2020/21 and FY 2021/22 financial audits in the amount of \$42,000 annually.

2. Authorize the City Manager to increase the contract by \$5,000 annually if additional audit requirements are necessary due to the American Rescue Plan Act (ARPA).

[Staff Report](#)

[Attachment A – Contract](#)

[Attachment B – Engagement Letter](#)

1.11. Five Year Community Access Cable Services Agreement

Recommended Action:

Authorize the City Manager to execute a new five-year agreement with the Saratoga Community Access Television Foundation.

[Staff Report](#)

[Attachment A - KSAR contract](#)

1.12. Budget Amendment – Bellgrove Landscaping and Lighting District (LLAD) Zone 26

Recommended Action:

Adopt Resolution appropriating \$15,000 from LLAD - Zone 26 fund balance into the Fiscal Year 2020/21 operating budget.

[Staff Report](#)

[Attachment A - Budget Resolution](#)

[Attachment B - Zone 26 Map](#)

1.13. Extension of the Abandoned Vehicle Abatement Service Authority (AVASA) Program

Recommended Action:

Adopt the resolution authorizing the City of Saratoga to continue participation in the Santa Clara County Abandoned Vehicle Abatement Service Authority (AVASA) program for a fourth 10-year term beginning April 30, 2022, and to allow the collection of a one-dollar vehicle registration fee by the California Department of Motor Vehicles for this purpose.

[Staff Report](#)

[Attachment A – Resolution Renewing the Santa Clara County Abandoned Vehicle Abatement Service Authority](#)

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. Amendment to the City's Tree Regulations 1st Reading

Recommended Action:

1. Conduct a public hearing.

2. Introduce and waive the first reading of the attached ordinance adopting and modifying Article 15-50 (Tree Regulations) to define problematic tree species and remove the tree removal permit fee for these trees.
3. Direct staff to place the ordinance on the consent calendar for adoption on July 21, 2021.

[Staff Report](#)

[Attachment A - Ordinance](#)

3. GENERAL BUSINESS

- 3.1. Consideration of Regional Housing Needs Allocation (RHNA) Appeal

Recommended Action:

Provide direction to staff on Saratoga’s draft RHNA Allocation appeal.

[Staff Report](#)

[Attachment A - RHNA Appeal Request](#)

[Attachment B - ABAG 2023-2031 RHNA Cycle Appeals Procedures](#)

[Attachment C - HCD letter on appeals of SCAG’s Draft RHNA Plan, December 10, 2020](#)

[Attachment D - Public Comments](#)

[Presentation](#)

- 3.2. Plan Bay Area 2050 Comment Letter

Recommended Action:

Authorize submittal of a comment letter from the City Council on the Plan Bay Area 2050 Draft Environmental Impact Report.

[Staff Report](#)

[Attachment A – Draft Comment Letter on Plan Bay Area 2050 EIR](#)

- 3.3. City Council Position on Assembly Bill 215

Recommended Action:

Approve the resolution in opposition to Assembly Bill 215 and authorize submittal of letters from the City Council expressing its position.

[Staff Report](#)

[Attachment A – Resolution in Opposition to AB 215](#)

[Attachment B – Letters](#)

- 3.4. 2020 Pavement Management Program Project – Amendment to Increase the Contract Amount by \$448,341

Recommended Action:

Authorize an amendment to the contract for the 2020 Pavement Management Program Project with O’Grady Paving, Inc. in the amount of \$448,341.

[Staff Report](#)

[Attachment A - Contract Amendment](#)

[Attachment B - Original Contract](#)

[Presentation](#)

- 3.5. Award of Contract – Civic Theater Lighting and Controls Upgrades for a total amount of \$340,924.

Recommended Action:

1. Award the contract for the Civic Theater Lighting and Controls Upgrades project to Musson Theatrical in the amount of \$324,690 and authorize the City Manager to execute the agreement.

2. Authorize the City Manager to approve change orders not to exceed 5% of the contract amount (\$16,234) as a project contingency.

[Staff Report](#)

[Attachment A - Bid Package and Proposed Contract](#)

[Attachment B - Bidders List](#)

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

Sister City Organization

Council Member Mary-Lynne Bernald

Hakone Foundation Board & Executive Committee

Santa Clara/Santa Cruz Airport/Community Roundtable

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, 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 July 2, 2021 at the City of Saratoga, 13777 Fruitvale Avenue, Saratoga, California and on the City's website at www.saratoga.ca.us.

Signed this 2nd day of July 2021 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.

In Compliance with the Americans with Disabilities Act, if you need assistance to participate in this meeting, 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. [28 CFR 35.102-35.104 ADA title II]



CITY OF SARATOGA CITY COUNCIL MEETING CALENDAR 2021

- 07/07** 5:00 p.m. Closed Session | 6:00 p.m. **Study Session** on E-Communications Policy | 7:00 p.m. Regular Session
- 07/21** 4:00 p.m. Closed Session | 5:00 p.m. Closed Session | 6:00 p.m. Joint Meeting with Hakone Board | 7:00 p.m. Regular Session
- 08/04** Tentative -No Meeting - Recess
- 08/18** Tentative -No Meeting - Recess
- 08/31** 6:00 p.m. **Joint Study Session** with Planning Commission on Housing Element
- 09/01** 5:00 p.m. Commission Interviews – Library & Community Engagement Commission, Parks & Recreation Commission, Public Art Commission, Traffic Safety Commission | 6:00 p.m. Joint Meeting with Assembly Member Evan Low | 7:00 p.m. Regular Session
- 09/15** 5:00 p.m. **Study Session** on Rules of Parliamentary Procedure | 6:00 p.m. Joint Meeting with Youth Commission | 7:00 p.m. Regular Session
- 10/06** 5:00 p.m. Joint Meeting with Mountain Winery | 6:00 p.m. Joint Meeting with Sheriff's Office | 7:00 p.m. Regular Session
- 10/20** 5:00 p.m. Joint Meeting with Historical Foundation | 6:00 p.m. Joint Meeting with West Valley – Mission Community College District Board of Trustees | 7:00 p.m. Regular Session

- 11/03** 5:30 p.m. Joint Meeting with Saratoga Schools | 7:00 p.m. Regular Session
11/17 5:00 p.m. Joint Meeting with Los Gatos Saratoga Recreation | 6:00 p.m. Joint Meeting with State Senator Dave Cortese | 7:00 p.m. Regular Session
- 12/01** 5:00 p.m. Commission Interviews – Heritage Preservation Commission & Traffic Safety Commission
| 6:00 p.m. Joint Meeting with TBD | 7:00 p.m. City Council Reorganization | Regular Session
12/15 6:00 p.m. **Study Session** on City Council Norms | 7:00 p.m. Regular Session