



# SARATOGA CITY COUNCIL REGULAR MEETING

SEPTEMBER 16, 2020

## REVISED -SUPPLEMENTAL ATTACHMENT

### **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 **Joint Meeting** by:

1. Using the Zoom website <https://us02web.zoom.us/j/85045807665> or App (Webinar ID 850 4580 7665) 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 4580 7665), 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/83569656723> or App (Webinar ID 835 6965 6723) 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 (835 6965 6723), 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 (835 6965 6723), 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](http://saratoga.granicus.com/MediaPlayer.php?publish_id=2), calling 1.408.638.0968 or 1.669.900.6833, entering the Webinar ID (835 6965 6723), 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](http://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](mailto: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.

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## 6:00 P.M. JOINT MEETING

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### **Joint Meeting with the Saratoga Youth Commission**

[Discussion Topics](#)

[Staff Report](#)

[Saratoga Youth Commission 2020-2021 Work Plan Presentation](#)

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## 7:00 P.M. REGULAR SESSION

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

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2. Calling 1.408.638.0968 or 1.669.900.6833, entering the Webinar ID (835 6965 6723), 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 September 11, 2020.*

## 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

Appointment of Commissioners

**Recommended Action:**

Approve the resolution appointing 1 (one) member to the Library & Community Engagement Commission and 1 (one) member to the Parks & Recreation Commission and direct the City Clerk to administer the Oath of Office.

[Staff Report](#)

[Attachment A – Resolution of Appointment](#)

[Attachment B -- Oaths of Office](#)

Commendation for Terence (Terry) Ward

**Recommended Action:**

Commend Terry Ward for his service on the Saratoga Parks & Recreation Commission.

[Staff Report](#)

[Attachment A - Commendation for Terence Ward](#)

Commendation for 100th Anniversary of Scouting in Saratoga

**Recommended Action:**

Commend the Saratoga Scout BSA Troops during the 100th anniversary of Scouts in Saratoga.

[Staff Report](#)

[Attachment A – Commendation for 100th Anniversary of Scouting in Saratoga](#)

## 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 September 2, 2020.

[Staff Report](#)

[Attachment A - Minutes for the Regular City Council Meeting on September 2, 2020](#)

1.2. Review of Accounts Payable Check Registers

**Recommended Action:**

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

9/2/2020 Period 3; 9/10/2020 Period 3.

[Staff Report](#)

[Check Register - 09-02-2020 Period 3](#)

[Check Register - 09-10-2020 Period 3](#)

1.3. Ordinance Banning the Sale of Electronic Smoking Products

**Recommended Action:**

Waive the second reading and adopt the attached ordinance that would prohibit the sale of electronic smoking products in the City of Saratoga through amendments to Article 4.90 of the City Code effective January 1, 2021.

[Staff Report](#)

[Attachment A – Ordinance Banning the Sale of Electronic Smoking Products](#)

[Supplemental Attachment](#)

1.4. Funding Agreement Santa Clara Valley Transportation Authority (VTA) for the 2016 Measure B Bicycle & Pedestrian Education and Encouragement Program

**Recommended Action:**

1. Authorize the City Manager to execute a Funding Agreement Santa Clara Valley Transportation Authority (VTA) for the 2016 Measure B Bicycle & Pedestrian Education and Encouragement Program.

2. Approve the Budget Resolution amending FY20/21 Budget to increase the revenues and expenditures in the amount of \$96,000.

[Staff Report](#)

[Attachment A – Funding Agreement](#)

[Attachment B- Budget Resolution](#)

1.5. Safe Routes to School Master Plan

**Recommended Action:**

1. Authorize the City Manager to enter into a Professional Service Agreement with Fehr and Peers in the amount of \$65,948.

2. Authorize City Manager to execute a change order up to \$6,500.

[Staff Report](#)

[Attachment A- Contract and Proposal](#)

1.6. Amendment to the Agreement for Maintenance of State Highway in the City of Saratoga

**Recommended Action:**

1. Adopt resolution amending the Cooperative Agreement between the State of California Department of Transportation (Caltrans)

2. Authorize the City Manager to execute Amendment No.1, Agreement for Maintenance of State Highway in the City of Saratoga that assigns and expands the maintenance responsibilities of shared roadway bicycle markings on Big Basin Way.

[Staff Report](#)

[Attachment A- Resolution](#)

[Attachment B- Amendment No. 1](#)

[Attachment C -Map for Amendment](#)  
[Attachment D- Cooperative Agreement 1965](#)

1.7. Agreement Authorizing Use of Saratoga Library as Public Safety Power Shutoff Resource Center

**Recommended Action:**

Authorize the City Manager to execute the Saratoga Library Use Authorization Agreement, allowing the Saratoga Library to be used as a Public Safety Power Shutoff (PSPS) resource center.

[Staff Report](#)

[Attachment A – Saratoga Library Use Authorization Agreement \(PG&E Public Safety Power Shutoff\)](#)

**2. PUBLIC HEARING**

None

**3. GENERAL BUSINESS**

3.1. Business License Renewal Extension Program

**Recommended Action:**

City Council to review and provide direction on a proposed Business License Renewal Extension Program.

[Staff Report](#)

3.2. Letter Regarding State Route 85 Transit Lane

**Recommended Action:**

Approve the attached letter to the Board of the Valley Transportation Agency (VTA) supporting the recommendation of the VTA State Route 85 Policy Advisory Board.

[Staff Report](#)

[Attachment A – Letter to VTA Board](#)

3.3. Resolution Amending the City of Saratoga Conflict of Interest Code

**Recommended Action:**

Approve the resolution amending the City of Saratoga Conflict of Interest Code.

[Staff Report](#)

[Attachment A – Resolution Amending the Saratoga Conflict of Interest Code](#)

[Attachment B -FPCC 18730 Code](#)

[Attachment C – Resolution 18-051](#)

3.4. City Manager's Annual Salary for Fiscal Year 2020/21

**Recommended Action:**

Approve City Manager's annual salary of \$265,000 effective July 1, 2020.

[Staff Report](#)

[Attachment A – Council Evaluation Memo](#)

## **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 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 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

## **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 September 11, 2020 at the City of Saratoga, 13777 Fruitvale Avenue, Saratoga, California and on the City's website at [www.saratoga.ca.us](http://www.saratoga.ca.us).*

*Signed this 11th day of September 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](http://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**

- 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
- 12/15 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*