



SARATOGA CITY COUNCIL REGULAR MEETING

SEPTEMBER 2, 2020

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/89453361464> or App (Webinar ID 894 5336 1464) 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 (894 5336 1464), 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 **Joint Meeting** by:

1. Using the Zoom website <https://us02web.zoom.us/j/86070948028> or App (Webinar ID 860 7094 8028) 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 (860 7094 8028), 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/82321703600> or App (Webinar ID 823 2170 3600) 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 (823 2170 3600), 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 (823 2170 3600), 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 (823 2170 3600),

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.

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

1. Using the Zoom website <https://us02web.zoom.us/j/82321703600> or App (Webinar ID 823 2170 3600) and raising their hand when directed by the Mayor to speak on an agenda item; **OR**
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Please note that the public comment period will end 10 minutes after Closed Session is called to order 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 after the confidential portion of Closed Session is concluded.

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.

4:40 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
4:50 p.m.	Michelle Wang	Parks & Recreation	1 Full Term (ending September 30, 2024) & 1 Partial Term (ending September 30, 2022)	No
4:55 p.m.	Terri Zaccone	Library & Community Engagement	1 Full Term (ending September 30, 2024)	No
5:00 p.m.	Rachana Desai	Library & Community Engagement	1 Full Term (ending September 30, 2024)	No
5:05 p.m.	Yifung (Yvonne) Lee	Library & Community Engagement	1 Full Term (ending September 30, 2024)	No
5:10 p.m.	Sharvila Patadia	Library & Community Engagement	1 Full Term (ending September 30, 2024)	No
5:15 p.m.	Bala Narasimhan	Library & Community Engagement	1 Full Term (ending September 30, 2024)	No
5:20 p.m.	Maggie Tsai	Library & Community Engagement	1 Full Term (ending September 30, 2024)	No
5:25 p.m.	Eric Lewis	Library & Community Engagement	1 Full Term (ending September 30, 2024)	Yes
5:30 p.m.	Judy Koong Dennis	Library & Community Engagement	1 Full Term (ending September 30, 2024)	No

6:00 P.M. JOINT MEETING

Members of the public can view and participate in the **Joint Meeting** by:

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Joint Meeting with Montalvo Arts
[Discussion Topics](#)

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 August 28, 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 ITEMS

Appointment of Commissioner

Recommended Action:

Approve the resolution appointing 1 member to the Planning Commission and direct the City Clerk to administer the Oath of Office.

[Staff Report](#)

[Attachment A -- Resolution of Appointment](#)

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

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 August 19, 2020 and Special City Council Meeting on August 26, 2020.

[Staff Report](#)

[Attachment A – Minutes for the Regular City Council Meeting on August 19, 2020](#)

[Attachment B – Minutes for the Special City Council Meeting on August 26, 2020](#)

1.2. Review of Accounts Payable Check Registers

Recommended Action:

Review and accept check registers for the following accounts payable payment cycles: 8/19/2020 Period 2; 8/26/2020 Period 2.

[Staff Report](#)

[Check Register - 08-19-2020 Period 2](#)

[Check Register - 08-26-2020 Period 2](#)

1.3. Treasurer’s Report for the Month Ended July 31, 2020

Recommended Action:

Review and accept the Treasurer’s Report for the month ended July 31, 2020.

[Staff Report](#)

1.4. Funding Agreement for Countywide Isolation and Quarantine Support Program

Recommended Action:

Authorize the City Manager to execute a funding agreement with the County of Santa Clara for the Countywide Isolation and Quarantine Support Program for an amount not to exceed \$31,867 using CARES Act funds.

[Staff Report](#)

[Attachment A – Funding Agreement](#)

1.5. One Year Extension of Tree Maintenance Service Contract – Oscar’s Expert Tree Care Services

Recommended Action:

Approve Contract Amendment to extend the Tree Maintenance Service Contract with Oscar’s Expert Tree Care Services for one year in the amount not to exceed \$150,500 and authorize the City Manager to execute the same.

[Staff Report](#)

[Attachment A - Contract Amendment](#)

1.6. One Year Extension of Tree Maintenance Service Contract – Trees 360 Degrees

Recommended Action:

Approve Contract Amendment to extend the Tree Maintenance Service Contract with Trees 360 Degrees for one year in the amount not to exceed \$100,500 and authorize the City Manager to execute the same

[Staff Report](#)

[Attachment A - Contract Amendment](#)

1.7. One Year Extension of Tree Maintenance Service Contract – Ian Geddes Tree Care, Inc.

Recommended Action:

Approve Contract Amendment to extend the Tree Maintenance Service Contract with Ian Geddes Tree Care, Inc. for one year in the amount not to exceed \$110,500 and authorize the City Manager to execute the same

[Staff Report](#)

[Attachment A - Contract Amendment](#)

1.8. One Year Extension of Park Restroom Maintenance Service Contract – North Bay Building Maintenance

Recommended Action:

Approve Contract Amendment to extend the Park Restroom Maintenance Service Contract with North Bay Building Maintenance (NBBM) for one year in the amount not to exceed \$40,456 and authorize the City Manager to execute the same.

[Staff Report](#)

[Attachment A - Contract Amendment](#)

1.9. One Year Extension of Landscape Maintenance Service Contract – Vista Landscape Maintenance

Recommended Action:

Approve Contract Amendment to extend the Landscape Maintenance Service Contract with Vista Landscape Maintenance for one year in the amount not to exceed \$155,676 and authorize the City Manager to execute the same.

[Staff Report](#)

[Attachment A - Contract Amendment](#)

1.10. One Year Extension of Landscape Maintenance Service Contract – Gachina Landscape Management

Recommended Action:

Approve Contract Amendment to extend the Landscape Maintenance Service Contract with Gachina Landscape Management for one year in the amount not to exceed \$95,448 and authorize the City Manager to execute the same.

[Staff Report](#)

[Attachment A - Contract Amendment](#)

1.11. Conduit Financing for St. Andrew’s Parish Project

Recommended Action:

Adopt the resolution approving the execution and delivery o a loan by the California Municipal Finance Authority (CFMA) for the purpose of refinancing a line of credit and financing or refinancing the acquisition, construction and improvement of certain educational facilities for Saint Andrew’s Parish.

[Staff Report](#)

[Attachment A – Resolution Approving the Execution and Delivery of a Loan by CMFA to Saint Andrew’s Parish](#)

[Attachment B – Legal Advertisement Proof of Publication](#)

1.12. Amended Santa Clara County FireSafe Council Agreement

Recommended Action:

Authorize the City Manager to execute the amended agreement with the Santa Clara County FireSafe Council for a dead tree removal rebate program and fuel reduction efforts.

[Staff Report](#)

[Attachment A – Amended Santa Clara County FireSafe Council Agreement](#)

1.13. Amended Lease Agreement with Los Gatos-Saratoga Community Education and Recreation

Recommended Action:

Authorize the City Manager to execute an amended lease agreement with Los Gatos-Saratoga Community Education and Recreation (LGS Recreation) to include the portable building used by the Saratoga Community Preschool Building in the existing lease agreement.

[Staff Report](#)

[Attachment A – Amended Lease Agreement with LGS Recreation](#)

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. Ordinance Banning the Sale of Electronic Smoking Products

Recommended Action:

Conduct a public hearing on 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; introduce and waive the first reading of the ordinance; and, direct staff to place the ordinance on the Consent Calendar for adoption at the next regularly scheduled City Council Meeting.

[Staff Report](#)

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

3. GENERAL BUSINESS

3.1. Hakone Foundation Lease Update

Recommended Action:

Authorize the City Manager to execute a new 55-year lease agreement with the Hakone Foundation for the operation and maintenance of Hakone Estate and Gardens.

[Staff Report](#)

[Attachment A - Lease Update](#)

[Attachment B - Summary Memo with Current Lease](#)

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

Cities Association of Santa Clara County- meetings

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

CLOSED SESSION

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

CONFERENCE WITH LABOR NEGOTIATOR (Government Code 54957.6)
Agency designated representative: Richard Taylor, City Attorney
Unrepresented employee: City Manager

ADJOURNMENT

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

I, Janet Costa, Deputy 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 August 28, 2020 at the City of Saratoga, 13777 Fruitvale Avenue, Saratoga, California and on the City's website at www.saratoga.ca.us.

Signed this 28th day of August 2020 at Saratoga, California.

Janet Costa, Deputy 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**

- 09/02 4:40 p.m. Commission Interviews for Library & Parks | 6:00 p.m. Joint Meeting with Montalvo Arts | 7:00 p.m. Regular Session | Closed 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 Session
- 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