



# SARATOGA CITY COUNCIL REGULAR MEETING

APRIL 21, 2021

## AMENDED -SUPPLEMENTAL MEMOS

### **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 Interview** by:

1. Using the Zoom website <https://us02web.zoom.us/j/89974094726> or App (Webinar ID 899 7409 4726) 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 (899 7409 4726), 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/85679944536> or App (Webinar ID 856 7994 4536) 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 (856 7994 4536), 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/85486691796> or App (Webinar ID 854 8669 1796) 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 (854 8669 1796), 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 (854 8669 1796) and pressing \*9 to raise their hand to speak on an agenda item when directed by the Mayor; **OR**

- Viewing online at [http://saratoga.granicus.com/MediaPlayer.php?publish\\_id=2](http://saratoga.granicus.com/MediaPlayer.php?publish_id=2) and calling 1.408.638.0968 or 1.669.900.6833, entering the Webinar ID (854 8669 1796), 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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## 5:40 P.M. COMMISSION INTERVIEW

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Time	Name	Commission	Vacancies	Incumbent
5:40 p.m.	Priya Shastri	Heritage Preservation	1 Full Term (May 5, 2021 - December 31, 2024) 1 partial term (May 5, 2021-December 31, 2023)	No

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## 6:00 P.M. JOINT MEETING

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

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- Calling 1.408.638.0968 or 1.669.900.6833, entering the Webinar ID (856 7994 4536), and pressing \*9 to raise their hand to speak on an agenda item when directed by the Mayor.

## **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:

1. Using the Zoom website <https://us02web.zoom.us/j/85486691796> or App (Webinar ID 854 8669 1796) 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 (854 8669 1796), 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 April 15, 2021.*

### **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**

Recognition of Paint the City Artists & Volunteers

**Recommended Action:**

Present the certificates and recognize the Paint the City artists and volunteers.

[Staff Report](#)

[Attachment A - Paint the City Artist & Volunteer Certificates](#)

## SPECIAL PRESENTATIONS

Special Presentation from United Way Bay Area 211

**Recommended Action:**

Receive presentation from United Way Bay Area 211.

[Staff Report  
Presentation](#)

Presentation from Catholic Charities of Santa Clara County Long Term Ombudsman Program

**Recommended Action:**

Receive presentation from Catholic Charities of Santa Clara County Long Term Ombudsman Program.

[Staff Report](#)

Presentation from West Valley Community Services

**Recommended Action:**

Receive presentation from West Valley Community Services.

[Staff Report  
Presentation](#)

### 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 Special City Council Meetings on March 30, 2021 and March 31, 2021 and the Regular City Council Meeting on April 7, 2021.

[Staff Report](#)

[Attachment A – Minutes for the Special City Council Meeting on March 30, 2021](#)

[Attachment B – Minutes for the Special City Council Meeting on March 31, 2021](#)

[Attachment C – Minutes for the Regular City Council Meeting on April 7, 2021](#)

[Supplemental Memo](#)

#### 1.2. Review of Accounts Payable Check Registers

**Recommended Action:**

Review and accept check registers for the following accounts payable payment cycles:  
04/07/21 Period 10; 04/13/21 Period 10:

[Staff Report](#)

[Check Register - 04-07-2021 P10](#)

[Check Register - 04-13-2021 P10](#)

1.3. Landscaping and Lighting Assessment District LLA-1; Preliminary Approval of Engineer's Report and Adoption of Resolution of Intention for FY 21-22

**Recommended Action:**

1. Move to adopt the Resolution granting preliminary approval of the Engineer's Report for FY 21-22 for renewing the Landscaping and Lighting Assessment District LLA-1.

2. Move to adopt the Resolution of Intention.

[Staff Report](#)

[Attachment A - Resolution of Preliminary Approval of Engineer's Report](#)

[Attachment B - Resolution of Intention to Order the Levy and Collection of Assessments](#)

[Attachment C - Engineer's Report](#)

1.4. Budget Amendment – McCartyville Landscaping and Lighting District (Zone 9)

**Recommended Action:**

Adopt Resolution appropriating \$5,000 from Zone 9 fund balance into the Fiscal Year 2020-2021 operating budget.

[Staff Report](#)

[Attachment A - Budget Resolution](#)

[Attachment B – Zone 9 Map](#)

1.5. Landmark Designation for 20280 Saratoga Los-Gatos Road – Application No. LNDMRK21-0001

**Recommended Action:**

Waive the second reading and adopt the attached ordinance designating the property at 20280 Saratoga-Los Gatos Road as a historic landmark.

[Staff Report](#)

[Attachment A - Landmark Status Ordinance](#)

**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. Proposed Fee Schedule Update for FY 2021/22

**Recommended Action:**

Open the public hearing, listen to public testimony and close public hearing. Adopt the resolution approving the updated fee schedule for Fiscal Year 2021/22, effective July 1, 2021.

[Staff Report](#)

[Attachment A - Budget Resolution for Fee Schedule 2021-22](#)

[Attachment B - Proposed FY 2021-22 Fee Schedule](#)

[Attachment C - Summary of Proposed Fee Schedule Revisions](#)

[Attachment D - Calculation of Staff Billing Rate](#)

[Attachment E - Calculation of Regional Modifier](#)

## 2.2. Weed/Brush Abatement Program Assessment Hearing

### **Recommended Action:**

Open public hearing, accept public testimony and consider amendments to the assessment report, and adopt the resolution confirming report and assessment of weed/brush abatement program charges.

[Staff Report](#)

[Resolution Confirming Report and Assessment Charges](#)

## 3. GENERAL BUSINESS

### 3.1. Award of Contract for Heritage Orchard Maintenance Services

#### **Recommended Action:**

Authorize the City Manager to enter into a three year Service Contract with Orchard Keepers, Inc. (with the option to renew) in an amount not to exceed \$124,500 per year for the maintenance of the Saratoga Heritage Orchard.

[Staff Report](#)

[Attachment A- Orchard Maintenance Contract 2021- Orchard Keepers Inc.](#)

[Attachment B- Orchard Keepers Inc. Proposal](#)

[Attachment C- Novakovich Orchards Proposal](#)

[Attachment D-Email from Village Harvest](#)

[Attachment E- The Mercury News 03142021](#)

[Attachment F-Orchard Keepers Response](#)

[Attachment G-Report from Doug Anderson](#)

[Attachment H- Written Comments](#)

[Supplemental Memo -Written Communications](#)

### 3.2. Options for Reducing Wood Shake Roofs in Wildland Urban Interface Area

#### **Recommended Action:**

Direct staff to include a waiver in the Fiscal Year 2021/22 Fee Schedule of roof replacement permit fees for properties in the Wildland Urban Interface area with untreated wood shake or shingle roofs that will be replaced with non-wood Class A roofing materials.

[Staff Report](#)

### 3.3. Options for Reducing Wildfire Risk in Wildland Urban Interface Area through Landscaping

#### **Recommended Action:**

Direct staff to: 1) prepare an ordinance that would modify tree removal criteria in City Code Section 15-50.080 to allow removal of qualifying tree species in the Wildland Urban Interface area; 2) amend the City of Saratoga Fee Schedule to waive permit fees for qualifying trees, if an ordinance amending criteria for tree removal is adopted by the City Council; 3) exclude problematic tree species from being used as replacement trees following a removal; and, 4) prepare an ordinance amending existing landscape regulations to require a 5-foot nonflammable buffer around new structures in the Wildland Urban Interface area by prohibiting the placement of plants in the buffer and requiring areas below patios and decks to be screened or boxed-in.

[Staff Report](#)

## **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  
Saratoga Public Art Committee  
Sister City Organization

### Council Member Mary-Lynne Bernald

Hakone Foundation Board & Executive Committee  
Santa Clara/Santa Cruz Airport/Community Roundtable  
Saratoga Public Art Committee  
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 April 15, 2021 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 15th day of April 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](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 2021

- 04/21** 5:00 p.m. Commission Interviews | 6:00 p.m. Joint Meeting with Planning Commission | 7:00 p.m. Regular Session
- 04/27** **6:00 p.m. Study Session on Fiscal Year 2021/22 Budget**
- 05/04** 5:00 p.m. Commission Interviews – Youth Commission (time tentative)
- 05/05** 6:00 p.m. Joint Meeting with Montalvo Arts | 7:00 p.m. Regular Session
- 05/19** 6:00 p.m. Joint Meeting with Board of Supervisor Joe Simitian | 7:00 p.m. Regular Session
- 06/02** 4:30 p.m. Commission Interviews | 5:30 p.m. Joint Meeting with Saratoga Neighborhoods & Neighborhood Watch, Joan Pisani Community Center, Multipurpose Room | 7:00 p.m. Regular Session
- 06/16** 5:00 p.m. Joint Meeting with Santa Clara County Fire | 6:00 p.m. Joint Meeting with Silicon Valley Leadership Group | 7:00 p.m. Regular Session
- 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** 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
- 09/01** 5:00 p.m. Commission Interviews – Library & Community Engagement Commission & Parks & Recreation Commission | 6:00 p.m. Joint Meeting with Historical Foundation | 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** 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 Assembly Member Low | 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