



SARATOGA CITY COUNCIL REGULAR MEETING

NOVEMBER 3, 2021

AGENDA AMENDED

- **11-3-2021, ITEMS 2.1 and 3.2 PRESENTATION SLIDES ADDED**

Teleconference/Public Participation Information to Mitigate the Spread of COVID-19

This meeting will be held entirely by teleconference. All members of the City Council and staff will only participate via the Zoom platform using the process described below. The meeting is being conducted pursuant to recent amendments to the teleconference rules required by the Ralph M. Brown Act allowing teleconferencing during a proclaimed state of emergency when local officials have recommended social distancing. The purpose of the amendments is 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:

- Using the Zoom website <https://us02web.zoom.us/j/84613699520> Webinar ID 846 1369 9520 **OR**
- Calling 1.408.638.0968 or 1.669.900.6833 and entering the Webinar ID provided above

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

- Using the Zoom website <https://us02web.zoom.us/j/89920389533> Webinar ID 899 2038 9533 **OR**
- Calling 1.408.638.0968 or 1.669.900.6833 and entering the Webinar ID provided above; **OR**
- Viewing the meeting on Saratoga Community Access Television Channel 15 (Comcast Channel 15, AT&T UVerse Channel 99) and calling in following the directions above; **OR**
- Viewing online at http://saratoga.granicus.com/MediaPlayer.php?publish_id=2 and calling in following the directions above.

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.

5:30 PM JOINT MEETING

Joint Meeting with Saratoga Schools
[Discussion Topics](#)

7:00 PM CITY COUNCIL REGULAR MEETING

ROLL CALL

REPORT ON POSTING OF THE AGENDA

The agenda for this meeting was properly posted on October 28, 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

Commendations for Ping Li and Rick Pearce

Recommended Action:

Commend Ping Li and Rick Pearce for their service on the Saratoga Parks & Recreation Commission.

[Staff Report](#)

[Attachment A - Commendation for Ping Li](#)

[Attachment B - Commendation for Rick Pearce](#)

United Against Hate Week

Recommended Action:

Proclaim November 14-20, 2021 as United Against Hate Week in the City of Saratoga.

[Staff Report](#)

[Attachment A – United Against Hate Week Proclamation](#)

Appointment of Public Art Commissioners

Recommended Action:

Approve the Resolution appointing five members to the Saratoga Public Art Commission and direct the City Clerk to administer the Oaths of Office.

[Staff Report](#)

[Attachment A - Resolution Public Art Commission Appointments](#)

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 Minutes for the October 20, 2021, City Council Meeting and the October 25, 2021, Study Session.

[Staff Report](#)

[Attachment A- Minutes for the October 20, 2021 City Council Meeting](#)

[Attachment B - Minutes for the October 25, 2021 City Council and Commission Study Session](#)

1.2. Review of Accounts Payable Check Registers

Recommended Action:

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

10/20/21 Period 4; 10/27/21 Period 4

[Staff Report](#)

[Check Register 10-20-21 P4](#)

[Check Register 10-27-21 P4](#)

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

Recommended Action:

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

[Staff Report](#)

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. During Public Hearings for appeals, Applicants/Appellants and/or their representatives have a total of ten (10) minutes maximum for opening statements. 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. After public comment, the Applicant/Appellants and/or their representatives have a total of five (5) minutes maximum for closing statements. Items requested for continuance are subject to the City Council's approval at the Council Meeting.

2.1. Introduction of a Mandatory Organic Waste Disposal Reduction in Compliance with Senate Bill 1383

Recommended Action:

Conduct the public hearing, introduce, and waive the first reading of the Mandatory Organic Waste Disposal Reduction Ordinance required by the State of California.

[Staff Report](#)

[Attachment A- SB 1383 Implementation Ordinance with Exhibits 1-3](#)

[Attachment B- Summary of Article 17.10](#)

[Presentation - Mandatory Organic Waste Disposal Reduction Ordinance in compliance with SB1383, added 11-3-2021](#)

2.2. Annual Code Update for 2021

Recommended Action:

Conduct the public hearing, introduce and waive the first reading of an ordinance amending City Code sections 1-15.040 (concerning computation of time), 2-05.030 and 15-90.065 (concerning appeals by City Council members); 2-10.080 concerning title of Vice Mayor); 2-12.020, 080 and 2-15.050 (concerning Commissions and Commissioners), 3-10.070 (concerning appeal hearings), 5-25.070 (concerning reporting of transient occupancy tax information); 6-05.050 (concerning review of emergency declarations); 7-30.051 and .060 (concerning leaf blowers); 13-10.040 (concerning the Heritage Preservation Commission); 14-25.080 (concerning parkland dedication); 15-50.070 and 080 (concerning tree removal permits); 15-85.050 (concerning notice of Planning Commission public hearings); 16-18.025 (concerning automatic sprinklers); and Chapter 14 (correcting cross references to state law), and direct staff to place the matter on the consent calendar for the next regular meeting of the City Council.

[Staff Report](#)

[Attachment A - 2021 Annual Code Update Ordinance](#)

3. GENERAL BUSINESS

3.1. Youth Commission Fundraising Plan 2021/22

Recommended Action:

Approve the Youth Commission Fundraising Plan 2021/22 to collect small monetary donations at events and seek donations to support Youth Commission activities.

[Staff Report](#)

[Attachment A - Fundraising Plan](#)

[Attachment B - Donation Policy](#)

3.2. Budget Resolution for Emergency Interim Landslide Repair on Mt Eden Road in the Amount of \$75,000 and Approval of Contract with Cotton, Shires and Associates, Inc. for Geotechnical Exploration and Slope Inclinometer Monitoring on Mt Eden Road Near Eden Valley Court for a Total Amount of \$40,150

Recommended Action:

1. Approve a budget resolution to transfer \$75,000 from the Hillside Stability Reserve and establish a new Capital Improvement Project for emergency interim landslide repair on Mt Eden Road.

2. Approve a contract with Cotton, Shires and Associates, Inc. (CSA) for geotechnical exploration and slope inclinometer monitoring at Mt Eden Road near Eden Valley Court, in the amount of \$36,500, and authorize the City Manager to execute the same.

3. Authorize staff to execute change orders to the contract up to \$3,650.

[Staff Report](#)

[Attachment A - Budget Resolution](#)

[Attachment B - Photos of Road Hazards](#)

[Attachment C - CSA Mt Eden Road Contract](#)

[Presentation - Emergency Interim Landslide Repair added 11-3-2021](#)

3.3. Community Partner Joint Meeting Presentations

Recommended Action:

Consider recommendation from the Mayor to request that community partners meeting certain criteria provide the City Council with a summary of services provided over the last year, including total number of people served and the number of Saratoga residents served as part of the annual Joint Meeting or as a special presentation during a Regular Meeting starting in 2022. The criteria to provide the annual report are: 1) have a facility lease or use agreement with the City to provide services; or, 2) receive \$25,000 or more to provide services, excluding the Sheriff's Office.

[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, Britt Avrit, 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 October 28, 2021 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 October 2021 at Saratoga, California.

Britt Avrit, MMC, 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 and are available for review in the office of the City Clerk at 13777 Fruitvale Avenue, Saratoga, California.

In compliance with the Americans with Disabilities Act and the Governor's Executive Order, if you need assistance to participate in this meeting, please contact the City Clerk at bavrit@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]