



SARATOGA CITY COUNCIL REGULAR MEETING

NOVEMBER 17, 2021

AGENDA AMENDED

- **11-10-2021, ITEM 2.3 STAFF REPORT HYPERLINK REPAIRED, COUNCIL ASSIGNMENTS CORRECTED**
- **11-16-2021, ITEM 2.3 ATTACHMENTS ADDED**
- **11-17-2021, ITEM 2.1 WRITTEN COMMUNICATIONS ADDED**
- **11-17-2021, ITEM 2.2 WRITTEN COMMUNICATIONS ADDED**
- **11-17-2021, ITEM 2.4 PRESENTATION ADDED**
- **11-17-2021, ITEM 2.5 WRITTEN COMMUNICATIONS ADDED**
- **11-17-2021, ITEM 2.6 WRITTEN COMMUNICATIONS ADDED**
- **11-18-2021, ITEM 2.1 ADDITIONAL WRITTEN COMMUNICATIONS 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 meeting by:

- Using the Zoom website <https://us02web.zoom.us/j/89795388754> Webinar ID 897 9538 8754 **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.

7:00 PM CITY COUNCIL REGULAR MEETING

ROLL CALL

REPORT ON POSTING OF THE AGENDA

The agenda for this meeting was properly posted on November 10, 2021.

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

Family Court Awareness Month

Recommended Action:

Proclaim November as Family Court Awareness Month in the City of Saratoga.

[Staff Report](#)

[Family Court Awareness Month Proclamation](#)

AINAK Eyeglasses Commendation

Recommended Action:

Commend AINAK Eyeglass for helping to provide essential eye care services to those who cannot afford them.

[Staff Report](#)

[Attachment A – AINAK Eyeglasses Commendation](#)

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 November 3, 2021 City Council Meeting.

[Staff Report](#)

[Attachment A – Minutes for the November 3, 2021 City Council Meeting](#)

1.2. Review of Accounts Payable Check Registers

Recommended Action:

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

11/3/21/20/21 Period 5; 11/10/21 Period 5

[Staff Report](#)

[Check Register 11-03-21 P5](#)

[Check Register 11-10-21 P5](#)

1.3. Treasurer's Report for the Month Ended September 30, 2021

Recommended Action:

Review and accept the Treasurer's Report for the month ended September 30, 2021.

[Staff Report](#)

1.4. Reconsider and confirm findings pursuant to Assembly Bill 361

Recommended Action:

Reconsider and confirm findings pursuant to Assembly Bill 361 of the continued existence of a state of emergency and public health officials' recommendation of social distancing.

[Staff Report](#)

[Attachment A – Resolution 21-073 authorizing teleconferenced public meetings](#)

1.5. Notice of Completion – 2020 Pavement Management Program Project

Recommended Action:

Move to accept the 2020 Pavement Management Program (2020 PMP) contract as complete and authorize staff to record the Notice of Completion.

[Staff Report](#)

[Attachment A - Notice of Completion for the 2020 Pavement Management Program Project](#)

1.6. Annual Code Update for 2021

Recommended Action:

Adopt the attached 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).

[Staff Report](#)

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

1.7. Budget Resolution for Grant Funds Awarded by the Metropolitan Transportation Commission Safe and Seamless Mobility Quick-Strike Program Grant in the amount of \$1,800,000 and changing the project title of the Guava/Fredericksburg Entrance & Railroad Crossing Improvements

Recommended Action:

Approve a budget resolution to appropriate \$1,800,000 in MTC Safe and Seamless Mobility Quick Strike Program grant funds into the Fiscal Year 2021/22 Capital Improvement Program Budget and to change the title of the Guava/Fredericksburg Entrance & Railroad Crossing Improvements project to the Blue Hills Elementary Pedestrian Crossing at Union Pacific Railroad (UPRR) Project.

[Staff Report](#)

[Attachment A- Budget Resolution](#)

1.8. Mandatory Organic Waste Disposal Reduction Ordinance in Compliance with Senate Bill 1383

Recommended Action:

Adopt 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](#)

2. GENERAL BUSINESS

2.1. School Resource Officer Funding for Fiscal Year 2022/23

Recommended Action:

Review funding of the School Resource Officer for Fiscal Year 2022/23.

[Staff Report](#)

[Attachment A – City of Saratoga Agreement with Sheriff’s Office for Law Enforcement Services and Fiscal Year 2021/22 Costs](#)

[Attachment B – Sheriff’s Office Agreements with School Districts in Saratoga](#)

[Attachment C – Written Communications](#)

[Supplemental Memo 11 17 2021, Item 2.1 Written Communications](#)

[Supplemental Memo 11 18 2021, Item 2.1 Written Communications](#)

2.2. Review of Parking Restrictions on Douglass Lane, Black Walnut Court, Kenosha Court, and Minocqua Court

Recommended Action:

Review Motor Vehicle Resolution No. 326 restricting parking on Douglass Lane, Black Walnut Court, Kenosha Court, and Minocqua Court and direct staff accordingly.

[Staff Report](#)

[Attachment A- Motor Vehicle Resolution No. 326 and Map of Parking Restrictions](#)

[Attachment B- Letter to Residents](#)

[Attachment C - Neighborhood Communication to the City](#)

[Attachment D - Petition to Remove Parking Restrictions](#)

[Supplemental Memo 11 17 2021, Item 2.2 Written Communications](#)

2.3. Comment Letter on the Draft EIR for the El Paseo Project

Recommended Action:

Authorize submittal of a letter to the City of San Jose commenting on the Draft EIR for the El Paseo Mixed Use project at 1312 El Paseo De Saratoga & 1777 Saratoga Avenue

[Staff Report](#)

[Attachment A El Paseo NOP letter 10-26-20](#)

[Attachment B Summary of DEIR Deficiencies](#)

[added 11-16-2021 - El Paseo EIR comment letter 11-17-21 Supplemental Memo.](#)

[added 11-16-2021 - El Paseo DRAFT EIR Comment Letter w Appendix](#)

2.4. Annual Review --Saratoga Climate Action Plan 2030

Recommended Action:

Accept report on the Annual Review of the City’s Climate Action Plan.

[Staff Report](#)

[Attachment A- Saratoga Climate Action Plan 2030](#)

[Attachment B- Saratoga 2019 GHG Inventory Report](#)

[Attachment C- Community GHG Emissions Reductions 2005-2019](#)

[Attachment D- City's Leadership Efforts](#)

[Annual Review 2021- Climate Action Plan 2030](#)

2.5. Ordinance Banning Sale of Flavored Tobacco Products

Recommended Action:

Provide direction to staff on whether to prepare an ordinance expanding current restrictions on the sale of flavored tobacco to include menthol tobacco products.

[Staff Report](#)

[Attachment A – City of Cupertino City Code Excerpt](#)

[Attachment B – City of Palo Alto City Code Excerpt](#)

[Supplemental Memo 11_17_2021, Item 2.5 Written Communications](#)

2.6. Suicide Prevention Policy

Recommended Action:

Provide direction to staff on whether to prepare a suicide prevention policy for Council consideration at a future meeting.

[Staff Report](#)

[Attachment A – City of Campbell Suicide Prevention Policy](#)

[Attachment B – City of Cupertino Suicide Prevention Policy](#)

[Attachment C – Written Communications](#)

[Supplemental Memo 11_17_2021, Item 2.6 Written Communications](#)

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, 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 November 10, 2021 at the City of Saratoga, 13777 Fruitvale Avenue, Saratoga, California and on the City's website at www.saratoga.ca.us.

Signed this 10th day of November 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]