



SARATOGA CITY COUNCIL REGULAR MEETING

OCTOBER 5, 2022

AMENDED AGENDA

- 10/03/2022 ITEM 2.1 WRITTEN COMMUNICATIONS ADDED
- 10/03/2022 ITEM 3.1 WRITTEN COMMUNICATIONS ADDED
- 10/05/2022 ITEM 2.1 WRITTEN COMMUNICATIONS ADDED
- 10/05/2022 ITEM 2.1 PRESENTATION SLIDES ADDED
- 10/05/2022 WRITTEN COMMUNICATIONS FOR NON-AGENDIZED ITEMS ADDED
- 10/06/2022 ITEM 2.1 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 **6:00 p.m. Joint Session** by:

- Using the Zoom website <https://us02web.zoom.us/j/89256390821>; Webinar ID 892 5639 0821 **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 **7:00 p.m. Regular Session** by:

- Using the Zoom website <https://us02web.zoom.us/j/89384392021>; Webinar ID 893 8439 2021 **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 direction above; **OR**
- Viewing online at http://saratoga.granicus.com/MediaPlayer.php?publish_id=2 and calling in following the direction above.

The public will not be able to participate in the meeting in person.

Written Communication

Comments can be submitted in writing at www.saratoga.ca.us/comment. Written communications will be provided to the members of the Council and included in the Agenda Packet and/or in supplemental meeting materials.

Public Comment

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.

Meeting Recording Information

In accordance with the Saratoga City Council's Meeting Recording Policy, City Council Study Sessions, Joint Meetings, Joint Sessions, Commission Interviews, Retreats, meetings with the Planning Commission, and Regular Session Meetings are recorded and made available following the meeting on the City website.

6:00 PM JOINT SESSION

Joint Session with Santa Clara County Supervisor Joe Simitian

Recommended Action:

Receive updates from Supervisor Simitian

7:00 PM REGULAR SESSION

ROLL CALL

REPORT ON POSTING OF THE AGENDA

The agenda for this meeting was properly posted on September 29, 2022.

REPORT ON JOINT SESSION

ORAL COMMUNICATIONS ON NON-AGENDIZED ITEMS

Any member of the public may address the City Council 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.

[Supplemental Memo 10-05-2022, Non-Agendized Written Communications](#)

ANNOUNCEMENTS

CEREMONIAL ITEMS

Appointment of Library & Community Engagement Commissioner

Recommended Action:

Adopt the Resolution re-appointing Cristina Meiser to the Library & Community Engagement Commission and direct the City Clerk to administer the Oath of Office.

[Staff Report](#)

[Attachment A - Resolution, Library and Community Engagement Commission Appointment](#)

Proclamation Declaring October 5, 2022 Clean Air Day

Recommended Action:

Proclaim October 5, 2022 Clean Air Day in the City of Saratoga.

[Staff Report](#)

[Attachment A – Proclamation Declaring October 5, 2022 Clean Air Day](#)

Commendation for Anna Huang

Recommended Action:

Commend Anna Huang for her service on the Saratoga Parks & Recreation Commission.

[Staff Report](#)

[Attachment A - Commendation for Anna Huang](#)

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.

1.1. City Council Meeting Minutes

Recommended Action:

Approve the Minutes for the September 21, 2022 City Council Regular Meeting.

[Staff Report](#)

[Attachment A - Minutes for the September 21, 2022 City Council Regular Meeting](#)

1.2. Review of Accounts Payable Check Registers

Recommended Action:

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

9/15/22 Period 3; 9/22/22 Period 3

[Staff Report](#)

[Attachment A - Check Register 09-15-2022 Period 3](#)

[Attachment B - Check Register 09-22-2022 Period 3](#)

1.3. Treasurer's Report for the Month Ended August 31, 2022

Recommended Action:

Review and accept the Treasurer's Report for the month ended August 31, 2022.

[Staff Report](#)

1.4. Goleta Avenue Right of Way Easement - Resolution

Recommended Action:

Approve a resolution accepting the Grant of Easement dated July 28, 2022 from the Cupertino Union School District (CUSD), property owner of 12300 De Sanka Avenue (APN 386-55-001), for a right of way easement along Goleta Avenue.

[Staff Report](#)

[Attachment A - Resolution Accepting Grant of Easement to City of Saratoga](#)

[Attachment B - Grant of Easement to City of Saratoga](#)

2. PUBLIC HEARINGS

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.

2.1. APCC22-0002 - Appeal of a Temporary Compliance Plan for Winery Operations at House Family Vineyards at 13340 Old Oak Way.

Recommended Action:

1. Conduct a public hearing and consider the application that is the subject of the appeal.

2. Adopt a resolution denying the appeal (APCC22-0002) and approving the Temporary Compliance Plan for the limited winery operations for House Family Vineyards subject to conditions as approved by the Community Development Department.

[Staff Report](#)

[Attachment A- Resolution to Deny the Appeal](#)

[Attachment B- City Council Code Compliance Policy](#)

[Attachment C- Approved. Signed Temporary Compliance Plan](#)

[Attachment D- Appeal Application and related materials](#)

[Attachment E- Materials from the applicant](#)

[Attachment F-Chronology of events](#)

[Attachment G-Public Comments](#)

[Supplemental Memo - Item 2.1 Written Communications](#)

[Supplemental Memo - Item 2.1 Written Communications, 2](#)

[Presentation Slides \(added 10-05-2022\)](#)

[Supplemental Memo - Item 2.1 Written Communications, 3](#)

3. GENERAL BUSINESS

3.1. Reconsider and Confirm Findings Pursuant to Assembly Bill 361 and Provide Direction on Continuing Virtual Meetings

Recommended Action:

1. Reconsider and confirm findings pursuant to Assembly Bill 361 of the continued public health officials' recommendation to social distance and to therefore continue the option of holding City of Saratoga Brown Act meetings by teleconference.

2. Discuss and provide direction on continuing virtual meetings.

[Staff Report](#)

[Attachment A - City Council Resolution 21-073 Authorizing Teleconferenced Mtgs Pursuant to AB 361](#)

[Supplemental Memo - Item 3.1 Written Communications](#)

COUNCIL ASSIGNMENTS

Mayor Tina Walia

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

Hakone Foundation Board of Trustees and Executive Board

KSAR Community Access TV Board

Silicon Valley Clean Energy Authority Board of Directors

West Valley Mayors & Managers Association

Vice Mayor Kookie Fitzsimmons

Council Finance Committee

Hakone Foundation Board of Trustees

Santa Clara County Housing and Community Development (HCD) Advisory Committee

Saratoga Chamber of Commerce Board

Saratoga Sister City Committee Liaison

Council Member Mary-Lynne Bernald

Saratoga Historical Foundation Board of Directors

Council Member Rishi Kumar

Santa Clara County Library District Board of Directors
Santa Clara Valley Water Commission
West Valley Clean Water Program Authority Board of Directors
West Valley Solid Waste Management Authority Board of Directors

Council Member Yan Zhao

Association of Bay Area Governments
Saratoga Area Senior Coordinating Council Board of Directors
Saratoga Ministerial Association
Valley Transportation Authority (VTA) Policy Advisory Committee
Valley Transportation Authority (VTA) State Route 85 Corridor Policy Advisory Board
West Valley Sanitation District Board of Directors

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 September 29, 2022 at the City of Saratoga, 13777 Fruitvale Avenue, Saratoga, California and on the City's website at www.saratoga.ca.us.

Signed this 29th day of September 2022 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]