



# SARATOGA CITY COUNCIL REGULAR MEETING

NOVEMBER 16, 2022

## AMENDED AGENDA

- **11/14/2022 CEREMONIAL ITEM STAFF REPORT AND ATTACHMENT REVISED**
- **11/14/2022 ITEM 1.1 STAFF REPORT AND ATTACHMENT REVISED**
- **11/15/2022 ITEM 2.2 STAFF REPORT AND ATTACHMENT REVISED**
- **11/16/2022 ITEM 3.1 PRESENTATION SLIDES ADDED**

## Teleconference/Public Participation Information

The Joint Session and Regular Session will be held in-person and by teleconference pursuant to amendments to the teleconference rules required by the Ralph M. Brown Act allowing teleconferencing during a proclaimed state of emergency when a local official has recommended social distancing. Members of the City Council and the public may participate in person at the locations listed below or via the Zoom platform using the information below.

Members of the public can view and participate in the **6:00 p.m. Joint Session** by:

1. Attending the meeting in person at City Hall in the Linda Callon Conference Room, located at 13777 Fruitvale Avenue, Saratoga CA 95070; **OR**
2. Accessing the meeting through Zoom
  - Webinar URL <https://us02web.zoom.us/j/88482254658>
  - Webinar ID 884 8225 4658
  - Calling 1.408.638.0968 or 1.669.900.6833

Members of the public can view and participate in the **7:00 p.m. Regular Session** by:

1. Attending the meeting in person at the Civic Theater, Council Chambers located at 13777 Fruitvale Avenue, Saratoga CA 95070; **OR**
2. Accessing the meeting through Zoom
  - Webinar URL: <https://us02web.zoom.us/j/81627041223>
  - Webinar ID: 816 2704 1223
  - Call In: 1.408.638.0968 or 1.669.900.6833; **OR**
3. 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**
4. Viewing online at [http://saratoga.granicus.com/MediaPlayer.php?publish\\_id=2](http://saratoga.granicus.com/MediaPlayer.php?publish_id=2) and calling in following the direction above.

## Written Communication

Comments can be submitted in writing at [www.saratoga.ca.us/comment](http://www.saratoga.ca.us/comment). Written communications will be provided to the members of the City 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. Public Comment will begin with speakers attending in-person first followed by those attending via Zoom.

## **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.

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## **6:00 PM JOINT SESSION**

**City Hall, Linda Callon Conference Room | 13777 Fruitvale Avenue, Saratoga, CA 95070**

Joint Session with Saratoga Ministerial Association and KSAR Community Access TV Board

### **Recommended Action:**

Receive updates from Saratoga Ministerial Association and KSAR Community Access TV Board

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## **7:00 PM REGULAR SESSION**

**Civic Theater, Council Chambers | 13777 Fruitvale Avenue, Saratoga, CA 95070**

### **PLEDGE OF ALLEGIANCE**

### **ROLL CALL**

### **REPORT ON POSTING OF THE AGENDA**

*The agenda for this meeting was properly posted on November 9, 2022.*

### **REPORT FROM 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.*

### **ANNOUNCEMENTS**

### **CEREMONIAL ITEMS**

Commendation for Captain Rich Urena

### **Recommended Action:**

Commend Captain Rich Urena for his service as West Valley Patrol Division Commander.

[Staff Report \(revised 11-14-2022\)](#)

[Attachment A - Commendation for Captain Rich Urena \(revised 11-14-2022\)](#)

## 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 November 2, 2022 City Council Regular Meeting.

[Staff Report \(revised 11-14-2022\)](#)

[Attachment A - Minutes for the November 2, 2022 City Council Regular Meeting \(revised 11-14-2022\)](#)

### 1.2. Review of Accounts Payable Check Registers

#### **Recommended Action:**

Review and accept check registers for the following accounts payable payment cycles: 10/26/22 Period 4; 11/3/22 Period 5.

[Staff Report](#)

[Attachment A - Check Register 10-26-2022 Period 4](#)

[Attachment B - Check Register 11-03-2022 Period 5](#)

### 1.3. Reconsider and confirm findings pursuant to Assembly Bill 361

#### **Recommended Action:**

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

[Staff Report](#)

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

### 1.4. One-Year Extension of Contract for Permitting and CEQA Support Services with Environmental Science Associates

#### **Recommended Action:**

Approve a contract amendment to extend the Permitting and CEQA Support Services contract with Environmental Science Associates (ESA) for an additional one-year term through to 12/31/2023.

[Staff Report](#)

[Attachment A - Original Contract](#)

[Attachment B - Amendment to Extend Contract](#)

## 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. Commercial and Recreational Vehicle Parking Restriction Ordinance

#### **Recommended Action:**

1. Conduct a public hearing.
2. Introduce and waive the first reading of the ordinance amending Chapter 9 (Motor Vehicles and Traffic) of the Saratoga Municipal Code and finding the amendment to be exempt from environmental review under the California Environmental Quality Act (CEQA); and
3. Direct staff to place the ordinance on the Consent Calendar for adoption on December 7, 2022.

[Staff Report](#)

[Attachment A - Ordinance](#)

### 2.2. Update to Heritage Preservation Ordinance

#### **Recommended Action:**

1. Conduct a public hearing
2. Introduce and waive the first reading of the attached ordinance amending the City Code and finding the amendment to be exempt from environmental review under the California Environmental Quality Act (CEQA); and
3. Direct staff to place the ordinance on the consent calendar for adoption on December 7, 2022.

[Staff Report \(revised 11-15-2022\)](#)

[Attachment A - Ordinance 66](#)

[Attachment B- Proposed Ordinance](#)

[Attachment C- December 18, 2019 City Council staff report with attachments and minutes](#)

[Attachment D - April 12, 2022 HPC Memo w attachments and minutes](#)

[Attachment E- Comparison Chart \(revised 11-15-2022\)](#)

## 3. GENERAL BUSINESS

### 3.1. Annual Review --Saratoga Climate Action Plan 2030

#### **Recommended Action:**

Accept report on the Annual Review of the City's Climate Action Plan 2030.

[Staff Report](#)

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

[Attachment B- Saratoga 2020 GHG Inventory Report](#)

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

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

[Presentation Slides \(added 11-16-2022\)](#)

### 3.2. Response to 2022 Civil Grand Jury of Santa Clara County Report "If You Only Read the Ballot, You're Being Duped"

#### **Recommended Action:**

Approve the draft response to the 2022 Civil Grand Jury of Santa Clara County Report "If You Only Read the Ballot, You're Being Duped."

[Staff Report](#)

[Attachment A – City of Saratoga Draft Response](#)

3.3. Adoption of the 2022 California Building Standards Code with Local Modifications

**Recommended Action:**

1. Introduce and waive the first reading of the attached ordinance adopting and modifying the referenced codes and finding the amendments to be exempt from environmental review under the California Environmental Quality Act (CEQA); and
2. Direct staff to place the ordinance and the attached resolution making findings regarding proposed modifications to the referenced codes on the consent calendar for adoption on December 7, 2022.

[Staff Report](#)

[Attachment A - Resolution and Matrix](#)

[Attachment B - Updated Ordinance](#)

[Attachment C - Original Ordinance dated November 2, 2022](#)

## **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 November 9, 2022 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 9<sup>th</sup> day of November 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](http://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](mailto: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]