



# SARATOGA CITY COUNCIL REGULAR MEETING

**JANUARY 18, 2023**

## **Teleconference/Public Participation Information**

The Commission Interviews, Study 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 location listed below or via the Zoom platform using the information below.

Members of the public can view and participate in the **5:00 p.m. Closed Session** by:

1. Attending the meeting in person at the City Hall Linda Callon Conference Room, located at 13777 Fruitvale Avenue, Saratoga CA 95070; **OR**
2. Accessing the meeting through Zoom
  - <https://us02web.zoom.us/j/89527052458>
  - Webinar ID 895 2705 2458 **OR**
  - Calling 1.408.638.0968 or 1.669.900.6833

The public may comment on Closed Session items at the beginning of the Closed Session; after public comment the meeting will be closed to the public.

Members of the public can view and participate in the **5:30 p.m. Commission Interviews** by:

1. Attending the meeting in person at the City Hall Linda Callon Conference Room, located at 13777 Fruitvale Avenue, Saratoga CA 95070; **OR**
2. Accessing the meeting through Zoom
  - <https://us02web.zoom.us/j/82342704483>
  - Webinar ID 823 4270 4483 **OR**
  - 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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## 5:00 PM CLOSED SESSION

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

### CONFERENCE WITH LABOR NEGOTIATORS (Gov’t Code 54957.6)

*Agency Designated Representatives:* City Manager James Lindsay, City Attorney Richard Taylor, Administrative Services Director Nick Pegueros, Human Resources Manager Monica LaBossiere, Human Resources Analyst Babette McKay, Labor Counsel Deanna Mouser

*Employee Organizations:* Saratoga Employee Association; Northern California Carpenters Regional Council, Carpenters Forty-Six Northern California Counties Conference Board and their Affiliated Local Unions

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## 5:30 PM COMMISSION INTERVIEWS

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

Time	Name	Commission	Vacancies	Incumbent
5:30 p.m.	Vicky Chu	Heritage Preservation Commission	1 partial term	No
5:40 p.m.	Jim Cargill	Parks and Recreation Commission	1 full term	No
5:50 p.m.	Jason Tseng	Parks and Recreation Commission	1 full term	No
6:00 p.m.	Isabelle Gecils	Parks and Recreation Commission	1 full term	No
6:10 p.m.	Raymond Chou	Traffic Safety Commission	1 full term, 1 partial term	No
6:20 p.m.	Xintian (Stephen) Li	Traffic Safety Commission	1 full term, 1 partial term	No
6:30 p.m.	Alec Gulesserian	Traffic Safety Commission	1 full term, 1 partial term	No

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## 7:00 PM REGULAR SESSION

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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 January 13, 2023.*

### REPORT FROM CLOSED 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

Appointment of Heritage Preservation Commissioners

**Recommended Action:**

Adopt the Resolution appointing Margarete Minar and Zhen Li to the Heritage Preservation Commission and direct the City Clerk to administer the Oath of Office.

[Staff Report](#)

[Attachment A - Resolution, Heritage Preservation 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.*

##### 1.1. City Council Meeting Minutes

**Recommended Action:**

Approve the Minutes for the December 21, 2022 City Council Regular Meeting, the January 4, 2023 City Council Special Meeting and the January 10, 2023 City Council Special Meeting.

[Staff Report](#)

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

[Attachment B - Minutes for the January 4, 2023 City Council Special Meeting](#)

[Attachment C - Minutes for the January 10, 2023 City Council Special Meeting](#)

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

**Recommended Action:**

Review and accept check registers for the following accounts payable payment cycles: 12/14/22 Period 6; 12/21/22 Period 6.

[Staff Report](#)

[Attachment A - Check Register 12-14-2022 Period 6](#)

[Attachment B - Check Register 12-21-2022 Period 6](#)

1.3. Treasurer’s Report for the Month Ended November 30, 2022

**Recommended Action:**

Review and accept the Treasurer’s Report for the month ended November 30, 2022.

[Staff Report](#)

1.4. Parking Restriction on 6th Street at 14630 Big Basin Way

**Recommended Action:**

Adopt the Motor Vehicle resolution authorizing a No Parking zone in front of 14630 Big Basin Way, on the east side of 6th Street for 100’, starting at Big Basin Way.

[Staff Report](#)

[Attachment A - MV Resolution](#)

[Attachment B - Map of Parking Restriction](#)

1.5. Resolution to Appoint City Representatives to the PLAN JPA Board of Directors

**Recommended Action:**

Adopt the resolution appointing the Human Resources Manager as Board Member, Administrative Services Director as Board Alternate, and City Manager as Board Alternate to the Pooled Liability Assurance Network Joint Powers Authority (PLAN JPA) Board of Directors.

[Staff Report](#)

[Attachment A - Resolution](#)

1.6. Response to 2022 Civil Grand Jury of Santa Clara County Report “Show Me the Money: Financial Transparency Needed”

**Recommended Action:**

Approve the draft response to the 2022 Civil Grand Jury of Santa Clara County Report “Show Me the Money: Financial Transparency Needed.”

[Staff Report](#)

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

[Attachment B – Civil Grand Jury Report “Show Me the Money: Financial Transparency Needed”](#)

## 2. PUBLIC HEARING

2.1. APCC22-0004 - Appeal of a Design Review application for a new two-story residence located at 20538 Lynde Court

**Recommended Action:**

Conduct a public hearing and de novo review of the appeal and adopt the attached resolution denying appeal APCC22-0004, approving the Design Review and Arborist Review approvals (PDR21-0032/ARB21-0120) for the construction of a new two-story residence with an attached accessory dwelling unit, and the removal of three (3) protected trees at 20538 Lynde Court and finding the approvals to be exempt from environmental review under the California Environmental Quality Act (CEQA).

[Staff Report](#)

[Attachment A - Appeal Application](#)

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

[Attachment C - November 9, 2022 Planning Commission Resolution of Approval](#)

[Attachment D - November 9, 2022 Planning Commission Staff Report \(without attachments\)](#)

[Attachment E - November 9, 2022 Planning Commission Meeting Minutes](#)

[Attachment F - Comment Letters](#)

[Attachment G - Project Plans](#)

[Attachment H - Single-Family Residential Design Review Handbook](#)

### 3. GENERAL BUSINESS

3.1. Youth Commission Fundraising Plan 2022/23

**Recommended Action:**

Approve the Youth Commission Fundraising Plan 2022/23 to collect donations and seek sponsorship of various Youth Commission initiatives.

[Staff Report](#)

[Attachment A - Youth Commission Fundraising Plan 2022-23](#)

[Attachment B - Donation Policy](#)

3.2. Discussion and action regarding City Council Annual Summer Recess

**Recommended Action:**

Discuss the City Council's annual Summer Recess, cancel certain meetings in July and/or August 2023 and authorize the City Manager, after consultation with the Mayor, to reinstate a cancelled meeting if any urgent items arise.

[Staff Report](#)

### COUNCIL ASSIGNMENTS

Mayor Kookie Fitzsimmons

Cities Association of Santa Clara County-City Selection Committee

Council Finance Committee

Hakone Foundation Executive Board

Saratoga Area Senior Coordinating Council Board of Directors

West Valley Mayors & Managers Association

Vice Mayor Yan Zhao

Cities Association of Santa Clara County-Legislative Action Committee

Saratoga Ministerial Association

Silicon Valley Regional Interoperability Authority Alternate

Council Member Belal Aftab

Association of Bay Area Governments

Hakone Foundation Board of Trustees

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

Saratoga Historical Foundation Board of Directors

Valley Transportation Authority (VTA) Policy Advisory Committee

Council Member Chuck Page

Council Finance Committee

Santa Clara Valley Water Commission

Saratoga Chamber of Commerce Board

West Valley Clean Water Program Authority Board of Directors

West Valley Sanitation District Board of Directors

West Valley Solid Waste Management Authority Board of Directors

Council Member Tina Walia  
Cities Association of Santa Clara County Board of Directors  
KSAR Community Access TV Board  
Santa Clara County Library District Board of Directors  
Saratoga Sister City Committee Liaison  
Silicon Valley Clean Energy Authority 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 January 13, 2023 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 13<sup>th</sup> day of January 2023 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]