



SARATOGA CITY COUNCIL REGULAR MEETING

JANUARY 19, 2022

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 **5:00 p.m. Joint Session** by:

- Using the Zoom website <https://us02web.zoom.us/j/86864892103>; Webinar ID 868 6489 2103 **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 **6:00 p.m. Joint Session** by:

- Using the Zoom website <https://us02web.zoom.us/j/81053560840>; Webinar ID 810 5356 0840 **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** of the meeting by:

- Using the Zoom website <https://us02web.zoom.us/j/83307156406>; Webinar ID 833 715 6406; **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.

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.

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.

5:00 PM JOINT SESSION

Joint Session with Los Gatos Saratoga Recreation

[Discussion Topics](#)

6:00 PM JOINT SESSION

Joint Session with West Valley-Mission Community College District Board of Trustees

[Discussion Topics](#)

7:00 PM CITY COUNCIL REGULAR SESSION

ROLL CALL

REPORT ON POSTING OF THE AGENDA

The agenda for this meeting was properly posted on January 14, 2022.

REPORT FROM JOINT SESSIONS

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

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 December 14, 2021 City Council and Planning Commission Special Meeting Study Session and the Minutes for the December 15, 2021 City Council Regular Meeting.

[Staff Report](#)

[Attachment A - Minutes for the December 14, 2021 City Council and Planning Commission Special Meeting Study Session](#)

[Attachment B - Minutes for the December 15, 2021 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: 12/21/21 Period 6; 1/6/22 Period 7; 1/6/22 Period 7 (Special Run)

[Staff Report](#)

[Check Register 12-21-2021 Period 6](#)

[Check Register 01-06-2022 Period 7](#)

[Check Register 01-06-2022 Period 7 Special Run](#)

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

Recommended Action:

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

[Staff Report](#)

1.4. Cancellation of August 3, 2022 and August 17, 2022 City Council meetings for the Annual 'Summer Recess'

Recommended Action:

Cancel the City Council meetings scheduled for August 3, 2022 and August 17, 2022 as the City Council's annual 'Summer Recess' and authorize the City Manager, after consultation with the Mayor, to reinstate a cancelled meeting if any urgent items arise.

[Staff Report](#)

1.5. Landmark Designation for 19174 DeHavilland Drive – Application No. LNDMRK21-0003

Recommended Action:

Waive the second reading and adopt the attached ordinance designating the property at 19174 DeHavilland Drive as a historic landmark.

[Staff Report](#)

[Attachment A - Ordinance](#)

1.6. Update Process for the City Mission Statement, Statement of Values, and the Code of Ethics and Values

Recommended Action:

Authorize the City Manager to execute an agreement with Shawn Spano, PhD to assist the City Council with updating the City Mission Statement, Statement of Values, and the Code of Ethics and Values for an amount to exceed \$7,260.

[Staff Report](#)

[Attachment A – Mission Statement and the Statement of Values](#)

[Attachment B – Code of Ethics and Values](#)

1.7. Ordinance Amending City Code Section 4-90.020 to Ban Sale of Menthol Tobacco Products

Recommended Action:

Adopt the ordinance amending City Code Section 4-90.020 (Tobacco Retailer Definitions) to extend current prohibitions of the sale of flavored tobacco products to include menthol products.

[Staff Report](#)

[Attachment A – Ordinance Amending City Code Section 4-90.020 \(Tobacco Retailer Definitions\)](#)

1.8. Fiscal Year 2020/21 Annual Audits Reports

Recommended Action:

Review and accept the FY 2020/21 Annual Comprehensive Financial Report (ACFR) and related supplemental reports as follows:

- A. Annual Comprehensive Financial Report (ACFR)
- B. Appropriations Limit Report (Gann)
- C. SAS 112 Report (Internal Controls)
- D. SAS 114 Report (Statement on Audit Standards)
- E. Single Audit Exemption

[Staff Report](#)

[Attachment A - FY 2020-21 Annual Comprehensive Financial Report](#)

[Attachment B - FY 2021-22 Appropriations Limit Report \(GANN\)](#)

[Attachment C - FY 2020-21 SAS 112 Report \(Internal Controls\)](#)

[Attachment D - FY 2020-21 SAS 114 Report \(Communication to Governance\)](#)

[Attachment E - FY 2020-21 Single Audit Exemption](#)

1.9. FY 2021/22 Budget Adjustment - American Rescue Plan Act/Coronavirus State and Local Fiscal Recovery Funds

Recommended Action:

Adopt budget resolution to amend FY 2020/21 and FY 2021/22 Budgets to align with the City of Saratoga's final ARPA/SLFRF allocation of \$7,213,239.

[Staff Report .docx](#)

[Attachment A - Resolution - ARPA-SLFRF Budget Adjustment.pdf](#)

[Attachment B - NEU ARPA-SLFRF Funding Allocations](#)

[Attachment C - Overview of Final Rule](#)

2. GENERAL BUSINESS

2.1. EIR Project Description for Housing Element and General Plan Update including Housing Opportunity Sites Selection, Policies, and Programs

Recommended Action:

Provide direction on the Housing Opportunity Sites, distribution of units, and policies and programs to include in the project description for the Environmental Impact Report (EIR) for the General Plan and Housing Element Update.

[Staff Report](#)

[Attachment A - Housing Opportunity Sites](#)

[Attachment B - December 2021 Postcard](#)

[Attachment C - Draft NOP for the EIR](#)

[Attachment D - EIR Timeline Memo](#)

[Attachment E - Public Comments](#)

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 & Executive Committee

KSAR Community Access TV Board

Silicon Valley Clean Energy Authority Board of Directors

West Valley Mayors & Managers

Vice Mayor 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
Saratoga Historical Foundation

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

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 14, 2022 at the City of Saratoga, 13777 Fruitvale Avenue, Saratoga, California and on the City's website at www.saratoga.ca.us.

Signed this 14th day of January 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]