



# SARATOGA CITY COUNCIL REGULAR MEETING

JANUARY 19, 2022

## AMENDED AGENDA

- **1/19/2022 LOS GATOS SARATOGA RECREATION PRESENTATION SLIDES ADDED**
- **1/19/2022 ITEM 1.6 WRITTEN COMMUNICATIONS ADDED**
- **1/19/2022 ITEM 1.7 WRITTEN COMMUNICATIONS ADDED**
- **1/19/2022 ITEM 2.1 SUPPLEMENTAL MEMO (RE: HILLSIDE SPECIFIC PLAN) ADDED**
- **1/19/2022 ITEM 2.1 WRITTEN COMMUNICATIONS ADDED**
- **1/19/2022 ITEM 2.1 PRESENTATION SLIDES 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 **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](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](http://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](#)

[01-19-2022, LGS Presentation](#)

---

## **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](#)

[Supplemental Memo 01-19-2022, Item 1.6 Written Communications](#)

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 \(Tobacco Retailer Definitions\)](#)

[Supplemental Memo 01-19-2022, Item 1.7 Written Communications](#)

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](#)

[Supplemental Memo 01-19-2022, Item 2.1 RE Hillside Specific Plan](#)

[Supplemental Memo 01-19-2022, Item 2.1 Written Communications](#)

[2021\\_01\\_19 Housing Element Presentation](#)

## **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](http://www.saratoga.ca.us).*

*Signed this 14<sup>th</sup> 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](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]