

MINUTES
WEDNESDAY, FEBRUARY 16, 2022
SARATOGA CITY COUNCIL REGULAR MEETING

At 5:00 p.m., the City Council held a Study Session regarding the EIR Project Description for the Housing Element and General Plan Update including Housing Opportunity Sites Selection, Policies, and Programs via teleconferencing through Zoom.

Mayor Walia requested the City Council consider reducing public comment time to one minute per person for the Study Session and Regular Session.

KUMAR/BERNALD MOVED TO **CHANGE THE PUBLIC SPEAKING TIME TO ONE MINUTE PER PERSON FOR THE STUDY SESSION AND REGULAR SESSION.** MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, KUMAR, ZHAO, FITZSIMMONS, WALIA: NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

Mayor Walia invited public comment on the item.

The following individuals spoke on this item: Terri Singer, Cheriell Jensen, Julio Aragon, Chris & Leslie Vasquez, Phil Sutterlin, Jayanthi Simha, Marilyn Marchetti, James Foley, Vivian, Rachelle Cuccias, Ron Leckie, Brian & Cynthia, James Lu, Jayne Sonnenschein, Timothy McNally, Taras, David Anderson, Latika, Ray Froess, Pat, Bill Reid, Chris, concerned, Mark, Jun, Greg Dean, Sue B, Anne Johnson, Cynthia Newton, Ed, Toggi, Ron Naymark, Brian Tran, Glenda Aune, Karthik Bhat, KVM, Joy Ciffone, John Reagan, Samir Mitra, Sunitha Ayers, Dhans, Pravin Madhani, Steve & Pat Moore, TK, David Gremer, AK, Mary Ann Welch, George Kemble, Ellis Hung, David, Alan Perey, Usha Sundar, Erica Cervantes-Rodriguez, Sandeep, Ken, Letitia Lam, Nancy Carlson, Terry, Gene Wu, Deepa, Enrique Rodriguez, Karen, Eva, Nancy Lietzke, Chuck Swan

Mayor Walia closed public comment for this item.

BERNALD/FITZSIMMONS MOVED TO **CONTINUE THE STUDY SESSION UNTIL AFTER THE CONCLUSION OF THE REGULAR SESSION.** MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, KUMAR, ZHAO, FITZSIMMONS, WALIA, NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

After the conclusion of the 7:00 p.m. Regular Session, the City Council began discussion of the remaining opportunity sites related to the Housing Element.

BERNALD/FITZSIMMONS MOVED TO **REMOVE THE WEST VALLEY COLLEGE SITE FROM CONSIDERATION.** MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, ZHAO, FITZSIMMONS, WALIA: NOES: KUMAR. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

FITZSIMMONS/BERNALD MOVED TO **REMOVE THE NOVAKOVICH ORCHARD SITE FROM CONSIDERATION.** MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, KUMAR, ZHAO, FITZSIMMONS, WALIA: NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

Vice Mayor Fitzsimmons stated she needs to recuse herself from discussion of the Village and Village East opportunity sites due to the potential financial impact it will have on property her family owns. Vice Mayor Fitzsimmons was moved to attendee status in Zoom at this time.

Mayor Walia requested a recess and reconvened the meeting at 9:09 p.m.

BERNALD/ZHAO MOVED TO **REMOVE THE VILLAGE SITE FROM CONSIDERATION.** MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, KUMAR, ZHAO, WALIA: NOES: NONE. ABSTAIN: NONE. RECUSED: FITZSIMMONS. ABSENT: NONE.

ZHAO/BERNALD MOVED TO **KEEP THE VILLAGE EAST SITE ON THE LIST FOR CONSIDERATION.** MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, ZHAO, WALIA: NOES: KUMAR. ABSTAIN: NONE. RECUSED: FITZSIMMONS. ABSENT: NONE.

Vice Mayor Fitzsimmons returned to the meeting as a Zoom panelist at this time.

Mayor Walia stated she needs to recuse herself from discussion of the Argonaut Shopping Center opportunity site due to the proximity of the site to her residence. Mayor Walia stated although the Sunnyvale-Saratoga Pierce Road is not technically a conflict of interest, due to concerns expressed by residents, she is recusing herself from discussion of the Sunnyvale-Saratoga Pierce Road as well and turned the meeting over to Vice Mayor Fitzsimmons. Mayor Walia was moved to attendees status in Zoom at this time.

FITZSIMMONS/BERNALD MOVED TO **REMOVE THE ARGONAUT SHOPPING CENTER FROM CONSIDERATION.** MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, KUMAR, FITZSIMMONS: NOES: ZHAO. ABSTAIN: NONE. RECUSED: WALIA. ABSENT: NONE.

FITZSIMMONS/ZHAO MOVED TO **REMOVE THE SARATOGA SUNNYVALE-PIERCE ROAD SITE FROM CONSIDERATION.** MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, KUMAR, ZHAO, FITZSIMMONS: NOES: NONE. ABSTAIN: NONE. RECUSED: WALIA. ABSENT: NONE.

Vice Mayor Fitzsimmons turned meeting over to the Mayor and Mayor Walia returned to the meeting as a Zoom panelist at this time.

ZHAO/FITZSIMMONS MOVED TO **REMOVE THE OFFICE CENTER ON SARATOGA AVENUE FROM CONSIDERATION.** MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, KUMAR, ZHAO, FITZSIMMONS, WALIA: NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

BERNALD/WALIA MOVED TO **REMOVE SARATOGA COUNTRY CLUB FROM CONSIDERATION.** MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, KUMAR, ZHAO, FITZSIMMONS, WALIA: NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

BERNALD/FITZSIMMONS MOVED TO REMOVE COMMUNITY FACILITIES (PLACES OF WORSHIP) FROM CONSIDERATION. MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, KUMAR, ZHAO, FITZSIMMONS, WALIA: NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

BERNALD/FITZSIMMONS MOVED TO ACCEPT THE LIST OF OPPORTUNITY SITES UNDER CONSIDERATION (ALLENDALE/CHESTER, FELLOWSHIP PLAZA, GATEWAY, PROSPECT/LAWRENCE, QUITO/POLLARD, SARATOGA AVENUE (PUMPKIN PATCH), VILLAGE EAST, WARDELL). MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, ZHAO, FITZSIMMONS, WALIA: NOES: KUMAR. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

Mayor Walia requested a recess and reconvened the meeting at 11:10 p.m.

Council Member Bernald stated she wants the record to reflect a slide presented shows 1,919 units and with the buffer another table shows 1,883 units which “can probably shake out over time.”

BERNALD/FITZSIMMONS MOVED TO APPROVE THE HOUSING OPPORTUNITY SITE TABLE AS PRESENTED:

AREA	DENSITY RANGE	MINIMUM NUMBER OF HOMES	MAXIMUM HEIGHT (FLOORS)
PROSPECT/LAWRENCE 386-10-043, -004, -055, -006, -007	80-150 UNITS/ACRE	410	10
FELLOWSHIP PLAZA 397-12-016	20 UNITS/ACRE	80	3
GATEWAY (NORTH) 366-22-023, -022	15-25 UNITS/ACRE	44	2
GATEWAY (SOUTH) 366-12-072, -054, -065, -066, 386-53-031	30-40 UNITS/ACRE	197	3
VILLAGE EAST 397-27-001, -029, -028, 397-31-020, -011, -008	30-40 UNITS/ACRE	87	3
SARATOGA AVENUE 389-06-017, -007, -006, -008, -016	30-40 UNITS/ACRE	344	3
WARDELL 366-14-041	R-1-12,500	10	2
ALLENDALE/CHESTER 397-01-071	R-1-20,000	24	2
QUITO/POLLARD 403-22-016	R-1-10,000	10	2

AND MOVE FORWARD WITH THE NEXT STEPS IN THE PROCESS, INCLUDING USE OF THESE SITES IN THE PROJECT DESCRIPTION FOR THE GENERAL PLAN AND HOUSING ELEMENT UPDATE ENVIRONMENTAL IMPACT REPORT. MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, ZHAO, FITZSIMMONS, WALIA: NOES: KUMAR. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

BERNALD/WALIA MOVED TO APPROVE INCLUDING AN INCLUSIONARY HOUSING REQUIREMENT POLICY IN THE HOUSING ELEMENT UPDATE TO REQUIRE NEW MULTI-FAMILY HOUSING DEVELOPMENTS CONSISTING OF FIVE OR MORE UNITS TO DEDICATE 15% OF THE UNITS AS AFFORDABLE HOUSING TO MODERATE INCOME HOUSEHOLDS. MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, ZHAO, WALIA: NOES: KUMAR, FITZSIMMONS. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

Mayor Walia called the Regular Session to order at 7:06 p.m. via teleconferencing through Zoom.

The City Clerk explained the City Council meeting was conducted pursuant to State law as recently amended by Assembly Bill 361, which allows the meeting to be conducted entirely by teleconference. The City Council has met all the applicable notice requirements and the public is welcome to participate. All Council Members, staff, and meeting attendees participated by Zoom. Information on how the public can observe the meeting and provide public comment was provided.

ROLL CALL

PRESENT: Mayor Tina Walia, Vice Mayor Kookie Fitzsimmons, Council Members Mary-Lynne Bernald, Rishi Kumar, Yan Zhao
(All Council Members appearing via teleconference)

ABSENT: None

ALSO PRESENT:

James Lindsay, City Manager
Crystal Bothelio, Assistant City Manager
Richard Taylor, City Attorney
Britt Avrit, City Clerk
Debbie Pedro, Community Development Director
John Cherbone, Public Works Director
David Dorcich, Associate Civil Engineer
Nicole Johnson, Senior Planner
Christopher Riordan, Senior Planner
Nick Pegueros, Administrative Services Director
Lauren Pettipiece, Public Information Officer
Kayla Nakamoto, Administrative Analyst
(All staff members appearing via teleconference)

REPORT ON POSTING OF THE AGENDA

The City Clerk reported the agenda for this meeting was properly posted on February 10, 2021.

ORAL COMMUNICATIONS ON NON-AGENDIZED ITEMS

The following individuals spoke at this time:

Vivian discussed traffic at two locations in the City.

Terri Singer discussed traffic in the City and a no parking sign.

Dory Albert discussed timing for installation of the FLOCK cameras.

Brian R discussed the Pledge of Allegiance during Zoom meetings.

ANNOUNCEMENTS

Mayor Walia shared information about COVID-19 Updates, the upcoming free lecture “The History of African Americans in Santa Clara County,” the new Ken Matsumoto exhibit at Hakone Gardens, Commission Recruitments, and the Community Event Grant Program.

CEREMONIAL ITEMS

Appointment of Parks & Recreation Commissioner

Recommended Action:

Adopt the Resolution appointing one member to the Parks & Recreation Commission and direct the City Clerk to administer the Oath of Office.

RESOLUTION 22-003

BERNALD/ZHAO MOVED TO **ADOPT THE RESOLUTION APPOINTING ONE MEMBER TO THE PARKS & RECREATION COMMISSION AND DIRECTED THE CITY CLERK TO ADMINISTER THE OATH OF OFFICE.** MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, KUMAR, ZHAO, FITZSIMMONS, WALIA: NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

1. CONSENT CALENDAR

Mayor Walia invited public comment on the Consent Calendar.

No one requested to speak.

1.1. City Council Meeting Minutes

Recommended Action:

Approve the Minutes for the January 28, 2022 City Council Special Meeting and the Minutes for the February 2, 2022 City Council Regular Meeting.

FITZSIMMONS/ZHAO MOVED TO **APPROVE THE MINUTES FOR THE JANUARY 28, 2022 CITY COUNCIL SPECIAL MEETING AND THE MINUTES FOR THE FEBRUARY 2, 2022 CITY COUNCIL REGULAR MEETING.** MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, KUMAR, ZHAO, FITZSIMMONS, WALIA: NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

1.2. Review of Accounts Payable Check Registers

Recommended Action:

Review and accept check registers for the following accounts payable payment cycles:
1/28/22 Period 7.

FITZSIMMONS/ZHAO MOVED TO **REVIEW AND ACCEPT CHECK REGISTERS FOR THE FOLLOWING ACCOUNTS PAYABLE PAYMENT CYCLES: 1/28/22 PERIOD 7.** MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, KUMAR, ZHAO, FITZSIMMONS, WALIA: NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

1.3. Treasurer's Report for the Month Ended December 31, 2021

Recommended Action:

Review and accept the Treasurer's Report for the month ended December 31, 2021.

FITZSIMMONS/ZHAO MOVED TO **REVIEW AND ACCEPT THE TREASURER'S REPORT FOR THE MONTH ENDED DECEMBER 31, 2021.** MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, KUMAR, ZHAO, FITZSIMMONS, WALIA: NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

1.4. Ordinance Adding Article 2-55 to the Saratoga Municipal Code Relating to Electronic and Paperless Filing of Fair Political Practices Commission Campaign Disclosure Statements

Recommended Action:

Adopt the ordinance adding Article 2-55 to the Saratoga Municipal Code relating to electronic and paperless filing of Fair Political Practices Commission Campaign Disclosure Statements.

ORDINANCE 388

FITZSIMMONS/ZHAO MOVED TO **ADOPT THE ORDINANCE ADDING ARTICLE 2-55 TO THE SARATOGA MUNICIPAL CODE RELATING TO ELECTRONIC AND PAPERLESS FILING OF FAIR POLITICAL PRACTICES COMMISSION CAMPAIGN DISCLOSURE STATEMENTS.** MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, KUMAR, ZHAO, FITZSIMMONS, WALIA: NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

COUNCIL ASSIGNMENTS

Council Member Mary-Lynne Bernald

Nothing to report for assignments; stated she attended the recent Hakone meeting with Sister City Association at which a Lunar New Year presentation was provided.

Council Member Rishi Kumar

Discussed missing the "garbage and clean water meeting" that was held recently.

Council Member Yan Zhao

Saratoga Area Senior Coordinating Council Board of Directors (SASCC) – stated a Health Fair will be held in Los Gatos in September.

Saratoga Ministerial Association – stated this was the first meeting of the year and the Association received an update for the recent Martin Luther King event held at City Hall.

Valley Transportation Authority (VTA) Policy Advisory Committee – stated several reports were provided including an update on 2016 Measure B Bicycle and Pedestrian Education and Encouragement Program progress for FY 20/21, received a report on FY 20/21 Annual Transportation System Monitoring, reviewed the workplan for this year, and member agencies submitted projects.

Vice Mayor Kookie Fitzsimmons

Chamber of Commerce – stated the Saratoga Classic and Cool Car Show will be held Sunday, July 24, 2022 from 10:00 a.m. to 4:00 p.m.; other activities related to the Car Show will kick off July 16, 2022.

Mayor Tina Walia

Cities Association of Santa Clara County-Legislative Action Committee – stated Mark Berman provided a presentation and the Board received information related to teleconferencing and the Brown Act.

Cities Association of Santa Clara County – Board of Directors received numerous presentations including overview of the ‘Our Neighborhood Voices’ initiative.

Silicon Valley Clean Energy Authority Board of Directors – stated rates will be adjusted and will continue to provide a 1% discount related to PG&E’s rates; PG&E’s rates are expected to increase effective March 1, 2022 subject to CPUC approval; discussed use of funds in the coming year; discussed an energy procurement contract for long term energy storage; the Board appointed members of the 2022 Committees.

CITY COUNCIL ITEMS

Council Member Bernald requested that staff reach out to Vivian regarding parking at Parker Ranch Road and requested that staff advise Terri Singer when the Traffic Safety Committee meets, and discussed the Pledge of Allegiance at in-person meetings.

COUNCIL COMMUNICATIONS

Council Member Kumar discussed RHNA numbers audit, a proposed Ballot Measure being circulated in the City and solar power in California.

CITY MANAGER'S REPORT

None

After concluding Regular Session items, the City Council returned to the Study Session.

ADJOURNMENT

BERNALD/WALIA MOVED TO **ADJOURN THE MEETING AT 12:04 A.M.** MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, KUMAR, ZHAO, FITZSIMMONS, WALIA: NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

Minutes respectfully submitted:

Britt Avrit, MMC, City Clerk
City of Saratoga