

MINUTES
WEDNESDAY, MARCH 1, 2023
SARATOGA CITY COUNCIL REGULAR MEETING

At 5:30 p.m., the City Council met to reconsider Jason Tseng and Isabelle Gecils for an unexpected vacancy for one partial term on the Parks and Recreation Commission.

WALIA/PAGE MOVED TO **APPOINT ISABELLE GECILS TO THE PARKS AND RECREATION COMMISSION FOR A PARTIAL-TERM ENDING SEPTEMBER 30, 2025.** MOTION PASSED BY THE FOLLOWING VOTE: AYES: AFTAB, PAGE, WALIA, ZHAO, FITZSIMMONS. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

At 5:35 p.m., the City Council held interviews for the Planning Commission.

Vice Mayor Zhao stated she needed to recuse herself from the interview with Planning Commission applicant Manoj Goel because he is a potential business associate of her husband's and left the room while the City Council conducted his interview and during his consideration as a candidate.

PAGE/WALIA MOVED TO **REAPPOINT ANJALI KAUSAR TO THE PLANNING COMMISSION FOR A FULL-TERM ENDING MARCH 31, 2027.** MOTION PASSED BY THE FOLLOWING VOTE: AYES: AFTAB, PAGE, WALIA, ZHAO, FITZSIMMONS. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

WALIA/ZHAO MOVED TO **APPOINT PAUL GERMERAAD TO THE PLANNING COMMISSION FOR A FULL-TERM ENDING MARCH 31, 2027.** MOTION PASSED BY THE FOLLOWING VOTE: AYES: AFTAB, PAGE, WALIA, ZHAO, FITZSIMMONS. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

Mayor Fitzsimmons called the Regular Session to order at 7:00 p.m.

FITZSIMMONS/ZHAO MOVED TO **REORDER THE AGENDA TO PROCEED TO THE RECOGNITION OF THE GIRL SCOUTS IMMEDIATELY AFTER THE PLEDGE OF ALLEGIANCE.** MOTION PASSED BY THE FOLLOWING VOTE: AYES: AFTAB, PAGE, WALIA, ZHAO, FITZSIMMONS. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

ROLL CALL

PRESENT: Mayor Kookie Fitzsimmons, Vice Mayor Yan Zhao, Council Members Belal Aftab, Chuck Page, Tina Walia

ABSENT: None

ALSO PRESENT: James Lindsay, City Manager
Richard Taylor, City Attorney
Britt Avrit, City Clerk
Nick Pegueros, Administrative Services Director
John Cherbone, Public Works Director
David Dorcich, Associate Engineer

REPORT ON POSTING OF THE AGENDA

The City Clerk reported the agenda for this meeting was properly posted on February 23, 2023.

ORAL COMMUNICATIONS ON NON-AGENDIZED ITEMS

Mayor Fitzsimmons invited public comment.

The following individuals spoke at this time:

Razi Mohiuddin discussed privacy and mass as it relates to zoning and the City's Design Guidelines.

Bill Dalton discussed staff pay and benefits.

ANNOUNCEMENTS

Mayor Fitzsimmons shared information about Let's Work Volunteer Day, St. Paddy's Party, Paint the City and Commission Recruitments.

CEREMONIAL ITEM

Recognition of Girl Scouts of Saratoga

Recommended Action:

Present Certificates of Recognition to Girl Scouts of Saratoga to commend their volunteer efforts in receiving The President's Volunteer Service Awards.

The City Council presented Certificates of Recognition to Girl Scouts of Saratoga and commended their volunteer efforts in receiving The President's Volunteer Service Awards.

Proclamation Declaring March 2023 as Youth Art Month

Recommended Action:

Present the proclamation declaring March 2023 as Youth Art Month.

The City Council proclaimed March 2023 as Youth Art Month.

1. CONSENT CALENDAR

Mayor Fitzsimmons invited public comment on the Consent Calendar.

The following individuals spoke at this time: Bill Dalton

1.1. City Council Meeting Minutes

Recommended Action:

Approve the Minutes for the February 10, 2023 City Council Special Meeting and the February 15, 2023 City Council Regular Meeting.

PAGE/AFTAB MOVED TO **APPROVE THE MINUTES FOR THE FEBRUARY 10, 2023 CITY COUNCIL SPECIAL MEETING AND THE FEBRUARY 15, 2023 CITY COUNCIL REGULAR MEETING.** MOTION PASSED BY THE FOLLOWING VOTE: AYES: AFTAB, PAGE, WALIA, ZHAO, FITZSIMMONS. 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:
2/7/23 Period 8; 2/13/23 Period 8.

PAGE/AFTAB MOVED TO **REVIEW AND ACCEPT CHECK REGISTERS FOR THE FOLLOWING ACCOUNTS PAYABLE PAYMENT CYCLES:2/7/23 PERIOD 8; 2/13/23 PERIOD 8.** MOTION PASSED BY THE FOLLOWING VOTE: AYES: AFTAB, PAGE, WALIA, ZHAO, FITZSIMMONS. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

1.3. Treasurer's Report for the Month Ended January 31, 2023

Recommended Action:

Review and accept the Treasurer's Report for the month ended January 31, 2023.

PAGE/AFTAB MOVED TO **REVIEW AND ACCEPT THE TREASURER'S REPORT FOR THE MONTH ENDED JANUARY 31, 2023.** MOTION PASSED BY THE FOLLOWING VOTE: AYES: AFTAB, PAGE, WALIA, ZHAO, FITZSIMMONS. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

1.4. Final Map Approval for Two Lots Located at 20615 Leonard Road

Recommended Action:

Adopt the Resolution granting final map approval of parcel map application No. SUB22-0002 for two lots located at 20615 Leonard Road (APN: 503 19 073).

RESOLUTION 23-010

PAGE/AFTAB MOVED TO **ADOPT THE RESOLUTION GRANTING FINAL MAP APPROVAL OF PARCEL MAP APPLICATION NO. SUB22-0002 FOR TWO LOTS LOCATED AT 20615 LEONARD ROAD (APN: 503 19 073).** MOTION PASSED BY THE FOLLOWING VOTE: AYES: AFTAB, PAGE, WALIA, ZHAO, FITZSIMMONS. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

1.5. Santa Clara Valley Urban Runoff Pollution Prevention Program Agreement- Fourth Amendment

Recommended Action:

1. Authorize the City Manager to execute a Fourth Amendment to the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP) Agreement.
2. Appoint the West Valley Clean Water Authority Executive Director as the SCVURPPP Representative for the City.

PAGE/AFTAB MOVED TO **AUTHORIZE THE CITY MANAGER TO EXECUTE A FOURTH AMENDMENT TO THE SANTA CLARA VALLEY URBAN RUNOFF POLLUTION PREVENTION PROGRAM (SCVURPPP) AGREEMENT AND APPOINT THE WEST VALLEY CLEAN WATER AUTHORITY EXECUTIVE DIRECTOR AS THE SCVURPPP REPRESENTATIVE FOR THE CITY.** MOTION PASSED BY THE FOLLOWING VOTE: AYES: AFTAB, PAGE, WALIA, ZHAO, FITZSIMMONS. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

2. GENERAL BUSINESS

2.1. Review of projects subject to Public Resources Code section 4290 concerning development in Very High Fire Hazard Severity Zones

Recommended Action:

Adopt the Resolution establishing a process for review of development applications subject to Public Resources Code section 4290 concerning development in Very High Fire Hazard Severity Zones.

Richard Taylor, City Attorney presented the staff report.

Mayor Fitzsimmons invited public comment.

The following individuals spoke at this time: Stan Bogosian, Bill Dalton, Nancy Lietzke, Sukhinder Sahota, Glenda Aune, Mike Smith, Harry & Rosemary Wong, Mohini, Gary Kohlsaas, Litsung, Cheriell Jensen

WALIA MOVED TO **ADOPT THE RESOLUTION ESTABLISHING A PROCESS FOR REVIEW OF DEVELOPMENT APPLICATIONS SUBJECT TO PUBLIC RESOURCES CODE SECTION 4290 CONCERNING DEVELOPMENT IN VERY HIGH FIRE HAZARD SEVERITY ZONES AMENDING THE ‘NOW THEREFORE’ SENTENCE IN THE RESOLUTION TO INCLUDE “THE CITY COUNCIL OF THE CITY OF SARATOGA HEREBY DETERMINES THAT APPLICATIONS FOR SINGLE FAMILY RESIDENCES (INCLUDING ACCESSORY DWELLING UNITS AND ACCESSORY STRUCTURES) ON EXISTING LOTS ON EXISTING ROADS THAT DO NOT REQUIRE CONDITIONAL USE PERMITS IN THE VERY HIGH FIRE HAZARD SEVERITY ZONE SUBJECT TO THE FIRE SAFE REGULATIONS SHALL BE PROCESSED AS FOLLOWS...”**

Motion failed for lack of a second.

Additional discussion took place.

PAGE MOVED TO **ADOPT THE RESOLUTION ESTABLISHING A PROCESS FOR REVIEW OF DEVELOPMENT APPLICATIONS SUBJECT TO PUBLIC RESOURCES CODE SECTION 4290 CONCERNING DEVELOPMENT IN VERY HIGH FIRE HAZARD SEVERITY ZONES AMENDING THE ‘NOW THEREFORE’ SENTENCE IN THE RESOLUTION TO INCLUDE “THE CITY COUNCIL OF THE CITY OF SARATOGA HEREBY DETERMINES THAT APPLICATIONS FOR SINGLE FAMILY RESIDENCES (INCLUDING ACCESSORY DWELLING UNITS AND ACCESSORY STRUCTURES) ON EXISTING LOTS ON EXISTING ROADS IN THE VERY HIGH FIRE HAZARD SEVERITY ZONE SUBJECT TO THE FIRE SAFE REGULATIONS SHALL BE PROCESSED AS FOLLOWS...”**

Motion failed for lack of a second.

Additional discussion took place.

RESOLUTION 23-011

WALIA/PAGE MOVED TO **ADOPT THE RESOLUTION ESTABLISHING A PROCESS FOR REVIEW OF DEVELOPMENT APPLICATIONS SUBJECT TO PUBLIC RESOURCES CODE SECTION 4290 CONCERNING DEVELOPMENT IN VERY HIGH FIRE HAZARD SEVERITY ZONES AMENDING THE ‘NOW THEREFORE’ SENTENCE IN THE RESOLUTION TO READ “ THE CITY COUNCIL OF THE CITY OF SARATOGA HEREBY DETERMINES THAT APPLICATIONS FOR SINGLE FAMILY RESIDENCES (INCLUDING ACCESSORY DWELLING UNITS AND ACCESSORY STRUCTURES) ON EXISTING LOTS ON EXISTING ROADS THAT DO NOT REQUIRE A CONDITIONAL USE PERMIT UNRELATED TO THE RESIDENTIAL USE IN THE VERY HIGH FIRE HAZARD SEVERITY ZONE SUBJECT TO THE FIRE SAFE REGULATIONS SHALL BE PROCESSED AS FOLLOWS...”**

2.2. Mid-year Budget Amendment

Recommended Action:

Adopt the Resolution amending the 2022-23 City Council adopted budget.

Nick Pegueros, Administrative Services Director presented the staff report.

Mayor Fitzsimmons invited public comment.

No one requested to speak.

RESOLUTION 23-012

ZHAO/WALIA MOVED TO **ADOPT THE RESOLUTION AMENDING THE 2022-23 CITY COUNCIL ADOPTED BUDGET.** MOTION PASSED BY THE FOLLOWING VOTE: AYES: AFTAB, PAGE, WALIA, ZHAO, FITZSIMMONS. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

COUNCIL ASSIGNMENTS

Council Member Tina Walia

Silicon Valley Clean Energy Authority Board of Directors – stated she attended two Committee meetings for Silicon Valley Clean Energy Authority; the Executive Committee and the Finance and Administrative Committee meeting with nothing to report.

Council Member Chuck Page

Nothing to report

Council Member Belal Aftab

Saratoga Historical Foundation Board of Directors – stated the Foundation will be holding a fundraiser on July 22, 2023 and the Blacksmith exhibit is expected to be open in the next couple of months.

Vice Mayor Yan Zhao

Nothing to report

Mayor Kookie Fitzsimmons

Hakone Foundation Executive Board - stated the Mon project is expected to be complete on March 2, 2023, the upper pathway is nearly complete, and tickets for Hanami, the night viewing event of the cherry blossoms, will go on sale soon.

CITY COUNCIL ITEMS

None

COUNCIL COMMUNICATIONS

None

CITY MANAGER'S REPORT

None

CITY ATTORNEY'S REPORT

None

ADJOURNMENT

PAGE/WALIA MOVED TO **ADJOURN THE MEETING AT 9:09 P.M.** MOTION PASSED BY THE FOLLOWING VOTE: AYES: AFTAB, PAGE, WALIA, ZHAO, FITZSIMMONS. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

Minutes respectfully submitted:

Britt Avrit, City Clerk
City of Saratoga