

MINUTES
WEDNESDAY, MARCH 3, 2021
SARATOGA CITY COUNCIL REGULAR MEETING

At 3:30 p.m., the City Council held interviews for Planning Commissioner openings via teleconferencing through Zoom.

FITZSIMMONS/WALIA MOVED TO CONTINUE THE DELIBERATION ON THE SELECTION OF PLANNING COMMISSIONERS UNTIL AFTER THE END OF THE REGULAR SESSION. MOTION PASSED BY VERBAL ROLL CALL. AYES: ZHAO, WALIA, KUMAR, FITZSIMMONS, BERNALD. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

Mayor Zhao called the virtual Regular Session to order at 7:01 p.m. via teleconferencing through Zoom.

Prior to Roll Call, the Mayor and City Clerk explained that the City Council meeting was conducted pursuant to provisions of the Brown Act and a recent Executive Order issued by the Governor to facilitate teleconferencing to reduce the risk of COVID-19 transmission at public meetings. Ordinarily the Brown Act sets strict rules for teleconferencing. The Governor's Executive Order has suspended those rules. The Executive Order does require that public agencies continue to notice meetings in advance and provide members of the public an opportunity to observe the meeting and offer public comment. The City Council met all of the applicable notice requirements and the public is welcome to participate in this meeting. Information on how the public can observe the meeting and provide public comment was also shared. Additionally, the Mayor explained that votes would be taken through roll call.

ROLL CALL

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

ABSENT: None

ALSO PRESENT: James Lindsay, City Manager
Richard Taylor, City Attorney
Crystal Bothelio, Assistant City Manager
Debbie Bretschneider, City Clerk
Mary Fury, Administrative Services Director
Debbie Pedro, Community Development Director
John Cherbone, Public Works Director
Lauren Pettipiece, Public Information Officer
(All staff members appearing via teleconference)

City Clerk Debbie Bretschneider confirmed all City Council members could hear the meeting proceedings and no doubts were expressed regarding the identities of the individuals representing themselves as City Council Members.

REPORT ON POSTING OF THE AGENDA

City Clerk Debbie Bretschneider reported that the agenda for this meeting was properly posted on February 26, 2021.

ORAL COMMUNICATIONS ON NON-AGENDIZED ITEMS

None

ANNOUNCEMENTS

Mayor Zhao shared information about COVID-19 updates, the new weekly Saratoga Source, voting on Paint the City artwork, and the Youth Commission recruitment.

CEREMONIAL ITEMS

Proclamation Declaring March 8, 2021 as International Women's Day

Recommended Action:

Present the proclamation Declaring March 8, 2021 as International Women's Day to the Saratoga Foothill Club.

Mayor Zhao and the Council Members presented the proclamation declaring March 8, 2021 as International Women's Day to the Saratoga Foothill Club President Paula Kraule and the Inner Wheel of Saratoga President Janice LeFevre.

1. CONSENT CALENDAR

1.1. City Council Meeting Minutes

Recommended Action:

Approve the City Council minutes for the Regular City Council Meeting on February 17, 2021.

WALIA/FITZSIMMONS MOVED TO **APPROVE THE CITY COUNCIL MINUTES FOR THE REGULAR CITY COUNCIL MEETING ON FEBRUARY 17, 2021.**

MOTION PASSED BY VERBAL ROLL CALL. AYES: ZHAO, WALIA, KUMAR, FITZSIMMONS, BERNALD. NOES: NONE. ABSTAIN: 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: 02/17/21 Period 8; 2/23/21 Period 8:

WALIA/FITZSIMMONS MOVED TO **ACCEPT CHECK REGISTERS FOR THE FOLLOWING ACCOUNTS PAYABLE PAYMENT CYCLES: 02/17/21 PERIOD 8; 2/23/21 PERIOD 8.**

MOTION PASSED BY VERBAL ROLL CALL. AYES: ZHAO, WALIA, KUMAR, FITZSIMMONS, BERNALD. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

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

Recommended Action:

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

WALIA/FITZSIMMONS MOVED TO **ACCEPT THE TREASURER'S REPORT FOR THE MONTH ENDED JANUARY 31, 2021.** MOTION PASSED BY VERBAL ROLL

CALL. AYES: ZHAO, WALIA, KUMAR, FITZSIMMONS, BERNALD. NOES: NONE.
ABSTAIN: NONE. ABSENT: NONE.

1.4. Final Map Approval for Two Lots Located At 13939 Quito Road-(397-43-017)
Owners: GHRT Quito Road, LLC., A California Limited Liability Company

Recommended Action:

Move to adopt resolution granting final map approval of tentative map application No. SUB 19-0001 for two lots located at 13939 Quito Road (APN 397-43-017).

RESOLUTION 21-008

WALIA/FITZSIMMONS MOVED TO **ADOPT THE RESOLUTION GRANTING FINAL MAP APPROVAL OF TENTATIVE MAP APPLICATION NO. SUB 19-0001 FOR TWO LOTS LOCATED AT 13939 QUITO ROAD (APN 397-43-017).** MOTION PASSED BY VERBAL ROLL CALL. AYES: ZHAO, WALIA, KUMAR, FITZSIMMONS, BERNALD. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

Vice Mayor Walia commented on this item.

2. PUBLIC HEARING

None

3. GENERAL BUSINESS

3.1. Housing Element Engagement Strategy

Recommended Action:

Receive report and provide staff with feedback on outreach and engagement strategy.

Lauren Pettipiece, Public Information Officer, presented the staff report.

Mayor Zhao invited public comment on the item.

No one requested to speak.

WALIA/FITZSIMMONS MOVED **TO RECEIVE THE REPORT AND DIRECTED STAFF TO PROVIDE THE CITY COUNCIL WITH A SUMMARY AFTER COMMUNITY AND SMALL GROUP MEETINGS AND TO TRAIN AND ENGAGE THE PLANNING COMMISSION ON THE HOUSING ELEMENT UPDATE.**

MOTION PASSED BY VERBAL ROLL CALL. AYES: ZHAO, WALIA, KUMAR, FITZSIMMONS, BERNALD. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

3.2. City Council Position on Senate Bill 9

Recommended Action:

Approve the resolution in opposition to Senate Bill 9 and authorize submittal of a letter from the City Council expressing its opposition.

Crystal Bothelio, Assistant City Manager, presented the staff report.

Mayor Zhao invited public comment on the item.

No one requested to speak.

RESOLUTION 21-009

BERNALD/FITZSIMMONS MOVED TO APPROVE THE RESOLUTION IN OPPOSITION TO SENATE BILL 9 AND AUTHORIZE SUBMITTAL OF A LETTER FROM THE CITY COUNCIL EXPRESSING ITS OPPOSITION. MOTION PASSED BY VERBAL ROLL CALL. AYES: ZHAO, WALIA, KUMAR, FITZSIMMONS, BERNALD. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

During City Council Items, the City Council returned to agenda item 3.2.

Mayor Zhao invited public comment on the reopened item.

No one requested to speak.

KUMAR/BERNALD MOVED TO REOPEN ITEM 3.2. CITY COUNCIL POSITION ON SENATE BILL 9 AND AUTHORIZE SUBMITTAL OF A LETTER TO SENATOR DAVE CORTESE FROM THE CITY COUNCIL EXPRESSING ITS OPPOSITION TO SB 9. MOTION PASSED BY VERBAL ROLL CALL. AYES: ZHAO, WALIA, KUMAR, FITZSIMMONS, BERNALD. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

3.3. Amendment to Public Art Policy

Recommended Action:

Approve the resolution amending the Public Art Policy to allow the Public Art Committee to authorize placement of artwork that is valued at \$25,000 or less and meets other criteria outlined in the policy.

Crystal Bothelio, Assistant City Manager, presented the staff report.

Mayor Zhao invited public comment on the item.

No one requested to speak.

RESOLUTION 21-010

BERNALD/FITZSIMMONS MOVED TO APPROVE THE RESOLUTION AMENDING THE PUBLIC ART POLICY TO ALLOW THE PUBLIC ART COMMITTEE TO AUTHORIZE PLACEMENT OF ARTWORK THAT IS VALUED AT \$25,000 OR LESS AND MEETS OTHER CRITERIA OUTLINED IN THE POLICY. MOTION PASSED BY VERBAL ROLL CALL. AYES: ZHAO, WALIA, KUMAR, FITZSIMMONS, BERNALD. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

BERNALD /FITZSIMMONS MOVED TO DIRECT THE PUBLIC ART COMMITTEE TO CONSIDER AMENDMENTS TO THE PUBLIC ART POLICY RELATED TO ART PURCHASES AND LEASES AND PRESENT THE COMMITTEE'S RECOMMENDATIONS TO THE CITY COUNCIL AT A FUTURE

MEETING. MOTION PASSED BY VERBAL ROLL CALL. AYES: ZHAO, WALIA, KUMAR, FITZSIMMONS, BERNALD. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

COUNCIL ASSIGNMENTS

Mayor Yan Zhao

Council Finance Committee – the committee received an overview of the CIP Budget process.

West Valley Mayors & Managers – the members received reports from two guest speakers, including Santa Clara County Fire Chief Bolden on wildfire prevention and Saratoga Council Member Kumar spoke on the potential San Jose Water increase in rates.

Vice Mayor Tina Walia

Council Finance Committee – the committee received an overview of the City's budget process.

Saratoga Ministerial Association – the members discussed the importance of the Housing Element and would like City staff to attend a meeting a Ministerial Association meeting to discuss it. The members also discussed the next Living Room Conversations and that all members of the Ministerial Association invite all residents to their houses of worship.

Council Member Rishi Kumar

Nothing to report.

Council Member Kookie Fitzsimmons

Chamber of Commerce – the Board spoke about the upcoming Joint Meeting with Council and the Council discussion of Village Beautification.

Council Member Mary-Lynne Bernald

Hakone Foundation Board & Executive Committee – Board thanks the City for the \$5000 in operating expenses. The Board received a report on the Gift shop expansion on website and the fundraising activities.

Saratoga Historical Foundation – the Board discussed the need for new Board Members, received a review of Blacksmith shop project, and the Los Altos Museum presented.

CITY COUNCIL ITEMS

Council Member Kumar proposed reopening agenda item 3.2 to authorize a letter to State Senator Cortese from the Saratoga City Council expressing opposition to SB 9.

Mayor Zhao, with support from Council Member Fitzsimmons, requested that the Council consider a proposal to buy reflective vests for Neighborhood Watch groups.

COUNCIL COMMUNICATIONS

None

CITY MANAGER'S REPORT

None

Mayor Zhao requested a break at 8:32 p.m. and to resume the meeting at 8:50 p.m. for the City Council to discuss the appointment of new Planning Commissioners.

BERNALD/FITZSIMMONS MOVED TO ACCEPT RAZI MOHIUDDIN AND JONATHAN CHOI AS THE TWO FULL TERM ENDING MARCH 31, 2025 AS PLANNING COMMISSIONERS.

KUMAR/WALIA MOVED TO ACCEPT RAZI MOHIUDDIN AND JONATHAN CHOI FOR FULL TERMS ENDING MARCH 31, 2025 AS PLANNING COMMISSIONERS AND CHERIEL JENSEN FOR THE PARTIAL TERM ENDING MARCH 31, 2022 AS A PLANNING COMMISSIONER.

ZHAO/WALIA MOVED TO SUBSTITUTE THE PRIOR TWO MOTIONS AND VOTE INDIVIDUALLY ON SELECTIONS FOR THE THREE PLANNING COMMISSION VACANCIES. MOTION PASSED BY VERBAL ROLL CALL. AYES: ZHAO, WALIA, KUMAR, FITZSIMMONS, BERNALD. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

BERNALD/FITZSIMMONS MOVED TO SELECT RAZI MOHIUDDIN FOR A FULL-TERM ENDING MARCH 31, 2025 ON THE PLANNING COMMISSION. MOTION PASSED BY VERBAL ROLL CALL. AYES: ZHAO, WALIA, KUMAR, FITZSIMMONS, BERNALD. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

FITZSIMMONS/WALIA MOVED TO SELECT JONATHAN CHOI FOR A FULL-TERM ENDING MARCH 31, 2025 ON THE PLANNING COMMISSION. MOTION PASSED BY VERBAL ROLL CALL. AYES: ZHAO, WALIA, KUMAR, FITZSIMMONS, BERNALD. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

FITZSIMMONS/WALIA MOVED TO SELECT CHERIEL JENSEN FOR A PARTIAL-TERM ENDING MARCH 31, 2022 ON THE PLANNING COMMISSION. MOTION PASSED BY VERBAL ROLL CALL. AYES: ZHAO, WALIA, KUMAR, FITZSIMMONS. NOES: BERNALD. ABSTAIN: NONE. ABSENT: NONE.

ADJOURNMENT

BERNALD/ FITZSIMMONS MOVED TO ADJOURN THE MEETING AT 9:41 P.M. MOTION PASSED BY VERBAL ROLL CALL. AYES: ZHAO, WALIA, KUMAR, FITZSIMMONS, BERNALD. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

Minutes respectfully submitted:

Debbie Bretschneider, City Clerk
City of Saratoga