

MINUTES
WEDNESDAY, MAY 3, 2023
SARATOGA CITY COUNCIL REGULAR MEETING

At 5:00 p.m., the City Council held a Study Session in the Linda Callon Conference Room to review the requirements of the Housing Accountability Act in comparison to the City's Single Family Design Review Process in preparation for the Joint Session with the Planning Commission.

Mayor Fitzsimmons invited public comment.

The following individuals spoke: Paul Germeraad, Bill Dalton

At 6:11 p.m., the City Council held a Joint Session with the Planning Commission in the Linda Callon Conference Room to discuss the Commission's priorities and FY 2023/24 work plan.

Mayor Fitzsimmons invited public comment.

No one requested to speak.

WALIA/ZHAO MOVED TO APPROVE ITEMS 1-4 OF THE PLANNING COMMISSION'S WORK PLAN, APPROVE THE TRAINING BUDGET REQUEST, ADD MEETING PROTOCOL TRAINING FOR THE COMMISSION, ADD COMMISSION STUDY SESSIONS REGARDING THE DESIGN REVIEW HANDBOOK, AND MOVE WORK PLAN ITEM 6 TO A PLACEHOLDER ITEM TO ADDRESS IF TIME PERMITS. 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 7:10 p.m.

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
Debbie Pedro, Community Development Director
Nicole Johnson, Senior Planner
Lauren Blom, Public Information Officer

REPORT ON POSTING OF THE AGENDA

The City Clerk reported the agenda for this meeting was properly posted on April 27, 2023.

REPORT FROM STUDY SESSION AND JOINT SESSION

Mayor Fitzsimmons stated the City Council held a Study Session at 5:00p.m. to discuss the Single Family Design Review Process and the Housing Accountability Act followed by a Joint Session with the Planning Commission at 6:00 p.m. to discuss the Commission's priorities and FY 2023/24 work plan.

Chair Brownley, Chair of the Planning Commission provided a report of the Joint Session with the City Council.

ORAL COMMUNICATIONS ON NON-AGENDIZED ITEMS

Mayor Fitzsimmons invited public comment.

The following individuals spoke at this time:

Barbara Heninger discussed upcoming South Bay Musical Theatre productions.

Bill Dalton discussed "Our Neighborhood Voices" Initiative.

ANNOUNCEMENTS

Mayor Fitzsimmons shared information about Blue Gum Eucalyptus Tree Removal Permits, City Council Joint Session with Neighborhood Watch, Paint the City Voting and Building Safety Month.

Council Member Page shared information about the Chamber of Commerce Spring Wine Experience and Saratoga High School Performing Arts' Mama Mia production.

Council Member Walia shared information about Redwood Middle School's upcoming Festival of Colors event 'HOLI.'

Vice Mayor Zhao shared information about the Saratoga Rotary Fine Art Show at West Valley College.

CEREMONIAL ITEMS

Proclamation Declaring May 2023 as National Preservation Month

Recommended Action:

Proclaim May 2023 as National Preservation Month in the City of Saratoga.

The City Council proclaimed May 2023 as National Preservation Month in the City of Saratoga.

Proclamation Honoring the 20th Anniversary of the Assistance League of Los Gatos-Saratoga

Recommended Action:

Present a proclamation recognizing the 20th anniversary of Assistance League of Los Gatos-Saratoga

The City Council recognized the 20th anniversary of the Assistance League of Los Gatos-Saratoga.

SPECIAL PRESENTATIONS

College of Adaptive Arts Special Presentation

Recommended Action:

Receive presentation from the College of Adaptive Arts.

DeAnna Pursai, Executive Director and AJ Vanderpan, Student, from the College of Adaptive Arts provided a presentation on the College of Adaptive Arts.

Catholic Charities of Santa Clara County Long-Term Care Ombudsman Program Special Presentation

Recommended Action:

Receive presentation from Catholic Charities of Santa Clara County Long-Term Care Ombudsman Program.

Linda Dominguez, Program Manager, Long Term Care Ombudsman Program from Catholic Charities of Santa Clara County provided a presentation on the Santa Clara County Long Term Ombudsman Program.

1. CONSENT CALENDAR

Mayor Fitzsimmons invited public comment.

No one requested to speak.

1.1. City Council Meeting Minutes

Recommended Action:

Approve the Minutes for the April 19, 2023 City Council Regular Meeting.

ZHAO/PAGE MOVED TO **APPROVE THE MINUTES FOR THE APRIL 19, 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 and Accept Accounts Payable Check Registers

Recommended Action:

Review and accept the 04/13/2023 and 04/20/2023 accounts payable vendor payment check registers.

ZHAO/PAGE MOVED TO **REVIEW AND ACCEPT THE 04/13/2023 AND 04/20/2023 ACCOUNTS PAYABLE VENDOR PAYMENT CHECK REGISTERS.** 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 March 31, 2023

Recommended Action:

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

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

1.4. Authorization to Write Off Bad Debt

Recommended Action:

Authorize write off bad debt totaling \$1,449 as of March 31, 2023.

ZHAO/PAGE MOVED TO **AUTHORIZE THE WRITE OFF OF BAD DEBT TOTALING \$1,449 AS OF MARCH 31, 2023.** 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. Renaming of Friendship Hall at Saratoga Prospect Center the Jack Mallory Friendship Hall

Recommended Action:

Adopt the resolution renaming Friendship Hall at Saratoga Prospect Center to the Jack Mallory Friendship Hall and allocating \$2,500 from the City Council Discretionary Fund for updated signage or \$3,350 from the City Council Discretionary Fund for both updated signage and commemorative plaque.

Crystal Bothelio, Consultant, presented the staff report.

Mayor Fitzsimmons invited public comment.

The following individual spoke at this time: Dave House

PAGE/ZHAO MOVED TO **PLACE A PLAQUE IN HONOR OF JACK MALLORY IN FRIENDSHIP HALL SPECIFICALLY INCLUDING HIS EFFORTS TO KEEP THE BUILDING FOR CITY PURPOSES.** MOTION PASSED BY THE FOLLOWING VOTE: AYES: AFTAB, PAGE, WALIA, ZHAO, FITZSIMMONS. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

2.2. Fiscal Year 2023/24 Community Event Grant Program Competitive Allocations

Recommended Action:

Consider the following Library and Community Engagement Commission recommendation for Fiscal Year 2023/24 Community Event Grant Program competitive allocations:

- Blossom Festival Table: \$500
- Mural, Mural, on the Wall: \$1,700 (if final artwork follows art approval process described in City of Saratoga Public Art Policy regardless of final mural location)
- Dragon Boat Festival: \$2,000
- 'Saratoga, My Home' Public Art Contest: \$1,200

Crystal Bothelio, Consultant, presented the staff report.

Mayor Fitzsimmons invited public comment.

No one requested to speak.

ZHAO/WALIA MOVED TO APPROVE THE LIBRARY AND COMMUNITY ENGAGEMENT COMMISSION RECOMMENDATIONS FOR FISCAL YEAR 2023/24 COMMUNITY EVENT GRANT PROGRAM COMPETITIVE ALLOCATIONS: BLOSSOM FESTIVAL TABLE: \$500; MURAL, MURAL, ON THE WALL: \$1,700 (IF FINAL ARTWORK FOLLOWS ART APPROVAL PROCESS DESCRIBED IN CITY OF SARATOGA PUBLIC ART POLICY REGARDLESS OF FINAL MURAL LOCATION); DRAGON BOAT FESTIVAL: \$2,000; 'SARATOGA, MY HOME' PUBLIC ART CONTEST: \$1,200.

Additional discussion took place.

PAGE MOVED TO APPROVE THE LIBRARY AND COMMUNITY ENGAGEMENT COMMISSION RECOMMENDATIONS FOR FISCAL YEAR 2023/24 COMMUNITY EVENT GRANT PROGRAM COMPETITIVE ALLOCATIONS REMOVING ALLOCATION FOR THE BLOSSOM FESTIVAL TABLE.

Motion failed for lack of a second.

Additional discussion took place.

ZHAO/WALIA MOVED TO APPROVE THE LIBRARY AND COMMUNITY ENGAGEMENT COMMISSION RECOMMENDATIONS FOR FISCAL YEAR 2023/24 COMMUNITY EVENT GRANT PROGRAM COMPETITIVE ALLOCATIONS: BLOSSOM FESTIVAL TABLE: \$500; MURAL, MURAL, ON THE WALL: \$1,700 (IF FINAL ARTWORK FOLLOWS ART APPROVAL PROCESS DESCRIBED IN CITY OF SARATOGA PUBLIC ART POLICY REGARDLESS OF FINAL MURAL LOCATION); DRAGON BOAT FESTIVAL: \$2,000; 'SARATOGA, MY HOME' PUBLIC ART CONTEST: \$1,200. MOTION PASSED BY THE FOLLOWING VOTE: AYES: AFTAB, WALIA, ZHAO, FITZSIMMONS. NOES: PAGE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

2.3. Los Gatos-Saratoga Community Education and Recreation Amended Lease and Park Reservation Management Service Agreement

Recommended Action:

Authorize the City Manager to execute the amended lease agreement with Los Gatos-Saratoga Community Education and Recreation as well as a new service agreement for parks reservation management.

Crystal Bothelio, Consultant, presented the staff report.

Mayor Fitzsimmons invited public comment.

The following individual spoke at this time: Nancy Rollett

AFTAB/ZHAO MOVED TO **AUTHORIZE THE CITY MANAGER TO EXECUTE THE AMENDED LEASE AGREEMENT WITH LOS GATOS-SARATOGA COMMUNITY EDUCATION AND RECREATION AS WELL AS A NEW SERVICE AGREEMENT FOR PARKS RESERVATION MANAGEMENT, ADDING A CHECK IN WITH THE CITY COUNCIL ONE YEAR AFTER COMMENCEMENT OF THE AGREEMENT.** MOTION PASSED BY THE FOLLOWING VOTE: AYES: AFTAB, PAGE, WALIA, ZHAO, FITZSIMMONS. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

2.4. Group Use Permit Implementation Policy Amendment

Recommended Action:

Adopt the resolution amending the City of Saratoga Group Use Implementation Policy and direct staff to include updates in the next Annual Code Update to reflect the changing park reservation service model and otherwise update the Code regarding park permits.

Crystal Bothelio, Consultant, presented the staff report.

Mayor Fitzsimmons invited public comment.

No one requested to speak.

RESOLUTION 23-037

WALIA/PAGE MOVED TO **ADOPT THE RESOLUTION AMENDING THE CITY OF SARATOGA GROUP USE IMPLEMENTATION POLICY AND DIRECT STAFF TO INCLUDE UPDATES IN THE NEXT ANNUAL CODE UPDATE TO REFLECT THE CHANGING PARK RESERVATION SERVICE MODEL AND OTHERWISE UPDATE THE CODE REGARDING PARK PERMITS.** MOTION PASSED BY THE FOLLOWING VOTE: AYES: AFTAB, PAGE, WALIA, ZHAO, FITZSIMMONS. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

2.5. Consider Owner Occupancy Requirement for Mills Act Agreements

Recommended Action:

Provide direction to staff regarding whether the City should require that residential buildings subject to a Mills Act agreement be owner occupied.

Nicole Johnson, Senior Planner, presented the staff report.

Mayor Fitzsimmons invited public comment.

The following individuals spoke at this time: Margarete Minar, Bill Dalton, Julie Griffith

WALIA/PAGE MOVED TO **DIRECT STAFF TO BRING THE LANDMARK DESIGNATION & MILLS ACT AGREEMENT FOR 14275 SARATOGA BACK TO THE CITY COUNCIL FOR CONSIDERATION UNDER THE CURRENT POLICY AT THE NEXT MEETING POSSIBLE.** MOTION PASSED BY THE FOLLOWING VOTE: AYES: AFTAB, PAGE, WALIA, ZHAO, FITZSIMMONS. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

PAGE/ZHAO MOVED TO **DIRECT STAFF TO BRING FORWARD A MILLS ACT POLICY DISCUSSION TO CONSIDER PLACING A HOLD ON THE REVIEW OF MILLS ACT APPLICATIONS AND DETERMINE IF THE CITY WILL PROCEED WITH FUTURE MILLS ACT AGREEMENTS.** MOTION PASSED BY THE FOLLOWING VOTE: AYES: AFTAB, PAGE, WALIA, ZHAO, FITZSIMMONS. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

2.6. Emergency Communications

Recommended Action:

Receive report and provide direction on communications practices.

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

Mayor Fitzsimmons invited public comment.

No one requested to speak.

AFTAB/PAGE MOVED TO **DIRECT STAFF TO LOOK INTO MAXIMIZING THE DISTRIBUTION LIST FOR THE SARATOGA SOURCE AND EMERGENCY SITUATIONS, REVISIT THE CRISIS COMMUNICATIONS PLAN, AND LOOK INTO SENDING AN EMERGENCY CARD TO ALL HOMES IN SARATOGA.** 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

Saratoga Sister City Committee Liaison - stated the Committee changed the meeting time and it conflicts with the May 3, 2023 City Council meeting.

Silicon Valley Clean Energy Authority Board of Directors - stated the Board met with nothing to report.

Santa Clara County Library District Board of Directors - stated the new Chair is Susan Landry, Vice Mayor of Campbell; Vice Chair is Mark Turner, Mayor of Morgan Hill; the Board discussed the Semi-Annual Gift Report and received the preliminary budget report; the Finance Committee was confirmed – Chair: Susan Landry, Vice Chair: Mark Turner, Past Chair: Dion Bracco, Liang Chao, Cupertino, Carmen Montano, Milpitas and Saratoga City Manager James Lindsay.

KSAR Community Access TV Board – Council Member Walia discussed the passing of Station Manager Jon Wenger.

Council Member Chuck Page

Nothing to Report

Council Member Belal Aftab

Hakone Foundation Board of Trustees – stated the Board approved moving funds from First Republic Bank, the Board reviewed the financials and the budget, took nominations for the next Chair of the Board, continues to review attendance at Hakone, and approved the pathways project.

Vice Mayor Yan Zhao

Saratoga Ministerial Association – stated the Association discussed the upcoming Memorial Day Celebration.

Mayor Kookie Fitzsimmons

Nothing to report

CITY COUNCIL ITEMS

None

COUNCIL COMMUNICATIONS

None

CITY MANAGER'S REPORT

None

CITY ATTORNEY'S REPORT

None

ADJOURNMENT

WALIA/FITZSIMMONS MOVED TO **ADJOURN THE MEETING AT 9:49 P.M. IN MEMORY OF JON WENGER.** 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