

MINUTES
WEDNESDAY, MAY 5, 2021
SARATOGA CITY COUNCIL REGULAR MEETING

At 6:00 p.m., the City Council held a Joint Meeting with the Montalvo Arts Center via teleconferencing through Zoom.

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
Keith Weiner, Building Official
(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 April 29, 2021.

REPORT ON JOINT MEETING

Montalvo Arts Center Executive Director Angela McConnell reported on the Joint Meeting.

ORAL COMMUNICATIONS ON NON-AGENDIZED ITEMS

Tylor Taylor, Executive Director of SASCC, spoke the SASCC request to repurpose event grant funds for operations.

Kathleen Crowe spoke about SASCC finances.

Vice Mayor Walia requested information from City staff about the SASCC contract.

ANNOUNCEMENTS

Mayor Zhao shared information about COVID-19 updates, the Hakone Gardens new exhibit and book, SASCC Walks, Saratoga Power Lunch webinar, and Wildfire Workshops.

CEREMONIAL ITEMS

Appointment of Heritage Preservation Commissioner

Recommended Action:

Approve the resolution appointing 1 member to the Heritage Preservation Commission and direct the City Clerk to administer the Oath of Office.

RESOLUTION 21-025

FITZSIMMONS/WALIA MOVED TO **APPROVE THE RESOLUTION APPOINTING 1 MEMBER TO THE HERITAGE PRESERVATION COMMISSION AND DIRECT THE CITY CLERK TO ADMINISTER THE OATH OF OFFICE.** MOTION PASSED BY VERBAL ROLL CALL. AYES: ZHAO, WALIA, KUMAR, FITZSIMMONS, BERNALD. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

Commendations for Montalvo Art Center and Steven Simon

Recommended Action:

Present the commendations to Montalvo Arts Center and Steven Simon.

Mayor Zhao and Council Members presented the commendations to Montalvo Arts Center and Steven Simon.

Proclamation Declaring May 2021 as National Preservation Month

Recommended Action:

Proclaim May 2021 as National Preservation Month in the City of Saratoga.

Mayor Zhao and Council Members presented the proclamation to Rina Shah, Chair of the Heritage Preservation Commission.

Proclamation Declaring May 2021 as Older Americans Month

Recommended Action:

Present the proclamation declaring May 2021 as Older Americans Month.

Mayor Zhao and Council Members presented the proclamation to Lisa Oakley, Chair of SASCC, and Tylor Taylor, Executive Director of SASCC.

Proclamation Declaring May 2021 as Asian Pacific American Heritage Month

Recommended Action:

Present the proclamation declaring May 2021 as Asian Pacific American Heritage Month.

Mayor Zhao and Council Members presented the proclamation to Huelling Su, President of Asian American for Better Community (AABC).

1. CONSENT CALENDAR

1.1. City Council Meeting Minutes

Recommended Action:

Approve the City Council minutes for the Regular City Council Meeting on April 21, 2021.

BERNALD/FITZSIMMONS MOVED TO APPROVE THE CITY COUNCIL MINUTES FOR THE REGULAR CITY COUNCIL MEETING ON APRIL 21, 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:
04/20/21 Period 10; 04/27/21 Period 10:

BERNALD/FITZSIMMONS MOVED TO ACCEPT CHECK REGISTERS FOR THE FOLLOWING ACCOUNTS PAYABLE PAYMENT CYCLES: 04/20/21 PERIOD 10; 04/27/21 PERIOD 10.

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 March 31, 2021

Recommended Action:

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

BERNALD/FITZSIMMONS MOVED TO ACCEPT THE TREASURER'S REPORT FOR THE MONTH ENDED MARCH 31, 2021.

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

1.4. Parks & Recreation Commission Mission Statement Update

Recommended Action:

Approve the updated Parks & Recreation Commission Mission Statement by adopting the attached Resolution.

Council Member Bernald removed this item for discussion.

Mayor Zhao invited public comment on the item.

Rene Paquier, Chair of Parks and Recreation Commission, spoke.

No one else requested to speak.

RESOLUTION 21-026

BERNALD/WALIA MOVED TO **APPROVE THE UPDATED PARKS & RECREATION COMMISSION MISSION STATEMENT BY ADOPTING THE RESOLUTION IN THE SUPPLEMENTAL MEMO.** MOTION PASSED BY VERBAL ROLL CALL. AYES: ZHAO, WALIA, KUMAR, FITZSIMMONS, BERNALD. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

1.5. Donation of PLACE

Recommended Action:

Authorize the City Manager to execute the donation agreement with Montalvo Arts Center to accept the donation PLACE.

BERNALD/FITZSIMMONS MOVED TO **AUTHORIZE THE CITY MANAGER TO EXECUTE THE DONATION AGREEMENT WITH MONTALVO ARTS CENTER TO ACCEPT THE DONATION PLACE.** MOTION PASSED BY VERBAL ROLL CALL. AYES: ZHAO, WALIA, KUMAR, FITZSIMMONS, BERNALD. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

2. PUBLIC HEARING

2.1. Amendment to Hillside Residential Zoning Designation to Make Wineries Subject to Additional Conditional Use Permit Requirements

Recommended Action:

Conduct the public hearing and introduce and waive the first reading of the attached ordinance and direct staff to place the ordinance on the consent calendar at the May 19, 2021 City Council meeting.

Richard Taylor, City Attorney, presented the staff report.

Mayor Zhao opened the public hearing.

Mayor Zhao invited public comment on the item.

Andrey Tovchigrechko spoke

Glenda Aune spoke

Nancy Lietzke spoke

Mohini Balakrishnan spoke

No one else requested to speak.

WALIA/FITZSIMMONS MOVED TO **WAIVE THE FIRST READING OF THE ORDINANCE AND DIRECT STAFF TO PLACE THE ORDINANCE ON THE CONSENT CALENDAR AT THE MAY 19, 2021 CITY COUNCIL MEETING.** MOTION PASSED BY VERBAL ROLL CALL. AYES: ZHAO, WALIA, KUMAR, FITZSIMMONS, BERNALD. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

3. GENERAL BUSINESS

3.1. Approval of Contract for Camino Online Permit Guide Platform Software

Recommended Action:

1. Adopt the attached resolution approving an adjustment to the Fiscal Year 2020/21 Operating & Capital Improvement Budget; AND
2. Authorize the City Manager to enter into a one year contract to implement the Camino Online Permit Guide Platform in an amount not to exceed \$30,000.

Keith Weiner, Building Official, presented the staff report.

Mayor Zhao invited public comment on the item.

No one requested to speak.

RESOLUTION 21-027

KUMAR/WALIA MOVED TO **ADOPT THE RESOLUTION APPROVING AN ADJUSTMENT TO THE FISCAL YEAR 2020/21 OPERATING & CAPITAL IMPROVEMENT BUDGET AND AUTHORIZE THE CITY MANAGER TO ENTER INTO A ONE YEAR CONTRACT TO IMPLEMENT THE CAMINO ONLINE PERMIT GUIDE PLATFORM IN AN AMOUNT NOT TO EXCEED \$30,000.** MOTION PASSED BY VERBAL ROLL CALL. AYES: ZHAO, WALIA, KUMAR, FITZSIMMONS, BERNALD. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

3.2. Saratoga Business Renewal and Beautification Grant Program

Recommended Action:

- 1) Approve the Saratoga Business Renewal and Beautification Grant Program in Attachment A;
- 2) Allocate \$15,000 from the Council Discretionary Account to fund the program; and
- 3) Add the Saratoga Business Renewal and Beautification Grant Program to the FY2020-21 Capital Improvement Program.

Debbie Pedro, Community Development Director, presented the staff report.

Mayor Zhao invited public comment on the item.

Jeffrey Schwartz spoke

Chuck Page, President of Chamber of Commerce, spoke

No one else requested to speak.

FITZSIMMONS/ZHAO MOVED TO **APPROVE THE SARATOGA BUSINESS RENEWAL AND BEAUTIFICATION GRANT PROGRAM IN THE SUPPLEMENTAL MEMO; ALLOCATE \$15,000 FROM THE COUNCIL DISCRETIONARY ACCOUNT TO FUND THE PROGRAM; ADD THE SARATOGA BUSINESS RENEWAL AND BEAUTIFICATION GRANT PROGRAM**

**TO THE FY2020-21 CAPITAL IMPROVEMENT PROGRAM; AND ADD
“SARATOGA TOGETHER” AS NAME OF PROGRAM.** MOTION PASSED BY
VERBAL ROLL CALL. AYES: ZHAO, WALIA, FITZSIMMONS, BERNALD. NOES:
KUMAR. ABSTAIN: NONE. ABSENT: NONE.

COUNCIL ASSIGNMENTS

Mayor Yan Zhao

Council Finance Committee – Vice Mayor Walia reported.

West Valley Mayors & Managers – the meeting had two guest speakers, a PG&E spokesperson on wildfire safety and the Executive Director of Cities Association.

Vice Mayor Tina Walia

Council Finance Committee – the Committee received a report on use of Hillside Reserve funds and a preview of the Budget Study Session.

Saratoga Area Senior Coordinating Council (SASCC) – the Board approved a by-laws amendment changing City Staff's position on the Board from voting to non-voting. SASCC Board was informed of financial issues : 1. unpaid tax filings (Form 941) for six consecutive quarters, 2. SASCC has taken out two PPP loans, 3. Amending Form 990 for 2018-19. No Financial Statements provided to the Board during my four months on the Board.

Saratoga Ministerial Association – the Association received a report that Pastor Derek has received a grant of \$10,000 to help the community in need and that Father Gary Thomas is moving from Sacred Heart after 15 years.

Council Member Rishi Kumar

Santa Clara County Library Joint Powers Authority – the members received reports that the Libraries re-opened April 19 and on the Fiscal Year 2021/22 budget.

Council Member Kookie Fitzsimmons

Nothing to report.

Council Member Mary-Lynne Bernald

Santa Clara/Santa Cruz Airport/Community Roundtable – the Roundtable will be holding a May 26 meeting and approving a draft letter to the Congressional offices regarding noise impacts regarding the FAA's Neighborhood Environmental Survey (NES).

Saratoga Historical Foundation – the Foundation received a report that the Blacksmith project is moving forward with assistance from Saratoga Federated Church volunteers

CITY COUNCIL ITEMS

Council Member Bernald requested City Council discussion on the SASCC request to repurpose event grant funds for SASCC operations. There was no support for the request.

COUNCIL COMMUNICATIONS

Council Member Kumar spoke on the protest of the San Jose Water Company request to California Public Utilities Commission for a fee increase.

CITY MANAGER'S REPORT

None

ADJOURNMENT

WALIA/FITZSIMMONS MOVED TO **ADJOURN THE MEETING AT 9:05 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