

**MINUTES**  
**WEDNESDAY, JUNE 15, 2022**  
**SARATOGA CITY COUNCIL REGULAR MEETING**

At 6:00 p.m., the City Council held a Closed Session via teleconferencing through Zoom.

Mayor Walia invited public comment.

No one requested to speak.

Mayor Walia called the Regular Session to order at 7:00 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

**ABSENT:**

None

**ALSO PRESENT:**

James Lindsay, City Manager  
Crystal Bothelio Assistant City Manager  
Richard Taylor, City Attorney  
Britt Avrit, City Clerk  
John Cherbone, Public Works Director  
Debbie Pedro, Community Development Director  
Nick Pegueros, Administrative Services Director  
Lauren Blum, Public Information Office  
Kayla Nakamoto, Administrative Analyst  
Ann Xu, Accountant II

**REPORT ON POSTING OF THE AGENDA**

The City Clerk reported the agenda for this meeting was properly posted on June 9, 2022.

**REPORT FROM CLOSED SESSION**

Mayor Walia stated the City Council met in Closed Session to conduct the City Attorney's performance evaluation with no reportable action.

**ORAL COMMUNICATIONS ON NON-AGENDIZED ITEMS**

Mayor Walia invited public comment.

No one requested to speak.

## ANNOUNCEMENTS

Mayor Walia shared information about Summer Movie Nights, 2022 Election Orientation, Housing Element Initial Draft, July 4<sup>th</sup> Historical Figures and July 4<sup>th</sup> Event, 12<sup>th</sup> Annual America the Beautiful Project, the Saratoga Car Show and Youth in Government.

## CEREMONIAL ITEMS

Commendation for Christopher Coulter

**Recommended Action:**

Commend Christopher Coulter for his service on the Saratoga Traffic Safety Commission.

The City Council presented a Commendation to Christopher Coulter for his service on the Saratoga Traffic Safety Commission.

## SPECIAL PRESENTATION

Presentation from Catholic Charities on the Santa Clara County Long Term Ombudsman Program

**Recommended Action:**

Receive presentation from Catholic Charities on the Santa Clara County Long Term 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.

Mayor Walia invited public comment.

The following individuals spoke at this time: Bill Dalton

### 1. CONSENT CALENDAR

Mayor Walia invited public comment on the Consent Calendar.

The following individuals spoke at this time: Bill Dalton

Item 1.9 was removed for separate discussion.

1.1. City Council Meeting Minutes

**Recommended Action:**

Approve the Minutes for the June 1, 2022 City Council Regular Meeting.

ZHAO/WALIA MOVED TO **APPROVE THE MINUTES FOR THE JUNE 1, 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:  
5/26/22 Period 11; 6/3/2022 Period 12.

ZHAO/WALIA MOVED TO **REVIEW AND ACCEPT CHECK REGISTERS FOR THE FOLLOWING ACCOUNTS PAYABLE PAYMENT CYCLES: 5/26/22 PERIOD 11; 6/3/2022 PERIOD 12.** MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, KUMAR, ZHAO, FITZSIMMONS, WALIA: NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

1.3. Reconsider and confirm findings pursuant to Assembly Bill 361

**Recommended Action:**

Reconsider and confirm findings pursuant to Assembly Bill 361 of the continued public health officials' recommendation to social distance and to therefore hold City of Saratoga Brown Act meetings by teleconference.

ZHAO/WALIA MOVED TO **RECONSIDER AND CONFIRM FINDINGS PURSUANT TO ASSEMBLY BILL 361 OF THE CONTINUED PUBLIC HEALTH OFFICIALS' RECOMMENDATION TO SOCIAL DISTANCE AND TO THEREFORE HOLD CITY OF SARATOGA BROWN ACT MEETINGS BY TELECONFERENCE.** MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, KUMAR, ZHAO, FITZSIMMONS, WALIA: NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

1.4. Transportation Development Act (TDA) Article 3 Application for the Saratoga Avenue Walkway Project.

**Recommended Action:**

Adopt resolution supporting the Metropolitan Transportation Commission's Transportation Development Act Article 3 Pedestrian/Bicycle Grant Application for the Saratoga Avenue Walkway Project.

**RESOLUTION 22-021**

ZHAO/WALIA MOVED TO **ADOPT THE RESOLUTION SUPPORTING THE METROPOLITAN TRANSPORTATION COMMISSION'S TRANSPORTATION DEVELOPMENT ACT ARTICLE 3 PEDESTRIAN/BICYCLE GRANT APPLICATION FOR THE SARATOGA AVENUE WALKWAY PROJECT.** MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, KUMAR, ZHAO, FITZSIMMONS, WALIA: NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

1.5. Resolution Establishing the Fiscal Year 2023 Appropriations Limit

**Recommended Action:**

Adopt resolution establishing the City of Saratoga's Fiscal Year 2023 Appropriations (Gann) Limit.

**RESOLUTION 22-022**

ZHAO/WALIA MOVED TO **ADOPT THE RESOLUTION ESTABLISHING THE CITY OF SARATOGA'S FISCAL YEAR 2023 APPROPRIATIONS (GANN) LIMIT.** MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, KUMAR, ZHAO, FITZSIMMONS, WALIA: NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

1.6. Resolution Establishing the Fiscal Year 2023 Property Tax Levy for Debt Service Payments on the Arrowhead Community Facility District 2018 Bond

**Recommended Action:**

Adopt the attached resolution that sets the Fiscal Year 2023 property tax levy rate for the Arrowhead Community Facility District's 2018 Bond's debt service payment at \$6,000 per parcel for the remaining nineteen (19) participating property owners.

**RESOLUTION 22-023**

ZHAO/WALIA MOVED TO **ADOPT THE RESOLUTION THAT SETS THE FISCAL YEAR 2023 PROPERTY TAX LEVY RATE FOR THE ARROWHEAD COMMUNITY FACILITY DISTRICT'S 2018 BOND'S DEBT SERVICE PAYMENT AT \$6,000 PER PARCEL FOR THE REMAINING NINETEEN (19) PARTICIPATING PROPERTY OWNERS.** MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, KUMAR, ZHAO, FITZSIMMONS, WALIA: NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

1.7. Resolution Establishing the Fiscal Year 2023 Tax Levy Rate for the Library Series 2011 General Obligation Bonds Debt Service

**Recommended Action:**

Adopt resolution establishing the Fiscal Year 2023 Tax Levy Rate for the Library Series 2011 General Obligation Bonds Debt Service at \$0.0044 per \$100 of Secured Assessed Value.

**RESOLUTION 22-024**

ZHAO/WALIA MOVED TO **ADOPT THE RESOLUTION ESTABLISHING THE FISCAL YEAR 2023 TAX LEVY RATE FOR THE LIBRARY SERIES 2011 GENERAL OBLIGATION BONDS DEBT SERVICE AT \$0.0044 PER \$100 OF SECURED ASSESSED VALUE.** MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, KUMAR, ZHAO, FITZSIMMONS, WALIA: NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

1.8. Adopt the Fiscal Year 2023 Investment Policy

**Recommended Action:**

Adopt the Fiscal Year 2023 Investment Policy.

ZHAO/WALIA MOVED TO **ADOPT THE FISCAL YEAR 2023 INVESTMENT POLICY.** MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, KUMAR, ZHAO, FITZSIMMONS, WALIA: NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

1.9. Budget Adoption for the Fiscal Year Beginning July 1, 2022

**Recommended Action:**

Approve a Resolution adopting the City's Budget of the fiscal year beginning July 1, 2022 and ending on June 30, 2023.

**RESOLUTION 22-025**

BERNALD/WALIA MOVED TO **ADOPT THE RESOLUTION ADOPTING THE CITY'S BUDGET OF THE FISCAL YEAR BEGINNING JULY 1, 2022 AND ENDING ON JUNE 30, 2023.** MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, KUMAR, ZHAO, FITZSIMMONS, WALIA: NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

**2. PUBLIC HEARING**

2.1. Landscaping & Lighting Assessment District LLA-1 - Public Hearing, Approval of Engineer's Report, and Confirmation of Assessments for FY 22-23

**Recommended Action:**

Conduct the public hearing and, following consideration of public comments, adopt the Resolution Ordering the Improvements and Confirming the Diagram and Assessments for FY 22-23.

John Cherbone, Public Works Director, presented the staff report.

Mayor Walia invited public comment.

No one requested to speak.

**RESOLUTION 22-026**

BERNALD/ZHAO MOVED TO **ADOPT THE RESOLUTION ORDERING THE IMPROVEMENTS AND CONFIRMING THE DIAGRAM AND ASSESSMENTS FOR FY 22-23 FOR LANDSCAPING & LIGHTING ASSESSMENT DISTRICT LLA-1.** MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, KUMAR, ZHAO, FITZSIMMONS, WALIA: NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

**3. GENERAL BUSINESS**

3.1. Beauchamps Park Playground Replacement Project

**Recommended Action:**

Approval of design for the Beauchamps Park Playground Replacement Project.

John Cherbone, Public Works Director, presented the staff report.

Mayor Walia invited public comment.

No one requested to speak.

BERNALD/ZHAO MOVED TO **APPROVE THE DESIGN FOR THE BEAUCHAMPS PARK PLAYGROUND REPLACEMENT PROJECT.** MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, KUMAR, ZHAO, FITZSIMMONS, WALIA: NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

3.2. Professional Design Services Contract for the Saratoga Village Parking Districts Improvement Project with Sandis in the amount of \$568,736

**Recommended Actions:**

1. Approve Professional Design Services for the Saratoga Village Parking Districts Improvement Project Contract with Sandis Civil Engineers Surveyors and Planners, in the amount of \$568,736, and authorize the City Manager to execute the same.
2. Authorize staff to execute change orders to the contract up to \$85,000.

Macedonio Nunez, Senior Engineer, presented the staff report.

Mayor Walia invited public comment.

The following individuals spoke at this time: Bill Dalton

BERNALD/FITZSIMMONS MOVED TO **APPROVE PROFESSIONAL DESIGN SERVICES FOR THE SARATOGA VILLAGE PARKING DISTRICTS IMPROVEMENT PROJECT CONTRACT WITH SANDIS CIVIL ENGINEERS SURVEYORS AND PLANNERS, IN THE AMOUNT OF \$568,736; AUTHORIZE THE CITY MANAGER TO EXECUTE THE SAME AND AUTHORIZE STAFF TO EXECUTE CHANGE ORDERS TO THE CONTRACT UP TO \$85,000.** MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, KUMAR, ZHAO, FITZSIMMONS, WALIA: NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

3.3. Professional Design Services Contract for the Storm Drain Master Plan with Sandis in the amount not-to-exceed \$401,575

**Recommended Actions:**

1. Approve a Storm Drain Master Plan Contract with Sandis Civil Engineers Surveyors and Planners, in the amount of \$401,575, and authorize the City Manager to execute the same.
2. Authorize staff to execute change orders to the contract up to \$80,425.
3. Approve attached Budget Resolution to appropriate sufficient funding for the project

Emma Burkhalter, Associate Civil Engineer presented the staff report.

Mayor Walia invited public comment.

No one requested to speak.

**RESOLUTION 22-027**

**BERNALD/WALIA MOVED TO APPROVE A STORM DRAIN MASTER PLAN CONTRACT WITH SANDIS CIVIL ENGINEERS SURVEYORS AND PLANNERS, IN THE AMOUNT OF \$401,575, AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE SAME; AUTHORIZE STAFF TO EXECUTE CHANGE ORDERS TO THE CONTRACT UP TO \$80,425; ADOPT THE BUDGET RESOLUTION TO APPROPRIATE SUFFICIENT FUNDING FOR THE PROJECT.** MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, KUMAR, ZHAO, FITZSIMMONS, WALIA: NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

#### 3.4. Promoting Universal Design in the Community

**Recommended Action:**

Consider directing staff to return with a proposal for a communications program to increase community awareness of the benefits of using universal design principles in residential construction.

Mayor Walia presented the staff report.

Mayor Walia invited public comment.

No one requested to speak.

**WALIA MOVED TO DIRECT STAFF TO RETURN WITH A PROPOSAL FOR A COMMUNICATIONS PROGRAM TO INCREASE COMMUNITY AWARENESS OF THE BENEFITS OF USING UNIVERSAL DESIGN PRINCIPLES IN RESIDENTIAL CONSTRUCTION.**

Motion failed for lack of a second.

### COUNCIL ASSIGNMENTS

Mayor Tina Walia

*Silicon Valley Clean Energy Authority Board of Directors* – stated new grant funding is available for electrification education, geothermal resources have been added to the portfolio, stated Silicon Valley Clean Energy will begin serving Google offices in Mountain View and Sunnyvale.

Vice Mayor Kookie Fitzsimmons

*Saratoga Chamber of Commerce Board* – stated the Car Show will take place on July 24, 2022.

Council Member Mary-Lynne Bernald

Nothing to report

Council Member Rishi Kumar

*Santa Clara County Library District Board of Directors* - the Board discussed the Library Systems Strategic Plan, Board appointments, and the Independent Audit Report.

Council Member Yan Zhao

*West Valley Sanitation District Board of Directors* – stated the Board met in Closed Session for the District Manager’s performance review and at the regular meeting the Board adopted annual objectives and action items for Fiscal Year 2022-2023.

*Valley Transportation Authority (VTA) Policy Advisory Committee* – stated the Committee provided two recommendations to the VTA Board to 1) adopt the updated program category guidelines for Measure B program categories and 2) approve Measure B Noise Abatement Competitive Grant Program prescreening criteria and discussed AB 2181.

*League of CA Cities Transportation Communication Public Works Committee* – stated the Committee received legislation updates and provided an overview of SB 717 addressing access to broadband services.

**CITY COUNCIL ITEMS**

None

**COUNCIL COMMUNICATIONS**

Vice Mayor Fitzsimmons discussed the Council’s decision to continue conducting City Council Meetings virtually and requested the upcoming Commission Recognition Dinner be rescheduled until the City Council has resumed in-person City Council meetings.

Council Member Bernald discussed the 2022 Utility Box Art Program in Santa Clara County.

**CITY MANAGER'S REPORT**

None

**CITY ATTORNEY'S REPORT**

None

**ADJOURNMENT**

BERNALD/FITZSIMMONS MOVED TO ADJOURN THE MEETING AT 9:12 P.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, City Clerk  
City of Saratoga