

**MINUTES**  
**WEDNESDAY, SEPTEMBER 6, 2023**  
**SARATOGA CITY COUNCIL REGULAR MEETING**

At 6:00 p.m., the City Council held a Joint Session with KSAR in the Linda Callon Conference Room.

Mayor Fitzsimmons invited public comment.

The following individual spoke:

Melissa Toren of KCAT discussed the potential joining together of KSAR and KCAT.

Mayor Fitzsimmons called the Regular Session to order at 7:00 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  
John Cherbone, Public Works Director  
Bryan Swanson, Community Development Director  
Dan Jacobson, Interim Administrative Services Director  
Britt Avrit, City Clerk  
Nicole Johnson, Senior Planner  
David Dorcich, Associate Civil Engineer  
Mainini Cabute, Environmental Programs Manager

**REPORT ON POSTING OF THE AGENDA**

The City Clerk reported the agenda for this meeting was properly posted on August 31, 2023.

**REPORT FROM JOINT SESSION**

Mayor Fitzsimmons stated the City Council held a Joint Session with KSAR prior to the Regular Session.

Tom Moran, KSAR Board Chair provided a report of the City Council Joint Session.

**ORAL COMMUNICATIONS ON NON-AGENDIZED ITEMS**

Mayor Fitzsimmons invited public comment.

The following individual spoke:

Bill Dalton discussed the Our Neighborhood Voices Initiative.

## ANNOUNCEMENTS

Mayor Fitzsimmons shared information about the State of the City Event, Saratoga Loves Poetry and Council Meeting Previews and Summaries by Hamlet.

## CEREMONIAL ITEM

Recognizing Joseph Long Jr.

**Recommended Action:**

Join County Supervisor Joe Simitian in recognizing Joseph Long Jr. for his 21 years of service as a member of the Saratoga Fire Protection District Board of Commissioners.

The City Council joined County Supervisor Joe Simitian in recognizing Joseph Long Jr. for his 21 years of service as a member of the Saratoga Fire Protection District Board of Commissioners and presented him with a key to the City.

Mayor Fitzsimmons invited public comment.

No one requested to speak.

## SPECIAL PRESENTATION

Special Presentation by Silicon Valley Clean Energy (SVCE)

**Recommended Action:**

Receive presentation of the 2023 Electric Showcase Awards by Silicon Valley Clean Energy (SVCE).

Silicon Valley Clean Energy CEO, Girish Balachandran, provided a presentation of the 2023 Electric Showcase Awards.

Mayor Fitzsimmons invited public comment.

No one requested to speak.

### 1. CONSENT CALENDAR

Mayor Fitzsimmons invited public comment.

No one requested to speak.

Council Member Page requested Item 1.11 be removed for separate discussion.

1.1. City Council Meeting Minutes

**Recommended Action:**

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

PAGE/ZHAO MOVED TO **APPROVE THE MINUTES FOR THE JULY 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 07/13/2023, 07/20/2023, 07/28/2023, 08/03/2023, 08/11/2023, 08/17/2023, and 08/24/2023 accounts payable vendor payment check registers.

PAGE/ZHAO MOVED TO **REVIEW AND ACCEPT THE 07/13/2023, 07/20/2023, 07/28/2023, 08/03/2023, 08/11/2023, 08/17/2023, AND 08/24/2023 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 June 30, 2023

**Recommended Action:**

Review and accept the Treasurer's Report for the month ended June 30, 2023.

PAGE/ZHAO MOVED TO **REVIEW AND ACCEPT THE TREASURER'S REPORT FOR THE MONTH ENDED JUNE 30, 2023.** MOTION PASSED BY THE FOLLOWING VOTE: AYES: AFTAB, PAGE, WALIA, ZHAO, FITZSIMMONS. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

1.4. Award of Contract for Janitorial Services

**Recommended Action:**

Approve a two-year contract with North Bay Building Maintenance (NBBM) for janitorial services and authorize the City Manager to execute the same.

PAGE/ZHAO MOVED TO **APPROVE A TWO-YEAR CONTRACT WITH NORTH BAY BUILDING MAINTENANCE (NBBM) FOR JANITORIAL SERVICES AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE SAME.** MOTION PASSED BY THE FOLLOWING VOTE: AYES: AFTAB, PAGE, WALIA, ZHAO, FITZSIMMONS. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

1.5. 4Leaf, Inc. Building Inspection Services Contract for \$65,000.00

**Recommended Action:**

Authorize the City Manager to execute a contract with 4Leaf, Inc. for as-needed professional building inspection services in the amount of \$65,000.00 for FY 2023-24.

PAGE/ZHAO MOVED TO **AUTHORIZE THE CITY MANAGER TO EXECUTE A CONTRACT WITH 4LEAF, INC. FOR AS-NEEDED PROFESSIONAL BUILDING INSPECTION SERVICES IN THE AMOUNT OF \$65,000.00 FOR FY 2023-24.** MOTION PASSED BY THE FOLLOWING VOTE: AYES: AFTAB, PAGE, WALIA, ZHAO, FITZSIMMONS. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

1.6. Lynx Technologies, Inc. Geographic Information System (GIS) Consultant Contract in the amount of \$35,400.00

**Recommended Action:**

Authorize the City Manager to execute a contract with Lynx Technologies, Inc. Geographic Information System (GIS) Consultant services in the amount of \$35,400.00 for FY 2023-24.

PAGE/ZHAO MOVED TO **AUTHORIZE THE CITY MANAGER TO EXECUTE A CONTRACT WITH LYNX TECHNOLOGIES, INC. GEOGRAPHIC INFORMATION SYSTEM (GIS) CONSULTANT SERVICES IN THE AMOUNT OF \$35,400.00 FOR FY 2023-24.** MOTION PASSED BY THE FOLLOWING VOTE: AYES: AFTAB, PAGE, WALIA, ZHAO, FITZSIMMONS. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

1.7. Final Map Approval for Two Lots Located At 20034 Herriman Avenue

**Recommended Action:**

Adopt the Resolution granting final map approval of tentative map application No. SUB 20-0001 for two lots located at 20034 Herriman Avenue (APN 397-25-080) and authorizing ancillary actions.

**RESOLUTION 23-073**

PAGE/ZHAO MOVED TO **ADOPT THE RESOLUTION GRANTING FINAL MAP APPROVAL OF TENTATIVE MAP APPLICATION NO. SUB 20-0001 FOR TWO LOTS LOCATED AT 20034 HERRIMAN AVENUE (APN 397-25-080) AND AUTHORIZING ANCILLARY ACTIONS.** MOTION PASSED BY THE FOLLOWING VOTE: AYES: AFTAB, PAGE, WALIA, ZHAO, FITZSIMMONS. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

1.8. Final Map Approval for Two Lots Located at 14695 Horseshoe Drive

**Recommended Action:**

Adopt the Resolution granting final map approval of parcel map application No. ULS22-0011 for two lots located at 14695 Horseshoe Drive (APN: 397 20 055).

**RESOLUTION 23-074**

PAGE/ZHAO MOVED TO **ADOPT THE RESOLUTION GRANTING FINAL MAP APPROVAL OF PARCEL MAP APPLICATION NO. ULS22-0011 FOR TWO LOTS LOCATED AT 14695 HORSESHOE DRIVE (APN: 397 20 055).** MOTION PASSED BY THE FOLLOWING VOTE: AYES: AFTAB, PAGE, WALIA, ZHAO, FITZSIMMONS. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

1.9. Final Map Approval for Two Lots Located at 20170 Bonnie Brae Way

**Recommended Action:**

Adopt the Resolution granting final map approval of parcel map application No. ULS22-0021 for two lots located at 20170 Bonnie Brae Way (APN: 517 20 021).

**RESOLUTION 23-075**

PAGE/ZHAO MOVED TO **ADOPT THE RESOLUTION GRANTING FINAL MAP APPROVAL OF PARCEL MAP APPLICATION NO. ULS22-0021 FOR TWO LOTS LOCATED AT 20170 BONNIE BRAE WAY (APN: 517 20 021).** MOTION PASSED BY THE FOLLOWING VOTE: AYES: AFTAB, PAGE, WALIA, ZHAO, FITZSIMMONS. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

1.10. Amended Joint Powers Agreement and Cooperation Agreement to Undertake Community Development Block Grant Program (CDBG) Activities

**Recommended Action:**

Adopt the Resolution authorizing the City Manager to enter into an Amended Joint Exercise of Powers Agreement and Cooperation Agreement with the County of Santa Clara relating to essential community development and housing assistance activities funded by the Federal government for the Community Development Block Grant (CDBG) and HOME Program.

**RESOLUTION 23-076**

PAGE/ZHAO MOVED TO **ADOPT THE RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AMENDED JOINT EXERCISE OF POWERS AGREEMENT AND COOPERATION AGREEMENT WITH THE COUNTY OF SANTA CLARA RELATING TO ESSENTIAL COMMUNITY DEVELOPMENT AND HOUSING ASSISTANCE ACTIVITIES FUNDED BY THE FEDERAL GOVERNMENT FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME PROGRAM.** MOTION PASSED BY THE FOLLOWING VOTE: AYES: AFTAB, PAGE, WALIA, ZHAO, FITZSIMMONS. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

1.11. Friendship City with New Taipei City Memorandum of Understanding (MOU)

**Recommended Action:**

Approve the Friendship City Memorandum of Understanding (MOU) with New Taipei City in Taiwan.

Council Member Page requested removal of the last sentence of Section B in the Memorandum of Understanding "Areas of Cooperation" that reads: "And, where appropriate, the Participants may document specific cooperation through implementing arrangements."

PAGE/WALIA MOVED TO **APPROVE THE FRIENDSHIP CITY MEMORANDUM OF UNDERSTANDING (MOU) AS AMENDED, WITH NEW TAIPEI CITY IN TAIWAN.** MOTION PASSED BY THE FOLLOWING VOTE: AYES: AFTAB, PAGE, WALIA, ZHAO, FITZSIMMONS. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

**2. PUBLIC HEARING**

2.1. MISC23-0010 – Extension request for the Temporary Compliance Plan for Winery Operations at House Family Vineyards at 13340 Old Oak Way.

**Recommended Action:**

Adopt the Resolution approving the Temporary Compliance Plan extension subject to conditions of approval.

Nicole Johnson, Senior Planner, presented the staff report.

Jim Cargill, representing House Family Vineyards presented remarks regarding the application.

Mayor Fitzsimmons invited public comment.

The following individuals spoke: Robert Rollin, Peeyush Jain, Karen Dunn, Dan Rusanowsky, Mark Escobar, Edward Fotion, Antoinette Romeo, Mike Gioni, Jill Martin, Steve Coates, Horst Brenner, W. Caruso, Jonathan Goodling, Stephanie Pando, Stan Bogosian, David Zwich, Joe Aboud, Alexa John, Courtney Pando, Joe Aboud, Jr., Nancy Lietzke, Pragati Grover, Minh Ngo, Kit Chee, Dave Rossi, Tiger Teerlink, Paul Fulton, Kelly Medrano, Bill Keyes, Cody Teerlink, Imran Ullah, Jonathan Mei;

Mayor Fitzsimmons requested a recess at this time.

Mayor Fitzsimmons reconvened the meeting at 9:30 p.m.

The following individuals spoke: Jim House, Cheriell Jensen, Glenda Aune, Bob Pando, Dave Lemire, Travis Foster, Sri Mann, Litsung Chen, Nikil Balakrishnan on behalf of his mother.

**PAGE/AFTAB MOVED TO ADOPT THE RESOLUTION WITH AN AMENDMENT ALLOWING CATERING CONSISTENT WITH THE REQUIREMENTS OF THE DEPARTMENT OF ENVIRONMENTAL HEALTH.**

Additional discussion took place.

### **RESOLUTION 23-077**

**PAGE/AFTAB MOVED TO APPROVE THE PROPOSED RESOLUTION WITH TWO CHANGES: (1) IF STAFF BELIEVES THAT THE JANUARY 12 DEADLINE FOR RESOLVING ITEMS REQUESTED BY THE CITY FOR THE EIR HAS NOT BEEN MET THE MATTER SHALL BE BROUGHT TO THE CITY COUNCIL FOR REVIEW AND DETERMINATION IF THE TCP SHOULD BE SUSPENDED OR REVOKED AND (2) REPLACING THE PROHIBITION ON CATERING WITH A SENTENCE AUTHORIZING CATERING IN A MANNER CONSISTENT WITH THE REQUIREMENTS OF THE DEPARTMENT OF ENVIRONMENTAL HEALTH.** MOTION PASSED BY THE FOLLOWING VOTE: AYES: AFTAB, PAGE, FITZSIMMONS. NOES: WALIA, ZHAO. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

Mayor Fitzsimmons requested a recess at this time.

Mayor Fitzsimmons reconvened the meeting at 11:10 p.m.

### **3. GENERAL BUSINESS**

#### **3.1. Budget Amendment**

##### **Recommended Action:**

Adopt the Resolution amending the 2023-24 City Council adopted budget.

Dan Jacobson, Interim Administrative Services Director, presented the staff report.

Mayor Fitzsimmons invited public comment.

No one requested to speak.

### **RESOLUTION 23-078**

PAGE/WALIA MOVED TO **ADOPT THE RESOLUTION AMENDING THE 2023-24 CITY COUNCIL ADOPTED BUDGET.** MOTION PASSED BY THE FOLLOWING VOTE: AYES: AFTAB, PAGE, WALIA, ZHAO, FITZSIMMONS. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

3.2. Summary of City of Saratoga's Environmental Program

#### **Recommended Action:**

Accept report on the City of Saratoga's Environmental Program and direct staff on next steps.

Mainini Cabute, Environmental Programs Manager, presented the staff report.

Mayor Fitzsimmons invited public comment.

The following individuals spoke: Neha, Nicole Lee, Aiden Chen, Katherine, Amanda, Mark Yu, Lana Levison

WALIA/AFTAB MOVED TO **ACCEPT REPORT ON THE CITY OF SARATOGA'S ENVIRONMENTAL PROGRAM.** 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**

*KSAR Community Access TV Board* – stated John Dietrich, KSAR's new Station Manager was introduced.

*Cities Association of Santa Clara County Board of Directors* – stated in lieu of a meeting the Board held a Regional Housing Bond Symposium.

*Silicon Valley Clean Energy Authority Board of Directors* – stated the Board approved a contract for a new solar energy facility and a contract for a new battery energy storage project.

#### **Council Member Chuck Page**

*West Valley Solid Waste Management Authority Board of Directors* – Council Member Page discussed the collection of municipal waste percentage for cities in the region.

*West Valley Clean Water Program Authority Board of Directors* – stated the results from a recent survey regarding clean storm drain water indicates voters are not in favor of a tax measure related to the topic.

#### **Council Member Belal Aftab**

*Valley Transportation Authority (VTA) Policy Advisory Committee* – stated the Committee reviewed the Climate Action and Adaptation Plan, a Bike & Pedestrian Safety Campaign was launched and Council Member Aftab provided statistics related to VTA usage for the Taylor Swift concert.

Vice Mayor Yan Zhao

Nothing to report.

Mayor Kookie Fitzsimmons

Hakone Foundation Executive Board – stated Emily Lo is Chair, Beverly Harada is Vice Chair and Bonnie Yamaoka is a new Board of Trustee Member; the opening for the Origami show is September 10, 2023 and runs through December.

**CITY COUNCIL ITEMS**

None

**COUNCIL COMMUNICATIONS**

None

**CITY MANAGER'S REPORT**

None

**CITY ATTORNEY'S REPORT**

None

**ADJOURNMENT**

Mayor Fitzsimmons adjourned the meeting at 11:43 p.m.

Minutes respectfully submitted:

Britt Avrit, City Clerk  
City of Saratoga