

**MINUTES**  
**WEDNESDAY, SEPTEMBER 21, 2022**  
**SARATOGA CITY COUNCIL REGULAR MEETING**

At 5:45 p.m., the City Council held an interview for the Library & Community Engagement Commission via teleconferencing through Zoom.

WALIA/BERNALD MOVED TO **APPOINT CRISTINA MEISER TO THE LIBRARY & COMMUNITY ENGAGEMENT COMMISSION FOR A PARTIAL-TERM ENDING SEPTEMBER 30, 2025.** MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, KUMAR, ZHAO, FITZSIMMONS, WALIA. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

At 6:00 p.m., the City Council held a Joint Session with the Youth Commission via teleconferencing through Zoom.

Youth Commission Work Plan

**Recommended Action:**

Meet with Commission, discuss priorities and approve FY 2022/23 work plan with input provided by the City Council.

ZHAO/FITZSIMMONS MOVED TO **APPROVE THE FY 2022/23 WORK PLAN AS PRESENTED.** MOTION PASSED BY VERBAL ROLL CALL. AYES: ZHAO, FITZSIMMONS, WALIA. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: BERNALD, KUMAR.

Mayor Walia called the Regular Session to order in memory of Joyce Hlava 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  
Nick Pegueros, Administrative Services Director  
Debbie Pedro, Community Development Director  
Keith Weiner, Building Official  
Lauren Blom, Public Information Officer  
Mainini Cabute, Environmental Program Manager

## **REPORT FROM JOINT SESSION**

Mayor Walia provided a report of the City Council Joint Session with the Youth Commission.

## **REPORT ON POSTING OF THE AGENDA**

The City Clerk reported the agenda for this meeting was properly posted on September 15, 2022.

## **ORAL COMMUNICATIONS ON NON-AGENDIZED ITEMS**

Mayor Walia invited public comment.

No one requested to speak.

## **ANNOUNCEMENTS**

Mayor Walia shared information about the State of the City Event, Online Art Challenge and Saratoga Loves Poetry, Citywide Scarecrow Competition, Witchy Walk-a-Bout and South Asian Literature & Art Festival.

## **CEREMONIAL ITEMS**

Appointment of Public Art Commissioner and Library & Community Engagement Commissioner

### **Recommended Action:**

Adopt the Resolution re-appointing Gloria Wu to the Public Art Commission and appointing Valerie Nygaard to the Library & Community Engagement Commission and direct the City Clerk to administer the Oaths of Office.

## **RESOLUTION 22-037**

ZHAO/BERNALD MOVED TO **ADOPT THE RESOLUTION RE-APPOINTING GLORIA WU TO THE PUBLIC ART COMMISSION AND APPOINTING VALERIE NYGAARD TO THE LIBRARY & COMMUNITY ENGAGEMENT COMMISSION AND DIRECT THE CITY CLERK TO ADMINISTER THE OATHS OF OFFICE.**  
MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, KUMAR, ZHAO, FITZSIMMONS, WALIA. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

The City Clerk administered the Oath of Office to Gloria Wu at this time.

Suicide Prevention Awareness Month Proclamation

### **Recommended Action:**

Proclaim September 2022 as Suicide Prevention Awareness Month in the City of Saratoga.

The City Council proclaimed September 2022 as Suicide Prevention Awareness Month in the City of Saratoga.

Good Neighbor Day Proclamation

**Recommended Action:**

Proclaim September 28, 2022 as Good Neighbor Day in the City of Saratoga.

The City Council proclaimed September 28, 2022 as Good Neighbor Day in the City of Saratoga.

**1. CONSENT CALENDAR**

Mayor Walia invited public comment on the Consent Calendar.

No one requested to speak.

1.1. City Council Meeting Minutes

**Recommended Action:**

Approve the Minutes for the September 7, 2022 City Council Regular Meeting.

ZHAO/BERNALD MOVED TO **APPROVE THE MINUTES FOR THE SEPTEMBER 7, 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:  
8/31/22 Period 2; 9/8/22 Period 3.

ZHAO/BERNALD MOVED TO **REVIEW AND ACCEPT CHECK REGISTERS FOR THE FOLLOWING ACCOUNTS PAYABLE PAYMENT CYCLES:8/31/22 PERIOD 2; 9/8/22 PERIOD 3.** MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, KUMAR, ZHAO, FITZSIMMONS, WALIA. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

1.3. Review and accept the Treasurer's Report for the month ended July 31, 2022.

**Recommended Action:**

Review and accept the Treasurer's Report for the month ended July 31, 2022.

ZHAO/BERNALD MOVED TO **REVIEW AND ACCEPT THE TREASURER'S REPORT FOR THE MONTH ENDED JULY 31, 2022.** MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, KUMAR, ZHAO, FITZSIMMONS, WALIA. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

**2. GENERAL BUSINESS**

2.1. Railroad Mitigation Improvements Contract with BKF Engineers

**Recommended Action:**

Authorize a new contract with BKF Engineers in the amount of \$120,000 for the design of the four mitigation sites as part of the Blue Hills Pedestrian Railroad Crossing Project.

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

Mayor Walia invited public comment.

The following individuals spoke at this time: Bill Dalton, Laura Gloner, Joan Holland, Jim Stallman, Bobby Gloner, Martha Hayden, Chuck Page

KUMAR/BERNALD MOVED TO **AUTHORIZE A NEW CONTRACT WITH BKF ENGINEERS IN THE AMOUNT OF \$120,000 FOR THE DESIGN OF THE FOUR MITIGATION SITES AS PART OF THE BLUE HILLS PEDESTRIAN RAILROAD CROSSING PROJECT.** MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, KUMAR, ZHAO, FITZSIMMONS, WALIA. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

2.2. Landscaping & Lighting Assessment District LLA-1; Resolutions initiating renewal of the District for FY 23-24.

**Recommended Action:**

1. Move to allow automated license plate readers as an allowable improvement for the District in the Description of Improvements.
2. Move to adopt the Resolution describing improvements and directing preparation of the Engineer's Report for FY 23-24
3. Move to adopt the Resolution appointing the Attorneys for the District for FY 23-24.

John Cherbone, Public Works Director presented the staff report.

Mayor Walia invited public comment.

The following individuals spoke at this time: Sushama Thakker

**RESOLUTION 22-038**

**RESOLUTION 22-039**

WALIA/BERNALD MOVED TO **ALLOW AUTOMATED LICENSE PLATE READERS AS AN ALLOWABLE IMPROVEMENT FOR THE DISTRICT IN THE DESCRIPTION OF IMPROVEMENTS, ADOPT THE RESOLUTION DESCRIBING IMPROVEMENTS AND DIRECTING PREPARATION OF THE ENGINEER'S REPORT FOR FY 23-24, AND ADOPT THE RESOLUTION APPOINTING THE ATTORNEYS FOR THE DISTRICT FOR FY 23-24.** MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, KUMAR, ZHAO, FITZSIMMONS, WALIA. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

2.3. Discussion of Silicon Valley Clean Energy and Valley Water Reach Codes

**Recommended Action:**

Staff recommends that the City Council receive the report and provide direction to staff.

Keith Weiner, Building Official presented the staff report.

Mayor Walia invited public comment.

No one requested to speak.

**BERNALD/WALIA MOVED TO DIRECT STAFF TO MOVE FORWARD WITH THE AMENDMENTS PROPOSED IN THE STAFF REPORT FOR ITEM 1 'B' AND 'C'; ITEM 2 'A' THROUGH 'C'; ITEM 3: 'A' AND 'D'.** MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, KUMAR, ZHAO, WALIA. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: FITZSIMMONS.

After experiencing technical issues, Vice Mayor Fitzsimmons returned to the meeting at this time.

## **COUNCIL ASSIGNMENTS**

### Mayor Tina Walia

*Silicon Valley Clean Energy Authority Board of Directors* - stated the Board approved a new battery storage contract, declared October 5<sup>th</sup> as Clean Air Day, adopted the strategic focus areas for next fiscal year, approved the budget and discussed new construction reach codes for 2022.

### Vice Mayor Kookie Fitzsimmons

Nothing to report

### Council Member Mary-Lynne Bernald

Nothing to report

### Council Member Rishi Kumar

Nothing to report

### Council Member Yan Zhao

*League of California Cities Annual Conference* – stated the new President, Ali Sajjad Taj, for the League of California Cities was elected and the submitted resolutions were adopted.

## **CITY COUNCIL ITEMS**

Council Member Zhao, with support from Vice Mayor Fitzsimmons, requested a future City Council agenda item to discuss and provide direction on returning to in person meetings.

## **COUNCIL COMMUNICATIONS**

None.

## **CITY MANAGER'S REPORT**

None

## **CITY ATTORNEY'S REPORT**

None

## **ADJOURNMENT**

BERNALD/ZHAO MOVED TO **ADJOURN THE MEETING AT 9:56 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