

MINUTES
WEDNESDAY, OCTOBER 18, 2023
SARATOGA CITY COUNCIL REGULAR MEETING

At 5:00 p.m., the City Council held a Joint Session with the Youth Commission in the Linda Callon Conference Room.

Mayor Fitzsimmons invited public comment.

No one requested to speak.

At 6:00 p.m., the City Council held a Joint Session with Senator Cortese and Assemblymember Berman in the Linda Callon Conference Room.

Mayor Fitzsimmons invited public comment.

The following individuals spoke: Dave Dornblaser, Bernie Mills, Jared, a Saratoga resident, and Lakhinder.

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
Leslie Arroyo, Assistant City Manager
Bryan Swanson, Community Development Director
Dan Jacobson, Interim Administrative Services Director
Britt Avrit, City Clerk

REPORT ON POSTING OF THE AGENDA

The City Clerk reported the agenda for this meeting was properly posted on October 12, 2023.

FITZSIMMONS/ZHAO MOVED TO **REARRANGE THE ORDER OF AGENDA ITEMS MOVING CEREMONIAL ITEMS TO BEFORE ORAL COMMUNICATIONS.** MOTION PASSED BY THE FOLLOWING VOTE: AYES: AFTAB, PAGE, WALIA, ZHAO, FITZSIMMONS. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE

REPORT FROM JOINT SESSION

Mayor Fitzsimmons stated the City Council held a Joint Session with the Youth Commission prior to the Regular Session and provided a report of the City Council Joint Session.

Mayor Fitzsimmons stated the City Council held a Joint Session with Senator Cortese and Assemblymember Berman prior to the Regular Session.

Senator Cortese provided a report of the City Council Joint Session.

CEREMONIAL ITEMS

Commendation for Victoria Zhang

Recommended Action:

Commend Victoria Zhang for her service on the Saratoga Library & Community Engagement Commission.

The City Council commended Victoria Zhang for her service on the Saratoga Library & Community Engagement Commission.

Commendation for James Cai

Recommended Action:

Commend James Cai for his service on the Saratoga Public Art Commission.

The City Council recognized the service of James Cai for his service on the Saratoga Public Art Commission.

Commendation for Renee Paquier

Recommended Action:

Commend Renee Paquier for her service on the Saratoga Parks & Recreation Commission.

The City Council recognized the service of Renee Paquier for her service on the Saratoga Parks & Recreation Commission.

ORAL COMMUNICATIONS ON NON-AGENDIZED ITEMS; IN-PERSON ATTENDEES

Mayor Fitzsimmons invited public comment.

The following individuals spoke:

Balaji Bashyam, Jody Tatro, Jeff Newman Lan, Fran Williams, Markus Schaaf, Charlene Wong, Andrew Krainin, Shawna Ballard, Scott Liu, Bernie Mills discussed the Housing Element, zoning, and Builders Remedy.

ANNOUNCEMENTS

Mayor Fitzsimmons shared information about the Great Shakeout Drill, SASCC's Health Fair, the Witchy Walk-A-Bout event, and the Saratoga Chamber of Commerce and Dogwood App's Halloween Pet Parade and Costume Contest.

Council Member Page shared information about adult Trivia Night at the Saratoga Library.

SPECIAL PRESENTATION

Special Presentation of Student Art from Duan Art Studio

Recommended Action:

Receive presentation of student art from Duan Art Studio.

The City Council received a presentation of student art from Duan Art Studio.

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 October 4, 2023, City Council Regular Meeting.

PAGE/ZHAO MOVED TO **APPROVE THE MINUTES FOR THE OCTOBER 4, 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 09/28/2023 and 10/05/2023 accounts payable vendor payment check registers.

PAGE/ZHAO MOVED TO **REVIEW AND ACCEPT THE 09/28/2023 AND 10/05/2023 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. Update to the Bail Schedule

Recommended Action:

Adopt the Resolution approving an updated bail schedule setting bail amounts for violations of Municipal Code provisions adopted or amended since the last update in 2016.

RESOLUTION 23-079

PAGE/ZHAO MOVED TO **ADOPT THE RESOLUTION APPROVING AN UPDATED BAIL SCHEDULE SETTING BAIL AMOUNTS FOR VIOLATIONS OF MUNICIPAL CODE PROVISIONS ADOPTED OR AMENDED SINCE THE LAST UPDATE IN 2016.** MOTION PASSED BY THE FOLLOWING VOTE: AYES: AFTAB, PAGE, WALIA, ZHAO, FITZSIMMONS. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE

1.4. Final Map Approval for Two Lots Located at 14805 Fruitvale Avenue

Recommended Action:

Adopt the Resolution granting final map approval of parcel map application No. ULS22-0002 for two lots located at 14805 Fruitvale Avenue (APN: 397 18 027).

RESOLUTION 23-080

PAGE/ZHAO MOVED TO **ADOPT THE RESOLUTION GRANTING FINAL MAP APPROVAL OF PARCEL MAP APPLICATION NO. ULS22-0002 FOR TWO LOTS LOCATED AT 14805 FRUITVALE AVENUE (APN: 397 18 027).** MOTION PASSED BY THE FOLLOWING VOTE: AYES: AFTAB, PAGE, WALIA, ZHAO, FITZSIMMONS. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE

1.5. Amended Lease Agreement with Los Gatos-Saratoga Community Education and Recreation

Recommended Action:

Approve the Amended Lease Agreement with Los Gatos-Saratoga Community Education and Recreation.

PAGE/ZHAO MOVED TO **APPROVE THE AMENDED LEASE AGREEMENT WITH LOS GATOS-SARATOGA COMMUNITY EDUCATION AND RECREATION.** 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. Resolution Amending the City's Fee Schedule Effective January 3, 2024, and July 1, 2024

Recommended Action:

Adopt a Resolution amending the City of Saratoga's Fee Schedule effective January 3, 2024, and July 1, 2024.

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

Mayor Fitzsimmons invited public comment.

No one requested to speak.

RESOLUTION 23-081

PAGE/AFTAB MOVED TO **ADOPT A RESOLUTION AMENDING THE CITY OF SARATOGA'S FEE SCHEDULE EFFECTIVE JANUARY 3, 2024, AND JULY 1, 2024.** MOTION PASSED BY THE FOLLOWING VOTE: AYES: AFTAB, PAGE, WALIA, ZHAO, FITZSIMMONS. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE

3. GENERAL BUSINESS

3.1. Formation of Cities Association of Santa Clara County Joint Powers Agency

Recommended Action:

Authorize the City Manager to execute an agreement creating the Cities Association of Santa Clara County Joint Powers Agency subject to non-substantive changes approved by the City Manager and City Attorney.

Richard Taylor, City Attorney, presented the staff report.

Margaret Abe-Koga, Mountain View City Council Member and current President of the Cities Association of Santa Clara County, provided a presentation for this item.

Mayor Fitzsimmons invited public comment.

No one requested to speak.

WALIA/ZHAO MOVED TO **AUTHORIZE THE CITY MANAGER TO EXECUTE AN AGREEMENT CREATING THE CITIES ASSOCIATION OF SANTA CLARA COUNTY JOINT POWERS AGENCY SUBJECT TO NON-SUBSTANTIVE CHANGES APPROVED BY THE CITY MANAGER AND CITY ATTORNEY.** MOTION PASSED BY THE FOLLOWING VOTE: AYES: AFTAB, WALIA, ZHAO. NOES: PAGE, FITZSIMMONS. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE

3.2. Automated License Plate Reader Pilot Review

Recommended Action:

Provide direction on Automated License Plate Reader pilot cameras.

Crystal Bothelio, Consultant, presented the staff report.

Mayor Fitzsimmons invited public comment.

The following individuals spoke: Jim Stallman, Dory Albert, Reese Williams.

ZHAO/WALIA MOVED TO **KEEP THE AUTOMATED LICENSE PLATE READER (ALPR) PROGRAM AS IS AND NO LONGER CONSIDER IT A PILOT PROGRAM.** MOTION PASSED BY THE FOLLOWING VOTE: AYES: AFTAB, PAGE, WALIA, ZHAO, FITZSIMMONS. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE

Mayor Fitzsimmons requested a recess at this time.

Mayor Fitzsimmons reconvened the meeting at 9:20 p.m.

3.3. Resolution Supporting Initiative Constitutional Amendment to Protect Local Land Use Control

Recommended Action:

Consider Resolution Supporting Initiative Constitutional Amendment to Protect Local Land Use Control.

Leslie Arroyo, Assistant City Manager, presented the staff report.

Mayor Fitzsimmons invited public comment.

The following individual spoke: Vivek Tiwari

RESOLUTION 23-082

WALIA/PAGE MOVED TO **ADOPT THE RESOLUTION SUPPORTING INITIATIVE CONSTITUTIONAL AMENDMENT TO PROTECT LOCAL LAND USE CONTROL.** MOTION PASSED BY THE FOLLOWING VOTE: AYES: AFTAB, PAGE, WALIA, ZHAO, FITZSIMMONS. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE

3.4. Consideration of Very High Fire Hazard Severity Zones in the Regional Housing Needs Allocation Process

Recommended Action:

Authorize the Mayor to sign a letter from the City Council to State Senator Dave Cortese and Assemblymember Marc Berman requesting legislation to account for Very High Fire Hazard Severity Zones in the Regional Housing Needs Allocation process.

James Lindsay, City Manager, presented the staff report.

Mayor Fitzsimmons invited public comment.

No one requested to speak.

WALIA/PAGE MOVED TO **AUTHORIZE THE MAYOR TO SIGN A LETTER FROM THE CITY COUNCIL TO STATE SENATOR DAVE CORTESE AND ASSEMBLYMEMBER MARC BERMAN REQUESTING LEGISLATION TO ACCOUNT FOR VERY HIGH FIRE HAZARD SEVERITY ZONES IN THE REGIONAL HOUSING NEEDS ALLOCATION PROCESS.** MOTION PASSED BY THE FOLLOWING VOTE: AYES: AFTAB, PAGE, WALIA, ZHAO, FITZSIMMONS. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE

3.5. Discussion of Maintenance of Residential Front Yard Landscaping

Recommended Action:

Staff recommends that the City Council review the information in this report and provide staff direction as needed.

Bryan Swanson, Community Development Director, presented the staff report.

Mayor Fitzsimmons invited public comment.

No one requested to speak.

No action needed; the report was received and filed.

COUNCIL ASSIGNMENTS

Council Member Tina Walia

Cities Association of Santa Clara County Board of Directors – stated the Board received a presentation from The Planning Collaborative.

Silicon Valley Clean Energy Authority Board of Directors - stated the Board authorized entering into the Agency's third Municipal Prepay Bond and, staff led a Study Session about programs focused on reducing emissions from the residential building sector.

Council Member Chuck Page

West Valley Sanitation District Board of Directors - stated the meeting was primarily ministerial and the Board held a Closed Session.

Saratoga Chamber of Commerce Board - stated the Board discussed concerns about the Housing Element, specifically concerns about commercial use becoming residential or mixed-use.

Council Member Belal Aftab

Valley Transportation Authority (VTA) Policy Advisory Committee – stated bus ridership hit a post-pandemic ridership record and, the Committee reviewed the Valley Transportation Plan, and the Climate Action and Adaptation Plan.

Vice Mayor Yan Zhao

Nothing to report

Mayor Kookie Fitzsimmons

Nothing to report

CITY COUNCIL ITEMS

None

COUNCIL COMMUNICATIONS

None

CITY MANAGER'S REPORT

None

CITY ATTORNEY'S REPORT

None

ORAL COMMUNICATIONS ON NON-AGENDIZED ITEMS; VIRTUAL ATTENDEES

Mayor Fitzsimmons invited public comment.

The following individual spoke:

Vivek Tiwari discussed the Housing Element.

ADJOURNMENT

Mayor Fitzsimmons adjourned the meeting at 9:54 p.m.

Minutes respectfully submitted:



Britt Avrit, City Clerk
City of Saratoga