

MINUTES
WEDNESDAY, OCTOBER 20, 2021
SARATOGA CITY COUNCIL REGULAR MEETING

At 5:00 p.m., the City Council held interviews for the Public Art Commission via teleconferencing through Zoom.

Mayor Zhao invited public comment.

No one requested to speak.

BERNALD/WALIA MOVED TO CONTINUE DELIBERATION FOR THE PUBLIC ART COMMISSION SELECTION UNTIL AFTER THE REGULAR SESSION. MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, FITZSIMMONS, KUMAR, WALIA, ZHAO: NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

At 6:02 p.m., the City Council held a Joint Meeting with Saratoga Historical Foundation via teleconferencing through Zoom.

Mayor Zhao invited public comment.

No one requested to speak.

Mayor Zhao called the Regular Session to order at 7:01 p.m. via teleconferencing through Zoom.

Prior to Roll Call, 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 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
Britt Avrit, City Clerk
Sandra Dalida, Interim Administrative Services Director
Debbie Pedro, Community Development Director
Nicole Johnson, Senior Planner
Kayla Nakamoto, Administrative Analyst
(All staff members appearing via teleconference)

REPORT ON POSTING OF THE AGENDA

The City Clerk reported the agenda for this meeting was properly posted on October 14, 2021.

REPORT ON JOINT MEETING

Annette Stransky, President of Saratoga Historical Foundation discussed the Joint Meeting with the City Council.

ORAL COMMUNICATIONS ON NON-AGENDIZED ITEMS

The following individuals spoke at this time:

Jaseng Tea - discussed public pickle ball courts.

Johnson Chiu - discussed public pickle ball courts.

Corinne Vita – supports public pickle ball courts and discussed potential savings to the City and candidates by reducing the candidate statement size in the Voter Information Guide.

ANNOUNCEMENTS

Mayor Zhao shared information about COVID-19, Housing Element Community Meetings, and the State of the City event.

1. CONSENT CALENDAR

Vice Mayor Walia requested that Item 1.3 be removed for separate vote.

Mayor Zhao invited public comment on the Consent Calendar.

No one requested to speak.

1.1. City Council Meeting Minutes

Recommended Action:

Approve the Minutes from the October 6, 2021, City Council Meeting.

BERNALD/FITZSIMMONS MOVED TO **APPROVE THE MINUTES FROM THE OCTOBER 6, 2021, CITY COUNCIL MEETING.** MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, FITZSIMMONS, KUMAR, WALIA, ZHAO: 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:

10/06/21 Period 4; 10/13/21 Period 4

BERNALD/FITZSIMMONS MOVED TO **REVIEW AND ACCEPT CHECK REGISTERS FOR THE FOLLOWING ACCOUNTS PAYABLE PAYMENT CYCLES:10/06/21 PERIOD 4; 10/13/21 PERIOD 4.** MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, FITZSIMMONS, KUMAR, WALIA, ZHAO: NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

1.3. ZOA19-0005- Amendment to the City Zoning Map for 18500 Marshall Lane

Recommended Action:

Adopt the attached ordinance amending the zoning map for 18500 Marshall Lane.

ORDINANCE 381

BERNALD/FITZSIMMONS MOVED TO **ADOPT THE ATTACHED ORDINANCE AMENDING THE ZONING MAP FOR 18500 MARSHALL LANE.** MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, FITZSIMMONS, KUMAR, ZHAO: NOES: WALIA. ABSTAIN: NONE. ABSENT: NONE.

1.4. ZOA21-0002 / Nonflammable 5 Foot Landscape Buffer for New Structures in the Wildland Urban Interface (WUI) Area

Recommended Action:

Adopt the attached ordinance amending Article 15-45 (Single Family Dwelling Design Review) to modify the design review findings regarding landscaping to include a five-foot wide nonflammable buffer around the perimeter of all new structures.

ORDINANCE 382

BERNALD/FITZSIMMONS MOVED TO **ADOPT THE ATTACHED ORDINANCE AMENDING ARTICLE 15-45 (SINGLE FAMILY DWELLING DESIGN REVIEW) TO MODIFY THE DESIGN REVIEW FINDINGS REGARDING LANDSCAPING TO INCLUDE A FIVE-FOOT WIDE NONFLAMMABLE BUFFER AROUND THE PERIMETER OF ALL NEW STRUCTURES.** MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, FITZSIMMONS, KUMAR, WALIA, ZHAO: NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

1.5. Resolution Authorizing Teleconferenced Public Meetings

Recommended Action:

Adopt the Resolution authorizing teleconferenced public meetings for the City of Saratoga City Council and all City of Saratoga legislative bodies pursuant to Assembly Bill 361.

RESOLUTION 21-073

BERNALD/FITZSIMMONS MOVED TO **ADOPT THE RESOLUTION AUTHORIZING TELECONFERENCED PUBLIC MEETINGS FOR THE CITY OF SARATOGA CITY COUNCIL AND ALL CITY OF SARATOGA LEGISLATIVE BODIES PURSUANT TO ASSEMBLY BILL 361.** MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, FITZSIMMONS, KUMAR, WALIA, ZHAO: NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

1.6. Resolution Appoint City Representatives to the PLAN JPA Board of Directors

Recommended Action:

Adopt resolution appointing the City Manager as the Primary Representative and the Human Resource Manager as the Alternate Representative to the Pooled Liability Assurance Network Joint Powers Association's Board of Directors.

RESOLUTION 21-074

BERNALD/FITZSIMMONS MOVED TO ADOPT RESOLUTION APPOINTING THE CITY MANAGER AS THE PRIMARY REPRESENTATIVE AND THE HUMAN RESOURCE MANAGER AS THE ALTERNATE REPRESENTATIVE TO THE POOLED LIABILITY ASSURANCE NETWORK JOINT POWERS ASSOCIATION'S BOARD OF DIRECTORS. MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, FITZSIMMONS, KUMAR, WALIA, ZHAO: NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

2. GENERAL BUSINESS

2.1. Automated License Plate Reader Update

Recommended Action:

Direct staff accordingly.

Crystal Bothelio, Assistant City Manager, presented the staff report.

Mayor Zhao invited public comment on the item.

The following individuals spoke on this item: Jason Heimann, Uday Kapoor, John Riffin, Chris Vasquez, Sesh Ramaswami, Art Dana, Corinne Vita, Boris Yendler, Tammany, Martin Goldberg, Dave House, Divya Puri, Jeffrey Schwartz

KUMAR/BERNALD MOVED TO DIRECT STAFF TO BRING BACK THE FRAMEWORK OF A PILOT PROGRAM FOR A FINITE TIME FOR FLOCK ALPR CAMERAS THAT WOULD INCLUDE COST AND PLACEMENT LOCATIONS AND A COMPREHENSIVE PLAN TO INTEGRATE EXISTING CAMERAS WITHIN THE CITY TO BE INCLUDED AND CONSIDER POINTS MADE BY THE PUBLIC WHEN CREATING THE FRAMEWORK.

WALIA REQUESTED FRIENDLY AMENDMENT TO ADD A BUDGET MAXIMUM OF \$25K A YEAR; AMENDMENT FAILED - MAKER OF THE MOTION DID NOT AGREE

KUMAR/BERNALD AMENDED THE MOTION TO INCLUDE FIVE CAMERAS FOR ONE YEAR

FITZSIMMONS REQUESTED A FRIENDLY AMENDMENT TO CONSIDER DIRECTING STAFF TO ADDRESS ALL SEVEN COMPONENTS LISTED IN THE STAFF REPORT AS PART OF A PILOT PROGRAM

KUMAR/BERNALD MODIFIED THE ORIGINAL MOTION AS FOLLOWS **DIRECT STAFF TO BRING BACK THE FRAMEWORK OF A PILOT PROGRAM FOR ONE YEAR FOR MINIMUM FIVE FLOCK ALPR CAMERAS THAT WOULD INCLUDE COST AND PLACEMENT LOCATIONS AND A COMPREHENSIVE PILOT PLAN TO INCLUDE OTHER COMPONENTS LISTED IN THE STAFF REPORT.** MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, FITZSIMMONS, KUMAR, WALIA, ZHAO: NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

The Mayor requested a brief recess and reconvened the meeting at 9:36 p.m.

2.2. City Council Support for Proposed Statewide Initiative Regarding Local Land Use
Recommended Action:

Approve the resolution in support of the proposed statewide initiative regarding local land use referred to as the Californians for Community Planning Initiative by proponents.

Crystal Bothelio, Assistant City Manager, presented the staff report.

Mayor Zhao invited public comment on the item.

The following individual spoke on this item: Jeffrey Schwartz

RESOLUTION 21-075

WALIA/BERNALD MOVED TO **APPROVE THE RESOLUTION IN SUPPORT OF THE PROPOSED STATEWIDE INITIATIVE REGARDING LOCAL LAND USE REFERRED TO AS THE CALIFORNIANS FOR COMMUNITY PLANNING INITIATIVE BY PROPONENTS.** MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, FITZSIMMONS, KUMAR, WALIA, ZHAO: NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

COUNCIL ASSIGNMENTS

Council Member Mary-Lynne Bernald

Hakone Foundation Board & Executive Committee - stated the next meeting is scheduled for October 21, 2021.

Santa Clara/Santa Cruz Airport/Community Roundtable – stated at the meeting scheduled for November 11, 2021 she will be requesting that the members of the Roundtable request approval from their respective City Councils to approve the Cities Association’s request to wrap up the fiscal sponsorship with the Cities Association.

Council Member Kookie Fitzsimmons

Chamber of Commerce – stated businesses in the Village support keeping the parklets in place and a one-year extension will be requested from Caltrans.

Council Member Rishi Kumar

Nothing to report

Vice Mayor Tina Walia

Silicon Valley Clean Energy Authority Board of Directors – stated Silicon Valley Clean Energy is exceeding clean energy goals, is exceeding state requirements and is set to exceed future requirements; three renewable energy projects have begun.

Mayor Yan Zhao

Valley Transportation Authority (VTA) Policy Advisory Committee – stated the Committee received a report on ridership and discussed ridership rates compared to Fiscal Year 2020; discussed the proposed transit-oriented development project.

CITY COUNCIL ITEMS

Council Member Bernald requested the City honor Betty Peck’s 100th birthday, discussed progress regarding pickle ball and potential park funds to get a designated court.

Bernald/Walia requested a future City Council agenda item to consider an ordinance to ban the sale of menthol cigarettes.

Zhao/Walia nominated the extension of Joe’s Trail for the CIP project list.

COUNCIL COMMUNICATIONS

Council Member Kumar discussed San Jose Water Company and suggested people file a protest to the proposed surcharge increase with the PUC.

CITY MANAGER'S REPORT

The City Manager stated an update regarding pickleball will be provided this week in the newsletter.

The City Council resumed the Public Art Commission Interviews item at this time.

BERNALD/WALIA MOVED TO APPOINT GLORIA WU TO THE PUBLIC ART COMMISSION FOR A ONE-YEAR TERM ENDING SEPTEMBER 2022. MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, FITZSIMMONS, KUMAR, WALIA, ZHAO: NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

BERNALD/WALIA MOVED TO APPOINT JAMES CAI TO THE PUBLIC ART COMMISSION FOR A TWO-YEAR TERM ENDING SEPTEMBER 2023. MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, FITZSIMMONS, KUMAR, WALIA, ZHAO: NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

BERNALD/WALIA MOVED TO APPOINT RAMYA VASU TO THE PUBLIC ART COMMISSION FOR A THREE-YEAR TERM ENDING SEPTEMBER 2024. MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, FITZSIMMONS, KUMAR, WALIA, ZHAO: NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

BERNALD/WALIA MOVED TO APPOINT SOHINI KAR TO THE PUBLIC ART COMMISSION FOR A FULL-TERM ENDING SEPTEMBER 2025. MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, FITZSIMMONS, KUMAR, WALIA, ZHAO: NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

BERNALD/WALIA MOVED TO APPOINT SIANA SMITH TO THE PUBLIC ART COMMISSION FOR A FULL-TERM ENDING SEPTEMBER 2025 MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, FITZSIMMONS, KUMAR, WALIA, ZHAO: NOES: NONE. ABSTAIN: NONE. ABSENT: NONE., BERNALD. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

ADJOURNMENT

BERNALD/WALIA MOVED TO ADJOURN THE MEETING AT 10:27 P.M. MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, FITZSIMMONS, KUMAR, WALIA, ZHAO: NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

Minutes respectfully submitted:

Britt Avrit, MMC, City Clerk
City of Saratoga