

MINUTES
WEDNESDAY, NOVEMBER 2, 2022
SARATOGA CITY COUNCIL REGULAR MEETING

At 5:30 p.m., the City Council held a Joint Session with Saratoga Schools via teleconferencing through Zoom.

Joint Session with Saratoga Schools

Recommended Action:

Receive updates from Saratoga Schools

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

The City Clerk explained the City Council meeting was conducted pursuant to State law as amended by Assembly Bill 361, which allows the meeting to be conducted by teleconference. The City Council has met all the applicable notice requirements and the public is welcome to participate in person or 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

REPORT FROM JOINT SESSION

Mayor Walia provided a report of the City Council Joint Session with Saratoga Schools.

REPORT ON POSTING OF THE AGENDA

The City Clerk reported the agenda for this meeting was properly posted on October 27, 2022.

ORAL COMMUNICATIONS ON NON-AGENDIZED ITEMS

Mayor Walia invited public comment.

The following individuals spoke at this time:

Bill Dalton discussed RHNA numbers.

Clyde Zaya discussed parklets.

Kathy discussed building and trees being trimmed near her home.

ANNOUNCEMENTS

Mayor Walia shared information about the Annual Holiday Tree Lighting and Wine Stroll, Structure Hardening Incentives, and Commission Recruitments.

CEREMONIAL ITEMS

Commendation for Cynthia Chang

Recommended Action:

Commend Cynthia Chang for her service to the Saratoga community in multiple capacities.

The City Council commended Cynthia Chang for her service to the Saratoga community in multiple capacities.

Mayor Walia invited public comment.

The following individuals spoke at this time: Katherine Tseng, Paul Griffith, Nai Hsueh, Lisa Liu, Charlotte Sparacino, Chuck Page, Jen.

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 October 19, 2022 City Council Regular Meeting.

FITZSIMMONS/BERNALD MOVED TO **APPROVE THE MINUTES FOR THE OCTOBER 19, 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:
10/13/22 Period 4; 10/19/22 Period 4.

FITZSIMMONS/BERNALD MOVED TO **REVIEW AND ACCEPT CHECK REGISTERS FOR THE FOLLOWING ACCOUNTS PAYABLE PAYMENT CYCLES: 10/13/22 PERIOD 4; 10/19/22 PERIOD 4.** MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, KUMAR, ZHAO, FITZSIMMONS, WALIA. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

1.3. Treasurer's Report for the Month Ended September 30, 2022

Recommended Action:

Review and accept the Treasurer's Report for the month ended September 30, 2022.

FITZSIMMONS/BERNALD MOVED TO **REVIEW AND ACCEPT THE TREASURER'S REPORT FOR THE MONTH ENDED SEPTEMBER 30, 2022.** MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, KUMAR, ZHAO, FITZSIMMONS, WALIA. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

1.4. 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 continue the option of holding City of Saratoga Brown Act meetings by teleconference.

FITZSIMMONS/BERNALD MOVED TO **RECONSIDER AND CONFIRM FINDINGS PURSUANT TO ASSEMBLY BILL 361 OF THE CONTINUED PUBLIC HEALTH OFFICIALS' RECOMMENDATION TO SOCIAL DISTANCE AND TO THEREFORE CONTINUE THE OPTION OF HOLDING 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.

1.5. Quito Village Final Map for One Lot With 90 Condominiums Located at 18764 Cox Avenue

Recommended Action:

Move to adopt Resolution granting final map approval of parcel map application No. MAP 22-0001 for one lot located at 18764 Cox Avenue (APN 389-12-020).

RESOLUTION 22-043

FITZSIMMONS/BERNALD MOVED TO **ADOPT A RESOLUTION GRANTING FINAL MAP APPROVAL OF PARCEL MAP APPLICATION NO. MAP 22-0001 FOR ONE LOT LOCATED AT 18764 COX AVENUE (APN 389-12-020).** 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. Adoption of the 2022 California Building Standards Code with Local Modifications

Recommended Action:

- (1) Conduct a public hearing
- (2) Introduce and waive the first reading of the attached ordinance adopting and modifying the referenced codes; and
- (3) Direct staff to place the ordinance and the attached resolution making findings regarding proposed modifications to the referenced codes on the consent calendar for adoption on November 16, 2022

Keith Weiner, Building Official presented the staff report.

Mayor Walia invited public comment.

The following individuals spoke at this time: Bill Dalton, Kristel Wickham

BERNALD/ZHAO MOVED TO INTRODUCE AND WAIVE THE FIRST READING OF THE ORDINANCE ADOPTING AND MODIFYING THE REFERENCED CODES, AND DIRECT STAFF TO PLACE THE ORDINANCE AND THE RESOLUTION MAKING FINDINGS REGARDING PROPOSED MODIFICATIONS TO THE REFERENCED CODES ON THE CONSENT CALENDAR FOR ADOPTION ON NOVEMBER 16, 2022. 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. Prospect Road Cost Share Agreement with the City of Cupertino in the Amount of \$164,834

Recommended Action:

Approve the Prospect Road Cost Share Agreement with the City of Cupertino in the amount of \$164,833.91.

John Cherbone, Public Works Director presented the staff report.

Mayor Walia invited public comment.

No one requested to speak.

FITZSIMMONS/BERNALD MOVED TO APPROVE THE PROSPECT ROAD COST SHARE AGREEMENT WITH THE CITY OF CUPERTINO IN THE AMOUNT OF \$164,833.91. MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, KUMAR, ZHAO, FITZSIMMONS, WALIA. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

COUNCIL ASSIGNMENTS

Mayor Tina Walia

Hakone Foundation Board of Trustees and Executive Board – stated the Board is continuing its efforts for new programs including kids art and youth ambassador program and fundraising opportunities including partnering with individuals for consideration of Hakone in trusts and wills; stated the Foundation’s finances look good overall and Mayor Walia discussed the current art exhibit at the Cultural Exchange Center.

West Valley Mayors & Managers Association –stated the group discussed the Silicon Valley Regional Interoperability Authority (SVRIA) Board Rotation Policy.

Council Finance Committee – stated the Committee received an overview of the Other Post-Employment Benefits (OPEB) actuarial and received a report for the Single Audit update for FY 21-22.

Vice Mayor Kookie Fitzsimmons

Nothing to report

Council Member Mary-Lynne Bernald

West Valley Sanitation District Board of Directors – stated the Board will be reviewing the proposals submitted by Green Waste Recovery and West Valley Collection and Recycling.

County Recycle Waste and Reduction Commission – stated the Commission reviewed upcoming legislation and the potential impacts of the legislation.

Saratoga Historical Foundation Board of Directors – stated the Board received an update regarding the Blacksmith Shop and stated the ribbon cutting would take place in 2023; the Board had questions about the Temporary Compliance Plan for House Family Winery, Council Member Bernald informed the Board the City received the Initial Draft Response from HCD regarding the Housing Element; the Board discussed fundraising and recently held a Volunteer Appreciation Event.

Council Member Yan Zhao

West Valley Sanitation District Board of Directors – stated she attended the meeting with nothing to report.

Saratoga Ministerial Association – stated the Association discussed the upcoming Celebration of Light Event and the Thanksgiving Service Event.

Council Member Rishi Kumar

Santa Clara County Library District Board of Directors - stated the Board accepted the Year End Fiscal Report, stated the Library received multiple awards and employees were recognized and the Board received the Year-End Service Report update.

Santa Clara Valley Water Commission – stated the Commission received the Drought Emergency Response and Water Supply update and Council Member Kumar provided statistics regarding landscape rebate applications.

West Valley Solid Waste Management Authority Board of Directors - discussed the proposals submitted by Green Waste Recovery and West Valley Collection and Recycling.

CITY COUNCIL ITEMS

None.

COUNCIL COMMUNICATIONS

None.

CITY MANAGER'S REPORT

The City Manager thanked staff for the work done for the hybrid meeting.

CITY ATTORNEY'S REPORT

None

ADJOURNMENT

BERNALD/FITZSIMMONS MOVED TO ADJOURN THE MEETING AT 8:34 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