

**MINUTES
MONDAY, JANUARY 10, 2022
SARATOGA CITY COUNCIL
SPECIAL MEETING**

At 6:00 p.m., the City Council held a Special Meeting via teleconferencing through Zoom.

Mayor Walia called the meeting to order at 6:00 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 Tina Walia, Vice Mayor Kookie Fitzsimmons, Council Members Mary-Lynne Bernald, Rishi Kumar, Yan Zhao
(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
Debbie Pedro, Community Development Director
Kayla Nakamoto, Administrative Analyst
Lauren Pettipiece, Public Information Officer
Nicole Johnson, Senior Planner
David Dorcich, Associate Civil Engineer
(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 January 6, 2022.

AGENDA ITEMS:

1. Reconsider and confirm findings pursuant to Assembly Bill 361

Recommended Action:

Reconsider and confirm findings pursuant to Assembly Bill 361 of the continued existence of a state of emergency and public health officials' recommendation of social distancing.

Britt Avrit, City Clerk, presented the staff report.

Mayor Walia invited public comment on the item.

The following individuals spoke on this item: Joanne Birmingham, Daniel Onn, Ray Froess, Dory Albert, Dick Wheeler, Glenda Aune, Ellis

BERNALD/FITZSIMMONS MOVED TO RECONSIDER AND CONFIRM FINDINGS PURSUANT TO ASSEMBLY BILL 361 OF THE CONTINUED EXISTENCE OF A STATE OF EMERGENCY AND PUBLIC HEALTH OFFICIALS' RECOMMENDATION OF SOCIAL DISTANCING. MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, KUMAR, ZHAO, FITZSIMMONS, WALIA: NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

2. Housing Element Update - Housing Opportunity Sites, Policies and Programs
Recommended Action:
Provide direction to staff.

Mayor Walia noted the number of attendees and the number of people expected to address the City Council on this item and asked if the City Council would like to consider reducing the public speaking time to one minute per person.

KUMAR/FITZSIMMONS MOVED TO CHANGE THE PUBLIC SPEAKING TIME TO ONE MINUTE PER PERSON FOR THIS ITEM. MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, KUMAR, ZHAO, FITZSIMMONS, WALIA: NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

Debbie Pedro, Community Development Director, presented the staff report.

Mayor Walia invited public comment on the item.

The following individuals spoke on this item: Ramesh and Shashi Agarwal, Jeffrey Schwartz, Karthik Iyer, Susanne Karlak, James Foley, Belal Aftab, Terry Cabrinha, Tanya, Chris Vasquez, Daniel Onn, Dick Wheeler, Mukund Ramaratnam, Ron Leckie, Casa Blanca Residents, Ellis, Robert Ducote, Peter Boulton, Tom, Steven Kramer, Scott Connelly, Naveen

Mayor Walia requested a recess and reconvened the meeting at 8:10 p.m.

Public comment continued with the following individuals speaking on this item: Steven Leslie, Ray Froess, Leon Qin, Dory Albert, Corinne Vita, Sundeep, Glenda Aune, Ketan Karkhanis, Yogesh Nivas, Aslihan, Vicki Kramer, Jerry Schaaf, Pat, Anne Johnson, Sunitha Avers, David, George and Anne Gadd, Mike Speckman, Aashish Pant, Fulusu, Gary Smith, Ed Grabowy, Cathie Watson-Short, Narayanan Thondugulam, Pankaj, Steve Moore, Haydee, David Dornblaser, Debbie Ball-McNally, Nimisha, Kum, Randy Jewell, William Ford, Satya Simha, Hari Ravi, M. Robertson, Holly Anderson, Boris Yendler, Brian Berkeley, Mary Pat, PS, Val Marvin, Berna Erol, Dave & Debra Yoffie, Kathy, Ken, Radha, Pat and Jan Adamiak, Kostas Tsioutsoulis, Brad Paulsen, Stephen Morrow, Huff, Margaret, Phil, Omar Z, Seema Dubey, John Reagan, Radhika, Eric, Nancy Lietzke, David Anderson, Bashyam Anant, Ledong Shen, E Chan, Amanda and Steve Klinger, ghugger, Bharath Kumar, Deepa Padaki, J Jones, Sorin

Cismas, Preeti, Piyush Sancheti, Joy Ciffone, Sangeetha, Manoj, Karthik Bhat, Michael Bennette, Jeff, Greg Dean, Debra Yoffie

Mayor Walia requested a recess and reconvened the meeting at 10:10 p.m.

Public comment continued with the following individuals speaking on this item: Vaibhav Dubey, Visa G, Anthony Fisher, Alok Mahajan, Mona Kaur, Debbie Zhang, Marc, Cecilia Liu, Reshma Hyder, Niall King, Don, Tim McNally, Purvi, Amer Haider, Robert Varish, Larry Schwerin, Debra Kurzke, Balaji V, Cynthia Newton, Kathy D, Lan Kan, Lawrence Hernandez, A, Kay Agarwal, Chidambaram Sambasivam, Mary Ann Welch, Lillie Gee, Vijay, Elaine Clabeaux, Betty Morse

Mayor Walia requested a recess and reconvened the meeting at 12:15 a.m.

The City Council began discussion of the policies and programs recommended by the Planning Commission.

Vice Mayor Fitzsimmons stated her family owns property in the Village and recused herself from discussion regarding the proposed policy on height limits in CH-1 and CH-2 zoning districts and the City Clerk changed her status in the meeting to ‘Attendee.’

ZHAO/BERNALD MOVED TO **INCLUDE THE FOLLOWING POLICY IN THE HOUSING ELEMENT TO BE EVALUATED IN THE ENVIRONMENTAL IMPACT REPORT: INCREASE THE STANDARD HEIGHT LIMITS IN CH-1 AND CH-2 ZONING DISTRICTS FROM 26 FEET TO 35 FEET.** MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, ZHAO, WALIA: NOES: NONE. ABSTAIN: KUMAR. RECUSED: FITZSIMMONS.

Council Member Kumar left the meeting at 12:29 a.m.

Vice Mayor Fitzsimmons returned to the meeting as a ‘Panelist’ at this time.

ZHAO/BERNALD MOVED TO **INCREASE STORY LIMITS FOR MULTIFAMILY DEVELOPMENT PROJECTS TO ACCOMMODATE THE ALLOWABLE DENSITY ON OPPORTUNITY SITES.** MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, ZHAO, FITZSIMMONS, WALIA: NOES: NONE. ABSTAIN: NONE. ABSENT: KUMAR.

ZHAO/BERNALD MOVED TO **INCLUDE THE FOLLOWING POLICY IN THE HOUSING ELEMENT TO BE EVALUATED IN THE ENVIRONMENTAL IMPACT REPORT: INCREASE STORY LIMITS FOR MULTIFAMILY DEVELOPMENT PROJECTS TO ACCOMMODATE THE ALLOWABLE DENSITY ON OPPORTUNITY SITES.** MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, ZHAO, FITZSIMMONS, WALIA: NOES: NONE. ABSTAIN: NONE. ABSENT: KUMAR.

BERNALD/FITZSIMMONS MOVED TO **DIRECT STAFF TO EXCLUDE THE PROPOSED POLICY TO CREATE A PROPERTY TAX INCENTIVE FOR NEW DEED RESTRICTED ACCESSORY DWELLING UNITS (ADUs) BY ESTABLISHING NEW RULES TO ALLOW EXEMPTION FROM INCREMENTAL PROPERTY TAX ASSESSMENT FOR DEED RESTRICTED ADUs ADDED BEFORE 2031 FROM THE HOUSING ELEMENT.** MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, ZHAO, FITZSIMMONS, WALIA: NOES: NONE. ABSTAIN: NONE. ABSENT: KUMAR.

BERNALD/FITZSIMMONS MOVED TO **INCLUDE THE FOLLOWING POLICY IN THE HOUSING ELEMENT TO BE EVALUATED IN THE ENVIRONMENTAL IMPACT REPORT: ESTABLISH AN INCLUSIONARY ORDINANCE REQUIRING 15% OF UNITS, WITH FIVE DWELLING UNITS PER ACRE MINIMUM, BE USED TOWARDS AFFORDABLE HOUSING PROGRAMS WITH NO IN-LIEU FEE OPTION**

Additional discussion took place.

Direction was given to staff to table the discussion regarding the Inclusionary Ordinance until January 19, 2022.

BERNALD/FITZSIMMONS MOVED TO **DIRECT STAFF TO EXCLUDE THE HOME SHARE PROGRAM FROM THE HOUSING ELEMENT.** MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, ZHAO, FITZSIMMONS, WALIA: NOES: NONE. ABSTAIN: NONE. ABSENT: KUMAR.

BERNALD/FITZSIMMONS MOVED TO **INCLUDE THE FOLLOWING POLICIES IN THE HOUSING ELEMENT TO BE EVALUATED IN THE ENVIRONMENTAL IMPACT REPORT: REDUCE SETBACK REQUIREMENTS FOR SMALLER PARCELS TO REDUCE DEVELOPMENT BARRIERS; REDUCE OR ELIMINATE PERMIT FEES TO ENCOURAGE THE PRODUCTION OF ADUs AND JUNIOR ADUs THAT ARE DEED RESTRICTED FOR AFFORDABLE HOUSING; FURTHER STREAMLINE THE PERMIT PROCESS FOR ADUs BY DEVELOPING A PERMIT READY ADU PROGRAM TO OFFER PROPERTY OWNERS A SELECTION OF PRE-APPROVED ADU BUILDING PLANS; DEVELOP OUTREACH PROGRAMS TO PROMOTE ADUs THROUGH MORE CHANNELS; AND, CREATE A NEW LAND USE AND ZONING DESIGNATION FOR MIXED-USE SITES WHICH ALLOWS 100% RESIDENTIAL AS AN OPTION FOR SOME SITES.** MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, ZHAO, FITZSIMMONS, WALIA: NOES: NONE. ABSTAIN: NONE. ABSENT: KUMAR.

Mayor Walia stated her personal residence is close to the Argonaut Center and recused herself from discussion regarding the proposed policy to “Retain commercial land use and zoning for commercial uses only (e.g., Argonaut Shopping Center) and the City Clerk changed her status in the meeting to ‘Attendee.’

ZHAO/BERNALD MOVED TO **INCLUDE THE FOLLOWING POLICIES IN THE HOUSING ELEMENT TO BE EVALUATED IN THE ENVIRONMENTAL IMPACT REPORT: RETAIN COMMERCIAL LAND USE AND ZONING FOR COMMERCIAL USES ONLY (E.G., ARGONAUT SHOPPING CENTER).** MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, ZHAO, FITZSIMMONS: NOES: NONE. ABSENT: KUMAR. RECUSED: WALIA.

BERNALD/FITZSIMMONS MOVED TO **APPLY THE COMMERCIAL USE ONLY TO THE PARCELS LOCATED AT SARATOGA-SUNNYVALE ROAD/PIERCE.**

Additional discussion took place.

Council Member Bernald removed the motion.

FITZSIMMONS/WALIA MOVED TO **HOLD A SPECIAL MEETING ON JANUARY 20, 2022 AT 7:00 P.M.** MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, ZHAO, FITZSIMMONS, WALIA: NOES: NONE. ABSTAIN: NONE. ABSENT: KUMAR.

ZHAO MOVED TO **BRING BACK ALL OPPORTUNITY SITES, TO INCLUDE THE VILLAGE, THE PROSPECT CENTER AND THE PARCEL AT SUNNYVALE-SARATOGA ROAD/BLAUER, FOR CONSIDERATION AT THE NEXT MEETING.**

Motion failed for lack of a second.

ADJOURNMENT

BERNALD/ZHAO MOVED TO **ADJOURN THE MEETING AT 2:06 A.M.** MOTION PASSED BY VERBAL ROLL CALL. AYES: BERNALD, ZHAO, FITZSIMMONS, WALIA: NOES: NONE. ABSTAIN: NONE. ABSENT: KUMAR.

Minutes respectfully submitted:

Britt Avrit, MMC, City Clerk
City of Saratoga