

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

At 5:00 p.m., the City Council held a Closed Session via teleconferencing through Zoom.

At 6:00 p.m., the City Council held a Study Session on Mission Statement, Statement of Values, and City Council Strategic Goals via teleconferencing through Zoom.

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

Mayor Zhao invited public comment on the item.

No one requested to speak.

The Council requested the following changes to the Statement of Values and City Council Strategic Goals:

- Statement of Values: Change “forgoing” to “foregoing” in the last paragraph.
- City Council Strategic Goals: Add “as needed” to the end of Goal 3.b.ii.
- City Council Strategic Goals: Under Goal 3 Public Safety, add new section c titled Wildfire Prevention with the following goals: i) Engage community participation in wildfire prevention awareness through community forums; ii) Establish a Wildfire Public Safety Task Force to improve fire prevention programs, as needed; and iii) Build relationships with the community through programs like Firewise Communities.
- City Council Strategic Goals: Change the word “create” to “Maintain and/or update” in Goal 5.a.iii.
- City Council Strategic Goals: Replace “opens” with ‘open’ in Goal 6.c.i.
- City Council Strategic Goals: Remove “improving” from Goal 6.f.ii.
- City Council Strategic Goals: In Goal 7.b, add new section iv. Maintain and/or update Climate Action Plan.

City Manager James Lindsay shared that the changes would be brought to the City Council at a future Regular Meeting for adoption.

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

Prior to Roll Call, the Mayor and City Clerk explained that the City Council meeting was conducted pursuant to provisions of the Brown Act and a recent Executive Order issued by the Governor to facilitate teleconferencing to reduce the risk of COVID-19 transmission at public meetings. Ordinarily the Brown Act sets strict rules for teleconferencing. The Governor’s Executive Order has suspended those rules. The Executive Order does require that public agencies continue to notice meetings in advance and provide members of the public an opportunity to observe the meeting and offer public comment. The City Council met all of the applicable notice requirements and the public is welcome to

participate in this meeting. Information on how the public can observe the meeting and provide public comment was also shared. Additionally, the Mayor explained that votes would be taken through roll call.

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
Debbie Bretschneider, City Clerk
Mary Fury, Administrative Services Director
Debbie Pedro, Community Development Director
John Cherbone, Public Works Director
Dennis Jaw, Finance Manager
Mainini Cabute, Environmental Program Manager
(All staff members appearing via teleconference)

City Clerk Debbie Bretschneider confirmed all City Council members could hear the meeting proceedings and no doubts were expressed regarding the identities of the individuals representing themselves as City Council Members.

REPORT ON POSTING OF THE AGENDA

City Clerk Debbie Bretschneider reported that the agenda for this meeting was properly posted on January 15, 2021.

REPORT FROM CLOSED SESSION

Mayor Zhao reported that there was no reportable action from the Closed Session.

REPORT FROM STUDY SESSION

Mayor Zhao reported on the Study Session about the Mission Statement, Statement of Values, and City Council Strategic Goals.

ORAL COMMUNICATIONS ON NON-AGENDIZED ITEMS

Eric Cao spoke on the Mayoral rotation protocol

ANNOUNCEMENTS

Mayor Zhao shared information about Paint the City, the Hakone online gift shop, COVID-19 updates, and the online City of Saratoga planning map.

CEREMONIAL ITEMS

Appointment of Heritage Preservation Commissioner

Recommended Action:

Approve the resolution appointing 1 member to the Heritage Preservation Commission and direct the City Clerk to administer the Oath of Office.

RESOLUTION 21-001

FITZSIMMONS/WALIA MOVED TO **APPROVE THE RESOLUTION APPOINTING 1 MEMBER TO THE HERITAGE PRESERVATION COMMISSION AND DIRECT THE CITY CLERK TO ADMINISTER THE OATH OF OFFICE.** MOTION PASSED BY VERBAL ROLL CALL. AYES: ZHAO, WALIA, KUMAR, FITZSIMMONS. NOES: BERNALD. ABSTAIN: NONE. ABSENT: NONE.

1. CONSENT CALENDAR

1.1. City Council Meeting Minutes

Recommended Action:

Approve the City Council minutes for the Special City Council Meeting on December 15, 2020 and the Regular City Council Meeting on December 16, 2020.

FITZSIMMONS/WALIA MOVED TO **APPROVE THE CITY COUNCIL MINUTES FOR THE SPECIAL CITY COUNCIL MEETING ON DECEMBER 15, 2020 AND THE REGULAR CITY COUNCIL MEETING ON DECEMBER 16, 2020.** MOTION PASSED BY VERBAL ROLL CALL. AYES: ZHAO, WALIA, KUMAR, BERNALD. NOES: NONE. ABSTAIN: FITZSIMMONS. ABSENT: NONE.

1.2. Review of Accounts Payable Check Registers

Recommended Action:

Review and accept check registers for the following accounts payable payment cycles: 12/16/2020 Period 6; 01/06/21 Period 7; and 01/12/21 Period 7.

FITZSIMMONS/WALIA MOVED TO **ACCEPT CHECK REGISTERS FOR THE FOLLOWING ACCOUNTS PAYABLE PAYMENT CYCLES: 12/16/2020 PERIOD 6; 01/06/21 PERIOD 7; AND 01/12/21 PERIOD 7.** MOTION PASSED BY VERBAL ROLL CALL. AYES: ZHAO, WALIA, KUMAR, FITZSIMMONS, BERNALD. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

1.3. Treasurer's Report for the Month Ended November 30, 2020

Recommended Action:

Review and accept the Treasurer's Report for the month ended November 30, 2020.

FITZSIMMONS/WALIA MOVED TO **ACCEPT THE TREASURER'S REPORT FOR THE MONTH ENDED NOVEMBER 30, 2020.** MOTION PASSED BY VERBAL ROLL CALL. AYES: ZHAO, WALIA, KUMAR, FITZSIMMONS, BERNALD. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

1.4. Annual SB 165 Special Tax & Bond Accountability Annual Report

Recommended Action:

City Council to receive and file the annual report on the Arrowhead Community Facility District (CFD) bond debt, in compliance with the Local Agency Special Tax and Bond Accountability Act.

FITZSIMMONS/WALIA MOVED TO **RECEIVE AND FILE THE ANNUAL REPORT ON THE ARROWHEAD COMMUNITY FACILITY DISTRICT (CFD) BOND DEBT, IN COMPLIANCE WITH THE LOCAL AGENCY SPECIAL TAX AND BOND ACCOUNTABILITY ACT.** MOTION PASSED BY VERBAL ROLL CALL. AYES: ZHAO, WALIA, KUMAR, FITZSIMMONS, BERNALD. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

1.5. Resolution Authorizing Final Disposition of Certain City Records

Recommended Action:

Adopt resolution authorizing final disposition of certain city records.

RESOLUTION 21-002

FITZSIMMONS/WALIA MOVED TO **ADOPT RESOLUTION AUTHORIZING FINAL DISPOSITION OF CERTAIN CITY RECORDS.** MOTION PASSED BY VERBAL ROLL CALL. AYES: ZHAO, WALIA, KUMAR, FITZSIMMONS, BERNALD. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

2. PUBLIC HEARING

None

3. GENERAL BUSINESS

3.1. AB1600 Development Impact Fee Report

Recommended Action:

Review and accept the annual AB1600 Development Impact Fee report for the fiscal year ended June 30, 2020.

Dennis Jaw, Finance Manager, presented the staff report.

Mayor Zhao invited public comment on the item.

No one requested to speak.

FITZSIMMONS/BERNALD MOVED TO **REVIEW AND ACCEPT THE ANNUAL AB1600 DEVELOPMENT IMPACT FEE REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2020.** MOTION PASSED BY VERBAL ROLL CALL. AYES: ZHAO, WALIA, KUMAR, FITZSIMMONS, BERNALD. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

3.2. Village Parking District 4 Conceptual Improvement Plan

Recommended Action:

1. Authorize the City Manager to execute a contract with BKF Engineers in the amount of \$27,358.
2. Authorize City Manager to execute a change order up to \$2,735.80.

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

Mayor Zhao invited public comment on the item.

No one requested to speak.

BERNALD/FITZSIMMONS MOVED TO **AUTHORIZE THE CITY MANAGER TO EXECUTE A CONTRACT WITH BKF ENGINEERS IN THE AMOUNT OF \$27,358 AND TO AUTHORIZE CITY MANAGER TO EXECUTE A CHANGE ORDER UP TO \$2,735.80.** MOTION PASSED BY VERBAL ROLL CALL. AYES: ZHAO, WALIA, KUMAR, FITZSIMMONS, BERNALD. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

3.3. Amended Contract with Fehr and Peers Transportation Consultants for the Safe Routes to School Master Plan Project

Recommended Action:

1. Authorize the City Manager to execute an amended contract with Fehr and Peers for development of a Safe Routes to School Master Plan to expand the agreement scope to include community engagement and feedback and increase the contract amount by \$22,568 for a total contract amount of \$88,516.
2. Authorize a contingency for change orders to the contract up to \$8,800.

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

Mayor Zhao invited public comment on the item.

Jojo Choi, Traffic Safety Commissioner, spoke

No one else requested to speak.

WALIA/BERNALD MOVED TO **AUTHORIZE THE CITY MANAGER TO EXECUTE AN AMENDED CONTRACT WITH FEHR AND PEERS FOR DEVELOPMENT OF A SAFE ROUTES TO SCHOOL MASTER PLAN TO EXPAND THE AGREEMENT SCOPE TO INCLUDE COMMUNITY ENGAGEMENT AND FEEDBACK AND INCREASE THE CONTRACT AMOUNT BY \$22,568 FOR A TOTAL CONTRACT AMOUNT OF \$88,516 AND TO AUTHORIZE A CONTINGENCY FOR CHANGE ORDERS TO THE CONTRACT UP TO \$8,800.** MOTION PASSED BY VERBAL ROLL CALL. AYES: ZHAO, WALIA, KUMAR, FITZSIMMONS, BERNALD. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

3.4. Acceptance of Local Early Action Planning (LEAP) Grant Award and Budget Amendment

Recommended Action:

Approve the attached resolution for budget adjustments to the FY 2020/21 Capital Budgets in the amount of awarded Grant Funds.

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

Mayor Zhao invited public comment on the item.

No one requested to speak.

RESOLUTION 21-003

BERNALD/FITZSIMMONS MOVED TO **APPROVE THE RESOLUTION FOR BUDGET ADJUSTMENTS TO THE FY 2020/21 CAPITAL BUDGETS IN THE AMOUNT OF AWARDED GRANT FUNDS.** MOTION PASSED BY VERBAL ROLL CALL. AYES: ZHAO, WALIA, KUMAR, FITZSIMMONS, BERNALD. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

3.5. City Council 2021 Meeting Schedule

Recommended Action:

Provide direction to staff regarding the City Council's 2021 meeting schedule; and authorize the City Manager to reinstate any cancelled meeting with 72 hours' notice if any urgent items arise.

Debbie Bretschneider, City Clerk, presented the staff report.

Mayor Zhao invited public comment on the item.

No one requested to speak.

ZHAO/FITZSIMMONS MOVED TO **CANCEL THE AUGUST 4, 2021 AND AUGUST 18, 2021 COUNCIL MEETINGS AND TO AUTHORIZE THE CITY MANAGER TO REINSTATE ANY CANCELLED MEETING WITH 72 HOURS' NOTICE IF ANY URGENT ITEMS ARISE.** MOTION PASSED BY VERBAL ROLL CALL. AYES: ZHAO, WALIA, KUMAR, FITZSIMMONS, BERNALD. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

COUNCIL ASSIGNMENTS

Mayor Yan Zhao

Association of Bay Area Governments -- there was no meeting, but the Mayor sent a letter representing the City to ABAG to ask for lower RHNA Housing allocation.

Cities Association of Santa Clara County-City Selection Committee – the Committee appointed several people to 6 different agencies, however there is still an opening Sourcewise, the representative needs to be over age of 60 and does not need to be an elected official.

Cities Association of Santa Clara County – the Cities Association approved the November 2020 fiscal report and approved 2021 priority issues: COVID-19 recovery, Transportation, Regional

Justice, and Housing & Homelessness. They also discussed and approved a letter to VTA on Measure B and asking for money for local roads in the community instead of BART.
Valley Transportation Authority (VTA) Policy Advisory Committee – the Committee elected Cupertino Council Member Ward as Chair and San Jose Council Member Mahan as Vice Chair. There was also a discussion on status of Santa Clara County vehicle registration fee.
West Valley Sanitation District – the Board elected Monte Sereno Council Member Turner as Chair and Saratoga Mayor Zhao as Vice Chair.

Vice Mayor Tina Walia

Silicon Valley Clean Energy Authority Board of Directors – the Board elected Mountain View Council Member Abe-Koga as Chair and Campbell Mayor Gibbons as Vice Chair. The Board received several reports, including having received an A rating from S&P Global Ratings, approved new contract for new facility for solar panels, SVCE is participating in Statewide Arrearage Management Plans (AMB) program, a debt forgiveness program for residents, and the SCVE website has information to encourage residents to lower carbon imprint.
Saratoga Ministerial Association – Council Member Walia asked Council Member Bernald to attend the meeting the week of January 25.

Council Member Rishi Kumar

No report.

Council Member Kookie Fitzsimmons

Chamber of Commerce – the Chamber discussed revamping parts of the website with a robust online Visitor Center.

Council Member Mary-Lynne Bernald

Hakone Foundation Board & Executive Committee – the Board discussed looking for funding of the pond remodel.
Saratoga Public Art Committee – the Committee confirmed the 2021 meeting schedule and confirmed the budget for Shadow Art project. Also discussed upcoming ideas, including Hopscotch, Rainy Day Poetry, call for artists for Utility Boxes, and looking for ideas for the Gateway.

CITY COUNCIL ITEMS

Council Member Kumar proposed a future City Council agenda item on San Jose Water Company's rate increase application. There was no second.

Council Member Bernald, with support from Council Member Fitzsimmons, proposed development of a handbook for the Traffic Safety Commission.

Council Member Fitzsimmons asked about a response to the letter included in the Oral Communications on Non-Agendized Item. City Manager James Lindsay responded that the City is always looking for ways to improve access to information. Mayor Zhao added that she has been in communication with the resident.

COUNCIL COMMUNICATIONS

None

CITY MANAGER'S REPORT

None

ADJOURNMENT

BERNALD/FITZSIMMONS MOVED TO **ADJOURN THE MEETING AT 8:19 P.M.**
MOTION PASSED BY VERBAL ROLL CALL. AYES: ZHAO, WALIA, KUMAR,
FITZSIMMONS, BERNALD. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

Minutes respectfully submitted:

Debbie Bretschneider, City Clerk
City of Saratoga