

MINUTES
WEDNESDAY, FEBRUARY 1, 2023
SARATOGA CITY COUNCIL REGULAR MEETING

At 6:00 p.m., the City Council held a Joint Session in the Linda Callon Conference Room with Los Gatos-Saratoga Recreation and the Montalvo Arts Center.

Mayor Fitzsimmons invited public comment.

No one requested to speak.

Mayor Fitzsimmons called the Regular Session to order at 7:03 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 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
Britt Avrit, City Clerk
John Cherbone, Public Works Director
Nick Pegueros, Administrative Services Director
Debbie Pedro, Community Development Director
Lauren Blom, Public Information Officer
Kayla Nakamoto, Administrative Analyst

REPORT ON POSTING OF THE AGENDA

The City Clerk reported the agenda for this meeting was properly posted on January 27, 2023.

REPORT FROM CLOSED SESSION

Mayor Fitzsimmons stated the City Council met in Closed Session on January 18, 2023 related to Conference with Labor Negotiators with no reportable action.

REPORT FROM JOINT SESSION

Nancy Rollett, LGS Executive Director and Angela McConnell Montalvo Arts Center Executive Director provided a report of the City Council Joint Session with Los Gatos-Saratoga Recreation and the Montalvo Arts Center.

ORAL COMMUNICATIONS ON NON-AGENDIZED ITEMS

Mayor Fitzsimmons invited public comment.

The following individuals spoke at this time:

Manny Cappello discussed student housing at West Valley College and Mission College.

Matt Bordoni, Eric Shih-Tse Hu, Ian Hu, Rob Nast, Don Kellogg discussed the Aloha-Vickery Trail.

ANNOUNCEMENTS

Mayor Fitzsimmons shared information about the Lunar New Year Festival, Let's Work Volunteer Day, Love Notes, Foothill Club Benefit Concert and the Housing Element Draft Environmental Impact Report.

CEREMONIAL ITEM

Appointment of Traffic Safety Commissioners and Parks & Recreation Commissioner

Recommended Action:

Adopt the Resolution appointing Alec Gulesserian and Xintian (Stephen) Li to the Traffic Safety Commission and Jim Cargill to the Parks & Recreation Commission and direct the City Clerk to administer the Oaths of Office.

Mayor Fitzsimmons invited public comment on this item.

No one requested to speak.

RESOLUTION 23-005

PAGE/WALIA MOVED TO **ADOPT THE RESOLUTION APPOINTING ALEC GULESSERIAN AND XINTIAN (STEPHEN) LI TO THE TRAFFIC SAFETY COMMISSION AND JIM CARGILL TO THE PARKS & RECREATION COMMISSION.** MOTION PASSED BY THE FOLLOWING VOTE: AYES: AFTAB, PAGE, WALIA, ZHAO, FITZSIMMONS. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

The City Clerk administered the Oath of Office at this time.

1. CONSENT CALENDAR

Mayor Fitzsimmons 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 January 18, 2023 City Council Regular Meeting.

WALIA/AFTAB MOVED TO **APPROVE THE MINUTES FOR THE JANUARY 18, 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 of Accounts Payable Check Registers

Recommended Action:

Review and accept check registers for the following accounts payable payment cycles:
1/10/23 Period 7; 1/18/23 Period 7.

WALIA/AFTAB MOVED TO **REVIEW AND ACCEPT CHECK REGISTERS FOR THE FOLLOWING ACCOUNTS PAYABLE PAYMENT CYCLES:1/10/23 PERIOD 7; 1/18/23 PERIOD 7.** MOTION PASSED BY THE FOLLOWING VOTE: AYES: AFTAB, PAGE, WALIA, ZHAO, FITZSIMMONS. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

1.3. Treasurer's Report for the Month Ended December 31, 2022

Recommended Action:

Review and accept the Treasurer's Report for the month ended December 31, 2022.

WALIA/AFTAB MOVED TO **REVIEW AND ACCEPT THE TREASURER'S REPORT FOR THE MONTH ENDED DECEMBER 31, 2022.** MOTION PASSED BY THE FOLLOWING VOTE: AYES: AFTAB, PAGE, WALIA, ZHAO, FITZSIMMONS. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

1.4. Severe Winter Storms Local Emergency Proclamation Termination

Recommended Action:

Adopt the resolution proclaiming the termination of the local emergency due to severe winter storms in December 2022 and January 2023.

RESOLUTION 23-006

WALIA/AFTAB MOVED TO **ADOPT THE RESOLUTION PROCLAIMING THE TERMINATION OF THE LOCAL EMERGENCY DUE TO SEVERE WINTER STORMS IN DECEMBER 2022 AND JANUARY 2023.** MOTION PASSED BY THE FOLLOWING VOTE: AYES: AFTAB, PAGE, WALIA, ZHAO, FITZSIMMONS. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

1.5. Parking Restriction on Fruitvale Avenue at Douglass Lane

Recommended Action:

Adopt the Motor Vehicle resolution authorizing a No Parking zone on the west side of Fruitvale Avenue just south of Douglass Lane for 100 feet.

RESOLUTION MV 332

WALIA/AFTAB MOVED TO **ADOPT THE MOTOR VEHICLE RESOLUTION AUTHORIZING A NO PARKING ZONE ON THE WEST SIDE OF FRUITVALE AVENUE JUST SOUTH OF DOUGLASS LANE FOR 100 FEET.** MOTION PASSED BY THE FOLLOWING VOTE: AYES: AFTAB, PAGE, WALIA, ZHAO, FITZSIMMONS. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

1.6. Update to City Council Norms of Operation

Recommended Action:

Adopt the resolution updating the City Council Norms of Operation to provide the Mayor with the discretion to allow Council Members to share announcements during City Council Regular Meetings.

RESOLUTION 23-007

WALIA/AFTAB MOVED TO **ADOPT THE RESOLUTION UPDATING THE CITY COUNCIL NORMS OF OPERATION TO PROVIDE THE MAYOR WITH THE DISCRETION TO ALLOW COUNCIL MEMBERS TO SHARE ANNOUNCEMENTS DURING CITY COUNCIL REGULAR MEETINGS.** MOTION PASSED BY THE FOLLOWING VOTE: AYES: AFTAB, PAGE, WALIA, ZHAO, FITZSIMMONS. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

2. GENERAL BUSINESS

2.1. Paint the City 2023 Program and Locations

Recommended Action:

Approve the locations recommended by the Public Art Commission for the 2023 Paint the City program, including: 1) Saratoga Avenue at State Route 85 North; 2) Saratoga Avenue at State Route 85 South; and, 3) Saratoga Avenue at Dagmar. Authorize staff to proceed with next steps of the Paint the City program and to seek State approvals to paint the utility boxes at the two Saratoga Avenue at State Route 85 locations.

Kayla Nakamoto, Administrative Analyst presented the staff report.

Mayor Fitzsimmons invited public comment.

No one requested to speak.

WALIA/ZHAO MOVED TO **APPROVE THE LOCATIONS RECOMMENDED BY THE PUBLIC ART COMMISSION FOR THE 2023 PAINT THE CITY PROGRAM, INCLUDING: 1) SARATOGA AVENUE AT STATE ROUTE 85 NORTH; 2) SARATOGA AVENUE AT STATE ROUTE 85 SOUTH; AND, 3) SARATOGA AVENUE AT DAGMAR. AUTHORIZE STAFF TO PROCEED WITH NEXT STEPS OF THE PAINT THE CITY PROGRAM AND TO SEEK STATE APPROVALS TO PAINT THE UTILITY BOXES AT THE TWO SARATOGA AVENUE AT STATE ROUTE 85 LOCATIONS.** MOTION PASSED BY THE FOLLOWING VOTE: AYES: AFTAB, PAGE, WALIA, ZHAO, FITZSIMMONS. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

2.2. Winter Storm Damage Report – Appropriation of \$450,000 Emergency Fund

Recommended Action:

Receive report and adopt a resolution authorizing 2023 Storm Fund emergency appropriations in the amount of \$450,000.

John Cherbone, Public Works Director presented the staff report.

Mayor Fitzsimmons invited public comment.

No one requested to speak.

RESOLUTION 23-008

AFTAB/WALIA MOVED TO **RECEIVE REPORT AND ADOPT A RESOLUTION AUTHORIZING 2023 STORM FUND EMERGENCY APPROPRIATIONS IN THE AMOUNT OF \$450,000.** MOTION PASSED BY THE FOLLOWING VOTE: AYES: AFTAB, PAGE, WALIA, ZHAO, FITZSIMMONS. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

2.3. Overview of Community Services Support

Recommended Action:

Receive report summarizing the support provided by the City for various community organizations that serve the City and/or community.

Crystal Bothelio presented the staff report.

Mayor Fitzsimmons invited public comment.

No one requested to speak.

Receive and file only, no vote necessary.

2.4. Resolution Regarding Teleconferenced Public Meetings for the City Council and all City Brown Act Bodies (Commissions & Committees) pursuant to Assembly Bill 361

Recommended Action:

Adopt the resolution authorizing teleconferenced public meetings for the City of Saratoga City Council and all City of Saratoga Brown Act Bodies pursuant to Assembly Bill 361 through February 2023.

Britt Avrit, City Clerk presented the staff report.

Mayor Fitzsimmons invited public comment.

No one requested to speak.

RESOLUTION 23-009

ZHAO/PAGE MOVED TO **ADOPT THE RESOLUTION AUTHORIZING TELECONFERENCED PUBLIC MEETINGS FOR THE CITY OF SARATOGA CITY COUNCIL AND ALL CITY OF SARATOGA BROWN ACT BODIES PURSUANT TO ASSEMBLY BILL 361 THROUGH FEBRUARY 2023.** MOTION PASSED BY THE FOLLOWING VOTE: AYES: AFTAB, PAGE, WALIA, ZHAO, FITZSIMMONS. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

COUNCIL ASSIGNMENTS

Council Member Tina Walia

Cities Association of Santa Clara County Board of Directors –stated Cupertino Mayor Hung Wei was selected to the Executive Board as Member at Large, Sunnyvale Mayor Larry Klein was reassigned as Second Vice President and the Chair of the Legislative Action Committee, Tina Walia was reassigned from Member at Large to Secretary-Treasurer; an Interim General Counsel was selected; and the Board conducted priority setting for 2023.

KSAR Community Access TV Board – stated the Board met with nothing to report.

Santa Clara County Library District Board of Directors –stated the Five-Year Financial Forecast, 10-Year Capital Maintenance Plan and Three-Year Technology Replacement Program were presented.

Silicon Valley Clean Energy Authority Board of Directors - stated the Executive Committee selected Tina Walia as Chair and Monte Sereno Mayor Brian Mekechuk as Vice Chair.

Council Member Chuck Page

Santa Clara Valley Water Commission – provided a brief overview of rate setting, discussed water allocations for RHNA numbers and ornamental grass restriction ordinance contradicting Clean Water Authority ordinance encouraging ornamental grass.

Council Member Belal Aftab

Valley Transportation Authority (VTA) Policy Advisory Committee – stated Los Gatos Council Member Rob Rennie was selected as Chair and Morgan Hill Council Member Yvonne Martinez Beltran was selected as Vice Chair, stated the Board discussed the prospect of individual cities having their own Transit Policy on file with VTA and the Committee received a report regarding increasing bus efficiency.

Saratoga Historical Foundation Board of Directors – stated the Blacksmith exhibit will likely open in the Spring; stated the Foundation will be holding a fundraiser in July and stated a presentation regarding the Foundation’s endowment will be provided next month.

Vice Mayor Yan Zhao

Nothing to report.

Mayor Kookie Fitzsimmons

Saratoga Area Senior Coordinating Council Board of Directors – stated SASCC was issued a Bingo License.

West Valley Mayors & Managers Association – stated the Association held a kickoff meeting with the newly elected members.

CITY COUNCIL ITEMS

None

COUNCIL COMMUNICATIONS

None

CITY MANAGER'S REPORT

None

CITY ATTORNEY'S REPORT

None

ADJOURNMENT

PAGE/WALIA MOVED TO **ADJOURN THE MEETING AT 8:14 P.M.** MOTION PASSED BY THE FOLLOWING VOTE: AYES: AFTAB, PAGE, WALIA, ZHAO, FITZSIMMONS. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

Minutes respectfully submitted:

Britt Avrit, City Clerk
City of Saratoga