

**MINUTES**  
**WEDNESDAY, MARCH 15, 2023**  
**SARATOGA CITY COUNCIL REGULAR MEETING**

At 6:00 p.m., the City Council held a study session to review and provide direction on projects and funding for the 2023-24 Capital Improvement Program (CIP) budget.

Nick Pegueros, Administrative Services Director presented the staff report.

Mayor Fitzsimmons invited public comment.

The following individual spoke at this time: Bill Dalton

The City Council discussed their support for the CIP budget as it was presented and discussed putting the available \$1,337,000 in the Pavement Management Program (PMP) because it supports all residents in the City. The City Council further discussed potentially not placing the entire \$1,337,000 in the PMP to ensure additional funds are available if needed because the funds could be allocated in the future.

**WALIA/PAGE MOVED TO FUND THE PROJECTS, NOT INCLUDING THE VILLAGE OUTDOOR DINING IMPROVEMENTS PROJECT, AS PRESENTED AND ALLOCATE THE REMAINING AVAILABLE \$1,337,000 TO THE PAVEMENT MANAGEMENT PROGRAM.** MOTION PASSED BY THE FOLLOWING ROLL CALL VOTE: AYES: AFTAB, PAGE, WALIA, ZHAO, FITZSIMMONS. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

Mayor Fitzsimmons stated she needs to recuse herself from discussion of Village Outdoor Dining Improvements due to a conflict of interest related to property she owns in the Village and left the meeting at this time.

Council Member Page stated he needs to recuse himself from discussion of Village Outdoor Dining Improvements due to a potential conflict of interest because of his business in the Village and left the meeting at this time.

Vice Mayor Zhao became Chair of the meeting at this time.

Nick Pegueros, Administrative Services Director presented the report for the Village Outdoor Dining Improvements project.

Vice Mayor Zhao invited public comment.

The following individuals spoke at this time: Stan Bogosian, Bill Dalton

Vice Mayor Zhao, Council Member Aftab and Council Member Walia discussed the importance of adding vitality to the Village, expressed concerns with funding for the Village Outdoor Dining Improvements because it is unknown how many restaurants will take advantage of the program, discussed the issue of using taxpayer money for a limited number of businesses; the general public will not receive a direct benefit of the use of the funds. Additionally, they expressed concerns of the participation rate and the high cost.

AFTAB/WALIA MOVED TO **NOT MOVE FORWARD WITH FUNDING THE VILLAGE OUTDOOR DINING IMPROVEMENTS PROJECT AT THIS TIME AND KEEP THE FUNDING IN THE CAPITAL IMPROVEMENT PROGRAM.** MOTION PASSED BY THE FOLLOWING ROLL CALL VOTE: AYES: AFTAB, WALIA, ZHAO. NOES: NONE. ABSTAIN: NONE. RECUSED: PAGE, FITZSIMMONS. ABSENT: NONE.

Mayor Fitzsimmons and Council Member Page returned to the meeting at this time.

PAGE/WALIA MOVED TO **KEEP UNALLOCATED FUNDS IN THE CAPITAL IMPROVEMENT PROGRAM RESERVES.** MOTION PASSED BY THE FOLLOWING ROLL CALL VOTE: AYES: AFTAB, PAGE, WALIA, ZHAO, FITZSIMMONS. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

Mayor Fitzsimmons called the Regular Session to order at 7:07 p.m. in honor of Jack Mallory.

The members of the City Council offered their appreciation for Mr. Mallory's contributions to the community and offered their condolences to his family.

Prior to Roll Call, the City Clerk stated Council Member Aftab is attending the meeting from Hong Kong, as indicated on the agenda, pursuant to Government Code 54953 (b). Council Member Aftab confirmed for the record he has met the applicable notice requirements and confirmed the public is able to participate from his location.

## **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  
Nick Pegueros, Administrative Services Director  
John Cherbone, Public Works Director  
Debbie Pedro, Community Development Director  
David Dorcich, Associate Engineer  
Lauren Blom, Public Information Officer

## **REPORT ON POSTING OF THE AGENDA**

The City Clerk reported the agenda for this meeting was properly posted on March 10, 2023.

## **ORAL COMMUNICATIONS ON NON-AGENDIZED ITEMS**

Mayor Fitzsimmons invited public comment.

The following individuals spoke at this time:

Helen Carroll – discussed a pickle ball pilot program in Mountain View.

Stephen Balsbaugh – discussed a pickle ball pilot program in Mountain View.

Bob Samuels – discussed pickle ball and stated he looks forward to playing in Saratoga.

## **ANNOUNCEMENTS**

Mayor Fitzsimmons shared information about the storm impacts and power outages, the Community Event Grant Program and Commission Recruitments.

Council Member Page thanked Public Works staff for their work with the most recent storm.

Council Member Walia thanked Public Works staff for their work with the storms this season and the City Manager for his leadership through the storms.

## **CEREMONIAL ITEM**

Appointment of Parks & Recreation Commissioner and Planning Commissioners

### **Recommended Action:**

Adopt the Resolution appointing Isabelle Gecils to the Parks & Recreation Commission, reappointing Anjali Kausar to the Planning Commission, appointing Paul Germeraad to the Planning Commission; direct the City Clerk to administer the Oaths of Office.

## **RESOLUTION 23-013**

ZHAO/PAGE MOVED TO **APPOINT ISABELLE GECILS TO THE PARKS AND RECREATION COMMISSION FOR A PARTIAL-TERM ENDING SEPTEMBER 30, 2025 AND REAPPOINT ANJALI KAUSAR TO THE PLANNING COMMISSION AND APPOINT PAUL GERMERAAD TO THE PLANNING COMMISSION FOR FULL TERMS ENDING MARCH 31, 2027.** MOTION PASSED BY THE FOLLOWING ROLL CALL VOTE: AYES: AFTAB, PAGE, WALIA, ZHAO, FITZSIMMONS. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

Proclamation Recognizing March 2023 as American Red Cross Month

### **Recommended Action:**

Present a proclamation recognizing March 2023 as American Red Cross Month to a representative of the American Red Cross, Silicon Valley Chapter.

The City Council proclaimed March 2023 as American Red Cross Month.

## **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 March 1, 2023 City Council Regular Meeting.

PAGE/ZHAO MOVED TO **APPROVE THE MINUTES FOR THE MARCH 1, 2023 CITY COUNCIL REGULAR MEETING.** MOTION PASSED BY THE FOLLOWING ROLL CALL 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: 2/23/23 Period 8; 3/1/23 Period 9.

PAGE/ZHAO MOVED TO **REVIEW AND ACCEPT CHECK REGISTERS FOR THE FOLLOWING ACCOUNTS PAYABLE PAYMENT CYCLES: 2/23/23 PERIOD 8; 3/1/23 PERIOD 9.** MOTION PASSED BY THE FOLLOWING ROLL CALL VOTE: AYES: AFTAB, PAGE, WALIA, ZHAO, FITZSIMMONS. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

1.3. Final Map Approval for Two Lots Located at 19315 San Marcos Road

**Recommended Action:**

Adopt the Resolution granting final map approval of parcel map application No. ULS22-0003 for two lots located at 19315 San Marcos Road (APN: 397 13 011).

**RESOLUTION 23-014**

PAGE/ZHAO MOVED TO **ADOPT THE RESOLUTION GRANTING FINAL MAP APPROVAL OF PARCEL MAP APPLICATION NO. ULS22-0003 FOR TWO LOTS LOCATED AT 19315 SAN MARCOS ROAD (APN: 397 13 011).** MOTION PASSED BY THE FOLLOWING ROLL CALL VOTE: AYES: AFTAB, PAGE, WALIA, ZHAO, FITZSIMMONS. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

1.4. Designation of Authorized Agents – Federal Emergency Management Agency

**Recommended Action:**

Approve the Designation of Applicant's Agents Resolution.

**RESOLUTION 23-015**

PAGE/ZHAO MOVED TO **APPROVE THE DESIGNATION OF APPLICANT'S AGENTS RESOLUTION.** MOTION PASSED BY THE FOLLOWING ROLL CALL VOTE: AYES: AFTAB, PAGE, WALIA, ZHAO, FITZSIMMONS. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

**2. GENERAL BUSINESS**

2.1. 2022 Comprehensive Cost of Services (User Fee) Study

**Recommended Action:**

Receive and accept the 2022 Comprehensive Cost of Services (User Fee) Study and provide policy direction to City staff for the preparation of the comprehensive Fee Schedule which is scheduled for City Council consideration on April 19.

Nick Pegueros, Administrative Services Director presented the staff report.

Mayor Fitzsimmons invited public comment.

No one requested to speak.

PAGE/ZHAO MOVED TO **APPROVE THE RECOMMENDED FEE CHANGES PRESENTED AND GAVE DIRECTION TO STAFF TO INCLUDE THE CURRENT FEE, PROPOSED FEE, AND PERCENTAGE OF COST RECOVERY FOR EACH LINE ITEM WHEN THE ITEM IS PRESENTED TO COUNCIL AT A FUTURE MEETING.** MOTION PASSED BY THE FOLLOWING ROLL CALL VOTE: AYES: AFTAB, PAGE, WALIA, ZHAO, FITZSIMMONS. NOES: NONE. ABSTAIN: NONE. RECUSED: NONE. ABSENT: NONE.

## **COUNCIL ASSIGNMENTS**

### Council Member Tina Walia

*Saratoga Sister City Committee Liaison* - stated a student volunteer is working on the website update.

*Silicon Valley Clean Energy Authority Board of Directors* – stated Silicon Valley Clean Energy had a clean audit for Fiscal Year ending 2022 and stated the midyear budget was approved.

*Cities Association of Santa Clara County Board of Directors* – stated the Board approved a contract with Renne Public Law Group for General Counsel services.

### Council Member Chuck Page

*Council Finance Committee* – stated the Committee discussed the fee study that was provided tonight.

*Santa Clara Valley Water Commission* – stated a telephone poll related to clean waterway laws and the associated funding will be taking place soon.

### Council Member Belal Aftab

*Valley Transportation Authority (VTA) Policy Advisory Committee* - stated 17 new bus drivers completed the program, President Biden released a draft budget that includes BART's Silicon Valley Phase II, and the Committee received a Safe Routes to School presentation that included many surrounding area cities proposed plans.

### Vice Mayor Yan Zhao

*Cities Association of Santa Clara County-Legislative Action Committee* – stated the Committee received a 2023 Legislative Outlook presentation from Renne Public Policy Group.

### Mayor Kookie Fitzsimmons

Nothing to report

## **CITY COUNCIL ITEMS**

Page/Fitzsimmons requested discussion of City Council support for outdoor dining in the Village.

## **COUNCIL COMMUNICATIONS**

None

**CITY MANAGER'S REPORT**

None

**CITY ATTORNEY'S REPORT**

None

**ADJOURNMENT**

PAGE/ZHAO MOVED TO **ADJOURN THE MEETING AT 8:48 P.M.** MOTION PASSED BY THE FOLLOWING ROLL CALL 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