



**AGENDA
REGULAR MEETING
SARATOGA CITY COUNCIL**

OCTOBER 18, 2006

**CLOSED SESSION– 6:00 P.M. – ADMINISTRATIVE CONFERENCE ROOM,
13777 FRUITVALE AVENUE**

ANNOUNCEMENT OF CLOSED SESSION ITEMS

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION (Subdivision (a) of Section 54956.9)

Name of case: Giberson v. City of Saratoga (real parties Byrd, Oak Creek Partners LLC and Maston) Santa Clara County Superior Court 106CV-072297.

CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: (one case)

CONFERENCE WITH LEGAL COUNSEL GOV'T CODE 54956.9(A).

Existing Litigation: Jones v. Saratoga et al. Santa Clara County Sup. Court No. 1-03-CV-010545.

**REGULAR MEETING – 7:00 P.M. – CIVIC THEATER/COUNCIL CHAMBERS
AT 13777 FRUITVALE AVENUE**

PLEDGE OF ALLEGIANCE

ROLL CALL

REPORT OF CITY CLERK ON POSTING OF AGENDA

(Pursuant to Gov't. Code 54954.2, the agenda for this meeting was properly posted on October 13, 2006.)

COMMUNICATIONS FROM COMMISSIONS & PUBLIC

Oral Communications on Non-Agendized Items

Any member of the public will be allowed to address the City Council for up to three (3) minutes on matters not on this agenda. The law generally prohibits the council from discussing or taking action on such items. However, the Council may instruct staff accordingly regarding Oral Communications under Council Direction to Staff.

Oral Communications - Council Direction to Staff

Instruction to Staff regarding actions on current Oral Communications.

Communications from Boards and Commissions

None

Council Direction to Staff

Instruction to Staff regarding actions on current Communications from Boards & Commissions.

ANNOUNCEMENTS

None

CEREMONIAL ITEMS

- 1A. Commendations Honoring Paul Conrado, Joan Pisani and Warren and Yvonne Lampshire
Recommended action:
Present commendations.
- 1B. Presentation by Assembly Member Rebecca Cohn – Resolution Celebrating the City of Saratoga’s 50th Anniversary
Recommended action:
Accept resolution.
- 1C. Commendations Honoring Supervisor Liz Kniss and Assembly Member Rebecca Cohn
Recommended action:
Present commendations.

SPECIAL PRESENTATIONS

None

CONSENT CALENDAR

The Consent Calendar contains routine items of business. Items in this section will be acted in one motion, unless removed by the Mayor or a Council member. Any member of the public may speak to an item on the Consent Calendar at this time, or request the Mayor remove an item from the Consent Calendar for discussion. Public Speakers are limited to three (3) minutes.

- 2A. City Council Minutes – October 4, 2006
Recommended action:
Approve minutes.
- 2B. Check Register for 10/03/2006
Recommended action:
Accept register.
- 2C. Treasurers Report for the Month Ended August 2006
Recommended action:
Accept the monthly Treasurer’s Report.

- 2D. Resolution Supporting Measure A – Santa Clara County Initiative for the Conservation and Preservation of Hillsides, Ranchlands and Agricultural Lands
Recommended action:
Adopt resolution.
- 2E. Adopt Ordinance Amending Various Sections of Chapters 7, 9, 14, 15 and 16 of the City Code, and Adding Section 15-05.588 Providing a Definition of “Setback Areas” and Appendices A and B to Chapter 15
Recommended action:
Waive Second Reading and adopt ordinance.
- 2F. Adoption of an Ordinance Amending the Saratoga City Code Concerning Conditions of Design Review Approval
Recommended action:
Waive Second Reading and adopt ordinance.
- 2G. Annexation of an Approximately 35-acre Parcel (APN 503-09-003) Located at 22490 Mt. Eden Road
Recommended action:
Approve the petition of annexation by adopting the resolution which assumes the existing Williams Act Contract on subject property and includes a condition that annexations will take effect upon recordation of an offer of trail easement.
- 2H. 2006 Annual Concrete Project – Award of Construction Contract
Recommended action:
1. Move to declare George Bianchi Construction to be the lowest responsible bidder on the Annual Concrete Repair Project.
 2. Move to award a construction contract to George Bianchi Construction in the amount of \$189,318.02 for the Annual Concrete Repair Project.
 3. Move to authorize additional repair work in the amount of \$230,000 as described in the Report Summary.
 4. Move to authorize staff to execute change orders to the contract up to \$48,000.00 for the Annual Concrete Project and additional work as described in the Report Summary.
- 2I. Improvements to the Intersection of Peirce Road and Saratoga-Sunnyvale Road – Increase Construction Contract with El Camino Paving Inc.
Recommended action:
1. Authorize an increase to the change order authority to the existing construction contract with El Camino Paving, Inc., in the amount of \$125,000, for the Pierce Road/Saratoga-Sunnyvale Road intersection improvements.
 2. Authorize staff to execute change orders up to \$25,000.
- 2J. Agreement Concerning Joint Use of Campbell Union High School District Property (Prospect High School)
Recommended action:
Approve Joint Use Agreement with Campbell Union High School District for use of District Property and authorize the City Manager to execute the same.

- 2K. Revision to Traffic Signal Maintenance Contract with Republic Electric
Recommended action:
Amend recently approved contract with Republic Electric for continued monthly maintenance and on-call repair of Saratoga traffic signals.
- 2L. Communications Site Lease Agreement with T-Mobile California/Nevada, LLC
Recommended action:
Accept report and adopt resolution approving the Communications Site Lease Agreement with T-Mobile California/Nevada, LLC at Congress Springs Park.
- 2M. Motor Vehicle Resolution Restricting Parking on Vessing Road
Recommended action:
Adopt resolution.

PUBLIC HEARINGS

- 3. Ordinance Amending the Saratoga City Code Regarding Compensation of City Council members
Recommended action:
Introduce and waive the first reading of ordinance setting City Council compensation and direct staff to place ordinance on consent calendar for final adoption on November 1, 2006.

OLD BUSINESS

- 4. North Campus Facility – Status Report on Improvements
Recommended action:
Accept report and direct staff accordingly.
- 5. Review of the Administrative Design Review Process
Recommended action:
Accept report and direct staff to implement items #2 and #3 that can be immediately started and prioritized the list of proposed ordinances for further consideration at a later date.

NEW BUSINESS

- 6. Approval of CRW Associates TrakIt Software Contract
Recommended action:
Approve the contract and authorize the City Manager to execute an agreement with CRW Associates.
- 7. Highway 9 Safety Project – Joint Council committee
Recommended action:
Appoint two members of the Council to participate in a Joint Council committee with the Town of Los Gatos and the City of Monte Sereno for the Highway 9 Safety Project.

ADHOC & AGENCY ASSIGNMENT REPORTS

Mayor Norman Kline

Association of Bay Area Government
Chamber of Commerce
Library Joint Powers Association
Hakone Foundation
Santa Clara County Emergency Preparedness Council
Valley Transportation Authority PAC
West Valley Mayors and Managers Association

Vice Mayor Aileen Kao

County Cities Association Legislative Task Force
Santa Clara County Cities Association
County HCD Policy Committee
SASCC

Councilmember Nick Streit

Recycling & Waste Reduction Commission of SCC
Santa Clara County Valley Water Commission
West Valley Solid Waste Joint Powers Association
West Valley Sanitation District
City/School AdHoc

Councilmember Ann Waltonsmith

KSAR Community Access TV Board
Northern Central Flood Control Zone Advisory Board
Saratoga Historic Foundation
Sister City Liaison

Councilmember Kathleen King

Peninsula Division, League of California Cities
SCC Cities Association-Joint Economic Development Policy Committee (JEDPC)
Village AdHoc

CITY COUNCIL ITEMS

CITY MANAGER'S REPORT

ADJOURNMENT

In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this meeting, please contact the City Clerk at (408) 868-1269. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting (28 CFR 35.102-35.104 ADA Title II)

Certificate of Posting of Agenda:

I, Cathleen Boyer, City Clerk for the City of Saratoga, declare that the foregoing agenda for the meeting of the City Council of the City of Saratoga was posted on October 13, 2006, City of Saratoga, 13777 Fruitvale Ave., Saratoga, CA 95070 and was available for public review at that location. The agenda is also available on the City's website at www.saratoga.ca.us

Signed this 13th day of October, 2006 at Saratoga, California.

Cathleen Boyer, CMC

City Clerk



**CITY OF SARATOGA
CITY COUNCIL MEETING CALENDAR 2006-07**

10/18	Regular Meeting
11/1	Regular Meeting
11/15	Regular Meeting
12/6	Regular Meeting - Council Reorganization
12/20	Regular Meeting
1/3	Regular Meeting
1/17	Regular Meeting