



**AGENDA  
REGULAR MEETING  
SARATOGA CITY COUNCIL**

**JUNE 6, 2007**

**CLOSED SESSION – 4:30 P.M. – ADMINISTRATIVE CONFERENCE ROOM,  
13777 FRUITVALE AVENUE**

**CALL MEETING TO ORDER – 4:30 P.M.**

**ANNOUNCEMENT OF CLOSED SESSION ITEMS**

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

Name of case: Christiano v. City of Saratoga. Santa Clara County Superior Court 106CV-072297.

**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 Labor Negotiators** (Gov't Code 54957.6):

Agency designated representatives: Barbara Powell, Assistant City Manager, and Monica LaBossiere, Human Resources Manager.  
Employee organization: SEA

**Conference With Labor Negotiators** (Gov't Code 54957.6):

Agency designated representative: Dave Anderson, City Manager  
Employee organization: SMO

**Conference With Labor Negotiators** (Gov't Code 54957.6):

Agency designated representative: Barbara Powell, Assistant City Manager and Monica LaBossiere, Human Resources Manager  
Employee organization: Millmen & Industrial Carpenters Local 262

**OPEN MEETING – 5:45 P.M. – ADMINISTRATIVE CONFERENCE ROOM,  
13777 FRUITVALE AVENUE**

Youth Commission Interview

1. 5:45 p.m. Sangita Annamalai Monte Vista High School – 11<sup>th</sup>

**OPEN MEETING – 6:00 P.M. – ADMINISTRATIVE CONFERENCE ROOM,  
13777 FRUITVALE AVENUE**

Joint meeting with the Saratoga Planning Commission

**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 May 31, 2007)

**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**

Report from the Saratoga Planning Commission.

**Council Direction to Staff**

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

**ANNOUNCEMENTS**

None

**CEREMONIAL ITEMS**

- 1A. Commendation honoring the Butter Paddle on its 40<sup>th</sup> Anniversary  
**Recommended action:**  
Present commendations.
- 1B. Commendation Honoring Cross Cultural Community Center  
**Recommended action:**  
Present commendation.
- 1C. Appointment of Youth Commission Members and Oath of Office  
**Recommended action:**  
Adopt resolution of appointment and administer Oath of Office.

**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 – April 18, 2007  
**Recommended action:**  
Approve minutes.
- 2B. Check Register – May 9, 16, 23, & 30, 2007  
Payroll – May 10 & 24, 2007  
**Recommended action:**  
Accept check register.
- 2C. Fiscal Year 2007/08 Gann Appropriation Limit  
**Recommended action:**  
Adopt resolution approving the Gann Appropriations Limit for FY 2007/08.
- 2D. Railroad Crossing Upgrade Project – Funding Reclassification  
**Recommended action:**  
Adopt budget resolution correcting the funding appropriation for the Railroad Crossing Upgrade Project.
- 2E. Contract Renewal for Geotechnical Consulting Services  
**Recommended Action:**  
Approve a two-year contract with Cotton, Shires, and Associates, Inc. for Geotechnical Engineering Services and authorize City Manager to execute the same.
- 2F. Offer to Dedicate Trail Easement  
**Recommended Action:**  
1. Approve Offer to Dedicate Trail Easements on two properties owned by South Thunder, LLC.  
2. Adopt resolution accepting Offer to Dedicate Trail Easement.
- 2G. Landscaping and Lighting Assessment District Annexation No. 1 Zone No. 33 (Carnelian Glen) – revision of Resolution of Intent  
**Recommended Action:**  
Adopt revised Resolution of Intention to order the levy and collection of assessments for the City of Saratoga Landscaping and Lighting District LLA-1, Annexation No. 1 (Zone No. 33) for FY 2007/08.
- 2H. Resolution Declaring Hazardous Vegetation Growing on Certain Properties to be a Public Nuisance and Setting a Public Hearing Date  
**Recommended Action:**  
Adopt resolution.

- 2I. Contract Renewal for Municipal Traffic Engineering  
**Recommended Action:**  
 Approve a two-year contract renewal with Fehr & Peers Associates, Inc. for on-call Traffic Engineering Services and authorize City manager to execute the same.
- 2J. Appointment of Betty Feldhym to Serve on the Housing & Community Development Citizen Advisory Committee  
**Recommended Action:**  
 Adopt resolution.

**PUBLIC HEARINGS**

*(Applicants/Appellants and their representatives have a total of ten minutes maximum for opening statements. Members of the public may comment on any item for up to three minutes. Applicant/Appellants and their representatives have a total of five minutes maximum for closing statements. Items requested for continuance are subject to Council's approval at the Council meeting)*

3. Appeal of Planning Commission Decision - 14234 Saratoga-Sunnyvale Road  
 Appellants: Paul Clarke a & Michael Shadman  
 Applicant: JSM Enterprises  
**Recommended action:**  
 Conduct public hearing. No action necessary, appeal withdrawn.
4. Negative Declaration and General Plan Amendment to replace the existing Land Use, Open Space and Conservation Elements with revised Land Use and Open Space/Conservation Elements  
**Recommended action:**
1. Open the public hearing and accept public testimony on the General Plan Amendment and Negative Declaration;
  2. Close the hearing and deliberate;
  3. Certify the Negative Declaration by resolution (Attachment 1) and Approve the Resolution (Attachment 2) replacing the existing Land Use, Open Space and Conservation Elements of the General Plan with the revised Land Use Element (Attachment 3) and Open Space/Conservation Element (Attachment 4).
5. Ordinance Correction to Section 15-29.010(B) of the Saratoga City Code Relating to Height Restrictions for Fences and Walls in Setback Areas  
**Recommended action:**  
 Conduct public hearing, read title of proposed ordinance clarifying the maximum allowable height of fences and walls that are permitted within the front setback area, waive reading of full ordinance, and direct staff to place ordinance on consent calendar for second reading and final adoption.
6. Landscaping & Lighting Assessment District LLA-1 Approval of Engineer's Report and Conformation of Assessments for FY 07-08  
**Recommended action:**
1. Conduct Public Hearing
  2. Adopt Resolution Ordering the Improvement and Confirming the Diagram and Assessments for FY 07-08

7. Fiscal Year 2007-08 Purposed Operating Budget Public Hearing  
**Recommended action:**  
Conduct public hearing on the proposed FY 07/08 operating budget and provide direction to staff for budget adoption on June 6, 2007.

**OLD BUSINESS**

None

**NEW BUSINESS**

8. Direction regarding Request for Conceptual Proposals Received for the Use of the North Campus  
**Recommended action:**  
Accept report and direct staff accordingly.
9. Recommended Village Improvements and Process for Community Engagement  
**Recommended action:**  
Accept report and direct staff accordingly.
10. West Valley Collection & Recycling (WVC&R)  
**Recommended action:**  
Accept report and direct staff accordingly.
11. Saratoga's Tree and Bench Dedication Policy Review  
**Recommended action:**  
1. Accept report and direct staff accordingly.  
2. Authorize an increase in the cost of the dedication plaque.
12. Council member Sponsored Community Events  
**Recommended action:**  
Accept report and direct staff accordingly.
13. Santa Clara County Civil Grand Jury Report on North Campus Sale  
**Recommended action:**  
Review Grand Jury Report and direct staff accordingly.

**ADHOC & AGENCY ASSIGNMENT REPORTS**

Mayor Aileen Kao  
Association of Bay Area Government  
Hakone Foundation  
West Valley Mayors and Managers Association  
City School AdHoc  
County HCD Policy Committee

Vice Mayor Ann Waltonsmith

Hakone Foundation  
Northern Central Flood Control Zone Advisory Board  
KSAR  
SASCC  
Sister City Liaison

Councilmember Chuck Page

Chamber of Commerce  
Santa Clara County Cities Association-Joint Economic Development Policy Committee (JEDPC)  
West Valley Sanitation District  
West Valley Solid Waste Joint Powers Association  
Village AdHoc  
Chamber of Commerce AdHoc

Councilmember Kathleen King

County Cities Association Legislative Task Force  
Peninsula Division, League of California Cities  
Santa Clara County Cities Association  
Valley Transportation Authority PAC  
City School AdHoc

Councilmember Jill Hunter

Historic Foundation  
Library Joint Powers Association  
Santa Clara County Emergency Council  
Santa Clara County Valley Water Commission  
Village AdHoc  
Chamber of Commerce AdHoc

**CITY COUNCIL ITEMS**

**OTHER**

**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 May 31, 2007, of the 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](http://www.saratoga.ca.us)*

*Signed this 31<sup>st</sup> day of May 2007 at Saratoga, California.*

*Cathleen Boyer, CMC*

*City Clerk*

**NOTE:** To view current or archived City Council meetings please go to [www.saratoga.ca.us](http://www.saratoga.ca.us)



<b>CITY OF SARATOGA CITY COUNCIL MEETING CALENDAR 2007</b>
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6/20	Regular Meeting – Joint Meeting with Traffic Safety Commission
7/4	Holiday – Meeting Cancelled
7/18	Regular Meeting – Joint Meeting with Hakone Foundation
8/1	Regular Meeting – Joint Meeting with Chamber of Commerce
8/15	Summer Recess – Meeting Cancelled
9/5	Regular Meeting – Joint Meeting with West Valley Board of Trustees
9/19	Regular Meeting
10/3	Regular Meeting
10/17	Regular Meeting
11/7	Regular Meeting
11/21	Regular Meeting
12/5	Regular Meeting – Reorganization
12/19	Regular Meeting