



# AGENDA REGULAR MEETING SARATOGA CITY COUNCIL

Wednesday, September 19, 2007

## OPEN SESSION – 5: 30 P.M. – COMMISSION INTERVIEWS

5:30 p.m.	Mike Bellissimo	Traffic Safety Commission
5:40 p.m.	Rose Marie Dippel	Heritage Preservation Commission
5:50 p.m.	Hong Tai	Heritage Preservation Commission

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

Joint meeting with Saratoga Union Elementary School District

## 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 September 14, 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 Union School District

Planning Commission Chair – status on Blight Ordinance

## **Council Direction to Staff**

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

## **ANNOUNCEMENTS**

## **CEREMONIAL ITEMS**

None

## **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.*

### 1. City Council Minutes

#### **Recommended action:**

Approve minutes.

### 2. Review of Accounts Payable and Payroll Check Registers

#### **Recommended action:**

That the City Council accepts the Check Registers for Accounts Payable August 29 and September 5, 2007 and Payroll August 30, 2007.

### 3. Creation of Ad Hoc Committee to Assist in Negotiation with the Friends of the Saratoga Libraries for Use of the Village Library Building

#### **Recommended action:**

Accept report and designate Mayor Kao and Council member Chuck Page to serve on an Ad Hoc Committee to assist in negotiations with the Friends of the Saratoga Libraries (FOSL) for the use of the Village Library Building for the Book-Go-Round.

### 4. Approval of North Campus Fellowship Hall Improvement Plan and Authorization to Solicit Construction Bids

#### **Recommended action:**

Accept the design and construction drawings and authorize the Public Works Department to solicit construction bids for renovation construction of the North Campus Fellowship Hall.

5. Use Agreement with the Saratoga Historical Foundation to Operate a Museum at the Saratoga Historical Park  
**Recommended action:**  
Adopt a resolution authorizing the City Manager to enter into a lease agreement with the Saratoga Historical Foundation for the use of the Museum Building and former McWilliams House to be operated as a Museum.
6. Second Reading and Adoption for Landmark Status and Mills Act Agreement  
**Recommended action:**  
Grant the Second Reading and adopt the Ordinance approving landmark status for the property located at 13855 Saratoga Avenue.
7. Final Acceptance of Subdivision Public Improvements within Tract 9120  
**Recommended action:**
  1. Move to grant final acceptance of the subdivision public improvements within the Tract 9120.
  2. Move to adopt the resolution rescinding the previously rejected Offers of Dedications and accepting dedication of streets within Tract 9120 which includes Alta Vista Avenue into the City's publicly maintained street system.
8. 2007 Pavement Management Program: Award of Contract  
**Recommended action:**
  1. Move to declare El Camino Paving, Inc. of Sunnyvale to be the lowest responsible bidder on the project.
  2. Move to award a construction contract to El Camino Paving, Inc. in the amount of \$733,157.
  3. Approve additional work to contract in the amount of \$50,000.00.
  4. Move to authorize staff to execute change orders to the contract up to \$66,843.

## **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*

9. Appeal of the Planning Commission's June 13, 2007 Modification of Use Permits for St. Archangel Michael Serbian Orthodox Church at 18870 Allendale Avenue (Planning Commission Resolution No. 07-056).  
**Recommended action:**  
Conduct public hearing and consider Appeal of Planning Commission Resolution 07-056 modifying and superseding two Use Permits issued in 1961 and 1968 to the St. Archangel Michael Serbian Orthodox Church (hereafter "Church"). Consider grounds of Appeal raised by Appellants and affirm Planning Commission decision with minor modifications by adopting Resolution in the form of Attachment A.

10. Proposed Newsrack Ordinance

**Recommended action:**

Conduct open the public hearing; approve the attached ordinance; waive the First Reading; direct staff to schedule this item for a Second Reading for adoption on the consent calendar at the next regularly scheduled City Council meeting.

**OLD BUSINESS**

None

**NEW BUSINESS**

11. Motion to Reconsider Herriman Avenue Motor Vehicle Resolution Approved  
September 5, 2007

**Recommended action:**

Consider whether to approve the motion to reconsider the Motor Vehicle Resolution regarding Herriman Avenue approved by the City Council on September 5, 2007 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 September 14, 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 14<sup>th</sup> day of September 2007 at Saratoga, California.  
Cathleen Boyer, CMC  
City Clerk*

#### **Note to public:**

**Please provide the City Clerk with seven (7) copies of any written document that you would like to submit to the City Council in order for it to become part of the public record.**

**NOTE:** To view current or previous City Council meetings anytime, go to the City Video Archives at [www.saratoga.ca.us](http://www.saratoga.ca.us)



**CITY OF SARATOGA  
CITY COUNCIL MEETING CALENDAR 2007**

- |       |  |
|-------|--|
| 10/3  | Regular Meeting – Joint Meeting with Montalvo Arts                                 |
| 10/17 | Regular Meeting – Joint Meeting with Los Gatos-Saratoga Union High School District |
| 11/7  | Regular Meeting – Joint Meeting with Hakone Foundation                             |
| 11/20 | Regular Meeting – Joint Meeting with Sheriff’s Office and Fire Districts           |
| 11/21 | Regular Meeting – Cancelled  |
| 12/4  | Special Meeting – City Council Reorganization                                      |
| 12/5  | Regular Meeting  |
| 12/19 | Regular Meeting  |