



**AGENDA  
REGULAR MEETING  
SARATOGA CITY COUNCIL**

**Wednesday, September 3, 2008**

**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 August 29, 2008)

**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**

**Council Direction to Staff**

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

**ANNOUNCEMENTS**

**CEREMONIAL ITEMS**

**SPECIAL PRESENTATIONS**

1. Santa Clara County Fire Department - 60th Anniversary Presentation

**Recommended action:**

Accept presentation.

## **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.*

2. City Council Minutes - August 6, 2008

**Recommended action:**

Approve minutes.

3. Study Session Minutes - August 25, 2008

**Recommended action:**

Approve minutes.

4. Treasurer's Report for the Month Ended by May 31, 2008

**Recommended action:**

The City Council review and accept the Treasurer's Report for the month ended May 31, 2008.

5. Review of Accounts Payable Check Registers.

**Recommended action:**

That the City Council review and accept the Check Registers for the following Accounts Payable payment cycles:

July 31, 2008

August 07, 2008

August 14, 2008

August 21, 2008

6. Revised Fiscal Year 2008/09 Gann Appropriation Limit

**Recommended action:**

Adopt resolution approving the revised Gann Appropriation Limit for FY 2008/09

7. Approve a one-year Contract Extension for Tree Maintenance Services with Valley Crest Tree Care Services

**Recommended action:**

Approve a one-year Contract Extension with Valley Crest Tree Care Services and authorize the City Manager to execute the same.

8. Approve a one-year Contract Extension for Landscape Maintenance Services with Gachina Landscape Management

**Recommended action:**

Approve a one-year Contract Extension with Gachina Landscape Management and authorize the City Manager to execute the same.

9. Award Construction Contract for Kevin Moran Park Improvement Project to B&B Landscape Contractors, Inc. and Approve Contract Amendment with MPA Design

**Recommended action:**

1. Approve attached budget resolution.

2. Move to declare B & B Landscape Contractors, Inc. to be the lowest responsible bidder on the project.

3. Move to award a construction contract for Kevin Moran Park Improvement Project to B & B Landscape Contractors, Inc. in the amount of \$1,312,006.90 and authorize the City Manager to execute the same. Authorize staff to execute change orders to the construction contract in the amount of \$11,717.82.

4. Amend contract with MPA Design for bid support and construction observations in the amount of \$25,000.

10. KSAR Contract Amendment

**Recommended action:**

Accept report and approve KSAR contract amendment.

**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*

11. Resolution Declaring Hazardous Vegetation on Specified Properties to be a Public Nuisance

**Recommended action:**

Open public hearing; listen to public testimony; and close public hearing. Adopt resolution declaring hazardous vegetation on specified properties to be a public nuisance.

12. City Initiated Zoning Map Amendment for 20500 Lomita Avenue, 20568 Lomita Avenue, and 20550 Lomita Avenue.

**Recommended action:**

Open and conduct the public hearing, introduce the ordinance amending the zoning designation for three (3) parcels, waive the first reading, and schedule the item for a second reading and adoption on consent calendar.

13. Ordinance Establishing Various Standards for State Video Franchisees Operating in Saratoga Including a fee to Support Public, Educational and Governmental Programming in Saratoga

**Recommended action:**

Conduct public hearing regarding standards and fees for State Video Franchisees operating in Saratoga and introduce and waive first reading of ordinance regarding and direct staff to place ordinance on consent calendar for final adoption.

14. APCC08-0003 – Appeal of a Decision by the Planning Commission Granting Approval of a Mitigated Negative Declaration, a Design Review Application, and a Modification to a Conditional Use Permit with a Variation from Standards for the Proposed Construction of a New 3,994 Square Foot Church Building on the Approximately 3.1 Acre Project Site Located at 18870 Allendale Avenue.

**Recommended action:**

Staff recommends the City Council open the public hearing on this item, accept public comments, close the public hearing, and continue the item to the meeting of September 17, 2008.

**OLD BUSINESS**

**NEW BUSINESS**

15. Saratoga Sport User Groups – Use of Reusable Water Bottles

**Recommended action:**

Accept report and provide direction to staff

16. Consolidating Allocation of Community Grants Program

**Recommended action:**

Accept report and determine if FY 2007/08 carry forward funding for community grants should be consolidated for allocation in March.

17. Feasibility of After School “Drop-In Recreation” Programming

**Recommended action:**

Accept report and provide direction to staff.

18. Approval to Apply for Citizen Engagement Grant

**Recommended action:**

Accept report and direct staff to apply for a “Citizen Engagement Grant” through Common Sense California to undertake a visioning process for the Downtown Village, through the Village Economic Development City Council-Planning Commission Advisory Committee.

**ADHOC & AGENCY ASSIGNMENT REPORTS**

Mayor Ann Waltonsmith

Association of Bay Area Government  
Comprehensive County Expressway Planning Study Advisory Board (PAB)  
Hakone Foundation Executive Committee  
Santa Clara County Emergency Council  
SASCC  
West Valley Mayors and Managers Association  
Sister City Liaison  
Council Finance Committee  
Highway 9 Safety AdHoc  
TEA AdHoc

Vice Mayor Chuck Page

Chamber of Commerce  
Hakone Executive Board  
West Valley Sanitation District  
Council Finance Committee  
Village AdHoc  
Valley Transportation Authority PAC

Councilmember Kathleen King  
Peninsula Division, League of California Cities  
Santa Clara County Cities Association  
City School AdHoc  
TEA AdHoc

Councilmember Jill Hunter  
Historic Foundation  
KSAR  
Library Joint Powers Association  
Santa Clara County Valley Water Commission  
Village AdHoc  
West Valley Solid Waste Joint Powers Association

Councilmember Aileen Kao  
County HCD Policy Committee  
Northern Central Flood Control Zone Advisory Board  
Santa Clara County Cities Association-Joint Economic Development Policy Committee (JEDPC)  
City School AdHoc  
Highway 9 Safety AdHoc  
Airport Land Use Committee

## **CITY COUNCIL ITEMS**

## **CITY MANAGER'S REPORT**

## **ADJOURNMENT**

In accordance with the Ralph M. Brown Act, copies of the staff reports and other materials provided to the City Council by City staff in connection with this agenda are available at the office of the City Clerk at 13777 Fruitvale Avenue, Saratoga, CA 95070. Note that copies of materials distributed to the City Council concurrently with the posting of the agenda are also available on the City website at [www.saratoga.ca.us](http://www.saratoga.ca.us). Any materials distributed by staff after the posting of the agenda are made available for public review at the office of the City Clerk at the time they are distributed to the City Council.

*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, Ann Sullivan, Acting 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 August 29, 2008, at 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 29<sup>th</sup> day of August 2008 at Saratoga, California.  
Ann Sullivan, CMC*

**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 2008**

- |         |  |
|---------|--|
| 9/17    | Regular Meeting – Joint Meeting with Saratoga Union Elementary School District     |
| 10/1    | Regular Meeting – Joint Meeting with West Valley Board of Trustees                 |
| 10/15   | Regular Meeting – Joint Meeting with Los Gatos-Saratoga Union High School District |
| 11/5    | Regular Meeting – Joint Meeting with the Saratoga Ministerial Association          |
| 11/19   | Regular Meeting – Joint Meeting with Mountain Winery                               |
| 12/3    | Regular Meeting – Reorganization   |
| 12/17   | Regular Meeting – Traffic Safety Commission  |
| 1/07/09 | Regular Meeting – Joint Meeting with Montalvo Arts                                 |