



AGENDA REGULAR MEETING SARATOGA CITY COUNCIL

Wednesday, April 1, 2009

**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 March 27, 2009)

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

1. Proclamation Honoring “The Week of the Young Child” – April 19 - 25, 2009
Recommended action:
Present commendation.
2. Appointment of one Library Commissioner and two Parks and Recreation Commissioners
Recommended action:
Adopt the attached resolution appointing one (1) member to the Library Commission and two (2) members to the Parks and Recreation Commission and direct the City

Clerk to administer the Oaths of Office.

3. Appointment of Three Planning Commissioners and Oaths of Office

Recommended action:

Adopt the attached resolution appointing three (3) members to the Planning Commission and direct the City Clerk to administer the Oaths of Office.

SPECIAL PRESENTATIONS

4. Presentation by Patrick Kwok, Santa Clara Valley Water District Board Member

Recommended action:

Accept presentation by Patrick Kwok, Santa Clara Valley Water District Board Member and Rachel Gibson, staff of Santa Clara Valley Water District

5. Presentation by representative of San Jose Water Company

Recommended action:

Accept presentation by representative of San Jose Water Co.

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.

6. City Council Minutes – March 18, 2009

Recommended action:

Approve minutes.

7. Minutes – March 10, 2009 Housing Element Study Session

Recommended action:

Approve minutes.

8. Treasurer's Report for the Month Ended February 28, 2009

Recommended action:

The City Council review and accept the Treasurer's Report for the month ended February 28, 2009.

9. Review of Accounts Payable Registers

Recommended action:

That the City Council accepts the Check Registers for Accounts Payable cycles:
March 12, 2009
March 19, 2009

10. 2009 Pavement Management Program and 1B Project – Award of Construction Contract.

Recommended action:

1. Move to declare C.F. Archibald Paving, Inc. of Redwood City to be the lowest responsible bidder on the project.

2. Move to award a construction contract to C.F. Archibald Paving, Inc. in the amount of \$788,539.35
3. Approve additional work to contract in the amount of \$134,000.00.
4. Move to authorize staff to execute change orders to the contract up to \$77,460.

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. Appeal of Design Review Application No. PDR08-0034: 14966 Sobey Road, which was approved by the Planning Commission, to construct a new 5,754 square foot two-story home and 1,724 square foot basement.

Recommended action:

Deny the appeal, thus affirming the Planning Commission Design Review approval issued on January 28, 2009.

12. An Ordinance Amending the City of Saratoga Municipal Code to Include a Compilation of Existing Local Laws that Promote Sustainability through the Reduction of Greenhouse Gas Emissions

Recommended action:

Adopt the attached ordinance:

1. Introduce and waive the first reading of the attached ordinance after opening the public hearing, accepting public testimony, and closing the hearing.
2. Direct staff to place the second reading and adoption of the ordinance on the agenda for the next regular Council Meeting.

13. Proposed Fee Schedule Update for FY 2009/10

Recommended action:

Hold public hearing to review recommendations for proposed fee changes, provide direction, and approve resolution amending the City's Fee Schedule effective for Fiscal Year 2009/10.

1. Introduce and waive the first reading of the attached ordinance after opening the public hearing, accepting public testimony, and closing the hearing.
2. Direct staff to place the second reading and adoption of the ordinance on the agenda for the next regular Council Meeting.

14. Proposed ordinance (1) modifying a State map identifying the areas in the City considered to be very high fire hazard severity zones and adopting it as the City's Wildland-Urban Interface Fire Area Map; (2) updating sections of the City's Municipal Code which reference the City's current hazardous fire area map to ensure they reference the new Wildland-Urban Interface Fire Area Map; and (3) adopting revisions to Article 16-60 ("Early Warning Fire Alarm System") of the City Code specifying enforcement procedures for violations of that article.

Recommended action:

- (1) Open the public hearing and consider all testimony received;
- (2) Introduce and waive the first reading of the attached ordinance; and
- (3) Direct staff to place the ordinance on the consent calendar for adoption at the April 15, 2009 City Council meeting.

1. Introduce and waive the first reading of the attached ordinance after opening the public hearing, accepting public testimony, and closing the hearing.
2. Direct staff to place the second reading and adoption of the ordinance on the agenda for the next regular Council Meeting.

OLD BUSINESS

15. Review incentives related to Conditional Use Permits to encourage new businesses in the City

Recommended action:

Direct Staff Accordingly.

16. Community Garage Sale

Recommended action:

Accept report and provide staff with direction on the budget for the community garage sale this year and in future years.

NEW BUSINESS

17. Village Streetscape Improvements – Review of Conceptual Design

Recommended action:

1. Receive report and provide direction to staff regarding the Village Streetscape Conceptual Design Plans prepared by Gates and Associates.
2. Approve Amendment to the Professional Services Contract with Gates and Associates in the amount of \$13,800 for increased scope of work.
3. Determine news rack design option

ADHOC & AGENCY ASSIGNMENT REPORTS

Mayor Chuck Page

Hakone Foundation Executive Committee
Peninsula Division, League of California Cities
SSC Cities Association Board
SCC Cities Association Selection Committee
Valley Transportation Authority PAC
West Valley Sanitation District
West Valley Mayors and Managers Association Council Finance Committee
Council Finance Standing Committee
City School Ad-Hoc

Vice Mayor Kathleen King

Hakone Foundation Board
West Valley Flood Control Zone & Watershed Advisory Committee
SSC Cities Association Executive Board
SCC Cities Association – Joint Economic Development Policy Committee (JEDPC)

City School Ad-Hoc

Councilmember Jill Hunter

Historical Foundation
Library Joint Powers Association
Santa Clara County Valley Water District Commission
Village AdHoc

Councilmember Howard Miller

Chamber of Commerce
KSAR
Santa Clara County Emergency Council
West Valley Solid Waste Joint Powers Association
Council Finance Standing Committee

Councilmember Susie Nagpal

ABAG
Comprehensive County Expressway Planning Study Policy Advisory Board (PAB)
County HCD Policy Committee
SASCC
Sister City Liaison
Village AdHoc

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 Community Development Department Director 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. 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, 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 March 27, 2009, for 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

Signed this 27th day of March 27th at Saratoga, California.

*Ann Sullivan, CMC
City Clerk*

NOTE: To view current or previous City Council meetings anytime, go to the City Video Archives at www.saratoga.ca.us



**CITY OF SARATOGA
CITY COUNCIL MEETING CALENDAR 2009**

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| 4/15 | Regular Meeting – Joint Meeting with Youth Commission |
| 5/6 | Regular Meeting – Joint Meeting with Mt. Winery |
| 5/20 | Regular Meeting – Joint Meeting with Montalvo Arts |
| 6/3 | Regular Meeting – Joint Meeting with Parks and Recreation Commission |
| 6/17 | Regular Meeting – Joint Meeting with HOA Presidents |
| 7/1 | Regular Meeting – |
| 7/15 | Regular Meeting – Joint Meeting with SASCC |
| 8/5 | Regular Meeting – Joint Meeting with Saratoga Ministerial Association |
| 8/19 | SUMMER RECESS – NO COUNCIL MEETING |
| 9/2 | Regular Meeting – Joint Meeting with Hakone Foundation |
| 9/16 | Regular Meeting – Joint Meeting with West Valley Board of Trustees |
| 10/7 | Regular Meeting – Joint Meeting with Traffic Safety Commission |
| 10/21 | Regular Meeting – Joint Meeting with Historical Foundation & Heritage Preservation Comm. |
| 11/4 | Regular Meeting – Saratoga Village Development Council |
| 11/18 | Regular Meeting - |
| 12/1 | Council Reorganization |
| 12/2 | Regular Meeting - |
| 12/16 | Regular Meeting - |