



# AGENDA REGULAR MEETING SARATOGA CITY COUNCIL

Wednesday, April 15, 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 April 10, 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 Recognizing April 24, 2009 as Arbor Day in the City of Saratoga

### **Recommended action:**

Acknowledge proclamation declaring April 24, 2009 as Arbor Day in the City of Saratoga.

2. Plaques for Designated Local Landmarks

### **Recommended action:**

Receive presentation from the Heritage Preservation Commission (HPC) and present five (5) Landmark and one (1) National Register of Historic Places plaques to

recipients.

## **SPECIAL PRESENTATIONS**

### **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.*

3. City Council Minutes – April 1, 2009

**Recommended action:**

Approve minutes.

4. City Council Minutes – April 5, 2006

**Recommended action:**

Approve minutes.

5. Minutes – March 31, 2009 Housing Element Study Session

**Recommended action:**

Approve minutes.

6. Review of Accounts Payable Registers

**Recommended action:**

That the City Council accepts the Check Registers for Accounts Payable cycles:  
March 26, 2009  
April 02, 2009

7. Adopt 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:**

Waive the Second Reading and adopt the Ordinance.

8. Adoption of 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:**

Waive the second reading of the proposed 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.

9. Changes in previously approved Independent Contractor Agreement with LSA Associates for Environmental Consultant Services.

**Recommended action:**

Authorize technical changes in the contractual agreement with LSA Associates (LSA) to prepare environmental documents for land development applications with the City of Saratoga (City).

10. Landscaping and Lighting Assessment District LLA-1; Preliminary Approval of Engineer's Report and Adoption of Resolution of Intention for FY 09-10

**Recommended action:**

1. Move to adopt the Resolution granting preliminary approval of the Engineer's Report for FY 09-10
2. Move to adopt the Resolution of Intention

**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. Landmark Designation for 21000 Big Basin Way (Hakone Gardens)

**Recommended action:**

The Heritage Preservation Commission (HPC) recommends the City Council:

- (1) Open the public hearing and accept public testimony on the attached Ordinance to designate the subject property as a Historic Landmark;
- (2) Close the hearing and introduce the attached Ordinance and waive first reading;
- (3) Direct staff to place the second reading and adoption of the Ordinance on the consent calendar for the next regular Council meeting.

12. Consider approval of a negative declaration and introduction of ordinance to (1) extend the waiver of off-street parking requirements in the CH1 and CH2 Zoning Districts, (2) make various clarifying amendments to the Off-Street Parking and Loading Facilities Zoning Regulations, and (3) amend Article 15-90 to conform provisions concerning appeals of Planning Commission decisions with recent amendments to Section 2-05.030 concerning appeals to the City Council.

**Recommended action:**

Staff recommends the City Council open the public hearing, accept public testimony, close the public hearing, approve the negative declaration, introduce and waive the first reading of the parking waiver extension and other code amendments, and direct staff to schedule this the ordinance for adoption on the consent calendar at the next regularly scheduled City Council meeting.

- (1) Open the public hearing and accept public testimony on the attached Ordinance to designate the subject property as a Historic Landmark;
- (2) Close the hearing and introduce the attached Ordinance and waive first reading;
- (3) Direct staff to place the second reading and adoption of the Ordinance on the consent calendar for the next regular Council meeting.

13. Proposed ordinance amending the City Code to replace the requirement for use of Roberts Rules of Order with a requirement allowing the City Council to adopt rules of procedure by resolution and clarify procedures for addressing the City Council and proposed ordinance to adopt rules of procedure.

**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 attached ordinance and resolution on the consent calendar for adoption at the May 6, 2009 City Council meeting.

- (1) Open the public hearing and accept public testimony on the attached Ordinance to designate the subject property as a Historic Landmark;
- (2) Close the hearing and introduce the attached Ordinance and waive first reading;
- (3) Direct staff to place the second reading and adoption of the Ordinance on the consent calendar for the next regular Council meeting.

**OLD BUSINESS**

14. Direction regarding Pedestrian, Equestrian, and Bicycle Trails Advisory Committee recommended amendments to the Circulation and Scenic Highway Element of the City of Saratoga General Plan and adoption of resolution to establish a no parking/stopping zone on Saratoga Avenue starting at the northwest corner of Saratoga Avenue at Lawrence Expressway and continuing south for five hundred (500) feet.

**Recommended action:**

1. Review the joint recommendation of the Pedestrian, Equestrian, and Bicycle Trails Advisory Committee and the City's Traffic Engineers regarding amendments to the City's Circulation and Scenic Highway Element and provide direction to staff.
2. Adopt the attached Motor Vehicle Resolution to establish a no parking/stopping zone on Saratoga Avenue starting at the northwest corner of Saratoga Avenue at Lawrence Expressway and continuing south for five hundred (500) feet.

**NEW BUSINESS**

15. Recommendation to Withdraw from the Cal-ID Program

**Recommended action:**

Accept presentation by Captain Calderone and Sheriff Laurie Smith to pull funding from the Cal-Id program until such time that funding options are changed to represent actual use by the city.

16. City Council Summer Schedule

**Recommended action:**

Accept staff report and direct staff accordingly on the City Council summer schedule. The Council may choose one of following options.

1. Maintain the current summer schedule; with the Council not having a meeting on the third Wednesday in August. (August 19)
2. Schedule the Council recess for the first Wednesday of August (August 5), rather than the third Wednesday of August.
3. Cancel August City Council meetings.

## **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  
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](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, 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 April 10, 2009, 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 10th day of April 2009 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](http://www.saratoga.ca.us)



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

- 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 -