

**MINUTES  
SARATOGA CITY COUNCIL  
NOVEMBER 3, 2004**

Mayor Waltonsmith called the Regular City Council meeting to order at 7:00 p.m. and lead the Pledge of Allegiance.

**ROLL CALL**

PRESENT: Councilmembers Stan Bogosian, Norman Kline, Nick Streit, Vice Mayor Kathleen King, Mayor Ann Waltonsmith

ABSENT: None

ALSO PRESENT: Dave Anderson, City Manager  
Lorie Tinfow, Assistant City Manager  
Richard Taylor, City Attorney  
Cathleen Boyer, City Clerk  
Michele Braucht, Administrative Services Director  
Tom Sullivan, Community Development Director  
John Cherbone, Public Works Director  
Cary Bloomquist, Administrative Analyst  
Morgan Kessler, Civil Engineer

**REPORT OF CITY CLERK ON POSTING OF AGENDA FOR NOVEMBER 3, 2004**

Cathleen Boyer, City Clerk, reported that pursuant to Government Code Section 54954.2, the agenda for the meeting of November 3, 2004 was properly posted on October 29, 2004.

**COMMUNICATIONS FORM COMMISSIONS & PUBLIC**

**ORAL COMMUNICATIONS**

Citizen Ray provided an update on the Highway 9 safety improvements.

**COMMUNICATIONS FROM COMMISSIONS**

None

**ANNOUNCEMENTS**

Mayor Waltonsmith announced the following information:  
You are cordially invited to the City of Saratoga's 4th Annual Tree Lighting Ceremony Friday, November 26, 2004 at Blaney Plaza. The Ceremony begins promptly at 5:30 p.m. with a holiday introduction from the Mayor of Saratoga and a countdown to light the City Holiday Tree. Following the Tree Lighting Ceremony, the Village Merchant Open House sponsored by the Village Merchants and Saratoga Chamber of Commerce will begin at 6 p.m. Residents can stroll and enjoy extended holiday shopping hours along with carriage rides and special holiday treats. The Saratoga Historical Museum and the Book-Go-Round will also host a special holiday open house. We look forward to seeing you there!

**CEREMONIAL ITEMS**

- 1A. **PROCLAMATION DECLARING NOVEMBER 14-20, 2004 AS “HUNGER & HOMELESSNESS AWARENESS WEEK”**

**STAFF RECOMMENDATION:**

Present proclamation to Barry Del Buono, President and CEO of Emergency Housing Consortium.

Mayor Waltonsmith presented the proclamation to a representative from the Emergency Housing Consortium.

- 1B. **COMMENDATION OF THE CITY COUNCIL OF THE CITY OF SARATOGA HONORING THE 20<sup>TH</sup> ANNIVERSARY OF THE SISTER CITY AFFILIATION BETWEEN MUKO, JAPAN AND SARATOGA, CALIFORNIA**

**STAFF RECOMMENDATION:**

Present commendation and present commendation to Marilyn White.

Mayor Waltonsmith read the proclamation and presented it to Marilyn White.

**SPECIAL PRESENTATIONS**

None

**CONSENT CALENDAR**

- 2A. **APPROVAL OF CITY COUNCIL MINUTES – OCTOBER 6, 2004**

**STAFF RECOMMENDATION:**

Approve minutes.

STREIT/KLINE MOVED TO **APPROVE MINUTES OF OCTOBER 6, 2004.** MOTION PASSED 5-0.

- 2B **APPROVAL OF CHECK REGISTER**

**STAFF RECOMMENDATION:**

Approve check register.

STREIT/KLINE MOVED TO **APPROVE CHECK REGISTER.** MOTION PASSED 5-0.

- 2C. **CIVIC THEATER LOWER PERIMETER ROOF AND BOOK-GO-ROUND RE-ROOF PROJECT - NOTICE OF COMPLETION**

**STAFF RECOMMENDATION:**

Accept Notice of Completion.

**STREIT/KLINE MOVED TO ACCEPT NOTICE OF COMPLETION FOR THE CIVIC THEATER LOWER PERIMETER ROOF AND BOOK-GO-ROUND RE-ROOF PROJECT.** MOTION PASSED 5-0.

**2D. ADDITIONAL UTILITY WORK IN CONJUNCTION WITH THE SEAGULL WAY SIGNAL PROJECT**

**STAFF RECOMMENDATION:**

Approve change order.

**STREIT/KLINE MOVED TO APPROVE CHANGE ORDER FOR ADDITIONAL UTILITY WORK IN CONJUNCTION WITH THE SEAGULL WAY SIGNAL PROJECT.** MOTION PASSED 5-0.

**2E. REVIEW OF MERCURY REDUCTION/VIRTUAL ELIMINATION IN MUNICIPAL OPERATIONS POLICY**

**STAFF RECOMMENDATION:**

Accept report and adopt Mercury Reduction/Virtual Elimination in Municipal Operations Policy.

**STREIT/KLINE MOVED TO ADOPT MERCURY REDUCTION/VIRTUAL ELIMINATION IN MUNICIPAL OPERATIONS POLICY.** MOTION PASSED 5-0.

**PUBLIC HEARING**

**3. AMENDMENT TO CITY CODE SECTIONS 2-05.030 & 15-90.065 RELATED TO COUNCIL INITIATED APPEALS**

**STAFF RECOMMENDATION:**

Conduct public hearing; read title of proposed ordinance; waive reading of full ordinance; direct staff to place item on the Consent Calendar on November 17, 2004 for second reading and adoption.

Tom Sullivan, Community Development Director presented staff report.

Director Sullivan stated that the proposed amendment would amend the City Code in regards to Council initiated appeals. Director Sullivan stated that due to both the City Council and Planning Commission regularly canceling one of their meetings in August, a problem can occur if there is not a regular or special Council meeting during the fifteen calendar days following a Planning Commission action. The amendment would extend the fifteen days related to the next regular or special meeting of the City Council.

Mayor Waltonsmith opened the public hearing and invited public comments.

Seeing none, Mayor Waltonsmith closed the public hearing.

**KLINE/STREIT MOVED TO WAIVE READING OF FULL ORDINANCE;  
DIRECT STAFF TO PLACE ITEM ON THE CONSENT CALENDAR ON  
NOVEMBER 17, 2004 FOR SECOND READING AND ADOPTION.**  
MOTION PASSED 5-0.

**OLD BUSINESS**

None

**NEW BUSINESS**

None

**AGENCY ASSIGNMENTS**

Mayor Ann Waltonsmith reported the following information:

Hakone Foundation Liaison – on October 28<sup>th</sup> a reception was held to accept the honor and cash award from Restore America.

Sister City Liaison – will be in Muko Japan with several other people to celebrate the 20<sup>th</sup> anniversary of the Sister City relations between Muko and Saratoga.

Vice Mayor Kathleen King reported that following information:

Chamber of Commerce – attended the Chamber of Commerce's Witchy Walk-A-Bout on October 30<sup>th</sup> in the Village – it was a success.

Councilmember Stan Bogosian had not reportable information.

Councilmember Norman Kline reported that following information:

Library Joint Powers Association – discussed going forward with another bond measure. Looking at using a mail in ballot.

Valley Transportation Authority PAC – noted that he would be attending a workshop at the end of the week.

Councilmember Streit reported that following information:

Santa Clara County Valley Water Commission – discussing the rate increase and why the Northern rates are four times higher than Southern rates.

Recycling & Waste Water Reduction Commission of SCC – stated that he was recently nominated to be a member of this committee to help with the new contracts.

**CITY COUNCIL ITEMS**

Councilmember Bogosian congratulated Mayor Waltonsmith and Aileen Kao for their successful campaign and noted that the UUT failed by 80%.

Councilmember Bogosian requested that the North Campus be agendized stating it was time to address the issue.

Responding to Councilmember Bogosian's request, Mayor WaltonSmith explained that the Council would be discussing the North Campus at the City Council retreat.

**OTHER**

None

**CITY MANAGER'S REPORT**

None

**ADJOURNMENT**

There being no further business, Mayor WaltonSmith adjourned the meeting at 7:35 p.m.

Respectfully submitted,

Cathleen Boyer, CMC  
City Clerk