

**MINUTES
SARATOGA CITY COUNCIL
NOVEMBER 16, 2005**

The City Council of the City of Saratoga held a Joint Session with the Saratoga Heritage Foundation in the Administrative Conference Room, 13777 Fruitvale Avenue, at 5:30 p.m.

The following Foundation members were present: President Chuck Schoppe, Nancy Anderson, Louise Cooper, Linda Copper, Linda Hagelin, Ron Hagelin, April Halberstadt, Warren Heid, Yvonne Mendy, Willys Peck, Peggy Schoppe, and Jenni Taylor.

Mr. Schoppe briefly described the Foundation's mission statement and vision. Mr. Schoppe described some of the Museums unique assets such as:

- Muwekma Ohlone Tribe exhibit
- Collection of material related to Abolitionist John Brown
- Collection of Gold Rush era material and pioneer diaries
- McWilliams House

Mr. Schoppe described the Foundation's efforts in obtaining grants noting that the process took a great deal of time, research, and effort from Museum personnel with no productive result.

Mr. Schoppe stated that the Foundation has recently started the "Traveling Trunk" program which is an elementary school educational program, a high school educational program, and an intern program

Mr. Schoppe reported the Foundation's events, presentation and celebrations.

Mr. Schoppe described the Foundation's accomplishments from the past year and reported on current projects such as:

- "They Call It Saratoga" book revision and report
- Historic Walking Tour Guide revision and reprint
- Sarah Brown paintings professional restoration and conservation
- Museum floor plan redesign
- Permanent exhibits redesign and construction
- McWilliams House renovation
- Duration of local Chinese and Japanese community
- Website expansion to include online store, online forum, etc.

Mr. Schoppe explained that the Foundation cannot get loaned exhibits from other museums due to the lack of fire and smoke alarms, lack of a sprinkler system, and no security system or alarms. Mr. Schoppe also requested that the Council pass a resolution allowing the Foundation to use the McWilliams House as museum.

In conclusion, Mr. Schoppe noted that the Historical Park that surrounds the Museum, the McWilliams House, and the Book-Go-Round desperately needs refurbishing. On a final note, Mr. Schoppe invited Council and staff who were not members to join the Foundation.

Mayor King thanked the Foundation for attending tonight's joint meeting.

The City Council met in Closed Session in the Administrative Conference Room, 13777 Fruitvale Avenue, at 6:30 p.m.

Conference With Legal Counsel – Existing Litigation: Jones v. Saratoga et al. Santa Clara County Sup. Court No. 1-03-CV-010545.

MAYOR'S REPORT ON CLOSED SESSION

Mayor King reported there was Council discussion but no action was taken.

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

ROLL CALL

PRESENT: Councilmembers Aileen Kao, Nick Streit,
Ann Waltonsmith, Vice Mayor Norman Kline,
Mayor Kathleen King
ABSENT: None
ALSO Dave Anderson, City Manager
PRESENT: Richard Taylor, City Attorney
Cathleen Boyer, City Clerk
Michele Braucht, Administrative Services Director
John Livingstone, Community Development Director
John Cherbone, Public Works Director

REPORT OF CITY CLERK ON POSTING OF AGENDA FOR NOVEMBER 16, 2005

Cathleen Boyer, City Clerk, reported that pursuant to Government Code Section 54954.2, the agenda for the meeting of November 16, 2005 was properly posted on November 11, 2005.

ORAL COMMUNICATIONS

The following person requested to speak at tonight's meeting:

Citizen Ray reported on the latest developments regarding the Highway 9 safety improvements.

COUNCIL DIRECTION TO STAFF

None

COMMUNICATIONS FROM BOARDS AND COMMISSIONS

Chuck Schoppe, President/Saratoga Historic Foundation, noted that the Foundation and the City Council met prior to the City Council meeting. Mr. Schoppe noted the embers talked about the Foundation's vision, mission statement, and unique museum assets. Mr. Schoppe noted that due to the lack of fire, smoke, and security alarms the Museum cannot get loans from other museum around the area. Mr. Schoppe he sees the Foundation and the Museum and important players in the economic life of the Village.

ANNOUNCEMENTS

Mayor King read the following announcement:

The City of Saratoga and the Saratoga Chamber of Commerce presents the Annual Tree Lighting Ceremony and Holiday Open House - Friday, November 25, 2005 Big Basin Way. The event starts at 5:30 p.m. in Blaney Plaza and continues into to the Village with will feature extended shopping hours, entertainment, caroling, and horse-drawn carriage rides.

CEREMONIAL ITEMS

1A. COMMENDATION HONORING CYNTHIA CHANG

STAFF RECOMMENDATION:

Present commendation.

Mayor King read the commendation and presented it to Cynthia Chang.

1B. PROCLAMATION CELEBRATING SARATOGA ROTARY'S 50TH ANNIVERSARY

STAFF RECOMMENDATION:

Present proclamation.

Mayor King read the proclamation and presented to representatives from Saratoga Rotary.

1C. PROCLAMATION – DECLARING THE WEEK OF NOVEMBER 20-26, 2005 “NATIONAL FAMILY WEEK”

STAFF RECOMMENDATION:

Present proclamation.

Mayor King read the proclamation and presented to Mr. Paul Hulme.

1D. **PROCLAMATION DECLARING THE WEEK OF NOVEMBER 13-19, 2005 AS “HUNGER AND HOMELESSNESS AWARENESS WEEK”**

STAFF RECOMMENDATION:

Present proclamation.

Mayor King read the proclamation and presented to Barry Del Buona, President and CEO, EHC Lifebuilders.

1E. **COMMENDATION HONORING LON SAAVEDRA**

STAFF RECOMMENDATION:

Present commendation.

Mayor King read the commendation and presented it to Lon Saavedra.

SPECIAL PRESENTATIONS

None

CONSENT CALENDAR

2A. **CITY COUNCIL MEETING – NOVEMBER 2, 2005**

STAFF RECOMMENDATION:

Approve minutes.

WALTONSMITH/STREIT MOVED TO **APPROVE MINUTES OF NOVEMBER 2, 2005**. MOTION PASSED 5-0.

2B. **REVIEW OF CHECK REGISTER**

STAFF RECOMMENDATION:

Approve check register.

WALTONSMITH/STREIT MOVED TO **ACCEPT CHECK REGISTER**. MOTION PASSED 5-0.

2C. **TREASURER’S REPORT FOR THE MONTH ENDED OCTOBER 2005**

STAFF RECOMMENDATION:

Accept report.

WALTONSMITH/STREIT MOVED TO **ACCEPT AND FILE REPORT**. MOTION PASSED 5-0.

2D. **INCREASE SCOPE OF WORK FOR CITYWIDE STRIPING MAINTENANCE CONTRACT**

STAFF RECOMMENDATION:

Approve additional striping work with On-Line Striping on the amount of \$25,000 and authorize City Manager to execute a contract for the same.

WALTONSMITH/STREIT MOVED TO **INCREASE SCOPE OF WORK FOR CITYWIDE STRIPING MAINTENANCE CONTRACT.** MOTION PASSED 5-0.

2E. **MOTOR VEHICLE (MV) RESOLUTION PROHIBITING PARKING ON GRANADA COURT**

STAFF RECOMMENDATION:

Adopt resolution.

RESOLUTION: MV-247

WALTONSMITH/STREIT MOVED TO **ADOPT MOTOR VEHICLE RESOLUTION.** MOTION PASSED 5-0.

2F. **HAKONE GARDENS ADA FACILITIES UPGRADE PROJECT – BUDGET AMENDMENT**

STAFF RECOMMENDATION:

Adopt resolution.

RESOLUTION: 05-070

WALTONSMITH/STREIT MOVED TO **ADOPT BUDGET RESOLUTION FOR THE HAKONE GARDENS ADA FACILITIES UPGRADE PROJECT.** MOTION PASSED 5-0.

PUBLIC HEARINGS

3. **PROPOSED GENERAL PLAN AMENDMENT AND SALE OF CITY-OWNED LAND FOR 19848 PROSPECT ROAD (COMMUNITY DEVELOPMENT DEPARTMENT FILE #05-179)**

STAFF RECOMMENDATION:

1. Adopt resolution approving the proposed General Plan Amendment as recommended by the Planning Commission; and
2. Adopt resolution-directing staff to proceed with sale of the property.

RESOLUTION: 05-071 & 072

John Livingstone, Community Development Director, presented staff report.

Director Livingstone explained that the City Council initiated a proposed subdivision of the City-owned land located at 19848 Prospect Road into 9 single-family residential parcels. The site is currently zoned R-1-10,000 and is comprised of two parcels totally 2.6 acres. Each of the proposed 9 lots ranging from 10,000 square feet to 12,100 square feet with road frontage on a public cul-de-sac. The subdivision is consistent with the zoning but requires the General Plan amendment that is the subject of this report. The City Council has proposed to sell the property with final development of the subdivision being implemented by the buyer.

Director Livingstone stated that the Planning Commission approved the proposed project with a 6-0 vote. The Planning Commission adopted a Mitigated Negative Declaration for the project as a whole and approved the Tentative Subdivision Map conditioned on the City Council approval of the General Plan Amendment.

Director Livingstone briefly described the project description and environmental determination.

Referring to the proposed General Plan Amendment, Director Livingstone explained that it would change the designation from Quasi-Public Facility to Medium Density Family (M-10).

Director Livingstone stated that the attached resolution declares that the City-owned land at 19848 Prospect Road should be sold and directs staff to seek offers from potential buyers of the land.

Mayor King opened the public hearing and invited public comments.

Seeing none, Mayor King closed the public hearing.

Councilmember Waltonsmith requested that the Council delay the decision of rezoning the property and work together to find a compromise to meet all of the public needs. Councilmember Waltonsmith noted that she would not support selling the North Campus.

Councilmember Kao stated that she feels the 9 houses proposed in the subdivision at the North Campus isn't adding value to the City. Councilmember Kao requested that the City Council protect the open space and respect the "gentleman's agreement" the City made with Grace Methodist Church to use the property for community use.

Councilmember Streit noted that the North Campus was purchased for a specific purpose. Councilmember Streit noted that the Council owes it to the citizens to put the initial investment of \$4.5 million back into the City.

Vice Mayor Kline stated that he concurred with Councilmember Streit.
Vice Mayor Kline noted that he feels the Council did try to compromise. Vice Mayor Kline noted that the money from the sale of the property should be reinvested into the City. Vice Mayor Kline noted that he would be supporting the proposed resolutions.

Mayor King noted that she feels this issue surrounding the North Campus has been the most upsetting issue amongst the City Council. Mayor King noted that she would be supporting the proposed resolution.

KLIN/STREIT MOVED TO ADOPT RESOLUTION APPROVING THE PROPOSED GENERAL PLAN AMENDMENT AS RECOMMENDED BY THE PLANNING COMMISSION; AND ADOPT RESOLUTION-DIRECTING STAFF TO PROCEED WITH SALE OF THE PROPERTY.
MOTION PASSED 3-2 WITH KAO AND WALTONSMITH OPPOSING.

OLD BUSINESS

None

NEW BUSINESS

None

ADHOC & AGENCY ASSIGNMENT REPORTS

Mayor Kathleen King reported the following information:
West Valley Mayors and Managers Association – continues discussion regarding annexations.

Vice Mayor Norman Kline reported the following information:
Village AdHoc – reviews the Village Guidelines.
Kevin Moran Park AdHoc – 3rd meeting was productive and positive.

Councilmember Nick Streit had no reportable information.

Councilmember Aileen Kao had no reportable information.

Councilmember Ann Waltonsmith had no reportable information.

CITY COUNCIL ITEMS

None

OTHER

None

CITY MANAGER'S REPORT

None

ADJOURNMENT

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There be no further business Mayor King adjourned the meeting at 8:05 p.m.

Respectfully submitted,

Cathleen Boyer, CMC
City Clerk