

MINUTES

SARATOGA CITY COUNCIL MEETING

JANUARY 18, 2006

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

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

ROLL CALL

PRESENT: Councilmembers Kathleen King, Nick Streit,
Ann Waltons-Smith, Vice Mayor Aileen Kao,
Mayor Norman Kline

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 JANUARY 18, 2006

Cathleen Boyer, City Clerk, reported that pursuant to Government Code Section 54954.2, the agenda for the meeting of January 18, 2006 was properly posted on January 12, 2006.

ORAL COMMUNICATIONS

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

Ken Biester, from the Traffic Safety Commission Chairman addressed the Council. Mr. Biester reported on several accomplishments. The NTMP program was completed. A "Red Curb" guideline was developed to inform citizens on the use of red curbs. Committee goals: Become more involved in CERT program.

ORAL COMMUNICATION ON NON-AGENDIZED ITEMS

Citizen Ray addressed the council commenting on various issues.

Citizen Elaine Claibo, Saratoga resident, addressed the Council regarding Kevin Moran Park. Ms. Claibo spoke against allowing soccer fields.

Citizen Mary Robertson, Saratoga resident, addressed the Council expressing the negative impacts to City services while allowing soccer fields at Kevin Moran Park.

Citizen Priscilla Ho, Saratoga resident, addressed the Council expressing the negatives of funding soccer fields at Kevin Moran Park in lieu of other City services.

ORAL COMMUNICATIONS – DIRECTIONS TO STAFF

None to report

ANNOUNCEMENTS

Councilmember Ann Waltonsmith announced the 5th Annual Mustard Walk Festival from 11-3pm on Sunday, Feb 5. Kathleen King announced East meets West, a lunar New Year celebration with cultural events also on Feb. 5.

Mayor Norman Kline announced there will be free electronic waste recycling on January 28, 9-1pm at 41 Miles Ave. Los Gatos. Details at www.cleanwater.org.

CEREMONIAL ITEMS

1A. PROCLAMATION DECLARING THE WEEK OF JANUARY 29 – FEBRUARY 4, 2006 AS NATIONAL CATHOLIC SCHOOLS WEEK

STAFF RECOMMENDATION:

Present proclamation.

Mayor Kline read the proclamation.

1B. COMMENDATION HONORING THE PLUMED HORSE

STAFF RECOMMENDATION:

Present commendation.

Mayor Kline postponed the reading of the proclamation until another session as Mr. Klaus was not present to accept.

SPECIAL PRESENTATIONS

2A. SANTA CLARA VALLEY WATER DISTRICT – POWER AWARD PRESENTATION DIRECTOR GREG ZLOTNICK

STAFF RECOMMENDATION:

Accept award.

Mr. Greg Zlotnick presented the Power Award to the City of Saratoga from the Santa Clara Valley Water District.

2B. AUDITOR PRESENTATION - GARY CAPORICCI

STAFF RECOMMENDATION:

Informational only.

Mr. Gary Caporicci addressed the Council presenting the findings of the City audit.

2C. **CITY OF SARATOGA COMMUNITY SATISFACTION SURVEY
FAIRBANK, MASLIN, MAULLIN & ASSOCIATION**

STAFF RECOMMENDATION:

Informational only.

Sueanne McNeil Biotti, Researcher, Fairbank, Maslin, Maullin and Associates addressed the Council reporting the findings of the Community Satisfaction Survey. A total of 500 residents were surveyed. The results noted that the majority of residents enjoy living in Saratoga, feel the City is moving in the right direction and are satisfied with services in general. The need for more business downtown, generating needed revenue, and housing prices are seen by residents as the most serious issues as are road maintenance and cut services. Over 50% of those surveyed would also support a \$100.00 increase in City taxes to pay for services.

CONSENT CALENDAR

3A **CITY COUNCIL MINUTES – DECEMBER 19, 2005**

STAFF RECOMMENDATION:

Approve minutes.

STREIT/KING MOVED TO **APPROVE MINUTES OF DECEMBER 19, 2005**. MOTION PASSED 5-0-0.

3B. **REVIEW OF CHECK REGISTER**

STAFF RECOMMENDATION:

Approve register.

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

3C. **TREASURER'S REPORT FOR THE MONTH ENDED NOVEMBER 2005**

STAFF RECOMMENDATION:

Accept report.

STREIT/KING MOVED TO **ACCEPT TREASURER'S REPORT FOR MONTH ENDED NOVEMBER 2005**. MOTION PASSED 5-0-0.

3D. **ZONING TEXT AMENDMENT – TO RELAX PARKING REQUIREMENTS IN CH-1 AND CH-2 ZONING DISTRICTS FOR A PERIOD OF THREE YEARS - SECOND READING AND ADOPTION**

STAFF RECOMMENDATION:

Grant the second reading and adopt the ordinance approving text amendment to relax parking requirements in the CH-1 and CH-2 Zoning Districts for a period of

three years.

ORDINANCE NO. 240

STREIT/KING MOVED TO GRANT THE SECOND READING AND ADOPT THE ORDINANCE APPROVING TEXT AMENDMENT TO RELAX PARKING REQUIREMENTS IN THE CH-1 AND CH-2 ZONING DISTRICTS FOR A PERIOD OF THREE YEARS. MOTION PASSED 5-0-0.

3E. ADOPTION OF JOINT POWERS AGREEMENT WITH THE BAY AREA EMPLOYEE RELATION SERVICE (BAERS)

STAFF RECOMMENDATION:

Authorize City Manager to execute a JPA to allow the City of Saratoga to participate in the BAERS.

Item was removed from the Consent Calendar.

Vice Mayor Kao asked Finance Director, Michelle Braucht, to clarify access rights to BAERS system.

RESOLUTION NO. 06-002

KAO/WALTONSMITH MOVED TO AUTHORIZE CITY MANAGER TO EXECUTE A JPA TO ALLOW THE CITY OF SARATOGA TO PARTICIPATE IN THE BAERS. MOTION PASSED 5-0-0.

3F. DEANZA/PG&E TRAIL FUNDING AGREEMENT WITH VALLEY TRANSPORTATION AGENCY (VTA)

STAFF RECOMMENDATION:

Authorize the City Manager to execute Cooperative Fund Transfer Agreement with the VTA to enable the City to receive VTA funding for the Environmental and Design Phase of the DeAnza Trail Project.

STREIT/KING MOVED TO AUTHORIZE THE CITY MANAGER TO EXECUTE COOPERATIVE FUND TRANSFER AGREEMENT WITH THE VTA TO ENABLE THE CITY TO RECEIVE VTA FUNDING FOR THE ENVIRONMENTAL AND DESIGN PHASE OF THE DEANZA TRAIL PROJECT. MOTION PASSED 5-0-0.

3G. AMENDMENT TO THE SANTA CLARA VALLEY URBAN POLLUTION PREVENTION PROGRAM AGREEMENT

STAFF RECOMMENDATION:

Authorize the City Manager to sign a Second Amendment to the MOU.

STREIT/KING MOVED TO AUTHORIZE THE CITY MANAGER TO SIGN

A SECOND AMENDMENT TO THE MOU WITH SANTA CLARA VALLEY URBAN POLLUTION PREVENTION PROGRAM AGREEMENT. MOTION PASSED 5-0-0.

3H. TRAILS & BIKEWAYS MAPS FOR THE CITY WEBSITE

STAFF RECOMMENDATION:

Approve the Heritage Loop Trail, Parker Ranch Trail and Bikeways Map for the website.

STREIT/KING MOVED TO **APPROVE THE HERITAGE LOOP TRAIL, PARKER RANCH TRAIL AND BIKEWAYS MAP FOR THE WEBSITE.** MOTION PASSED 5-0-0.

3I. JOINT USE AGREEMENTS WITH SANTA CLARA VALLEY WATER DISTRICT FOR PARK EASEMENT AT GARDINER PARK AND A PORTION OF SARATOGA CREEK AT VIA MONTE DRIVE

STAFF RECOMMENDATION:

Authorize the City Manager to execute following agreements with Santa Clara Valley Water District:

1. Joint Use Agreement for Gardiner Park.
2. Joint Use Agreement for a Portion of Saratoga Creek at Via Monte Drive.

STREIT/KING MOVED TO **AUTHORIZE THE CITY MANAGER TO EXECUTE THE FOLLOWING AGREEMENTS WITH SANTA CLARA VALLEY WATER DISTRICT: 1) JOINT USE AGREEMENT FOR GARDINER PARK, AND 2) JOINT USE AGREEMENT FOR A PORTION OF SARATOGA CREEK AT VIA MONTE DRIVE.** MOTION PASSED 5-0-0.

PUBLIC HEARINGS

4. DESIGN REVIEW APPLICATION #04-379 - APPEAL OF A DENIAL BY THE PLANNING COMMISSION TO CONSTRUCT A NEW 2-STORY SINGLE FAMILY RESIDENCE LOCATED AT 20840 FOURTH STREET

STAFF RECOMMENDATION:

Conduct Public Hearing and Approve the Design Review Application 04-379.

Staff report by Lata Vasudevan. The applicant has revised drawings based on initial design review and recommendations. Staff recommends approval.

Planning Commission Chair Susie Nagpal, addressed the Council with the Planning Commission's recommendation for the disapproval of the appeal.

The applicant, Jolie Houston, representing the property owners, presented revisions to the design and requested the appeal be approved.

Mayor Kline opened the public hearing.

The following people spoke:

Citizens Eric and Sherry Kraule, Saratoga residents addressed the Council stating their disapproval of the appeal.

Mayor Kline read a statement from citizen Garcia requesting denial of the appeal.

Citizen Ken Schultz, Saratoga resident, addressed the Council requesting denial of the appeal.

Mayor Kline closed the public hearing.

Council discussion.

Councilmember Waltonsmith stated that the lot was too small for the size house requested.

Councilmember Kline noted that the applicant is within the design guideline and also noted the current precedence for two-story homes in the immediate area.

Vice Mayor Kao did not support the appeal, also noting the bulk of the design.

Mayor Kline supported the Staff.

RESOLUTION NO. 06-001

STREIT/KING MOVED TO APPROVE THE APPEAL OF A DENIAL BY THE PLANNING COMMISSION TO CONSTRUCT A NEW 2-STORY SINGLE FAMILY RESIDENCE LOCATED AT 20840 FOURTH STREET, APPLICATION #04-379 AND TO WORK WITH ERIC AND SHERRY KRAULE TO DETERMINE THE NUMBER AND TYPE OF TREES.
MOTION PASSED 3-2-0.

5. **RESOLUTION ORDERING THE ABATEMENT OF A PUBLIC NUISANCE BY REMOVAL OF HAZARDOUS VEGETATION**

STAFF RECOMMENDATION:

Open public hearing; close public hearing; adopt resolution.

RESOLUTION : 06-003

The public hearing was opened by Mayor Kline.

There were no speakers.

The public hearing was closed by Mayor Kline.

WALTONSMITH/STREIT MOVED TO APPROVE THE RESOLUTION ORDERING THE ABATEMENT OF A PUBLIC NUISANCE BY REMOVAL OF HAZARDOUS VEGETATION. MOTION PASSED 5-0-0.

OLD BUSINESS

6. **ALOHA AVENUE/HIGHWAY 9 INTERSECTION SAFETY IMPROVEMENTS**

STAFF RECOMMENDATION:

Accept report and direct staff to implement permanent public safety improvements to the Aloha/Highway 9 intersection.

Staff report by Public Works Director, John Cherbone.

Director Cherbone reviewed the options:

- No Action
- Installing Mirror
- Prohibiting left turns, (already implemented as interim)
- Removing portion of the rock wall
- Half street closure, (one way closure) – City Council previously had chosen this one as interim option with a proviso to study the traffic impacts. Traffic Engineering study conclusion: has improved safety greatly with negligible impact to traffic.
- Full street closure

Mayor Kline invited public comment.

Citizen Ying Yao, resident of Saratoga, addressed the Council and spoke in agreement to the one way closure option.

Citizen Ray, resident of Los Gatos, addressed the Council and spoke in favor of widening Hwy. 9.

Citizen Noel King, resident of Saratoga, addressed the Council and spoke about the traffic obstruction of the interim proposal and requested that the impacted residents be privy to the options for comment.

Citizen Bob Lee, resident of Saratoga, addressed the Council requesting being able to review the options and favors prohibiting left turns.

Mayor Kline closed public comments.

Mayor Kline invited Council discussion.

Councilmembers King, Kao, Waltonsmith and Streit spoke in favor of a permanent partial closure, making a one way street.

Mayor Kline spoke in favor of prohibiting left turns only.

STREIT/WALTONSMITH **MOVED TO ACCEPT PERMANENT PARTIAL**

CLOSING OF ALOHA FOR A PUBLIC SAFETY IMPROVEMENT OF THE ALOHA INTERSECTION. MOTION WAS PASSED 4-1-0

NEW BUSINESS

None

ADHOC & AGENCY ASSIGNMENT REPORTS

Mayor Norman Kline

Library Joint Powers Association – Suggested a report out for the next Council meeting
Valley Transportation Authority PAC – Mayor Kline was elected as Vice-Chair
West Valley Mayors and Managers Association

Vice Mayor Aileen Kao

SASCC – Meeting Jan 23.

Councilmember Nick Streit

West Valley Solid Waste Joint Powers Association – Negotiating with various contractors for new service.

West Valley Sanitation District – Study findings are that the City has double the capacity needed and is looking at implementing old system improvements.

City/School AdHoc – Meetings at Saratoga High School set for next three Thursdays at 6:00 p.m. in the library regarding adding permanent lights on the field.

Councilmember Ann Waltonsmith

Sister City Liaison – Potluck meeting this Friday evening.

Councilmember Kathleen King

SCC Cities Association-Joint Economic Development Policy Committee (JEDPC) – San Mateo County is currently dealing with Comcast issues and would be interested in including Saratoga if the City desired.

Village AdHoc – Number one strategic priority is to readdress the Housing Element in the City Plan and to look at the potential for a planned development in the Village. The number one tactical side of the Village is the sidewalks.

CITY COUNCIL ITEMS

Councilmember King attended the Silicon Valley Leadership Group where a discussion was held on a proposed VTA 25cent redundant tax. Ms. King suggested that the Mayor and Directors review the survey data to see if the tax could be supported.

OTHER

None

CITY MANAGER'S REPORT

None

CITY ATTORNEY'S REPORT

Attorney Taylor noted that Item 3 – Public Hearing on Tentative Cancellation of Land Conservation (Williamson Act) Contract for 20865 Wardell Road (property owner Hall family) had an attached resolution with a condition authorizing staff to verify that the cancellation fee was paid to the County Auditor by the property owner. Staff is authorized to assure this fee was paid.

ADJOURNMENT

There being no further business Mayor Kline adjourned the meeting 9:45 p.m.

Respectfully submitted,

Ann Sullivan, CMC
Acting City Clerk