

**MINUTES**  
**SARATOGA CITY COUNCIL**  
**FEBRUARY 1, 2006**

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

**ROLL CALL**

PRESENT: Councilmembers Kathleen King, Nick Streit, Ann WaltonsSmith,  
Vice Mayor Aileen Kao  
ABSENT: Mayor Norman Kline  
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  
Joan Pisani, Recreation Director

**REPORT OF CITY CLERK ON POSTING OF AGENDA FOR FEBRUARY 1, 2006**

Cathleen Boyer, City Clerk, reported that pursuant to Government Code Section 54954.2, the agenda for the meeting of February 1, 2006, was properly posted on February 26, 2006, 2005.

**ORAL COMMUNICATIONS**

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

Phylis Ballingall announced that on Sunday, February 5, 2006 two events were taking place at City Hall. Mrs. Ballingall noted that the 5<sup>th</sup> Annual Mustard Walk was from 11 a.m. – 3 p.m. and at the same time in the Recreation Center the New Year Lunar Festival would take place.

Citizen Ray thanked the Council for the new speakers. Citizen Ray also encouraged the Council to stay involved with the Highway 9 Safety Improvement Project.

Marcia Manzo announced that on behalf of the Friends of the Saratoga Libraries, Library staff, and Library Commission, she was present this evening to thank the Council and staff for installing a pea gravel path through the orchard.

**COUNCIL DIRECTION TO STAFF**

In regards to Citizen Ray's comments, Councilmember WaltonsSmith asked Director Cherbone to explained the latest events concerning the project.

Director Cherbone responded that even though the Town of Los Gatos was the lead agency; Saratoga is on the panel for the selection of the EIR consultant.

**COMMUNICATIONS FROM BOARDS AND COMMISSIONS**

None

**COUNCIL DIRECTION TO STAFF**

None

**ANNOUNCEMENTS**

Councilmember WaltonSmith stated that the Santa Clara Water District would have a meeting at the Senior Center regarding the Calabasas Creek Project.

**CEREMONIAL ITEMS**

- 1A. **PROCLAMATION DECLARING THE MONTH OF FEBRUARY 2006 AS “SILICON VALLEY READS MONTH”**

**STAFF RECOMMENDATION:**

Present proclamation.

Vice Mayor Kao read the proclamation and presented it to Marcia Manzo, President/Friends of the Saratoga Libraries, Helen Lemmon, Chair/Saratoga Library Commission, and Joan Zedlar, Saratoga Adult Program Librarian.

**SPECIAL PRESENTATIONS**

None

**CONSENT CALENDAR**

- 2A **CITY COUNCIL MINUTES – JANUARY 4, 2006**

**STAFF RECOMMENDATION:**

Approve minutes.

STREIT/WALTONSMITH MOVED TO **APPROVE THE MINUTES OF JANUARY 4, 2006.** MOTION PASSED 4-0-1 WITH KLINE ABSENT.

- 2B. **REVIEW OF CHECK REGISTER**

**STAFF RECOMMENDATION:**

Approve register.

STREIT/WALTONSMITH MOVED TO **APPROVE THE CHECK REGISTER.** MOTION PASSED 4-0-1 WITH KLINE ABSENT.

2C. **FISCAL YEAR 2006-07 BUDGET DEVELOPMENT PROCESS**

**STAFF RECOMMENDATION:**

Accept the report and approve the budget calendar.

STREIT/WALTONSMITH MOVED TO **ACCEPT THE FISCAL YEAR 2006-07 BUDGET DEVELOPMENT PROCESS.** MOTION PASSED 4-0-1 WITH KLINE ABSENT.

2D. **ALLOCATION OF FY 2004-05 GENERAL FUND AUDITED YEAR END UNDESIGNATED FUND BALANCE**

**STAFF RECOMMENDATION:**

Accept the report and adopt Resolution approving the allocation of General Fund Audited Undesignated Fund Balance as of June 30<sup>th</sup> 2005.

**RESOLUTION: 06-008**

STREIT/WALTONSMITH MOVED TO **ACCEPT THE REPORT AND ADOPT RESOLUTION APPROVING THE ALLOCATION OF GENERAL FUND AUDITED UNDESIGNATED FUND BALANCE AS OF JUNE 30<sup>TH</sup> 2005.** MOTION PASSED 4-01 WITH KLINE ABSENT.

2E. **RESOLUTION AMENDING AGENCY/ADHOC ASSIGNMENTS**

**STAFF RECOMMENDATION:**

Adopt resolution.

**RESOLUTION: 06-005**

STREIT/WALTONSMITH MOVED TO **ADOPT RESOLUTION AMENDING AGENCY/ADHOC ASSIGNMENTS.** MOTION PASSED 4-0-1 WITH KLINE ABSENT.

2F. **TRANSFER EXISTING LOW INCOME HOUSING REHABILITATION LOANS TO SANTA CLARA COUNTY**

**STAFF RECOMMENDATION:**

Adopt resolution authorizing City Manager to execute transfer of six existing low-income housing rehabilitation loans from the City to Santa Clara County.

**RESOLUTION: 06-004**

STREIT/WALTONSMITH MOVED TO **ADOPT RESOLUTION AUTHORIZING CITY MANAGER TO EXECUTE TRANSFER OF SIX EXISTING LOW-INCOME HOUSING REHABILITATION LOANS FROM THE CITY TO SANTA CLARA COUNTY.** MOTION PASSED 4-0-1 WITH KLINE ABSENT.

2G. **RESOLUTION AWARDING CONTRACT TO WOLFORD CONSULTING FOR THE FEES ANALYSIS AND COST ALLOCATION PLAN STUDY**

**STAFF RECOMMENDATION:**

Adopt resolution awarding contract to Wolford Consulting.

**RESOLUTION: 06-009**

STREIT/WALTONSMITH MOVED TO **ADOPT RESOLUTION AWARDING CONTRACT TO WOLFORD CONSULTING FOR THE FEES ANALYSIS AND COST ALLOCATION PLAN STUDY. MOTION PASSED 4-0-1 WITH KLINE ABSENT.**

2H. **LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT LLA-1; RESOLUTION INITIATING RENEWAL OF THE DISTRICT FOR FY 06-07**

**STAFF RECOMMENDATION:**

1. Adopt resolution describing improvements and directing preparation of the Engineer's Report.
2. Adopt resolution appointing Attorney's for the District.

**RESOLUTION: 06-006& 007**

STREIT/WALTONSMITH MOVED TO **ADOPT RESOLUTION DESCRIBING IMPROVEMENTS AND DIRECTING PREPARATION OF THE ENGINEER'S REPORT; ADOPT RESOLUTION APPOINTING ATTORNEY'S FOR THE DISTRICT.** MOTION PASSED 4-0-1.

2I **RENEWAL OF PARK USER AGREEMENTS**

**STAFF RECOMMENDATION:**

Approve renewal use Agreements with AYSO, Saratoga Little League, and Saratoga Pony for the use of Saratoga City Parks for Organized Sports Use and authorize City Manager to execute the same.

Denise Goldberg requested that item 2I be removed from the Consent Calendar.

Mrs. Goldberg read a letter from her husband, Marty Goldberg, who is a member of the KMP Task Force. Mrs. Goldberg stated that her husband postponed his business trip twice for the purpose of the KMP task Force meeting but, both times were cancelled. Mrs. Goldberg stated that her husband request that the KMP Task Force be allowed to discuss the field use guidelines and address game day traffic regarding KMP. In regards to this item, Mrs. Goldberg stated that her husband would like the Council to postpone the decision until after the Task Force can review the item.

Maria Guerra noted that she is on the AYSO Board. Mrs. Guerra requested that Council look at all park usage in Saratoga. Mrs. Guerra pointed out that games are normally played on Saturday and Sunday.

Reed Parker noted that he is a community user of the parks in Saratoga and KMP is also a destination for his Cub Scout troop. Mr. Parker requested that the parks be open on the weekend for all.

Citizen Ray noted that he feels that the orchard at KMP should be taken down and the park should be used for the kids.

Howard Miller noted that he agreed that it has been a challenge to get KMP Task Force together. Mr. Miller noted that the user groups have worked under this contract for years and they have already for this season.

Barbara Barone noted that the City should charge the sports user groups appropriately like the other surrounding cities.

Councilmember Streit pointed out that this item has nothing to do with KMP. Councilmember Streit stated that when KMP gets to the point where the use is being discussed the same type of matrix will be used like El Quito and Congress Springs Park. All groups are represented on the matrix: sports user groups, the neighborhood, and City recreation activities.

Councilmember WaltonSmith noted that this is the same agreement the groups have been using for the past couple of years.

Councilmember King commented that most of the fields in the City rest at least of the of weekend days.

Director Cherbone noted that she was correct except at Congress Springs Park, the VIP team plays which have little impact on the field.

Responding to Elaine Clabeaux email, Councilmember WaltonSmith requested that practice destination be added to the contacts.

Director Cheney noted that it has already been taken care of.

**STREIT/WALTONSMITH MOVED TO APPROVE RENEWAL USE AGREEMENTS WITH AYSO, SARATOGA LITTLE LEAGUE, AND SARATOGA PONY FOR THE USE OF SARATOGA CITY PARKS FOR ORGANIZED SPORTS USE AND AUTHORIZE CITY MANAGER TO EXECUTE THE SAME.** MOTION PASSED 4-0-1 WITH KLINE ABSENT.

City Manager Anderson noted that he has had difficulty getting the entire KMP Task Force together. City Manager Anderson stated his criteria is to have at least one member from each stakeholder group. City Manager Anderson noted that the Mayor will be adding an agenda item to the next meeting to extend the KMP report 2 more weeks.

2J. **LANDSCAPE MAINTENANCE CONTRACT AMENDMENT WITH GACHINA LANDSCAPING**

**STAFF RECOMMENDATION:**

Approve an amendment to the maintenance contract with Gachina Landscaping.

STREIT/WALTONSMITH MOVED TO **APPROVE AMENDMENT TO THE MAINTENANCE CONTRACT WITH GACHINA LANDSCAPING.**

MOTION PASSED 4-0-1 WITH KLINE ABSENT.

**PUBLIC HEARINGS**

3. **PROPOSED ORDINANCE REGARDING REGULATION OF NEWSRACKS**

**STAFF RECOMMENDATION:**

Continue item to a future Council meeting.

John Livingstone, Community Development Director, noted that staff requests that Council continue this hearing to a date uncertain.

Vice Mayor Kao opened the public hearing and invited public comments.

Seeing none, Vice Mayor Kao closed the public hearing.

Consensus of the City Council to continue public hearing to a date uncertain.

**OLD BUSINESS**

None

**NEW BUSINESS**

None

**ADHOC & AGENCY ASSIGNMENT REPORTS**

Vice Mayor Aileen Kao had no reportable information.

Councilmember Nick Streit reported the following information:

West Valley Solid Waste Joint Powers Association – Board meeting on February 2, 2006, to instruct staff to start negotiations for solid waste and recycling services. Contract would go into effect March 2007.

Councilmember Ann Waltonsmith had no reportable information.

Councilmember Kathleen King reported the following information:  
Peninsula Division, League of California Cities – will be attending the division dinner with a guest speaker from Comcast.  
Village AdHoc – will be going on a field trip to the City of Pleasanton.

### **CITY COUNCIL ITEMS**

Councilmember Streit pointed out that the Saratoga Area Senior Coordinating Council's (SASCC) contract was only for one year. Councilmember Streit requested that the SASCC contract be agendized in the near future. Councilmember Streit suggested that staff look at best practices, their financial stability, and their services.

Councilmember King concurred with Councilmember Streit's request.

### **CITY MANAGER'S REPORT**

None

### **ADJOURNMENT**

There being no further business Acting Mayor Kao adjourned the meeting at 7:50 p.m.

Respectfully submitted,

Cathleen Boyer, CMC  
City Clerk