

MINUTES

SARATOGA CITY COUNCIL

MARCH 15, 2006

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

Lon Saavedra noted that he was the CEO of the Hakone Foundation. Mr. Saavedra introduced

Mr. Saavedra briefly highlighted the Foundation's recent accomplishments.

Mayor Kline thanked the Hakone Foundation for attending tonight joint meeting.

The City Council of the City of Saratoga held a Study Session in regards to the Gateway Project regarding design issues in the Administrative Conference Room, 13777 Fruitvale Avenue, at 6:0 p.m.

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

ANNOUNCEMENT OF CLOSED SESSION ITEMS

CONFERENCE WITH LEGAL COUNSEL – Threatened Litigation: Significant exposure to litigation pursuant to Government Code section 54956.9(b): (1 potential case)

MAYOR'S REPORT ON CLOSED SESSION

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

Mayor Kline 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 Waltonsmith,
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
Joan Pisani, Recreation Director

REPORT OF CITY CLERK ON POSTING OF AGENDA FOR MARCH 15, 2006

Cathleen Boyer, City Clerk, reported that pursuant to Government Code Section 54954.2, the agenda for the meeting of March 15, 2006, was properly posted on March 10, 2005.

ORAL COMMUNICATIONS

The following people requested to speak at tonight's meeting

Paul Fontenot noted that last year he presented that same report to the City Council and the Planning Commission. Mr. Fontenot noted that he is concerned that Saratoga is currently overly exposed due to lack of a Master Wireless Facilities Plan. Mr. Fontenot stated that his recommendation to the City is that they adopt the City of Cupertino's Master Wireless Plan which was adopted in 2003. Mr. Fontenot requested that the Council make this Plan a priority and pointed out that at this time wireless applications are taken on a case-by-case basis without any consideration to an overall citywide wireless solution.

Marilyn Marchetti announced the St. Paddy's Day event that will be held in the Village from 6 p.m. - 9 p.m. Ms. Marchetti briefly highlighted the various activities planned for the evening.

Jill Hunter presented Council with a book created by Denise Goldberg memorializing ten Heritage Trees in Saratoga.

COUNCIL DIRECTION TO STAFF

In regards to Mr. Fontenot's requests, Councilmember King asked staff to respond to his comments.

City Manager Anderson stated that the City Council has already prioritized and given direction to staff on which ordinances were to be completed.

COMMUNICATIONS FROM BOARDS AND COMMISSIONS

Lon Saavedra, CEO/Hakone Gardens, thanked the City Council for invited the Board to participate in a joint meeting with the Council prior to tonight's regular meeting. Mr. Saavedra mentioned the recent movie "Memoirs of a Geisha" that was filmed in part at Hakone.

ANNOUNCEMENTS

Mayor Kline made the following announcement:

The City is now accepting applications to fill two positions on the Planning Commission, five positions on the Heritage Preservation Commission, two positions on the Traffic Safety Commission, and several positions on the Youth Commission. For more information contact Cathleen Boyer, City Clerk at 868-1269 or visit the City's website at www.saratoga.ca.us. Deadline for submitting applications is March 17th.

CEREMONIAL ITEMS

1. COMMENDATION HONORING KLAUS PACHE AND FAMILY

STAFF RECOMMENDATION:

Present commendation.

Mayor Kline read the commendation and presented it to Mr. Pache.

Mr. Pache thanked the City for the commendation and thanked all of the patrons he has had at his restaurant throughout the years. Mr. Pache thanked his wife and son for their continued support throughout the many years in the business.

SPECIAL PRESENTATIONS

None

CONSENT CALENDAR

2A CITY COUNCIL MINUTES – FEBRUARY 10, 2006

STAFF RECOMMENDATION:

Approve minutes.

STREIT/WALTONSMITH MOVED TO **APPROVED MINUTES OF FEBRUARY 10, 2006**. MOTION PASSED 5-0.

2B. APPROVAL OF CHECK REGISTER

STAFF RECOMMENDATION:

Approve register.

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

2C. TREASURER'S REPORT FOR THE MONTH ENDED JANUARY 2006

STAFF RECOMMENDATION:

Accept and file report.

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

- 2D. **LETTER OF SUPPORT - SANTA CLARA VALLEY WATER DISTRICT ENABLING ACT AMENDMENT**

STAFF RECOMMENDATION:

Authorize Mayor to sign letter of support.

STREIT/WALTONSMITH MOVED TO **AUTHORIZE THE MAYOR TO SIGN A LETTER OF SUPPORT FOR SCC VALLEY WATER DISTRICT ENABLING ACT AMENDMENT.** MOTION PASSED 5-0.

- 2E. **RESOLUTION AMENDING RESOLUTION 05-032 CONCERNING STRUCTURE AND OPERATIONS OF CITY COMMISSIONS**

STAFF RECOMMENDATION:

Adopt resolution.

RESOLUTION : 06-

STREIT/WALTONSMITH MOVED TO **ADOPT RESOLUTION AMENDING RESOLUTION 05-032 CONCERNING STRUCTURE AND OPERATIONS OF CITY COMMISSIONS.** MOTION PASSED 5-0.

- 2F. **AUTHORIZATION TO PURCHASE OF FOUR CHEVROLET 3500 DUMP TRUCKS, ONE CHEVROLET SILVERADO AND TWO CHEVROLET COLORADO, AND DECLARATION OF SURPLUS PROPERTIES AND AUTHORIZATION OF DISPOSAL**

STAFF RECOMMENDATION:

1. Move to authorize the purchase of (4) four 2006 Chevrolet 3500 1-ton dump trucks, (1) one 2006 Chevrolet Silverado and (2) two Chevrolet Colorados from Santa Rosa Chevrolet in the amount of \$ 210,382.00.
2. Move to declare vehicles as surplus and authorize their disposal.

STREIT/WALTONSMITH MOVED TO **AUTHORIZE THE PURCHASE OF (4) FOUR 2006 CHEVROLET 3500 1-TON DUMP TRUCKS, (1) ONE 2006 CHEVROLET SILVERADO AND (2) TWO CHEVROLET COLORADOS FROM SANTA ROSA CHEVROLET IN THE AMOUNT OF \$ 210,382.00; MOVE TO DECLARE VEHICLES AS SURPLUS AND AUTHORIZE THEIR DISPOSAL.** MOTION PASSED 5-0.

- 2G. **AUTHORIZE CITY MANAGER TO SIGN CONTRACT WITH JOE GONSALVES & SON FOR THE PURPOSE OF LEGISLATIVE REPRESENTATION**

STAFF RECOMMENDATION:

Approve contract and authorize City Manager to execute the same.

STREIT/WALTONSMITH MOVED TO AUTHORIZE CITY MANAGER TO SIGN CONTRACT WITH JOE GONSALVES & SON FOR THE PURPOSE OF LEGISLATIVE REPRESENTATION. MOTION PASSED 5-0.

2-. **ALLOCATION OF 2002 PARK BOND FUNDS FROM THE CITY OF MONTE SERENO**

STAFF RECOMMENDATION:

1. Adopt Resolution authorizing the City to amend its Per Capita 2002 Park Bond Act allocation with the State to reflect a transfer of \$80,000 from the City of Monte Sereno.
2. Direct staff to amend the fee schedule for the upcoming budget year to allow Monte Sereno residents to rent the Wildwood Park stage at resident rates.

RESOLUTION : 06-

STREIT/WALTONSMITH MOVED TO ADOPT RESOLUTION AUTHORIZING THE CITY TO AMEND ITS PER CAPITA 2002 PARK BOND ACT ALLOCATION WITH THE STATE TO REFLECT A TRANSFER OF \$80,000 FROM THE CITY OF MONTE SERENO; DIRECT STAFF TO AMEND THE FEE SCHEDULE FOR THE UPCOMING BUDGET YEAR TO ALLOW MONTE SERENO RESIDENTS TO RENT THE WILDWOOD PARK STAGE AT RESIDENT RATES. MOTION PASSED 5-0.

2I. **MOTOR VEHICLE (MV) RESOLUTION PROHIBITING PARKING - HERRIMAN AVENUE**

STAFF RECOMMENDATION:

Move to adopt Motor Vehicle Resolution prohibiting parking on a portion of Herriman Avenue.

RESOLUTION : MV-

STREIT/WALTONSMITH MOVE TO ADOPT MOTOR VEHICLE RESOLUTION PROHIBITING PARKING ON A PORTION OF HERRIMAN AVENUE. MOTION PASSED 5-0.

2J **RESOLUTION TO SUPPORT THE METROPOLITAN TRANSPORTATION COMMISSION'S STP THIRD CYCLE FOR LOCAL STREETS AND ROAD REHABILITATION GRANT APPLICATION**

STAFF RECOMMENDATION:

Adopt resolution.

RESOLUTION : 06-

STREIT/WALTONSMITH MOVED TO **ADOPT RESOLUTION TO SUPPORT THE METROPOLITAN TRANSPORTATION COMMISSION'S STP THIRD CYCLE FOR LOCAL STREETS AND ROAD REHABILITATION GRANT APPLICATION.** MOTION PASSED 5-0.

2K. **AMEND CURRENT INFORMATION TECHNOLOGY CONTRACT WITH THE CITY OF PALO ALTO TO INCLUDE WEBSITE DESIGN AND ON-GOING WEBSITE MAINTENANCE**

STAFF RECOMMENDATION:

Approve amendment to the contract with the City of Palo Alto.

STREIT/WALTONSMITH MOVED TO **AMEND THE CURRENT INFORMATION TECHNOLOGY CONTRACT WITH THE CITY OF PALO ALTO TO INCLUDE WEBSITE DESIGN AND ON-GOING WEBSITE MAINTENANCE.** MOTION PASSED 5-0.

PUBLIC HEARINGS

3. **FY 2006-07 COMMUNITY DEVELOPMENT BLOCK GRANTS (CDBG)**

STAFF RECOMMENDATION:

Conduct public hearing; adopt resolution authoring staff to submit funding allocations to the Santa Clara County for CDBG proposals totaling \$139,070.

RESOLUTION : 06-

Therese Schmidt, Associate Planner, presented staff report.

Planner Schmidt explained the background of the Department of Housing and Urban Development (HUD) annual disbursements of Housing and Community Development Act (HCDA) funds for eligible projects and activities. Planner Schmidt announced that the County has informed staff that \$139,070 would be available for FY 2006/07. Of that amount \$38,611 may be spent on public service CDBG activities.

Planner Schmidt explained the 2006/07 CDBG funding recommendations as follows:

1. CDBG Public Service Activities

- SASCC – Adult Day Care Program- \$30,000
- Cupertino Community Services, Inc. - \$8,611

2. CDBG Capital and non-Public Service Projects

- City of Saratoga Public Works Department – Saratoga-Sunnyvale Road Improvements - \$77,309
- SASCC- Adult Day Care Program –Computer Lab Upgrade Project-no allocation
- SHARP Revolving Housing Rehabilitation Loan Program-transfer \$20,000 from SHARP to Public Works Capital and non-Public Service Project for ADA improvements to Saratoga-Sunnyvale Road.

3. Program Administration

- City Program Administration- \$15,000

Mayor Kline opened the public hearing and invited public comments.

Genie Dee, SASCC/Executive Director, read a letter from a participants family thanking SASCC for providing a wonderful program. Director Dee requested that the Council fully fund their request.

Debbie Snyder, Adult Care Center/Director, thanked the Council for their continuous support for the Adult Day Care Program. Director Snyder noted that the environment at the Center is safe and fun for frail people. The Center also provides the much needed respite to the caregivers.

Teresa Stewart noted that she was a Campbell resident but her mother lives in Saratoga. Ms. Stewart explained that her mother, who is 82 years old, uses the Adult Day Care program five days per week and loves it. Ms. Stewart also noted that if it weren't for the subsidy that SASCC proved her mother could not afford to participate in the program.

George Bunyard noted that he was very concerned about tonight's recommendation in regards to the funding for SASCC. Mr. Bunyard stated that the problem is not controlling the expenses but the lack of revenue. Mr. Bunyard stated that this year's CDBG funding recommendation is 18% lower than last year. Mr. Bunyard requested that the Council fully fund their request of \$37, 284.

Ethel James noted that she was the President of the SASCC Board and requested that Council at least grant them the funds they received last year of \$36,681. Ms. James noted that no one else in the City provides adult care services.

Jeff Nickel described his wife's tragic story and asked that the Council fully fund the Adult Day Care program.

Naomi Nakano-Matsumoto, Cupertino Community Services/Executive Director, thanked the Council for considering their funding request. Director Matsumoto noted that although they are in Cupertino their program serves residents of Campbell, Los Gatos, San Jose, Saratoga, and West San Jose. Director Matsumoto stated that CCS has been serving the West Valley area for over 30 years. Due to budget cuts over the past couple of years, Director Matsumoto noted that it was necessary to approach every city who they serve for additional funds. Director Matsumoto stated that CCS has never asked Saratoga for funding.

Kim Ferm, Cupertino Community Services, Inc /Director of Family, described some of the people who use CCS such as elderly people and single mothers.

Services, Jacquy Carey, Cupertino Community Services, Inc/Director of Housing Services, proved historical data in regards to the number of Saratoga residents that have used services proved by CCS.

Seeing no other speakers, Mayor Kline closed the public Hearing.

Councilmember Waltonsmith urged the Council to only allocate \$2,000 to CCS and fund SASCC at \$36,611.

Councilmember Streit stated that he doesn't disagree the SASCC is an excellent program but CCS is servicing a group of people who don't have enough money for basic needs. Councilmember Streit stated that this group is the group most people in Saratoga forget about. Councilmember Streit stated that CCS has never requested money from Saratoga. Councilmember Streit stated he would support staff's recommendation.

Vice Mayor Kao noted that this is a difficult situation. Vice Mayor Kao stated that she worked with staff on this recommendation and fully supports it with a slight amendment; fund SASCC at \$34,000 and CCS at \$4,600.

Councilmember King asked if CCS or SASCC have applied for CDBG funding from Los Gatos, Campbell or Cupertino.

Director Matsumoto responded that CCS received funds from San Jose and Cupertino but was recently denied by the Town of Los Gatos.

Director Dee stated that SASCC have not approached anyone else for CDBG funds.

Councilmember King commended CCS for reaching out to the other cities for funding.

Council discussion took place in regards to alternative amounts of funding for CCS and SASCC.

WALTONSMITH/KAO MOVED TO APPROVE STAFF'S RECOMMENDATION WITH ONE AMENDMENT TO THE PUBLIC SERVICES ACTIVITIES – CCS-\$5,611 AND SASCC \$33,000. MOTION PASSED 5-0.

OLD BUSINESS

4 KEVIN MORAN PARK – REVIEW OF DESIGN PLANS

STAFF RECOMMENDATION:

1. Accept report and direct staff accordingly.
2. Approve Resolution for 2002 Park Bond Act Per Capita Grant Program in the amount of \$220,000.
3. Approve Resolution for 2002 Park Bond Act Roberti-Z'Berg-Harris Block Grant Program in the amount of \$82,454.

RESOLUTION : 06-

Dave Anderson, City Manager, presented staff report.

City Manager Anderson explained that on February 27th the first two KMP Task Force meetings were held to develop a design plan for KM. All the Task Force members were in attendance as well as interested residents. City Manager Anderson stated that he facilitated the meetings.

City Manager Anderson stated that the original intent of this first meeting was to provide design options to the Task Force, record their comments and forward their comments along with two plans, 1 A/B and 2 A/B to the City Council. The meeting went well and the course of the meeting became evident that the Task Force was nearing a consensus on a modified Design Plan 1, which subsequently was renamed Design Plan 3. The creation of a new plan was not an anticipated outcome of the first Task Force meeting.

City Manager Anderson stated that they had to be talked into creating it. The necessitated a round of iterations between staff and the designer. City Manager Anderson pointed out that Between the Task Force Meeting and the submittal of the staff report, was only three working days. Because of this some errors crept into the design and some stakeholders' positions may have been misinterpreted. City Manager Anderson boldly stated that he wanted to make certain the Task Force members knew that no third party influenced their design decisions.

City Manager Anderson stated that staff is recommending that the Council authorizes the Task Force to hold another meeting to refine the design.

City Manager Anderson noted that Public Works Director John Cherbone would be presenting the three options and comment on each.

Director Cherbone

MOVED TO ADOPT RESOLUTION FOR 2002 PARK BOND ACT PER CAPITA GRANT PROGRAM IN THE AMOUNT OF \$220,000; APPROVE RESOLUTION FOR 2002 PARK BOND ACT ROBERTI-Z'BERG-HARRIS BLOCK GRANT PROGRAM IN THE AMOUNT OF \$82,454. MOTION PASSED 5-0.

5. **TREE PRUNING AND DECORATIVE LIGHTING PROPOSALS**

STAFF RECOMMENDATION:

Accept report and direct staff accordingly.

John Cherbone, Public Works Director, presented staff report.

Director Cherbone explained that in 2001 the City implemented a decorative tree lighting program in the Village. KC Enterprises were contracted to install lights on 98 trees located along Big Basin Way for a total cost of \$21,500. Since 2003, due to budget constraints, the tree lights have not been repaired or replaced. In addition, most species of trees located in the Village should be pruned approximately every three years and has been approximately that amount of time since the last pruning was performed.

Director Cherbone explained that a report was submitted to Council on December 21st of last year to discuss the tree pruning and decorative lighting for the Village trees. At this meeting Council directed staff to solicit several tree pruning and decorative lighting options.

Director Cherbone explained that staff solicited quotes for tree trimming based on an arborist report prepared by the City Arborist, Kate Bear, which proved specific pruning recommendation for each tree in the Village that currently has decorative lighting. Director Cherbone noted that staff was recommending that Council declare Valley Crest the low bidder.

In regards to decorative tree lighting options, Director Cherbone noted that three options were available:

- Option 1 – Tree trunks only
- Option 2: Tree trunks and major (scaffold) branches
- Option 3: Tree trunks and major (scaffold) branches and canopy

Director Cherbone described the costs for each option and noted that staff recommended Option 2 because it provides more lighting than Option 1 and does not have the maintenance issues that Option 3 does.

Director Cherbone noted that the total cost of the project, trimming and installation of decorative lights would be \$14,265. Director Cherbone noted that \$25,000 is available for this project in the Capital Improvement Plan-Village Tree Pruning and Lights.

Consensus of the City Council to direct staff to go forward with Option 2.

NEW BUSINESS

None

ADHOC & AGENCY ASSIGNMENT REPORTS

Mayor Norman Kline

Association of Bay Area Government
Chamber of Commerce
Library Joint Powers Association
Hakone Foundation
Santa Clara County Emergency Preparedness Council
Valley Transportation Authority PAC
West Valley Mayors and Managers Association
TEA Task Force

Vice Mayor Aileen Kao

County Cities Association Legislative Task Force
Santa Clara County Cities Association
County HCD Policy Committee
SASCC
SASCC Task Force

Councilmember Nick Streit

Recycling & Waste Reduction Commission of SCC
Santa Clara County Valley Water Commission
West Valley Solid Waste Joint Powers Association
West Valley Sanitation District
City/School AdHoc

Councilmember Ann Waltonsmith

KSAR Community Access TV Board
Northern Central Flood Control Zone Advisory Board
Saratoga Historic Foundation
Sister City Liaison

Councilmember Kathleen King

Association of Bay Area Government
Peninsula Division, League of California Cities
SCC Cities Association-Joint Economic Development Policy Committee (JEDPC)
Village AdHoc

CITY COUNCIL ITEMS

CITY MANAGER'S REPORT

None

ADJOURNMENT

There being no further business Mayor Kline adjourned the meeting at 9:30 p.m.

Respectfully submitted,

Cathleen Boyer, CMC
City Clerk