

MINUTES

SARATOGA CITY COUNCIL

MAY 17, 2006

The City Council met in open session at 5:20 p.m. to conduct interviews for vacancies on the Youth Commission.

Mayor Kline called the Regular City Council meeting to order at 7:00 p.m. and requested that Miles and Quincy Owyang lead 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 MAY 17, 2006

Cathleen Boyer, City Clerk, reported that pursuant to Government Code Section 54954.2, the agenda for the meeting of May 17, 2006, was properly posted on May 12, 2006.

ORAL COMMUNICATIONS

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

Citizen Ray provided the Council with copies of the minutes from the Town of Los Gatos April 19th Special Meeting reported Councilmember Glickman. Citizen Ray also pointed out a tree down on Blauer Drive.

Nelia Garner requested that the City investigate field use agreements with the Cupertino School District for soccer.

Elaine Clabeaux noted that the KMP Tasks Force data has been ignored by the City Council.

Mary Robertson stated that she was disappointed with the entire KMP process. Mrs. Robertson noted that the numbers for soccer enrollment have been going down over the past ten years. Referring to the survey the City conducted in 2005, Mrs. Robertson noted that the survey showed that soccer fields were a low priority. Mrs. Robertson stated that the same people who complain about having to drive their children to Cupertino to play soccer actually drive out of the area so their children can attend schools such as Archbishop Mitty, Bellarmine, and St. Francis.

Marty Goldberg pointed out the statistics on the percentages of Saratoga residents on AYSO, DYSA and DeAnza Force soccer leagues. Mr. Goldberg requested that the KMP Task Force be charged to do an in-depth investigation on all the fields in Saratoga for all sports user groups.

Denise Goldberg presented the Council with a photo of the “Neighborhood Plan” for the Kevin Moran Park Improvement Project. Mrs. Goldberg stated that not only is the footprint of the latest “Council Plan” too big and too expensive. Mrs. Goldberg explained that the “Neighborhood Plan” provides a tennis court, basketball court, bocce ball, extends the picnic area, and provides open grass. Mrs. Goldberg also pointed out that this plan protects tree #69 and demonstrates fiscal responsibility.

Veena Jaiu thanked the Council for the proclamation declaring the week of March 6-11, 2006 as “Science Fair Week”.

COUNCIL DIRECTION TO STAFF

Councilmember King asked Mrs. Goldberg if there was a bathroom on the “Neighborhood Plan”.

Mrs. Goldberg indicated that a bathroom didn’t appear on the plan but the neighborhood did compromise on a bathroom.

COMMUNICATIONS FROM BOARDS AND COMMISSIONS

Kelly Burke noted she has been a Youth Commissioner for the past four years. Commissioner Burke indicated that the survey that was conducted in 2005 showed that 78% of the public supported youth activities. Commissioner Burke stated that the Warner Hutton House (WHH) provides teens a safe, substance free, social atmosphere. Commissioner Burke stated that teens need a place to go. Commissioner Burke noted that the Commission is concerned about the recent changes that have been made to the WHH. Commissioner Burke noted that teens feel conformable coming to the WHH. Commissioner Burke requested that the Council hold a public hearing to discuss the use of the WHH and allow the Youth Commission to still use it.

Phillip Baker noted that he was the current Chair of the Youth Commission. Chair Baker noted that teens feel conformable visiting the WHH. Chair Baker requested that the Council hold a public hearing to discuss the use of the WHH and allow the Youth Commission to still use it.

COUNCIL DIRECTION TO STAFF

Councilmember King requested that the use of the WHH be agendized for discussion at the next meeting.

Councilmember Streit noted that he supported Councilmember King’s request.

Mayor Kline stated that the Council already discussed the use of the WHH. Mayor Kline suggested that staff bring back a report to Council regarding options for a teen center, not excluding the use of the WHH.

In regards to Citizen Ray's comments regarding the tree on Bluaer Drive, Councilmember King turned to staff for an explanation.

City Manager Anderson noted that he would have staff follow up on this.

In regards to the comments made by the KMP neighbors, Councilmember King noted that they have been looking into the use of Prospect High School and West Valley College for soccer.

ANNOUNCEMENTS

None

CEREMONIAL ITEMS

1. PROCLAMATION DECLARING THE MONTH OF MAY MENTAL HEALTH MONTH

STAFF RECOMMENDATION:

Read proclamation.

Councilmember King read the proclamation and presented it to John Mitchem, President NAMI Santa Clara County (National Alliance on Mental Illness).

SPECIAL PRESENTATIONS

2. PRESENTATION BY JERRY HITCHMAN – SARATOGA 1906 EARTHQUAKE MEMORABILIA

STAFF RECOMMENDATION:

Accept gift on behalf of the Saratoga Museum.

Mr. Hitchamn read a letter from his mother who is 95 years old and lives in Arizona.

The letter relayed the story behind the platter. Mr. Hitchman presented the platter to Mayor Kline and President of the Historic Foundation Chuck Schoppe.

Mr. Schoppe thanked Mr. Hitchman for the gift.

CONSENT CALENDAR

3A. CITY COUNCIL MINUTES MARCH 1, 2006

STAFF RECOMMENDATION:

Approve minutes.

STREIT/KAO MOVED TO **APPROVE MINUTES OF MARCH 1, 2006.**
MOTION PASSED 5-0.

3B. CITY COUNCIL MINUTES APRIL 19, 2006

STAFF RECOMMENDATION:

Approve minutes.

STREIT/KAO MOVED TO **APPROVE MINUTES OF APRIL 19, 2006.**
MOTION PASSED 5-0.

3C. APPROVAL OF CHECK REGISTER

STAFF RECOMMENDATION:

Approve register.

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

3D. TREASURER'S REPORT FOR THE MONTH ENDED MARCH 2006

STAFF RECOMMENDATION:

Approve report.

STREIT/KAO MOVED TO **ACCEPT TREASURERS REPORT FOR THE
MONTH ENDED MARCH 2006.** MOTION PASSED 5-0.

3E. CITY OF SARATOGA FY 06-07 OPERATING BUDGET

STAFF RECOMMENDATION:

Accept report and adopt resolution adopting the budget.

RESOLUTION: 06-040

Vice Mayor Kao requested that this item be removed from the Consent Calendar

Vice Mayor Kao stated that at the last meeting the one time funds were pulled from the budget and the consensus of the Council was to discuss the use at another meeting.

Mayor Kline stated that the use of one time funds was agendized for June 7th.

KAO/WALTONSMITH MOVED TO ADOPT RESOLUTION ADOPTING THE CITY OF SARATOGA ADOPTING THE FISCAL YEAR 2006-07 OPERATING BUDGET. MOTION PASSED 5-0.

3F. FISCAL YEAR 2006-2007 APPROPRIATION LIMIT

STAFF RECOMMENDATION:

Adopt resolution.

RESOLUTION: 06-042

Vice Mayor Kao requested that this item be removed from the Consent Calendar

Vice Mayor Kao asked why the City had to adopt this resolution.

Administrative Services Director Braucht responded that this was a State requirement.

KAO/STREIT MOVED TO ADOPT RESOLUTION ESTABLISHING THE FISCAL YEAR 2006-07 GANN LIMIT APPROPRIATION FOR THE CITY OF SARATOGA. MOTION PASSED 5-0.

3G. RESOLUTION AMENDING FY 05-06 BUDGET TO FUND THE JUNE 2006 PRIMARY ELECTION – MEASURE J

STAFF RECOMMENDATION:

Adopt resolution.

RESOLUTION: 06-041

Councilmember Streit requested that this item be removed from the Consent Calendar.

Councilmember Streit indicated that staff amended the resolution and requested that Council adapt it rather than the one in the packet.

STREIT/WALTONSMITH MOVED TO ADOPT AMENDED RESOLUTION AUTHORIZING THE INCREASE IN THE CITY CLERK'S BUDGET IN THE AMOUNT OF \$90,000 AND IN GENERAL FUND INTEREST EARNING REVENUE IN THE AMOUNT OF \$250,000. MOTION PASSED 5-0.

3H. MEMORANDUM OF UNDERSTATING BETWEEN THE CITY OF SARATOGA AND THE SARATOGA AMATEUR RADIO ASSOCIATION

STAFF RECOMMENDATION:

Accept report and authorize City Manager to execute MOU.

STREIT/KAO MOVE TO ACCEPT REPORT AND AUTHORIZE CITY MANAGER TO EXECUTE MOU. MOTION PASSED 5-0.

3I. **RESOLUTION AUTHORIZING JOINT POWERS AUTHORITY EXECUTIVE DIRECTOR TO APPLY FOR FUNDING FROM THE DEPARTMENT OF CONSERVATION**

STAFF RECOMMENDATION:

Adopt resolution authorizing the West Valley Solid Waste Management Authority (J.P.A) Executive Director to request funds in the amount of \$20,711.00 pursuant to the Department of Conservation Beverage Container Recycling and litter Reduction Act.

RESOLUTION: 06-043

STREIT/KAO MOVED TO ADOPT RESOLUTION AUTHORIZING JOINT POWERS AUTHORITY EXECUTIVE DIRECTOR TO APPLY FOR FUNDING FROM THE DEPARTMENT OF CONSERVATION. MOTION PASSED 5-0.

PUBLIC HEARINGS

4. **PROPOSED DENSITY BONUS ORDINANCE TO COMPLY WITH THE STATE DENSITY BONUS LAW**

STAFF RECOMMENDATION:

Accept public testimony and continue item to June 7, 2006.

John Livingstone, Community Development Director, presented staff report.

Mayor Kline opened the public hearing and invited public comments.

Seeing none, Mayor Kline stated that this hearing would continue on June 7, 2006.

STREIT/WALTONSMITH MOVED TO CONTINUE HEARING ON JUNE 7, 2006. MOTION PASSED 5-0.

5. **PROPOSED UPDATE TO THE CITY OF SARATOGA NOISE ORDINANCE**

STAFF RECOMMENDATION:

Accept public testimony and continue item to June 7, 2006.

John Livingstone, Community Development Director, presented staff report.

Mayor Kline opened the public hearing and invited public comments.

Seeing none, Mayor Kline stated that this hearing would continue on June 7, 2006.

STREIT/WALTONSMITH MOVED TO CONTINUE HEARING ON JUNE 7, 2006. MOTION PASSED 5-0.

OLD BUSINESS

None

NEW BUSINESS

7. **CONTRACT FOR ENVIRONMENTAL REVIEW OF PROPOSED DE ANZA TRAIL IMPROVEMENTS**

STAFF RECOMMENDATION:

Approve contract with LSA Associates in the amount not to exceed \$125,000 to be paid with grant funds from the Valley Transportation Agency and a private donor.

Vice Mayor Kao recused herself from this item and stepped down from the dais.

Richard Taylor, City Attorney, presented staff report.

Councilmember Waltonsmith stated that Council received an email from Bill Brookes supporting this item.

STREIT/WALTONSMITH MOVED TO APPROVE CONTRACT WITH LSA ASSOCIATES IN THE AMOUNT NOT TO EXCEED \$125,000 TO BE PAID WITH GRANT FUNDS FROM THE VALLEY TRANSPORTATION AGENCY AND A PRIVATE DONOR. MOTION PASSED 4-0. VICE MAYOR KAO RECUSED HERSELF FROM THIS ITEM.

6. **STREAMING VIDEO SOFTWARE - GRANICUS INC.**

STAFF RECOMMENDATION:

1. Accept report and presentation provided by Granicus Inc.
2. Authorize City Manager to execute agreement with Granicus Inc. for streaming video software.

Cathleen Boyer, City Clerk, presented staff report.

City Clerk Boyer explained that using streaming video is a convenient option for residents and the business community who have a desire to get involved in local government and hear what their elected leaders are saying.

City Clerk Boyer noted that the proposed system and solution from Granicus Inc. would be configured for Council Chamber for use by the City Council and the Planning Commission. Meetings would continue to be broadcast live on KSAR Channel 15. Additionally, meetings would be streaming live on the City's website. This enables the business community and the public without cable TV to view the meetings live. The streamed video would then be available for us to

archive and upload to Granicus Inc. This on-demand feature would allow users to view video at the leisure.

City Clerk Boyer stated that funds for this purchase have been appropriated in the FY 06-07 Budget.

City Clerk Boyer introduced Thao Hill, Western Regional Director. City Clerk Boyer noted that Mr. Hill would provide Council with a visual presentation of streamlining video and would answer any questions Council may have.

Thao Hill, Western Regional Director, thanked the Council for the opportunity to introduce Granicus Inc. Mr. Hill gave a brief background on Granicus Inc.

Councilmember Waltonsmith noted that she was excited about the streaming video.

Councilmember King asked what the maintained fee covers.

Mr. Hill explained that the fee covers the following:

- Technical and user support
- Software upgrades
- Monitoring
- Bandwidth and storage

Vice Mayor Kao asked if the City still need to use KSAR.

Mr. Hill explained that KSAR was necessary to get the audio and video feed required to use Granicus.

City Manager Anderson noted that the City can utilize KSAR staff to do the indexing.

A discussion took place in regards to the difference of Option 1 and Option 2. Mr. Hill explained that the only difference was that Option 2 included the MediaVault.

Vice Mayor Kao asked how Granicus protects the information from computer hackers.

Mr. Hill explained that Granicus had two data centers, one in Virginia and the other in San Francisco. If the City purchased the MediaVault then a third site would be developed.

Vice Mayor Kao asked if there were other streaming video companies.

Mr. Hill responded that there were other companies that do streaming video but added that Granicus offers a unique product especially designed for local government.

WALTONSMITH/STREIT MOVED TO ACCEPT REPORT AND DIRECT STAFF TO EXECUTE AGREEMENT FOR A TERM OF FIVE YEARS WITH GRANICUS INC. PURCHASING OPTION 2. MOTION PASSED 5-0.

ADHOC & AGENCY ASSIGNMENT REPORTS

Mayor Kline reported the following information:

Valley Transportation Authority PAC – noted he was appointed the Chair of the CIP Committee.

TEA Ad Hoc Committee – no organized opposition against AB 117 and is moving forward through the process with a minor amendment concerning ERAF.

Vice Mayor Kao reported the following information:

SASCC – new lunch program would start on May 31st.

Councilmember Streit had no reportable information.

Councilmember WaltonsSmith reported the following information:

Saratoga Historic Foundation – recently awarded a grant from the Stanford School of Business. This grant will provide consulting services of an undergraduate who will work with the Foundation to become an effective organization.

Sister City Liaison

Councilmember King had no reportable information.

CITY COUNCIL ITEMS

None

CITY MANAGER'S REPORT

City Manager Anderson reminded Council the annual Peace Officers Association Ceremony was this Friday, May 19th at 12 noon. The ceremony would be at the Sheriff's Office on Younger Drive in San Jose.

Mayor Kline adjourned the meeting at 9:20 p.m. and noted that Council would reconvene in the Administrative Conference Room to discuss closed session items.

CONFERENCE WITH LEGAL COUNSEL – Initiation of Litigation (Gov't Code section 54956.9(c): (2 potential cases).

ADJOURNMENT

There being no further business Mayor Kline adjourned to closed session at 10:00 p.m.

Respectfully submitted,

Cathleen Boyer, CMC
City Clerk