

MINUTES

SARATOGA CITY COUNCIL SEPTEMBER 20, 2006

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

Mayor Kline called the Regular City Council meeting to order at 7:05 p.m. 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: Barbara Powell, Assistant City Manager
Richard Taylor, City Attorney
Cathleen Boyer, City Clerk
John Livingstone, Community Development Director
John Cherbone, Public Works Director

REPORT OF CITY CLERK ON POSTING OF AGENDA FOR SEPTEMBER 20, 2006

Cathleen Boyer, City Clerk, reported that pursuant to Government Code Section 54954.2, the agenda for the meeting of September 20, 2006, was properly posted on September 15, 2006.

Councilmember King announced that prior to the meeting she received a call from Assembly member Cohn informing her that the Governor signed AB117.

Mayor Kline requested that the Council move item 1A before Oral Communications.

Consensus of the City Council to move item 1A forward.

SPECIAL PRESENTATIONS

1A. **PRESENTATION BY SUPERVISOR LIZ KNISS - CELEBRATING THE CITY'S 50TH ANNIVERSARY**

STAFF RECOMMENDATION:

Accept resolution.

Supervisor Kniss read the proclamation and presented it to Mayor Kline.
Supervisor Kniss congratulated the City on the passage of AB 117.

ORAL COMMUNICATIONS

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

Meg Giberson requested that the proposed Zoning Ordinance amendments that was recently reviewed and approved by the Planning Commission be returned to the

Commisison. Mrs. Giberson noted that the Council should direct the changes be divided into sections and holds public review hearings before it returns to Council.

Rita Witmer requested the status on the environmental impact report (EIR) on the De Anza Trail. Ms. Witmer also asked when it would be available to the public. Ms. Witmer noted that she is opposed to the project along with 100 other residents that have signed various petitions.

Mary Robertson reported on the July 4th event at Kevin Moran Park. Mrs. Robertson noted that they provided a BBQ and many games which were enjoyed by t he children. Mrs. Robertson noted that although the event was supposed to end at 3:00 p.m. it ended at 3:45 p.m.

Jenny Young Taylor pointed out the agenda item #7 was added after they were mailed out. Ms. Taylor noted that she wasn't aware of the additional item until today.

Cheriel Jensen requested that that hardwood floor be installed in the Administrative Building at the North Campus. Mrs. Jensen also commented on the upcoming public hearing before the Planning Commission on the General Plan Land Use Element. Mrs. Jensen noted that the proposed amendment s wipe out all existing polices which have been replaced by strategies.

Mark Linsky announced that September 29, 2006 the first Saratoga Varsity football game would be played at Saratoga High School starting at 7:30 p.m. Mr. Linsky also congratulated the Council on the passage AB 117

Jack Mallory congratulated the Council on the passage AB 117. Mr. Mallory requested that the City contribute funds to begin a historic book/video of Willys Peck.

Devin Utter invited everyone to learn about Petanque at Wildwood Park on September 23rd @ 10:00 a.m. and September 24th @ 1:00 p.m.

COUNCIL DIRECTION TO STAFF

Responding to the comments made by Ms. Witmer, City Attorney Taylor noted that the when EIR is finished it would be circulated and noticed. Anyone who is interested in a copy can get one. City Attorney Taylor stated that the EIR will also be presented to the City Council for review.

In regards to the request made by Mrs. Jensen, Councilmember Waltonsmith asked if installation of hardwood floor could be added to the list of improvements at the North Campus. As far as the comments made in regards General Plan Land Use Element, Councilmember Waltonsmith requested that this item be agendized for discussion.

Mayor Kline noted that he would agendize her request.

In regards to the comments made by Mrs. Giberson in regards to the proposed Zoning Ordinance amendments, City Manager Anderson stated that he would direct staff to organize the changes into categories for Council review.

Responding to the request made by Mr. Mallory, Councilmember Waltonsmith suggested that the Council agendize his suggestion for discussion.

ANNOUNCEMENTS

None

CEREMONIAL ITEMS

None

CONSENT CALENDAR

2A. CHECK REGISTER FOR 08/08/06

STAFF RECOMMENDATION:

Accept register.

STREIT/WALTONSMITH MOVED TO **ACCEPT CHECK REGISTER FOR 08/08/06.** MOTION PASSED 5-0.

2B. CHECK REGISTER FOR 08/22/06

STAFF RECOMMENDATION:

Accept register.

STREIT/WALTONSMITH MOVED TO **ACCEPT CHECK REGISTER FOR 08/22/06.** MOTION PASSED 5-0.

**2C. TREASURER'S REPORT FOR THE MONTH ENDED JULY 2006
(UNAUDITED)**

STAFF RECOMMENDATION:

Accept report.

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

**2D. BUDGET AMENDMENT FOR PUBLIC NOTICING SERVICES
CONTRACT**

STAFF RECOMMENDATION:

Adopt resolution.

STREIT/WALTONSMITH MOVED TO **ADOPT BUDGET AMENDMENT FOR PUBLIC NOTICING SERVICES CONTRACT.** MOTION PASSED 5-0.

**2E. FEE WAIVER REQUEST FROM THE SARATOGA – MONTE SERENO
COMMUNITY FOUNDATION**

STAFF RECOMMENDATION:

Adopt resolution.

Councilmember Waltonsmith requested that 2E be removed from the Consent Calendar.

Councilmember Waltonsmith noted that the Foundation was a great organization but the event they want to advertise is a private fundraiser.

Vice Mayor Kao noted that she does not support fee waivers.

Mayor Kline noted that normally he is against waiving fees but, the Foundation gives the money back to the Saratoga. Mayor Kline pointed out the City has waived fees for the Saratoga Rotary.

KING/KLINE MOVED TO ADOPT RESOLUTION FEE WAIVER REQUEST FROM THE SARATOGA – MONTE SERENO COMMUNITY FOUNDATION. MOTION FAILED 2-3 WITH KAO, STREIT, AND WALTONSMITH OPPOSING.

2F **COOPERATIVE AGREEMENT AMONG THE CITY OF SARATOGA, THE TOWN OF LOS GATOS, AND THE CITY OF MONTE SERENO FOR HIGHWAY 9 SAFETY IMPROVEMENTS**

STAFF RECOMMENDATION:

Adopt resolution authorizing the City Manager to execute Cooperative Agreement among the City of Saratoga, the Town of Los Gatos, and the City of Monte Sereno for Highway 9 Safety Improvements.

RESOLUTION: 06-078

Citizen Ray requested that 2F be removed from the Consent Calendar.

City Attorney Taylor noted that the Town of Los Gatos Council already approved the attached agreement and last night the Monte Sereno Council approved the same one. In addition to approving the agreement the Monte Sereno Council proposed a separate agreement to form a joint City Council oversight committee. City Attorney Taylor noted that the Monte Sereno Council suggested that oversight committee be comprised of two Councilmembers from each city and that the committee meets quarterly to review the project's progress.

Citizen Ray requested that there be quarterly oversight meeting in regards to this project. Citizen Ray noted that he supports the City of Monte Sereno's suggestion to form an oversight committee.

Joanne Peth noted that she attended the Monte Sereno City Council meeting last night. Ms. Peth noted that the Council had a very good discussion regarding this item. Ms. Peth noted that many citizens expressed their concern that the money will be spent on studies and not enough money will be allocated to the project.

City Attorney Taylor advised the Council to approve the proposed agreement with the interest to move forward with the project and direct staff to come up with a proposal to form a subcommittee.

STREIT/KING MOVED TO ADOPT RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE COOPERATIVE AGREEMENT AMONG THE CITY OF SARATOGA, THE TOWN OF LOS GATOS, AND THE CITY OF MONTE SERENO FOR HIGHWAY 9 SAFETY IMPROVEMENTS AND NOTING THAT THE SARATOGA CITY COUNCIL WOULD NOT ISSUE APPROVAL FOR THE PLANS AND SPECIFICATIONS ON THE PROJECT UNTIL IT HAS BEEN REVIEWED BY AN OVERSIGHT COMMITTEE. MOTION PASSED 5-0.

2G. **RESOLUTION SUPPORTING MEASURE A – SANTA CLARA COUNTY INITIATIVE FOR THE CONSERVATION AND PRESERVATION OF HILLSIDES, RANCLANDS AND AGRICULTURAL LANDS**

STAFF RECOMMENDATION:

Adopt resolution.

Mayor Kline noted that several people would like to pull item 2G from the Consent Calendar.

Melissa Hippard, noted that she repressed the Sierra Club. Ms. Hippard noted that Measure A protects agriculture and open space. Ms. Hippard noted that rural sprawl is costly and only benefits a few people. Ms. Hippard requested that the City Council support Measure A.

Andre Charles noted that he was the campaign manager for the “No on Measure A” campaign. Mr. Charles urged the City Council not to weigh in on this issue.

Adam Montgomery noted that he represented the Silicon Valley Association of Realtors. Mr. Montgomery requested that the City stay neutral on this item.

Clarence Stone noted that this measure was written behind closed doors. Mr. Stone noted that he does not support Measure A.

William Lester stated that he does not support Measure A and urged the Council not to weigh in on this issue. Mr. Lester noted that he feels this measure is too restricted.

Cheriel Jensen noted that she supported Measure A.

Paul Cardus noted that a representative from the Santa Clara Farm Bureau could not attend the meeting tonight. Mr. Cardus read a letter on behalf of the Farm Bureau. This letter urged the Council not to support Measure A.

Councilmember Waltonsmith noted that she asked this item to be agendized and stated that she supported the proposed resolution.

Mayor Kline noted that he personally supports the measure but urged the Council not to vote on this item.

Councilmember Streit noted that he would no support the proposed resolution because he would not support a measure that would hurt farmers.

Councilmember King noted that she would abstain from the vote due to the fact that she has not read the whole measure and would not feel comfortable voting on it tonight.

WALTONSMITH/KAO MOVED TO **ADOPT RESOLUTION SUPPORTING MEASURE A – SANTA CLARA COUNTY INITIATIVE FOR THE CONSERVATION AND PRESERVATION OF HILLSIDES, RANCHLANDS AND AGRICULTURAL LANDS.** MOTION FAILED 2-2-1 WITH STREIT AND KLINE OPPOSING AND KING ABSTAINING.

PUBLIC HEARINGS

3. **ANNEXATION OF TWO COUNTY ISLANDS UNDER THE EXPEDITED ANNEXATION PROGRAM**

STAFF RECOMMENDATION:

Adopt resolution annexing the 104 acre Prospect Road and the 20 acre Hidden Hill Road area.

RESOLUTION: 06-072

John Livingstone, Community Development Director, presented staff report.

Director Livingstone noted that on June 7, 2006 the City Council approved a resolution initiating the annexation of the 104 acre Prospect Road Area and the 20 acre Hidden Hill Road Area.

Mayor Kline opened the public hearing and invited public comments.

The following people requested to speak on this item:

William Lester noted that he was opposed to the proposed annexation.

Cheriel Jensen described her experience when she worked at the County Planning Department.

Wanda Kownacki urged the City Council to approve the proposed annexation.

Mayor Kline closed the public hearing.

STREIT/KAO MOVED TO **ADOPT RESOLUTION ANNEXING THE 104 ACRE PROSPECT ROAD AND THE 20 ACRE HIDDEN HILL ROAD AREA.** MOTION PASSED 5-0.

OLD BUSINESS

4. KEVIN MORAN PARK – CONCEPTUAL DESIGN PROCESS

STAFF RECOMMENDATION:

Accept report, accept public testimony, and provide direction to staff regarding the process to develop a conceptual design plan for improvement at Kevin Moran Park.

John Cherbone, Public Works Director, presented staff report.

Director Cherbone explained that at the September 6, 2006 City Council meeting, Council approved a Joint Use Agreement with West Valley College for use of two full size soccer fields, which negated the need to develop a full size field at Kevin Moran Park (KMP).

Director Cherbone stated that a new process for designing KMP must be developed. Director Cherbone explained three options:

1. Organize a Task Force to work with the Public Works staff and David Nelson, the City's design consultant to develop a design plan. The Council could appoint new members for this Task Force or use existing members from the KMP Task Force.
2. Appoint a Council Ad Hoc to work directly with staff and the design consultant to develop a plan.
3. Direct staff to work directly with the design consultant to develop a plan based on City Council direction.

Mayor Kline asked if the existing Task Force member were willing to continue on with the design process.

Director Cherbone noted that he hasn't talked to every member of the Task Force.

Vice Mayor Kao asked if the two existing Councilmembers on the Task Force had to continue with the process.

Director Cherbone noted that the Council representative could be replaced.

The following people requested to speak on this item:

Laura Watkins noted that the user groups do not need a game field at KMP now that the fields are available at West Valley College. Ms. Watkins noted that since the KMP neighbors opposed game fields the process should be expeditious.

Marilynn Marchetti urged everyone to visit KMP-it's one of Saratoga's hidden treasures. Mrs. Marchetti noted that the Park and Recreation Commission (PRC) should be reinstated. Mrs. Marchetti noted that she feels that between the PRC and the Task Force they can come up with a good plan.

Jane Olsen urged the Council to no go backwards and stated that we need flat grass.

Marty Goldberg urged the Council to move forward with the “Neighborhood Plan” for the development of KMP. In regards to the process, Mr. Goldberg stated that when the design is completed it be brought back for public discussion.

In regards to the photo Mr. Goldberg presented to Council, Mayor Kline asked if the neighborhood agreed with two flat grass fields and a bathroom.

Mr. Goldberg responded yes.

Dave Mighdoll noted that just because the City secured gamed fields doe not change the fact the sports user groups still need flat grass. Mr. Mighdoll urged the Council not to send the design back to the Task Force.

Bob Wallace suggested the KMP Improvement Project be placed on the ballot.

Susanne O’Neal noted that KMP is a passive park and urged the Council to save the path for the students. Ms. O’Neal noted that the “Neighborhood Plan” is the fiscally responsible design.

Maria Guerra thanked the Council for the West Valley Field Use Agreement. Ms. Guerra urged the Council to retain the bowl and flat grass at KMP.

John Pleque read a letter from Debi Lilo who was unable to attend tonight’s meeting. The letter stated that Mrs. Lilo thanked the Council for the recent agreement with West Valley College and urged the Council to develop two practice fields at KMP.

Dan Casas urged the Council to return to the vote they took in June 2006.

Huey Lee expressed her thanked to the Council for securing the fields at West Valley College. Mrs. Lee noted that now the KMP neighborhood won’t have to worry about traffic, safety, and parking. Mrs. Lee urged the Council to support the “Neighborhood Plan”.

Janice Zdankus stated that the KMP neighbors do not object to practice fields at KMP and noted that “flat grass” is not a sports complex.

Jeff Tokel noted that he lived two blocks away from KMP, has two boys, and rarely uses the park. Mr. Tokel noted that the sports user groups still need practice fields.

Teresa Lorenzen thanked the Council for the West Valley Field Use Agreement. Ms. Lorenzen stated that the KMP development process should continue in a fiscally responsible way.

Elaine Clabeaux urged the Council to go forward with the “Neighborhood Plan”. Mrs. Clabeaux urged the Council not to send the plan back to the Task Force-turn it over to City staff and the designer.

Ted Clabeaux urged the Council to development KMP using the “Neighborhood Plan”.

Donna McKenzie stated that she agreed with the last speakers comments.

Jenni Young Taylor noted that she attended the July 4th celebration at KMP. Ms. Taylor urged the Council to protect the old oak tree at KMP.

Neil Kever noted that he is against taking out any trees or grass and stated that KMP does not need a parking lot or the additional traffic. Mr. Kever stated that KMP should be left as is. Mr. Kever noted that if anyone has a personal interest in this issue they should recuse themselves from voting.

Mark Linsky urged the Council to move forward with a plan that includes flat grass.

Mary Robertson urged the Council to move forward with the “Neighborhood Plan” with the proper environment review. Mrs. Robertson noted that the agreement with West Valley College was fiscally responsible. Mrs. Robertson noted that the template that was used for practice fields was 50x60 not 110x65. Mrs. Robertson pointed out that a 110x65 foot field is considered a “game Field”. Mrs. Robertson urged the Council to reinstate the PRC.

Mayor Kline noted that he was please with everyone’s reaction this evening. Mayor Kline noted that he didn’t see a lot of conflict tonight between the groups.

Councilmember Streit noted that after listening to all the speakers he feels both groups are close to solving this issue. Councilmember Streit stated the he would not support the plan returning to the Task Force. Councilmember Streit suggested sending the plan back to the design consultant and instruct him to return to the Council with a couple of options. Councilmember Streit noted that there is no intention of a “game field” at KMP the users are looking for flat grass for practice. Councilmember Streit noted that a practice field could be designed in the orchard and would not affect any of the major trees nor would it affect the path. Councilmember Streit stated hat this field would be so irregular it could never be a game field. Councilmember Streit stated that his recommendation is to send the plan to the design consultant to develop as much flat grass as possible that can never be a game field but, accomplished the need for Y14 and U16 to use as practice fields.

Councilmember King referred to the comment made that she should recuse herself from voting because her kids play sports. Councilmember King gave several examples of other personal interests that she could not vote on. Councilmember King noted that she would recuse herself if she had any financial advantage. Councilmember King noted that she wished the plan was not called the “Neighborhood Plan” which meant that a game field would be allowed at KMP. Councilmember King noted that she has spent many hours trying to find field space for games so the neighbors would be happy allowing practice fields at KMP. Councilmember King sated it in her mind it was never smaller than half and if it was any smaller only U10 could use the field. Councilmember King thought the big issue was “game fields” vs. “practice fields”. She didn’t think the problem was with the size of the practice field. Councilmember King noted that she thought

in the "Neighborhood Plan" the bowl was being developed, her thought is not develop the bowl but design a reasonable sized practice field. She is disappointed to hear the neighbors want less than half of a games field. Councilmember King agreed that the plan should be sent back to the designer and would not agree on a field that was less than half of what the Council discussed two months ago. Councilmember King noted that when she supported the "Neighborhood Plan" what she meant was that no game field should go into KMP.

Councilmember Waltonsmith noted that she supported sending the plan back to the Task Force.

City Council discussion in regards to the right process to move forward on the development of KMP.

KLIN/KAO MOVED TO CONTINUE WITH EXISTING TASK FORCE; IF EXISTING TASK FORCE MEMBERS DO NOT WANT TO PARTICIPATE, THE MAYOR WOULD SELECT THE REPLACEMENTS; ALLOW THE TASK FORCE TO MEET TWO TIMES; USE THE "NEIGHBORHOOD PLAN" AS A BASE MODEL; RETURN TO COUNCIL ON NOVEMBER 1, 2006. MOTION PASSED 5-0.

5. **COMPENSATION OF PLANNING COMMISSIONERS AND CITY COUNCIL MEMBERS AND RESOLUTION REINSTATING PLANNING COMMISSION COMPENSATION**

STAFF RECOMMENDATION:

Adopt resolution reinstating Planning Commission compensation and provide direction to staff regarding compensation of City Council Members.

Richard Taylor, City Attorney, presented staff report.

City Attorney Taylor explained that earlier this year the City Council directed staff to suspend payments to City Council members and Planning Commissioners pending further investigation regarding the requirements of AB 1234, adopted by the legislature in 2005. AB 1234 and related legislation set specific standards governing compensation and reimbursement of City Council members and other appointed officials such as Commissioners. At its meeting of June 7, 2006 the City Council adopted a formal reimbursement policy meeting the requirements of applicable state laws. This report addresses issues pertaining to compensation for Planning Commissioners and Council members.

In regards to the Planning Commission Stipends, City Attorney Taylor noted that staff has researched the requirements of AB 1234 together with the resolution authorizing payments to Commissioners and concluded that AB 1234 does not preclude compensation of Planning Commissioners. The City's practice prior to suspension of those payments was to pay Planning Commissioners \$150 per month as a stipend "to assist in part for the numerous hours of service they (Planning Commissioners) provide to the City of Saratoga." A copy of the 2001 resolution providing for Commissioner compensation is included as Attachment A. Because the payments are for compensation and not for reimbursement, the limitations of AB 1234 do not apply. State law gives the Council considerable discretion with respect to direct compensation of Commissioners. Accordingly,

there are no legal obstacles to continuing the City's past practice in this regard. Attachment B is a resolution reinstating compensation and providing for payment for the time that the suspension was in effect.

City Attorney Taylor explained that because Commissioner stipends are compensation, they will be processed through payroll. Planning Commissioners will be asked to submit W-4 forms, and the stipends will be reported as ordinary income, subject to Medicare (1.45%) withholding. While the amount of the stipend does not meet the threshold for state or federal tax withholding, the total amount received may impact an individual Commissioner's annual state and federal tax liability.

In regards to the City Council Compensation, City Attorney Taylor explained that in contrast to Planning Commissioner payments which are intended as compensation, the City Code makes clear that the \$250 per month payments to City Council members that it prescribes are intended as a general reimbursement for expenses incurred in the course of performing duties on behalf of the City. (Attachment C includes the text of the relevant Code section.) AB 1234, however, precludes continued use of that form of reimbursement. Instead, it authorizes reimbursements only on an expense-by-expense basis in accordance with an adopted reimbursement policy. The City adopted such a policy on June 7, 2006.

City Attorney Taylor that in light of the limitations imposed by AB 1234 the City must either repeal the Code section regarding reimbursement or amend that section to provide for some form of compensation. If the Council elects to provide for some form of compensation, the compensation would not take effect until after the new Council members take office following the November election.

City Attorney Taylor explained that State law provides that Council members in a City the size of Saratoga may be paid up to \$300 per month. (Gov't Code § 36516(a)(1).) Higher compensation is permitted if approved by the voters. (Gov't Code §36516(b).) The Council could structure this as a flat monthly payment or could provide for payments of a specified amount for each meeting attended by the Council member up to a specified maximum per month. As with Planning Commission compensation, City Council compensation would be subject to medicare withholding.

City Attorney Taylor noted that if the City Council elects to compensate Council members it also has the option of making available retirement and medical benefits through the California Public Employees Retirement System (CalPERS). CalPERS staff has indicated that the City would have the option of making retirement and medical benefits available to compensated Council members (Planning Commissioners are not eligible for these benefits

KING/WALTONSMITH MOVED TO ADOPT RESOLUTION REINSTATING PLANNING COMMISSION COMPENSATION RETROACTIVE. MOTION PASSED 5-0.

WALTONSMITH/KAO MOVED TO DIRECT STAFF TO RESEARCH BENEFITS PAID BY COUNCILMEMBERS AND REINSTATE \$250 COMPENSATION. MOTION PASSED 3-1-1 KLINE OPPOSING AND KING ABSTAINED

6. CITY COMMISSIONS – STATUS AND FUTURE OPTIONS

STAFF RECOMMENDATION:

Accept report and direct staff accordingly.

Barbara Powell, Assistant City Manager, presented staff report.

Assistant City Manager Powell explained that at its May 18, 2005 meeting, the City Council adopted Resolution 05-032 pertaining to the structure and operations of City Commissions. Assistant City Manager Powell explained that in recognition of significant budget cuts sustained by the City over several years, a corresponding reduction in City staff, and staffing requirements of City Commissions, the Council made several changes to the Commissions:

- Arts – Suspended until July 1, 2006; extended member terms for one year
- Finance – Meeting frequency changed from monthly to once/year and as needed; reduced the number of members from 7 to 5
- Library – Meeting frequency changed from monthly to quarterly; reduced the number of members from 7 to 5
- Parks & Recreation – Suspended until September 1, 2006; extended member terms for one year
- Public Safety – Renamed as Traffic Safety Commission; defined mission as investigation, review and analysis of issues regarding traffic safety; reduced the number of members from 7 to 5
- Heritage Preservation, Planning and Youth Commissions - unchanged
- Formed the Saratoga Pedestrian, Bicycle & Equestrian Trails Committee to advise the Public Works Director about planning, acquisition, development and maintenance of trails in Saratoga.

Assistant City Manager Powell continued to explained that at its February 10, 2006 Retreat, the City Council received a report from Cathleen Boyer, City Clerk, about options for citizen involvement. Included in Ms. Boyer's report was a review of the above decisions concerning Commissions, as well as an estimate that it takes at least one-quarter of a full-time employee (approximately 500 hours) to appropriately staff each Commission.

Assistant City Manager Powell noted that Ms. Boyer's report included several options for Council consideration:

- Reestablish the Arts and Parks & Recreation Commissions;
- Establish a Cultural Commission (possibly the Arts, Library and Heritage Preservation Commissions combined);
- Combine commissions/committees together (Parks & Recreation could be combined with the Pedestrian, Bicycle & Equestrian Trails Committee);
- Reduce the scope of commissions to limit self-generated projects; and/or
- Reduce meeting frequency to limit needed staff support.

Assistant City Manager Powell noted that at the retreat, Council members affirmed the decisions they had made through Resolution 05-032 and did not make any additional decisions regarding Commissions/Committees.

Assistant City Manager Powell noted that in light of the suspension until September 1, 2006 of the Parks & Recreation Commission, and recent discussions during Oral Communications at City Council meetings, staff is bringing this issue to the Council for further direction.

Assistant City Manager Powell presented Council with the following options:

1. Extend the current Commission status until the next Council retreat, slated for February 2007. At that time the new City Council could determine the level of involvement of Commissions in Saratoga city government.
2. Reactivate some or all City Commissions, with less frequent meetings, fewer members and/or reduced scope of duties.
3. Fully reactivate Commissions to their previous status.

Assistant City Manager Powell explained that the limiting factor in reinstating City Commissions is a lack of staff support capacity. As previously constituted, each Commission had a full agenda of self-initiated activities and relied heavily upon staff for the development of agendas, preparation of minutes, meeting noticing, staff reports and pre-meeting research and follow-up after meetings. These tasks are quite time intensive and may constitute up to one-quarter of the time of the staff assigned to support the Commission. Further, the City Manager's Office previously had one additional employee devoted largely to Commission support. Additional Commission support was provided by department head or division head level staff members.

Assistant City Manager Powell explained that currently, the Administrative Services Director position is vacant, limiting the support that department could provide to a reconstituted Finance Commission. As well, the Recreation Director is on medical leave and is not available to provide Commission support. The Public Works Director already supports the Traffic Safety Commission and the Pedestrian, Bicycle & Equestrian Trails Committee and, with his many other responsibilities, could not support another Commission assignment.

Assistant City Manager Powell explained that if the City Council desires to reengage citizen participation through Commissions and to restore enhanced customer and community relations, it is recommended that a position be established in the City Manager's office to provide for Commission support, preparation of a community newsletter and public/media relations services, together with reestablishment of a City Hall receptionist position to provide front-line customer service.

The following people requested to speak on this item:

Elaine Clabeaux noted that she fully supported reinstating the Commissions. Mrs. Clabeaux noted the PRC saved the City a lot of time and money.

Denise Goldberg noted that the time allotment in the staff report for City staff time was incorrect.

Marilyn Marchetti noted that that she fully supported reinstating the Commissions.

KLINE/KAO MOVED TO ALLOW THE NEXT CITY COUNCIL TO MAKE THE DECISION AND ADD IT TO THE FEBRUARY 2007 CITY COUNCIL RETREAT. MOTION PASSED 5-0.

NEW BUSINESS

7. REMOVAL OF THREE OAK TREES AT WILDWOOD PARK

STAFF RECOMMENDATION:

Direct staff on which option to pursue with respect to the removal of two coast live oaks and one valley oak.

Kate Bear, City Arborist, presented staff report.

Arborist Bear described the situation and condition of the trees at Wildwood Park.

The following people requested to speak on this item:

Marilyn Marchetti suggested obtaining a second opinion in regards to the tree in the parking lot of the Inn at Saratoga.

Jenni Young Taylor noted that proper notice of this item was not given to the public.

WALTONSMITH/STREIT MOVED TO REMOVE TWO COAST LIVE OAKS IN WILDWOOD PARK ADJACENT TO THE WALKWAY AND REPLACE THEM WITH THEM WITH THE SAME SPECIES. MOTION PASSED 5-0.

STREIT/KAO MOVED TO OBTAIN A 2ND OPINION ON THE VALLEY OAK LOCATED IN THE PARKING LOT OF THE INN AT SARATOGA AND REPORT BACK TO COUNCIL ON OCTOBER 4, 2006. MOTION PASSED 5-0.

ADHOC & AGENCY ASSIGNMENT REPORTS

Mayor Kline had no reportable information.

Vice Mayor Kao stated that she attended the Santa Clara County City's Association for Mayor Kline and volunteered him to be the alternate.

Councilmember Streit had no reportable information.

Councilmember Waltonsmith reported the following information:

KSAR Community Access TV Board – noted that she was voted back on the Board as a non-voting member.

Sister City Liaison – noted that their 50th Anniversary event was this weekend.

Councilmember King had no reportable information.

CITY COUNCIL ITEMS

Councilmember Waltonsmith noted that many Blue Hills School neighbors have expressed to her that they would like some relief from soccer games at the school.

Councilmember King noted that she would talk to Howard Miller about the situation at Blue Hills Scholl.

CITY MANAGER'S REPORT

None

ADJOURNMENT

There being no further business Mayor Kline adjourned the regular meeting at 11:25 p.m...

Respectfully submitted,

Cathleen Boyer, CMC
City Clerk