

## MINUTES

### SARATOGA CITY COUNCIL FEBRUARY 21, 2007

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

The following Foundation members were present: President Chuck Schoppe, Peggy Schoppe, Warren Hyde, Bob Louden, Linda Hagelin, Bob Himel, Jack Mallory, Wylis Peck, Ron Hagelin, Laural Perusa, and Museum Director April Halberstadt.

President Schoppe highlighted the following in regards to the Foundation:

- 2006 accomplishments
- Events
- Community Outreach
- Fundraising opportunities
- Marketing efforts
- Operational

President Schoppe requested the City's continued support and noted that all the Councilmembers were members of the Foundation.

President Schoppe voiced some of the Foundation's concerns such as:

- Landscaping of the Historical Park
- Lack of storage space
- Not enough parking
- Funding issues
- Enhanced outreach to the Asian citizens

Mayor Kao thanked the members of the Historic Foundation for attending tonight's joint meeting.

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

#### **ANNOUNCEMENT OF CLOSED SESSION ITEMS**

Conference With Legal Counsel - Existing Litigation (1 case) (Government Code section 54956.9(a)):

Suto v. Saratoga et al. (Santa Clara County Superior Court Case No.107CV078657)

#### **MAYOR'S REPORT ON CLOSED SESSION**

Mayor Kao had no reportable information.

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 Jill Hunter, Kathleen King, Chuck Page,  
Vice Mayor Ann Waltonsmith Mayor Aileen Kao,  
ABSENT: None  
ALSO Dave Anderson, City Manager  
PRESENT: Richard Taylor, City Attorney  
Cathleen Boyer, City Clerk  
Mary Furey, Administrative Services Director  
John Livingstone, Community Development Director  
John Cherbone, Public Works Director

## **REPORT OF CITY CLERK ON POSTING OF AGENDA FOR FEBRUARY 21, 2007**

Cathleen Boyer, City Clerk, reported that pursuant to Government Code Section 54954.2, the agenda for the meeting of February 21, 2007, was properly posted on February 16, 2007.

## **ORAL COMMUNICATIONS**

The following people requested to speak:

Kathleen Casey stated that there was not enough finding to allow the house on Oak Street to be demolished.

## **COUNCIL DIRECTION TO STAFF**

**None**

## **COMMUNICATIONS FROM BOARDS AND COMMISSIONS**

Chuck Schoppe noted that he was President of the Saratoga Historic Foundation. President Schoppe stated that prior to tonight's meeting the Council held a joint meeting with the Foundation. President Schoppe highlighted the Foundation's accomplishments.

## **COUNCIL DIRECTION TO STAFF**

None

## **ANNOUNCEMENTS**

Vice Mayor Waltonsmith announced that the Historic Foundation needs volunteers to help with the Wylis Peck historic project. Vice Mayor Waltonsmith stated that the Foundation also needs free storage space for all of the documents that need to be sorted.

Councilmember Page thanked Saratoga High School for a great production of "Into the Woods".

Councilmember Page also reminded everyone that the new garbage and recycling hauler, WVC&R, starts on March 1, 2007.

Councilmember King requested that WVC&R update the City at the first meeting in April.

City Council consensus to ask WVC&R to attend the April 4<sup>th</sup> City Council meeting.

### **CEREMONIAL ITEMS**

#### **1A. COMMENDATION HONORING MARGARET WANG**

##### **STAFF RECOMMENDATION:**

Present commendation

Mayor Kao read the proclamation and presented it to Margaret Wang.

### **SPECIAL PRESENTATIONS**

None

### **CONSENT CALENDAR**

#### **2A. CITY COUNCIL MINUTES – JANUARY 17, 2007**

##### **STAFF RECOMMENDATION:**

Approve minutes.

WALTOSNMTIH/KING MOVED TO **APPROVE COUNCIL MINUTES FROM JANUARY 17, 2007.** MOTION PASSED 5-0.

#### **2B. CITY COUNCIL MINUTES – FEBRUARY 2, 2007**

##### **STAFF RECOMMENDATION:**

Approve minutes

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

Councilmember King pointed out a few errors.

WALTOSNMTIH/PAGE MOVED TO **APPROVE AMENDED COUNCIL MINUTES FROM FEBRUARY 2, 2007.** MOTION PASSED 5-0.

#### **2C. CHECK REGISTER FOR FEBRUARY 6, 2007**

##### **STAFF RECOMMENDATION:**

Accept check register.

WALTOSNMTIH/KING MOVED TO **ACCEPT CHECK REGISTER FROM FEBRUARY 6, 2007.** MOTION PASSED 5-0.

2D. **TREASURERS REPORT FOR MONTH ENDED NOVEMBER 2006**

**STAFF RECOMMENDATION:**

Accept report.

WALTOSNMTIH/KING MOVED TO **ACCEPT TREASURERS REPORT FOR MONTH ENDED NOVEMBER 2006.** MOTION PASSED 5-0.

2E. **TREASURERS REPORT FOR MONTH ENDED DECEMBER 2006**

**STAFF RECOMMENDATION:**

Accept report.

WALTOSNMTIH/KING MOVED TO **ACCEPT TREASURERS REPORT FOR MONTH ENDED DECEMBER 2006.** MOTION PASSED 5-0.

2F. **AGREEMENT WITH CIM AIR, INC. FOR HVAC SYSTEM INSTALLATION – NORTH CAMPUS, ADMINISTRATION BUILDING**

**STAFF RECOMMENDATION:**

Adopt resolution and authorize City Manager to execute agreement.

**RESOLUTION: 07-018**

WALTONSMITH/KING MOVED TO **ADOPT RESOLUTION APPROVING THE AGREEMENT WITH CIM AIR FOR REMOVAL AND REPLACEMENT OF THE HVAC SYSTEM IN THE ADMINISTRATION BUILDING AT THE NORTH CAMPUS.** MOTION PASSED 5-0.

**PUBLIC HEARINGS**

3. **APPEAL OF PLANNING COMMISSION DECISION APPROVING A MINOR MODIFICATION OF APPROVED PLANS AT 14261 SPRINGER AVENUE**

**STAFF RECOMMENDATION:**

Conduct public hearing; uphold the Planning Commission approval of a minor modification of approved plans for 14261 Springer Avenue; Refund the appeal fee for the Planning Commission hearing.

**RESOLUTION: 07- 010**

Kate Bear, City Arborist, presented staff report.

Mayor Kao opened the public hearing and invited public comments.

The following people requested to speak on this item:

Yolanda Martin noted that she lived at 12451 Springer Avenue. Mrs. Martin stated she was present tonight because of the construction project located 14261 Springer Avenue, the City's actions, and the effect that has had on her property. Mrs. Martin stated that her main concern is to try and save one maple tree, two

olive trees and one oak tree, and require the property owners to install a pervious walkway.

Suying Yang noted that she was the property owner at 14261 Springer Avenue. Mrs. Yang read a letter outlining her family's concerns regarding the appeal. Mrs. Yang urged the Council to deny the appeal

Mayor Kao closed the public hearing.

City Council discussion regarding this item.

WALTONSMITH/KING MOVED TO **DENYING THE APPEAL OF A PLANNING COMMISSION DECISION TO APPROVE A MINOR MODIFICATION OF APPROVED PLANS AT 14261 SPRINGER AVENUE AND DO NOT REFUND APPEAL FEE OF \$250.**

MOTION PASSED 3-2 WITH PAGE AND HUNTER OPPOSING.

#### 4. **PURCHASING ORDINANCE UPDATE**

**STAFF RECOMMENDATION:**

Conduct public hearing and introduce and waive the first reading of ordinance regarding purchasing system and direct staff to place ordinance on consent calendar for final adoption.

Mary Furey, Administrative Services Director, presented staff report.

Mayor Kao opened the public hearing and invited public comments.

Seeing none, Mayor Kao closed the public hearing.

WALTONSMITH/PAGE MOVED TO **INTRODUCE AND WAIVE THE FIRST READING OF ORDINANCE REGARDING PURCHASING SYSTEM AND DIRECT STAFF TO PLACE ORDINANCE ON CONSENT CALENDAR FOR FINAL ADOPTION.** MOTION PASSED 5-0.

#### **OLD BUSINESS**

None

#### **NEW BUSINESS**

#### 5. **REQUEST TO FORM A SARATOGA AREA SENIOR COORDINATING COUNCIL (SASCC) CITY COUNCIL ADHOC COMMITTEE**

**STAFF RECOMMENDATION:**

Accept report and appoint two Councilmembers to the Adhoc committee.

Cathleen Boyer, City Clerk, presented staff report.

PAGE/WALTONSMITH MOVED TO **APPOINT MAYOR KAO AND VICE MAYOR WALTONSMITH TO THE SASCC ADHOC COMMITTEE.**

MOTION PASSED 5-0.

## **ADHOC & AGENCY ASSIGNMENT REPORTS**

Mayor Kao reported the following information:

Hakone Foundation – starting their “International Tea” project

Vice Mayor Waltonsmith reported the following information

Northern Central Flood Control Zone Advisory Board – will be accepting grants for trails

Councilmember Page reportable the following information:

West Valley Sanitation District – commented on their stable financial situation

Councilmember King reported the following information:

County Cities Association Legislative Task Force – Dean Chu was appointed to the MTC

Prospect Road AdHoc – heard back from Pete Constance doubts that San Jose will fund the \$25,000 since the City is facing major budget shortfalls

Councilmember Hunter had no reportable information.

## **CITY COUNCIL ITEMS**

### **OTHER**

None

## **CITY MANAGER’S REPORT**

None

## **ADJOURNMENT**

There being no further business Mayor Kao adjourned the regular meeting at 9:40 p.m.

Respectfully submitted,

Cathleen Boyer, CMC  
City Clerk