

MINUTES

SARATOGA CITY COUNCIL AUGUST 6, 2008

OPEN SESSION – 6:00 P.M.

ADMINISTRATIVE CONFERENCE ROOM, 13777 FRUITVALE AVENUE.

The City Council held a Joint Meeting with the Hakone Foundation at 6:00 P.M.

Mayor Waltonsmith called the Regular City Council meeting to order at 7:00P.M. and led the Pledge of Allegiance.

ROLL CALL

PRESENT: Councilmembers Aileen Kao, Vice Mayor Chuck Page,
Mayor Ann Waltonsmith
ABSENT: Councilmembers Jill Hunter and Kathleen King
ALSO Barbara Powell, Acting City Manager
PRESENT: Richard Taylor, City Attorney
Ann Sullivan, Acting City Clerk
Mary Furey, Administrative Services Director
John Cherbone, Public Works Director
John Livingstone, Community Development Director
Michael Taylor: Recreation Director
Crystal Morrow, Administrative Analyst II

REPORT OF CITY CLERK ON POSTING OF AGENDA

Ann Sullivan, Acting City Clerk, reported that pursuant to Government Code Section 54954.2, the agenda for the meeting of August 6, 2008 was properly posted on August 1, 2008.

COMMUNICATIONS FROM COMMISSIONS & PUBLIC

Oral Communications on Non-Agendized Items

Kathy Forte addressed the Council regarding the Redwood Trees at the Gatehouse. She noted trees were being removed at the Gatehouse without a tree removal permit. She stated she brought this concern to the attention of City Arborist Kate Bear and the Gatehouse Homeowners Association as well. She is concerned about the welfare of the trees and would like assistance from the City.

Don Bowden addressed the Council regarding the construction project on Ronnie Way. He stated the concern of the neighborhood is that a carport is being constructed and that he and his neighbors would like this issue agendized for discussion on the next Council agenda as carports should not be permitted on Ronnie Way.

Bob Wallace spoke about the retaining wall on Comer Avenue and stated the City should not be spending \$200,000 on repairing this wall and that it can be done for about \$200.00.

Mimi Mather noted her concerns regarding the Ronnie Way carport construction and stated the neighbors are in the process of circulating a petition and collecting signatures supporting their concern and objection to carports on Ronnie Way. In addition, she also asked that this item be agendaized for discussion so the residents can be heard properly.

Paul Hernandez addressed the Council regarding his permit application to put a sign up on Saratoga Lodge. He stated he was shocked at the cost of the fee, which was \$2100 and that he would have to hire an architect to assist with the style of the sign, etc. He noted that there has been a change in staff in the planning department since his initial contact with the City and the new staff is now telling him there will be another fee of \$2500 plus a \$2700 variance fee. He has asked for a refund of his application fee and was told he could not get a refund and is now asking Council to look into this.

Linda Mighdoll addressed the Council regarding the carport concern on Ronnie Way and asked Council to agendaize this for discussion in an open forum.

Council Direction to Staff

Council directed staff to:

- Follow up with City Arborist Kate Bear regarding the tree removal concern at the Gatehouse;
- Council directed Public Works Director John Cherbone to contact Bob Wallace regarding repair work on the Comer Avenue retaining wall;
- Vice Mayor Page asked staff to provide background information on the carport issue; and
- Council asked staff to provide them information regarding sign fee application refunds.

Communications from Boards and Commissions

AT & T representative Leon Beauchman presented Council with a Light Speed Medallion to show their appreciation to the Council and staff for their assistance in allowing AT & T to upgrade the cable/Internet service in Saratoga.

Hakone Executive Director Lon Saavedra addressed the Council regarding the Joint Meeting held at 6:00PM in the Administrative Conference Room. Mr. Saavedra thanked the Council for the successful year they have had – especially regarding the infrastructure concerns. He then introduced Dr. Masato Matsua, the new Board Chair. Dr. Matsua thanked the Council for their continued support of Hakone Gardens.

Director Saavedra concluded his report by announcing the 85th Anniversary of Puccini's "Madame Butterfly" performance on September 5th; and on October 8th Hakone will be hosting an Italian Festival and welcomed everyone to attend the festivities.

ANNOUNCEMENTS

None

CEREMONIAL ITEMS

None

SPECIAL PRESENTATIONS

None

CONSENT CALENDAR

1. City Council Minutes - August 4, 2004

STAFF RECOMMENDATION:

Approve minutes.

Vice Mayor Page requested this item be removed from the Consent Calendar. Vice Mayor Page stated he had submitted a correction to the City Clerk prior to the meeting.

PAGE/KAO MOVED **TO APPROVE CITY COUNCIL MINUTES OF AUGUST 4, 2004 AS AMENDED.** MOTION PASSED 3-0-2 WITH COUNCILMEMBERS KING AND HUNTER ABSENT.

2. City Council Minutes - November 17, 2004

STAFF RECOMMENDATION:

Approve minutes.

PAGE/KAO MOVED **TO APPROVE CITY COUNCIL MINUTES OF NOVEMBER 17, 2004.** MOTION PASSED 3-0-2 WITH COUNCILMEMBERS KING AND HUNTER ABSENT.

3. City Council Minutes - May 2, 2007

STAFF RECOMMENDATION:

Approve minutes.

PAGE/KAO MOVED **TO APPROVE CITY COUNCIL MINUTES OF MAY 2, 2007.** MOTION PASSED 3-0-2 WITH COUNCILMEMBERS KING AND HUNTER ABSENT.

4. City Council Minutes - August 1, 2007

STAFF RECOMMENDATION:

Approve minutes.

PAGE/KAO MOVED **TO APPROVE CITY COUNCIL MINUTES OF AUGUST 1, 2007.** MOTION PASSED 3-0-2 WITH COUNCILMEMBERS KING AND HUNTER ABSENT.

5. City Council Minutes - October 17, 2007

STAFF RECOMMENDATION:

Approve minutes.

PAGE/KAO MOVED **TO APPROVE CITY COUNCIL MINUTES OF OCTOBER 17, 2007.** MOTION PASSED 3-0-2 WITH COUNCILMEMBERS KING AND HUNTER ABSENT.

6. City Council Minutes - July 16, 2008

STAFF RECOMMENDATION:

Approve minutes.

PAGE/KAO MOVED **TO APPROVE CITY COUNCIL MINUTES OF JULY 16, 2008.** MOTION PASSED 3-0-2 WITH COUNCILMEMBERS KING AND HUNTER ABSENT.

7. CIP Study Session Minutes – July 19, 2008

STAFF RECOMMENDATION:

Approve minutes.

PAGE/KAO MOVED **TO APPROVE CITY COUNCIL MINUTES OF JULY 19, 2008.** MOTION PASSED 3-0-2 WITH COUNCILMEMBERS KING AND HUNTER ABSENT.

8. Treasurer's Report for the Month Ended April 30, 2008

STAFF RECOMMENDATION:

Review and accept Treasurer's Report for the Month Ended April 30, 2008.

PAGE/KAO MOVED **TO ACCEPT TREASURER'S REPORT FOR THE MONTH ENDED APRIL 30, 2008.** MOTION PASSED 3-0-2 WITH COUNCILMEMBERS KING AND HUNTER ABSENT.

9. Review of Accounts Payable Check Registers

STAFF RECOMMENDATION:

That the City Council accepts the Check Registers for Accounts Payable cycles:

July 10, 2008

July 17, 2008

July 24, 2008

PAGE/KAO MOVED **TO ACCEPT THE CHECK REGISTERS FOR ACCOUNTS PAYABLE CYCLES JULY 10, 2008, JULY 17, 2008 AND JULY 24, 2008.** MOTION PASSED 3-0-2 WITH COUNCILMEMBERS KING AND HUNTER ABSENT.

10. Acceptance of \$3,400 Grant from Saratoga Rotary for North Campus Improvements

STAFF RECOMMENDATION:

Adopt a resolution and approve a budget amendment to accept a \$3,400 grant from the Saratoga Rotary Club for North Campus improvements.

RESOLUTION NO. 08-052

PAGE/KAO MOVED TO **ADOPT A RESOLUTION AND APPROVE A BUDGET AMENDMENT TO ACCEPT A \$3,400 GRANT FROM THE SARATOGA ROTARY CLUB FOR NORTH CAMPUS IMPROVEMENTS.** MOTION PASSED 3-0-2 WITH COUNCILMEMBERS KING AND HUNTER ABSENT.

11. Subdivision Improvement Agreement Extension

STAFF RECOMMENDATION:

1. Approve Amendment to the Subdivision Improvement Agreement between Warren A. Sturla and the City of Saratoga.
2. Authorize the City Manager to execute the Subdivision Improvement Agreement Amendment.

PAGE/KAO MOVED TO **1.) APPROVE AMENDMENT TO THE SUBDIVISION IMPROVEMENT AGREEMENT BETWEEN WARREN A. STURLA AND THE CITY OF SARATOGA. 2) AUTHORIZE THE CITY MANAGER TO EXECUTE THE SUBDIVISION IMPROVEMENT AGREEMENT AMENDMENT.** MOTION PASSED 3-0-2 WITH COUNCILMEMBERS KING AND HUNTER ABSENT.

12. Award of Design Contract for the Village Pedestrian Enhancement Project

STAFF RECOMMENDATION:

Move to award a professional services contract with Gates and Associates for Design Services in the amount of \$99,612 connected to the Village Pedestrian Enhancement Project and authorize the City Manager to execute the same.

PAGE/KAO MOVED TO **AWARD A PROFESSIONAL SERVICES CONTRACT WITH GATES AND ASSOCIATES FOR DESIGN SERVICES IN THE AMOUNT OF \$99, 612 CONNECTED TO THE VILLAGE PEDESTRIAN ENHANCEMENT PROJECT AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE SAME.** MOTION PASSED 3-0-2 WITH COUNCILMEMBERS KING AND HUNTER ABSENT.

13. Amendment to Valet Parking Ordinance to Eliminate Annual Review Requirement

STAFF RECOMMENDATION:

Waive the Second Reading and adopt the Proposed Ordinance Amendment

ORDINANCE NO. 260

PAGE/KAO MOVED TO **WAIVE THE SECOND READING AND ADOPT THE PROPOSED ORDINANCE AMENDMENT.** MOTION PASSED 3-0-2 WITH COUNCILMEMBERS KING AND HUNTER ABSENT.

14. Motor Vehicle (MV) Resolution authorizing No Parking or Stopping

STAFF RECOMMENDATION:

Move to adopt the Motor Vehicle Resolution authorizing “No Parking or Stopping” on Marshall Lane

MV RESOLUTION NO. 279

PAGE/KAO MOVED TO **ADOPT THE MOTOR VEHICLE RESOLUTION AUTHORIZING “NO PARKING OR STOPPING” ON MARSHALL LANE.** MOTION PASSED 3-0-2 WITH COUNCILMEMBERS KING AND HUNTER ABSENT.

15. West Valley College Playfield Vertical Bypass Drainage Project (Sand Channel Improvements) - Notice of Completion

STAFF RECOMMENDATION:

Move to accept the West Valley College Playfield Vertical Bypass Drainage Project as complete and authorize staff to record the Notice of Completion for the construction contract.

PAGE/KAO MOVED TO **ACCEPT THE WEST VALLEY COLLEGE PLAYFIELD VERTICAL BYPASS DRAINAGE PROJECT AS COMPLETE AND AUTHORIZE STAFF TO RECORD THE NOTICE OF COMPLETION FOR THE CONSTRUCTION CONTRACT.** MOTION PASSED 3-0-2 WITH COUNCILMEMBERS KING AND HUNTER ABSENT.

PUBLIC HEARINGS

None

OLD BUSINESS

16. 2008 Fall Issue of The Saratogan

STAFF RECOMMENDATION:

Accept report and direct staff accordingly.

Administrative Analyst Crystal Morrow presented the staff report and asked if Council had any recommendations.

Mayor Waltonsmith invited public comment.

No one was present to comment on this item.

Council direction to staff regarding articles for the Fall issue of the Saratogan:

- Community Block Grants process, i.e., who can apply, how to apply and when
- Annual Block Party Events
- Community Garage Sale
- West Valley Recycling Annual Clean Up
- Hakone Gardens – Fall Foliage
- Naming of Recreation Building

NEW BUSINESS

None

ADHOC & AGENCY ASSIGNMENT REPORTS

Mayor Ann Waltonsmith – reported:

Hakone Foundation Executive Committee – noted they had just met in a Joint Meeting earlier.

Sister City Liaison – noted the Sister City Exchange Students would be arriving the following week and would be formally greeted at City Hall by Councilmember Kao.

KSAR – noted that Councilmember Hunter had informed her that a recently hired part time Director for KSAR had suddenly passed away and the Council expressed their sympathy to the family members.

Vice Mayor Chuck Page – announced:

West Valley Sanitation District – has done some research regarding the sewer clean out system on a specific property in Saratoga that was not completed when the District initially installed these systems. The District is working with the property owner to resolve his issue.

Councilmember Kathleen King – absent

Councilmember Jill Hunter – absent

Councilmember Aileen Kao – announced:

She was planning to attend the West Valley Solid Waste Joint Powers Association meeting on Thursday, August 7th in place of Councilmember Hunter; however, the meeting has been postponed until Thursday of the following week. (*Assistant City Manager Barbara Powell will notify Councilmember Hunter of this change*).

CITY COUNCIL ITEMS

Vice Mayor Page commented about “sustainability” and noted that he and Councilmember King approached several sports user groups to see if they would be amenable to distributing reusable water bottles to their team members as well as the competing team. Many of the user groups welcomed this suggestion and are considering putting this suggestion in the Sports User Agreement.

Mayor Waltonsmith supported this idea and suggested Vice Mayor Page notify Administrative Analyst Morrow if this does occur and Morrow could do a Press Release. The Mayor also noted she would then let the Green Leaf Committee know about this wonderful idea.

CITY MANAGER’S REPORT

None

ADJOURNMENT

There being no further business, Mayor Waltonsmith adjourned the meeting at 7:40PM.

PAGE/KAO MOVED TO **ADJOURN THE REGULAR MEETING AT 7:40PM ON AUGUST 6, 2008.** MOTION PASSED 3-0-2 WITH COUNCILMEMBERS KING AND HUNTER ABSENT.

Respectfully submitted,

Ann Sullivan, CMC
Acting City Clerk