

MINUTES

SARATOGA CITY COUNCIL MEETING

OCTOBER 15, 2008

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

ROLL CALL

PRESENT: Councilmembers Aileen Kao, Jill Hunter, Kathleen King, Vice Mayor Chuck Page, Mayor Ann Waltonsmith

ABSENT: None

ALSO Dave Anderson, City Manager

PRESENT: Richard Taylor, City Attorney
Abby Ayende, Acting City Clerk
John Livingstone, Community Development Director
John Cherbone, Public Works Director
Michael Taylor, Recreation Director

REPORT OF CITY CLERK ON POSTING OF AGENDA

Abby Ayende, Acting City Clerk, reported that (Pursuant to Gov't. Code 54954.2, the agenda for this meeting was properly posted on October 10, 2008.

ORAL COMMUNICATIONS ON NON-AGENDIZED ITEMS

Mary Guth addressed the Council regarding the potential use of some available space once a year at the North Campus to display art for non-profit groups.

Debbie Chiu addressed the Council regarding her concerns over the location of the proposed public restroom at Kevin Moran Park and the size of the restroom. She noted the restroom will be facing their garage.

Tom Chiu spoke to the Council regarding the size and location of the public restroom at Kevin Moran Park and that the restroom faces his garage.

COUNCIL DIRECTION TO STAFF

Vice Mayor Page noted that he had spoken to Public Works Director John Cherbone earlier regarding the restroom concerns voiced by Debbie and Tom Chiu.

Director Cherbone was present to add to Vice Mayor Page's comment and noted that he sent an email to the Chiu's stating that he would be able to reduce the footprint of the restroom by pushing the building back from the proposed location, reduce the size of the building, and install screening. He also noted for security purposes the building has to be visible to Sheriff's Deputies from the street.

Mayor Waltonsmith encouraged speaker Mary Guth to work with Recreation Director Michael Taylor regarding her interest in using space at the North Campus for an art display once a year.

COMMUNICATIONS FROM COMMISSIONS & PUBLIC

The scheduled Joint Meeting with the Saratoga Union High School District was cancelled.

ANNOUNCEMENTS

Councilmember Hunter: Witchy-Walk-About in the Village on October 25th from 2:00 to 4:00PM.

Vice Mayor Page: Last day to register to vote is October 20th and people can pick up registration forms at the Registrar of Voters Office or at the Saratoga Library.

Mayor Waltonsmith: "Joe's Trail" Ground Breaking Ceremony at 3:30PM on October 24th next to the railroad tracks on Saratoga/Sunnyvale Road in Saratoga.

Mayor Waltonsmith also asked the residents to check in with their senior neighbors during this economic difficulty and the upcoming cold weather.

CEREMONIAL ITEMS

None

SPECIAL PRESENTATIONS

None

CONSENT CALENDAR

1. City Council Minutes - October 1, 2008

STAFF RECOMMENDATION:

Approve minutes.

KING/PAGE MOVED TO APPROVE CITY COUNCIL MINUTES OF OCTOBER 1, 2008. MOTION PASSED 5-0-0.

2. Review of Accounts Payable Registers

STAFF RECOMMENDATION:

That the City Council accepts the Check Registers for Accounts Payable cycles:
September 25, 2008
October 2, 2008

KING/PAGE MOVED TO ACCEPT CHECK REGISTERS FOR ACCOUNTS PAYABLE CYCLES SEPTEMBER 25, 2008 AND OCTOBER 2, 2008.
MOTION PASSED 5-0-0.

3. Treasurer's Report for the Month Ended June 30, 2008

STAFF RECOMMENDATION:

The City Council review and accept the Treasurer's Report for the month ended June 30, 2008.

KING/PAGE MOVED TO **ACCEPT TREASURER'S REPORT FOR MONTH ENDED JUNE 30, 2008.** MOTION PASSED 5-0-0.

4. 2006 Annual Concrete Project -Notice of Completion

STAFF RECOMMENDATION:

Move to accept the 2006 Annual Concrete Project as complete and authorize staff to record the Notice of Completion for the construction contract.

KING/PAGE MOVED TO **ACCEPT THE 2006 ANNUAL CONCRETE PROJECT AS COMPLETE AND AUTHORIZE STAFF TO RECORD THE NOTICE OF COMPLETION FOR THE CONSTRUCTION CONTRACT.**
MOTION PASSED 5-0-0.

5. Final Map Approval for Two Lots Located at 12651 Saratoga Avenue. Owner: John Saich

STAFF RECOMMENDATION:

1. Move to adopt Resolution granting final map approval of tentative map application No. SUB 07-0002 for two lots located at 12651 Saratoga Avenue.

RESOLUTION 08-067

KING/PAGE MOVED TO **ADOPT RESOLUTION GRANTING FINAL MAP APPROVAL OF TENTATIVE MAP APPLICATION NO. SUB 07-0002 FOR TWO LOTS LOCATED AT 12651 SARATOGA AVENUE.** MOTION PASSED 5-0-0.

6. Resolution in Support of Measure A

STAFF RECOMMENDATION:

Adopt resolution.

RESOLUTION 08-065

KING/PAGE MOVED TO **ADOPT RESOLUTION IN SUPPORT OF MEASURE A.** MOTION PASSED 5-0-0.

7. Resolution in Support of Proposition 1 - High Speed Rail Bond

STAFF RECOMMENDATION:

Adopt resolution.

Councilmember Kao removed this item for discussion. She noted this proposed high speed rail would go between San Francisco and Los Angeles and asked how this project would impact the area of Santa Clara County.

City Manager Dave Anderson stated there were several proposed routes and the route that goes through Santa Clara County won the competition. Noting the local businesses and elected officials were in support of this as it would be an economic benefit as well as a major public transportation system connecting the major metro areas. He noted the Santa Clara County Cities Association recommended that the

member cities each support this to show solidarity and support for the successful routing through Santa Clara County.

RESOLUTION 08-066

KAO/KING MOVED TO ADOPT RESOLUTION IN SUPORT OF PROPOSITION 1 – HIGH SPEED RAIL. MOTION PASSED 5-0-0.

8. Resolution Amending Council Agency & Adhoc Assignments

STAFF RECOMMENDATION:

Adopt Resolution Amending Council Agency and Adhoc Committee Liaison Assignments

RESOLUTION 08-064

KING/PAGE MOVED TO ADOPT RESOLUTION AMENDING COUNCIL AGENCY AND ADHOC COMMITTEE LIAISON ASSIGNMENTS. MOTION PASSED 5-0-0.

PUBLIC HEARINGS

9. Amendment to the Circulation and Scenic Highway Element of the City of Saratoga General Plan

STAFF RECOMMENDATION:

Conduct a public hearing and adopt attached resolution amending the Circulation and Scenic Highway Element of the City of Saratoga’s General Plan to implement the recommendation of the Traffic Safety Commission and Planning Commission.

City Attorney Richard Taylor presented the staff report.

There was discussion regarding bicycle safety on areas of Mount Eden Road, Pierce Road, and Big Basin Way and the de-classification of Class III on these three roads.

Public Works Director John Cherbone and Traffic Engineer Sohrab Rashid were present to answer questions.

Mayor Waltonsmith opened the public hearing for comment.

The following people requested to speak on this item:

Herman Wadler stated he did not feel the specific routes in question were unsafe and opposes the decertification of these three bike routes.

Ray Cosyn, member of the City of Saratoga Bike and Trails Committee, addressed the Council in opposition of decertification of these three bike routes.

Jim Stallman, representative of the VTA Bicycle Advisory Committee and member of the Saratoga Bike and Trails Committee, spoke in opposition to the decertification of these bike routes.

Aaron Faupell spoke in opposition to the decertification of these bike routes.

David Marsland spoke in opposition to the decertification of these bike routes.

Rusty Greer spoke in opposition to the decertification of these bike routes.

Mayor Waltonsmith closed the public hearing for comment.

Councilmember King was in support of decertification of these three bike routes.

Vice Mayor Page was in support of decertification of these three bike routes.

Councilmember Hunter opposes the bike route decertification at this time and would like more research and options made available.

Councilmember Kao opposes the bike route decertification at this time and would like to see additional options.

Mayor Waltonsmith opposes the bike route decertification at this time and would like staff to do more research and provide additional options.

PAGE/KAO MOVED THAT **STAFF AND PEDESTRIAN, EQUESTRIAN AND BICYCLE ADVISORY COMMITTEE BE DIRECTED TO INVESTIGATE ALTERNATIVE APPROACHES AND BRING RECOMMENDATIONS BACK TO THE CITY COUNCIL.** MOTION PASSED 5-0-0.

OLD BUSINESS

10. Review of the Heritage Preservation Commission's Proposed Design for the Heritage Orchard Sign

STAFF RECOMMENDATION:

Review the proposed design for the Heritage Orchard Sign and direct Staff accordingly.

Council continued this item to the November 5, 2008 council meeting.

NEW BUSINESS

11. One-Year Review of Motor Vehicle (MV) Resolution Establishing "No Parking or Stopping" Along a Portion of Herriman Avenue

STAFF RECOMMENDATION:

Receive report and provide direction to staff

Public Works Director John Cherbone presented the staff report.

Mayor Waltonsmith invited public comment.

The following people requested to speak on this item:

Ray Glasstone addressed the council regarding his concerns with vehicular speeding, sidewalk, and bicycle lane safety issues on Herriman Avenue; and does not support the continuation of the reconfigured Herriman Avenue.

Carol Glasstone noted the speeding issue on Herriman Avenue and does not support the continuation of the reconfigured Herriman Avenue.

Susan Horn addressed the Council regarding the walkway, crosswalk and speeding issue. She recommended that Herriman Avenue be returned to its original design.

Joe Fanali spoke about the unsafe entrance onto Herriman from Beaumont Avenue and feels the new configuration on Herriman Avenue is less safe than it was prior to the reconfiguration.

Susan Cox commented about the restricted parking on Herriman Avenue, the speeding issue and does not support the continuation of the reconfigured Herriman Avenue

Ruth Fanali stated she was not happy with the reconfiguration of Herriman Avenue and suggested installing a stop sign on Beaumont Avenue. She supports returning Herriman Avenue to its original design.

Howard Miller suggested that the curbs that were installed be re-addressed and the parking issue be looked into. He also suggested the speeding issue be addressed.

Carl Dcosta stated the speeding issue needs to be addressed and that the residents living on Herriman Avenue should be included in the studies regarding reconfiguration of Herriman.

Olivia Dcosta stated it is very unsafe to stop in front of their home or exit their driveway because of speeding traffic. She would like a bike study done on Herriman to see how many bicyclists use the bike lane and supports returning Herriman to its original design.

Phoebe Chang spoke about the speeding and no parking issue and supports returning Herriman to its original design.

Marilyn Foust addressed the Council regarding the speeding issue and cars driving in the bike lane. She also noted the postal delivery person asked her to move her mail box because of the unsafe parking condition on the street.

Cyndi Cheng noted that Herriman Avenue is too narrow to have parking along the street. She and her husband do support keeping the bicycle and pedestrian lanes on Herriman and raising the pavement levels to make the walkway and bike lanes safe for school students.

Katherine Tseng thanked the Council for the bike and pedestrian lanes and encourages more people to go green by biking and walking more.

[In addition, there were 21 emails from citizens that were provided to the Council prior to discussion of this item; 18 emails were in support of the current

configuration on Herriman Avenue – with several requests to address the speeding issue; and 3 emails were in opposition to the current configuration of Herriman Avenue.]

Mayor Waltonsmith closed the public comment.

There was discussion by Council regarding stop signs on Beaumont Road, speed bumps, parking issues, use of traffic cones to permit parking by service vehicles on, and funding for the proposed safety improvements.

Traffic Engineer Rashid stated they would take a more specific look at the Beaumont intersection.

Director Cherbone noted speeding on Herriman Avenue is an issue and needs to be addressed.

Council agreed to leave Herriman Avenue in its current configuration and directed staff to raise the crosswalk at Lexington Court, fill in the new walkway section with asphalt to create a “level raised walkway” and perform other minor improvements and maintenance work regarding tripping hazards.

ADHOC & AGENCY ASSIGNMENT REPORTS

Mayor Ann Waltonsmith – reported:

Comprehensive County Expressway Planning Study Advisory Board (PAB) – will be contacting each city shortly regarding the final product.

SASCC – appeal letter for donations will be going out shortly.

West Valley Mayors and Managers Association - meets next week.

Sister City Liaison – will be celebrating their 25th anniversary next fall.

Vice Mayor Chuck Page – reported:

Chamber of Commerce – attended Board meeting.

Hakone Executive Board – will meet on Friday, October 17th.

West Valley Sanitation District – large numbers of people visiting the water treatment plant in San Jose; Quito Basin 7 project starting soon and bids will be going out shortly for Quito Basin 8.

Village AdHoc – Village holiday banner has been approved and it will say “Stop, Shop and Savor Saratoga” and will note the Village, Argonaut, El Quito, and the Gateway shopping areas.

Valley Transportation Authority PAC – Jim Lawson will do a presentation at an upcoming Council meeting regarding the Governance program.

Councilmember Kathleen King – reported:

Peninsula Division, League of California Cities – has appointed a new Executive Director. The 2008 holiday dinner will be held in Gilroy.

Santa Clara County Cities Association – Cities of Palo Alto and San Jose moving forward with ban on use of plastic bags. State has passed resolution requiring restaurant chains of 20 or more to post caloric content on menus.

City School AdHoc – complaint registered with the Sheriff’s Office regarding the PA system noise at Saratoga High School and it was discovered that the volume was turned to a higher level than was permitted.

Councilmember Jill Hunter – reported:

Historic Foundation – is currently displaying a World War II exhibit. Arcadia Books will be presenting a book in February about the history of Saratoga written by Katie Alexander and April Halberstadt.

KSAR- is considering filming the Saratoga football games. Volunteers needed to help out at *KSAR*.

Councilmember Aileen Kao – reported:

Airport Land Use Committee – meets on October 22, 2008.

CITY COUNCIL ITEMS

Councilmember King stated there is a possibility that she won't be able to attend the November 5th Council meeting.

CITY MANAGER'S REPORT

City Manager Dave Anderson noted the Sanitary District Executive Director assured him that the brick pavement on Austin Way will not be affected by an upcoming sewer project.

ADJOURNMENT

There being no further business meeting was adjourned at 10:45PM.

Respectfully submitted,

Ann Sullivan, CMC
Acting City Clerk