

MINUTES

SARATOGA CITY COUNCIL NOVEMBER 5, 2008

Mayor 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
Ann Sullivan, Acting City Clerk
Barbara Powell, Assistant City Manager
Mary Furey, Administrative Services Director
John Cherbone, Public Works Director
John Livingstone, Community Development Director
Michael Taylor, Recreation Director
Chris Riordan, Senior Planner
Crystal Morrow, Administrative Analyst II

REPORT OF CITY CLERK ON POSTING OF AGENDA

Ann Sullivan, Acting City Clerk, reported that pursuant to Gov't. Code 54954.2, the agenda for the meeting of November 5, 2008, was properly posted on October 30, 2008)

ORAL COMMUNICATIONS

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

Chris Dudley, producer of the holiday version of the musical show – "Plaid Tidings" invited everyone to attend the production, which opens on Saturday, November 8th for four weeks.

Citizen Ray pointed out the plans for a 16,000 square foot home to be built in the Town of Los Gatos. In addition, Citizen Ray voiced his concerns about a dead tree on Highway 9.

Janice Gamper thanked staff for redoing the turning island on Allendale Avenue, and she expressed her appreciation for the light that is once again shining on the West Valley College (WVC) sign near the WVC campus.

Brian Berg, Secretary of the Saratoga Village Development Council announced they now have a blog (www.blog.saratoga-village.com) available for the Saratoga Village.

Bob Busse addressed the Council on his townhouse property in the CH 1 Zoning District and his concerns regarding a new residential overlay in that zone and that the properties in the CH 1 zone must either be commercial or rental residential. He noted that if a catastrophic event occurred in that zone, the property owners would not be allowed to rebuild as owner-occupied and asked that the City either change the zoning or change the verbiage in the city ordinance for those properties affected by this ordinance.

Oral Communications on Non-Agendized Items

Councilmember King asked Community Development Director John Livingstone when the results of the CH2 District meeting would be made available to the Council.

Community Development Director Livingstone stated that item would be agendized for discussion at the Council Retreat.

COMMUNICATIONS FROM COMMISSIONS & PUBLIC

Scott Wheelwright, member of the Church of Jesus Christ Latter-day Saints and representative of the Ministerial Association, reported that members of the Ministerial Association met in a Joint Meeting with the City Council prior to this meeting. He pointed out that all the communities of faith, more than a dozen in Saratoga, meet regularly to build relationships in the community. He noted this Thanksgiving marks the 43rd Annual Thanksgiving Day service and is represented by all the communities of faith. This year the service will be held at the Federated Church at 10:00 a.m. and is open to everyone.

He also stated that from March 21-29, 2009, all the communities of faith would be providing a week of "service" to the community and invited everyone who would be interested in serving their community. Mr. Wheelwright noted they also discussed ways in which they could build community and relationships within Saratoga by working together to provide opportunities for seniors and youth.

ANNOUNCEMENTS

Mayor Waltonsmith announced the Akeena Solar challenge between the Town of Los Gatos and the City of Saratoga, which ends November 30, 2008. The Mayor also invited members of the community to attend the Council Reorganization meeting on December 2, 2008.

CEREMONIAL ITEMS

1. COMMENDATION HONORING JOHN NOLEN

STAFF RECOMMENDATION:

Present commendation.

Mayor Ann Waltonsmith read the commendation and presented it to John Nolen.

2. COMMENDATION HONORING JUDITH SUTTON AND SARATOGA HIGH SCHOOL'S ENGLISH DEPARTMENT

STAFF RECOMMENDATION:

Present commendation.

Mayor Ann Waltonsmith read the commendation and presented a commendation to English and poetry teacher, Judith Sutton, and one to Cathy Head, English Department representative.

SPECIAL PRESENTATIONS

3. PRESENTATION ON MISSION GREEN EARTH – STAND UP, TAKE ACTION

STAFF RECOMMENDATION:

Accept presentation

Joanna Chiu, representative of Mission Green Earth, provided presentation.

CONSENT CALENDAR

4. CITY COUNCIL/PLANNING COMMISSION STUDY SESSION MINUTES – OCTOBER 7, 2008

STAFF RECOMMENDATION:

Approve minutes.

PAGE/KING MOVED TO **APPROVE CITY COUNCIL/PLANNING COMMISSION STUDY SESSION MINUTES – OCTOBER 7, 2008.** MOTION PASSED 5-0-0.

5. CITY COUNCIL MINUTES – OCTOBER 15, 2008

STAFF RECOMMENDATION:

Approve minutes

PAGE/KING MOVED TO **APPROVE CITY COUNCIL MINUTES - OCTOBER 15, 2008.** MOTION PASSED 5-0-0.

6. REVIEW OF ACCOUNTS PAYABLE REGISTERS

STAFF RECOMMENDATION:

That the City Council accepts the Check Registers for Accounts Payable cycles:
October 09, 2008
October 16, 2008
October 23, 2008

PAGE/KING MOVED TO **ACCEPT CHECK REGISTERS FOR OCTOBER 9, 2008, OCTOBER 16, 2008, AND OCTOBER 23, 2008.** MOTION PASSED 5-0-0.

7. SUBDIVISION IMPROVEMENT AGREEMENT EXTENSION – MENDELSON LANE

STAFF RECOMMENDATION:

1. Approve Amendment to the Subdivision Improvement Agreement between David Cheng and the City of Saratoga.
2. Authorize the City Manager to execute the Subdivision Improvement Agreement Amendment.

PAGE/KING MOVED TO **1) APPROVE AMENDMENT TO THE SUBDIVISION IMPROVEMENT AGREEMENT BETWEEN DAVID CHENG AND THE CITY OF SARATOGA; AND 2) AUTHORIZE THE CITY MANAGER TO EXECUTE THE SUBDIVISION IMPROVEMENT AGREEMENT AMENDMENT.** MOTION PASSED 5-0-0.

8. MOTOR VEHICLE (MV) RESOLUTION AUTHORIZING NO PARKING OR STOPPING

STAFF RECOMMENDATION:

Move to adopt the Motor Vehicle Resolution authorizing “No Parking or Stopping” on Stoneridge Drive

MV RESOLUTION – 280

PAGE/KING MOVED TO **ADOPT THE MOTOR VEHICLE RESOLUTION AUTHORIZING “NO PARKING OR STOPPING” ON STONERIDGE DRIVE.** MOTION PASSED 5-0-0.

9. AGREEMENT WITH CIVICA SOFTWARE FOR WEBSITE DESIGN AND HOSTING

STAFF RECOMMENDATION:

Accept report and approve agreement with Civica Software for website design and hosting.

PAGE/KING MOVED TO **APPROVE AGREEMENT WITH CIVICA SOFTWARE FOR WEBSITE DESIGN AND HOSTING.** MOTION PASSED 5-0-0.

10. FY 2008 – 2009 CDBG COUNTY/CITY CONTRACT

STAFF RECOMMENDATION:

Adopt a Resolution authorizing the City Manager to execute a \$398,360.77 contract with Santa Clara County for the FY 2008-2009 CDBG Program.

RESOLUTION: 08-068

PAGE/KING MOVED TO **ADOPT A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A \$398,360.77 CONTRACT WITH SANTA CLARA COUNTY FOR THE FY 2008-2009 CDBG PROGRAM.** MOTION PASSED 5-0-0.

11. AUTHORIZATION TO PURCHASE ONE (1) CHEVROLET 5500 DUMP TRUCK AND DECLARATION OF SURPLUS PROPERTY AND AUTHORIZATION OF DISPOSAL

STAFF RECOMMENDATION:

1. Move to authorize the purchase of one (1) 2007 Chevrolet 5500 Dump Truck from Gilroy Chevrolet in the amount of \$44,000.
2. Move to declare the following vehicle as surplus and authorize its disposal - 1996 GMC 3500 1-ton--vehicle # 90

PAGE/KING MOVED TO 1) AUTHORIZE THE PURCHASE OF ONE (1) 2007 CHEVROLET 5500 DUMP TRUCK FROM GILROY CHEVROLET IN THE AMOUNT OF \$44,000; AND 2) DECLARE THE FOLLOWING VEHICLE AS SURPLUS AND AUTHORIZE ITS DISPOSAL – 1996 GMC 3500 1-TON VEHICLE #90. MOTION PASSED 5-0-0.

PUBLIC HEARINGS

None

OLD BUSINESS

12. 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.

Steve Kellond, Chair of Heritage Preservation Commission, addressed the Council regarding the proposed design of the Heritage Orchard sign.

There was discussion regarding the height of the proposed design, the style and color of letters used on the sign, and funding sources.

Councilmember King noted she likes the proposed design and thought it was an elegant look.

Vice Mayor Page stated he also likes the design; however, he was concerned about mounting rock on cement.

Councilmember Hunter noted the sign should be more simple and that additional thought should be given to the design.

Councilmember Kao noted the design is beautiful, but voiced concerns that the library sign is very simple and wasn’t sure if this proposed design would integrate well with the library sign.

Mayor Waltonsmith stated she likes the proposed design and thinks it will integrate well with the library sign. In addition, Mayor Waltonsmith noted she would like to see other options regarding the color of the lettering so that it is easier to read.

Council members noted this project has not been funded and would like to see possible donations of the specified rock in the design plans, or possibly use the river rock near the Orchard.

KING/PAGE MOVED TO ACCEPT THE HERITAGE PRESERVATION COMMISSION'S PROPOSED ORCHARD SIGN DESIGN. MOTION PASSED 4-1-0 WITH COUNCILMEMBER HUNTER OPPOSING.

Council also directed staff to look at options regarding:

- Consider an alternative source for the rock as shown in proposed design; which could include rock from the ground, river rock from the creek in back of the Orchard, or donated rock
- Style and color of lettering so that it displays well and is easily readable
- Add the Orchard sign project to the CIP and look into future funding options; (i.e., grants, etc)

Councilmember King asked if Item 15 could be moved forward for discussion as she needed to leave at 9:00PM.

Mayor and Council members concurred.

13. 2008 WINTER ISSUE OF THE SARATOGAN

STAFF RECOMMENDATION:

Accept report and direct staff accordingly.

Administrative Analyst II Crystal Morrow presented the staff report.

Council provided Ms. Morrow with a variety of suggestions for the winter issue of The Saratogan, which include:

- Commissions – Article (including a photo) on one or two City commissions per issue stating what the commission does and the members serving on the commission
- Kevin Moran and how Kevin Moran Park (KMP) got its name; proposed design of KMP
- Community concerns/issues corner that includes a telephone number for residents to call to report problems – such as a non-functioning signal light
- City parks – article highlighting specific City parks – including picture of featured park
- “Did You Know?” box in a corner with specific information
- Provision for recipients to respond to an email or website link requesting to receive The Saratogan electronically
- A “Thank You” box thanking Monte Sereno for the Bocce Ball court funding

NEW BUSINESS

14. AMENDMENT TO CITY COUNCIL POLICY PERTAINING TO NORMS OF OPERATION AND RULES OF ORDER AND PROCEDURE FOR CITY COUNCIL

STAFF RECOMMENDATION:

Approve the attached resolution to amend the City Council Policy Pertaining to Norms of Operation and Rules of Order and Procedure for City Council to conform to recent changes in the State Elections Code and allow the Council reorganization in

election years to be held at a special meeting.

City Attorney Richard Taylor presented the staff report.

RESOLUTION: 08-069

PAGE/KAO MOVED TO APPROVE THE RESOLUTION TO AMEND THE CITY COUNCIL POLICY PERTAINING TO NORMS OF OPERATION AND RULES OF ORDER AND PROCEDURE FOR CITY COUNCIL TO CONFORM TO RECENT CHANGES IN THE STATE ELECTIONS CODE AND ALLOW THE COUNCIL REORGANIZATION IN ELECTION YEARS TO BE HELD AT A SPECIAL MEETING. MOTION PASSED 4-0-1 WITH COUNCILMEMBER KING ABSENT.

15. RESOLUTION IN SUPPORT OF SANTA CLARA COUNTY CITIES ASSOCIATION (SCCCA) REGIONAL EFFORTS RELATED TO DISPOSABLE, SINGLE USE CARRY-OUT BAGS

STAFF RECOMMENDATION:

Accept report and adopt Resolution in support of SCCCA regional efforts related to disposable, single use carry-out bags.

Assistant City Manager Barbara Powell presented the staff report.

RESOLUTION: 08-070

KING/PAGE MOVED TO ADOPT RESOLUTION IN SUPPORT OF SCCCA REGIONAL EFFORTS RELATED TO DISPOSABLE, SINGLE USE CARRY-OUT BAGS. MOTION PASSED 5-0-0.

ADHOC & AGENCY ASSIGNMENT REPORTS

Mayor Ann Waltonsmith – reported:

Hakone Foundation Executive Committee – will be sending out a donation appeal letter towards end of November

SASCC –annual appeal letter for donations will be going out in the mail this week

West Valley Mayors and Managers Association – met and discussed “going green plans” and County emergency services

Sister City Liaison – held a meeting and they are making plans for their 25th anniversary in 2009

Vice Mayor Chuck Page – reported:

West Valley Sanitation District – celebrated its 60th Anniversary

Councilmember Kathleen King – (not available to make a report)

Councilmember Jill Hunter – reported:

Library Joint Powers Association – has completed a visionary plan and recommended conducting a survey to find out why citizens aren’t using libraries. She noted that the recommendation was not approved due to the expense; however, a committee has been formed to research the matter.

Santa Clara County Valley Water Commission – met and discussed the over-all water concerns regarding the demand for water and the water-recycling program at the last meeting. She noted that in the future most newly constructed homes will have three water pipes going into the home with two of the pipes providing recycled water. In addition, the City of San Francisco has stated that around 2015 there is a possibility that water from Hetch-Hetchy will not be supplied to six communities (not including the Saratoga community) and that those communities will have to look elsewhere for their water supply. Also, there is concern regarding the Affordable Housing Program and the demand for water in these large housing areas.

Village AdHoc –a significant number of people attended the last meeting – including the city manager and the public works director. She noted a second meeting will be scheduled; however, the date has not yet been determined.

West Valley Solid Waste Joint Powers Association – meets Thursday, November 6th and they plan to discuss:

- Impact of heavy garbage trucks on city streets
- JPA considering a 26 cents per month rate increase (monies collected from Saratoga residents would go to the City of Saratoga)

Councilmember Aileen Kao – reported:

County HCD Policy Committee – the October 23rd meeting was cancelled due to lack of quorum and has been rescheduled to November 20th and asked for someone to attend in her place as she is unable to attend.

Northern Central Flood Control Zone Advisory Board – the next meeting is scheduled for November 19th and is unable to attend. She asked for someone to attend in her place. [Acting City Clerk Ann Sullivan stated she would follow up with Council to assure attendance by a fellow Councilmember.]

CITY COUNCIL ITEMS

Councilmember Aileen Kao noted she will be out of the country and unavailable to attend the November 19th meeting.

Vice Mayor Page noted that senior citizens have spoken to him regarding the “disabled” parking near Longs Drug Store at the Argonaut Shopping Center in Saratoga. He stated Longs Drug Store recently reconfigured their store front and closed one set of doors, which was near the disabled parking and the new entrance door is located further away from the disabled parking. Even though there is adequate disabled parking available, residents utilizing disabled parking have voiced concerns regarding the distance from the disabled parking to the store’s entrance. Vice Mayor Page suggested staff follow up with this and provide a report in the weekly Council Newsletter.

CITY MANAGER’S REPORT

None

ADJOURNMENT

PAGE/KAO MOVED TO **ADJOURN THE REGULAR MEETING AT 9:00 P.M.**
MOTION PASSED 4-0-1 WITH COUNCILMEMBER KING ABSENT.

Ann Sullivan, CMC
City Clerk