

MINUTES

SARATOGA CITY COUNCIL JANUARY 7, 2009

The City Council of the City of Saratoga met in a Special Meeting at 5:15 p.m. to interview a candidate for the Heritage Preservation Commission.

Mayor Page announced the appointment of Paul Conrado, nominated by the Historical Foundation, to the Heritage Preservation Commission.

The City Council of the City of Saratoga met in Closed Session at 5:30 p.m.

ANNOUNCEMENT OF CLOSED SESSION

Conference with Legal Counsel – Initiation of Litigation – Pursuant to Government Code Section 54956.9(c): - 2 Items

MAYOR'S REPORT ON CLOSED SESSION

Mayor Page announced there was no reportable information.

Mayor Page 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, Howard Miller, Susie Nagpal, Vice Mayor Kathleen King, Mayor Chuck Page

ABSENT: None

ALSO Dave Anderson, City Manager

PRESENT: Richard Taylor, City Attorney
Ann Sullivan, City Clerk
Mary Furey, Administrative Services Director
John Cherbone, Public Works Director
Chris Riordan, Senior Planner

REPORT OF CITY CLERK ON POSTING OF AGENDA

Ann Sullivan, City Clerk, reported that pursuant to Government Code Section 54954.2, the agenda for the meeting of January 7, 2009 was properly posted on December 23, 2008)

ORAL COMMUNICATIONS

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

Norm Koepernik, representative of the Mustard Faire Committee, addressed the Council regarding the annual Mustard Faire. He asked the Council to agendaize the Mustard Faire on the next council meeting to discuss additional funding of the Mustard Faire, which is scheduled for Sunday, March 1, 2009. He also noted the Heritage Preservation Commission had voted and decided that the Mustard Faire would take place on the first Sunday in March each year.

Vice Mayor King asked why they had to decided to move the Mustard Faire from February to March and noted that she was concerned that the weather wouldn't be as cooperative in March.

Mr. Koepernik responded that the decision was made based on the scheduled theater performances and the parking problems that they faced in past years.

Vice Mayor King also noted that she recollected that the Council had voted to provide the Mustard Faire with \$5,000 each year.

Kim Ferm, United Way representative and director of the Santa Clara Valley 211 Program, spoke about the 211 Program. She encouraged the community to continue to promote this program which helps people help themselves and others. She also noted they work jointly with the Santa Clara County Office of Emergency Response System.

City Manager Dave Anderson noted this program helps staff connect people in need to the resources the citizen needs. In addition, he stated the community is grateful for the service provided by the 211 Program and noted that this program is a fixed item of \$2,000 in the annual budget.

COUNCIL DIRECTION TO STAFF

Vice Mayor King asked staff to provide the 211 information on the City website as soon as possible.

Mayor Page asked staff to meet with Norm Koepernik regarding the allocated funds for the Mustard Faire and if the funding is not sufficient then it should be agendaized.

COMMUNICATIONS FROM BOARDS AND COMMISSIONS

There was no joint meeting with a commission prior to the council meeting.

ANNOUNCEMENTS

Councilmember Hunter announced the January 9th celebration of "The Barn" (the new historic building) from 3:00 to 4:00. She noted The Barn is a sustainable building because they reused treated wood from the barn and that the owners of the building would be receiving a "sustainable" award for this – which is a great honor for the community and invited everyone to attend the event.

Councilmember Hunter also announced that for the first time in the community the Saratoga schools would be promoting "Love Notes" where people could write a love note to a significant person in their lives and the volunteer Village Gardner's would post the love notes in the Village shop windows. She noted this would encourage people to visit

the Village and look for a “love note” from someone to them showing their love and appreciation. She noted people could pick up free love note stationary at Lupretta’s Deli or Skin Prophecy Boutique or you could design your own love note and leave it with the Village Gardner’s right before Valentine’s Day. She noted she will provide more information at the next council meeting.

Vice Mayor King inquired about a photo contest and Councilmember Hunter announced the “Photo Contest” by the Village photographer Jerry Vinz. Everyone is invited to participate in this contest by taking pictures of something you really like about Saratoga. The pictures will be displayed in the Village shop windows also.

Vice Mayor King reminded everyone about the January 10 “E-Waste Recycling event.

Councilmember Miller referred people to the city’s website for more information on the January 10th E-Waste event.

Mayor Page congratulated the citizens of Saratoga for making it the 16th most educated small town in the nation ranked by Forbes Magazine. He noted that over 40% of the residents have advanced degrees, more than 33% have Bachelor’s degrees, and 6% have Associate’s degrees.

CEREMONIAL ITEMS

1. PROCLAMATION DECLARING THE MONTH OF JANUARY 2009 AS “NATIONAL BLOOD DONOR MONTH”

STAFF RECOMMENDATION:

Present proclamation.

Mayor Page presented the commendation to Mona Helmwood, representative from the Red Cross.

SPECIAL PRESENTATIONS

None

CONSENT CALENDAR

2. REVIEW OF ACCOUNTS PAYABLE REGISTERS

STAFF RECOMMENDATION:

That the City Council accepts the Check Registers for Accounts Payable cycles:
December 11, 2008
December 18, 2008

KING/NAGPAL MOVED TO ACCEPT THE CHECK REGISTERS FOR ACCOUNTS PAYABLE CYCLES DECEMBER 11, 2008 AND DECEMBER 18, 2008. MOTION PASSED 5-0-0.

3. TREASURER’S REPORT FOR THE MONTH ENDED OCTOBER 31, 2008.

STAFF RECOMMENDATION:

The City Council review and accept the Treasurer's Report for the month ended October 31, 2008.

KING/NAGPAL MOVED TO ACCEPT THE TREASURER'S REPORT FOR THE MONTH ENDED OCTOBER 31, 2008. MOTION PASSED 5-0-0.

4. EXTENSION OF EXISTING TRAFFIC SIGNAL MAINTENANCE CONTRACT WITH REPUBLIC ITS FOR TWO YEARS.

STAFF RECOMMENDATION:

Extend the existing contract with Republic ITS for monthly maintenance and on-call repair of Saratoga traffic signals for two additional years.

KING/NAGPAL MOVED TO EXTEND THE EXISTING CONTRACT WITH REPUBLIC ITS FOR MONTHLY MAINTENANCE AND ON-CALL REPAIR OF SARATOGA TRAFFIC SIGNALS FOR TWO ADDITIONAL YEARS.
MOTION PASSED 5-0-0.

5. APPROVAL OF SPORT USER AGREEMENTS – 2009.

STAFF RECOMMENDATION:

Approve Sport User Agreements with American Youth Soccer Organization, Saratoga Little League, Quito Little League, De Anza Youth Soccer League, West Valley Lacrosse Club, West Valley Youth Soccer League, and Saratoga Pony League for the use of Saratoga City parks, West Valley College, and Prospect High School for organized sport use and authorize the City Manager to execute the same.

Councilmember Hunter removed this item for clarification.

Councilmember Hunter asked if there was any change in the sports user group.

Public Works Director John Cherbone noted that the only difference this year is that the agreement for all the groups is being renewed at the same time; which has not been the case in previous years.

Councilmember Hunter also asked if the field improvements at West Valley College were completed.

Director Cherbone state they were, however they were waiting for the newly planted grass to grown in and the field should be ready for use by spring.

Councilmember Miller noted that a new clause was added to the contract agreements this year and that is that all the sport user groups use re-useable water bottles, rather than disposable water bottles. He added that all the groups were very happy to have this clause in the agreements.

HUNTER/MILLER MOVED TO APPROVE SPORT USER AGREEMENTS WITH AMERICAN YOUTH SOCCER ORGANIZATION, SARATOGA LITTLE LEAGUE, QUITO LITTLE LEAGUE, DE ANZA YOUTH SOCCER

LEAGUE, WEST VALLEY LACROSSE CLUB, WEST VALLEY YOUTH SOCCER LEAGUE, AND SARATOGA PONY LEAGUE FOR THE USE OF SARATOGA CITY PARKS, WEST VALLEY COLLEGE, AND PROSPECT HIGH SCHOOL FOR ORGANIZED SPORT USE AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE SAME. MOTION PASSED 5-0-0.

6. **ADOPT RESOLUTION APPROVING THE USE OF A MASTER PUBLIC EMPLOYEE BOND TO PROVIDE REQUIRED COVERAGE FOR THE CITY.**

STAFF RECOMMENDATION:

Staff recommends that City Council adopt a Resolution approving the use of a Master Public Employee Bond to provide required coverage for the City.

RESOLUTION NO. 09-001

KING/NAGPAL MOVED TO ADOPT A RESOLUTION APPROVING THE USE OF A MASTER PUBLIC EMPLOYEE BOND TO PROVIDE REQUIRED COVERAGE FOR THE CITY. MOTION PASSED 5-0-0.

PUBLIC HEARINGS

None

OLD BUSINESS

None

NEW BUSINESS

7. **REVIEW OF PARKING CODE SECTION 15-35.020(K) WHICH RELAXED PARKING REQUIREMENTS IN THE VILLAGE FROM MARCH 1, 2006 TO FEBRUARY 28, 2009.**

STAFF RECOMMENDATION:

Review report and direct Staff accordingly on the following options:

1. Allow the code section to expire and remain in the code
2. Allow the code section to expire and amend the code to remove the section
3. Amend the City Code to extend the time period and/or modify the existing section

Senior Planner Chris Riordan presented the staff report.

There was some council discussion regarding parking issues and the availability of parking spaces at different locations during specific times of the day.

Mayor Page invited public comment.

Gene Zambetti addressed the Council regarding this item.

Mr. Zambetti noted that he would like an extension of the parking moratorium.

Mayor Page closed public comment.

Councilmember Nagpal noted that there has been more activity in the Village in the last 2 years versus the last 30 years and felt it would be a great mechanism to bring more business into the Village by extending the relaxed parking requirements in the Village for another three years. Councilmember Nagpal stated she supported the extension of the parking moratorium.

Vice Mayor King noted that she had worked on this project when it was first implemented in 2006 and had supported at least a five year parking moratorium but did agree to try it out for three years. Vice Mayor King stated she would like to see the parking moratorium extended to five years and until they use up the 24,206 square footage of parking space. In addition, she feels the city needs to provide more restaurants with retail.

Councilmember Hunter noted that for many years the first part of the Village – Blaney Plaza was the busy area and the rear area was less busy. However, currently there has been an increase in businesses towards the rear area of the Village and the first part of the Village shops has decreased. Councilmember Hunter stated she would support the extension of the parking moratorium for no more than three years and to end at the current available parking space of 24, 206 square feet.

Mayor Page noted that this moratorium has been successful in stimulating projects, but feels there is more that can be done. Mayor Page stated he would support the extension of the moratorium for three additional years with the 24,206 square footage limit; regardless of how many months remain on the three year parking moratorium extension.

Councilmember Miller noted that he agreed with his fellow councilmembers to stimulate the Village businesses; however he felt that if Council agreed to the parking restriction moratorium they should also address the Conditional Use Permit fees at some point.

Mayor Page noted that the Conditional Use Permit would be addressed at the January 12th Study Session on the Ch-2 Parking District.

Vice Mayor King voiced a concern that if this moratorium was extended for three years with the 24,206 square feet limit, there could be an issue if a business comes in to the Village within the three year moratorium but misses the 24,206 square foot window.

Vice Mayor King noted that she preferred the option to direct staff to proceed with a parking management program to see how they can make three years work versus the 24,206 square footage.

Councilmember Hunter voiced a concern that it is important that we keep tabs on the 24,000 square footage.

Vice Mayor King noted that the City should start being proactive now in determining how to go beyond the 24,206 square footage.

City Attorney Taylor noted the parking ordinance would have to come back for additional review, however, Council's decision this evening would be to move this parking restriction moratorium forward and streamline the environmental review by leaving that specific cap in based on the study that already shows how much parking is available.

NAGPAL/MILLER MOVED TO AMEND THE CITY CODE TO EXTEND THE TIME PERIOD FOR ANOTHER THREE YEARS AND TO KEEP A TABULATION OF THE PARKING SPACE SQUARE FOOTAGE. MOTION PASSED 5-0-0.

ADHOC & AGENCY ASSIGNMENT REPORTS

Mayor Chuck Page – reported:

Valley Transportation Authority PAC – he was nominated as the Vice Chair to the VTA Policy Advisory Committee.

Council Finance Committee – met prior to the December 17th council meeting.

Vice Mayor Kathleen King – reported:

SCC Cities Association – Joint Economic Development Policy Committee (JEDPC) – meets Thursday evening; plastic bag issue is receiving a lot of attention; will be discussing 2009 cities association priorities at the February meeting and would like to agendize this item for discussion on the January 21st Council meeting agenda.

City School Ad-Hoc – Redwood Middle School will be participating in the Presidential Inaugural Parade in January and 52 people from Saratoga High School will also be attending.

Councilmember Jill Hunter – reported there were no meetings scheduled. She reminded people to watch for the Redwood Middle School Band at the January Inaugural Parade.

Councilmember Howard Miller – reported:

KSAR – has reduced staff time due to budget constraints and will spend some time analyzing the budget shortfalls; established the 2009 producer fee and in process of sending out letters to collect the fees; a class was held at West Valley College (WVC) to train volunteers how to produce videos; Saratoga High School has a video program and is working with WVC to have a mentor program working with the high school students.

Councilmember Susie Nagpal – reported:

Sister City Liaison – she attended the last meeting and this year there will be a delegation from Muko, Japan visiting Saratoga in recognition of the 25th anniversary.

CITY COUNCIL ITEMS

Councilmember Miller noted that families that are permitting their child to participate in the January Inaugural Parade will be required to pay for the cost incurred, however, if people would like to make a contribution to help offset the cost they can contact the Saratoga Music Boosters to make a tax deduction contribution.

Also, Councilmember Miller stated he would like to agendize the Conditional Use Permit fees for the entire City. Vice Mayor King seconded this agenda request for no later than March 1st; and in addition, Vice Mayor King asked to agendize the Cities Association Priorities List on the next council meeting agenda.

CITY MANAGER'S REPORT

None

ADJOURNMENT

There being no further business Mayor Page asked for a motion to adjourn the meeting.

KING/MILLER MOVED **TO ADJOURN THE REGULAR MEETING AT 8:10PM.**
MOTION PASSED 5-0-0.

Respectfully submitted,

Ann Sullivan, CMC
City Clerk