



**AGENDA
REGULAR MEETING
SARATOGA CITY COUNCIL**

Wednesday, September 16, 2009

**REGULAR MEETING – 7:00 P.M. – CIVIC THEATER/COUNCIL CHAMBERS
AT 13777 FRUITVALE AVENUE**

PLEDGE OF ALLEGIANCE

ROLL CALL

REPORT OF CITY CLERK ON POSTING OF AGENDA

(Pursuant to Gov't. Code 54954.2, the agenda for this meeting was properly posted on September 11, 2009)

COMMUNICATIONS FROM COMMISSIONS & PUBLIC

Oral Communications on Non-Agendized Items

Any member of the public will be allowed to address the City Council for up to three (3) minutes on matters not on this agenda. The law generally prohibits the council from discussing or taking action on such items. However, the Council may instruct staff accordingly regarding Oral Communications under Council Direction to Staff.

Oral Communications - Council Direction to Staff

Instruction to Staff regarding actions on current Oral Communications.

Communications from Boards and Commissions

Council Direction to Staff

Instruction to Staff regarding actions on current Communications from Boards & Commissions.

ANNOUNCEMENTS

CEREMONIAL ITEMS

1. Recognition of Saratoga Little League Teams

Recommended action:

Present certificates.

2. Commendation Honoring Citizen Ray Davis

Recommended action:

Present commendation.

SPECIAL PRESENTATIONS

3. Launch of New City Website
Recommended action:
Presentation only, no action is necessary.

CONSENT CALENDAR

The Consent Calendar contains routine items of business. Items in this section will be acted in one motion, unless removed by the Mayor or a Council member. Any member of the public may speak to an item on the Consent Calendar at this time, or request the Mayor remove an item from the Consent Calendar for discussion. Public Speakers are limited to three (3) minutes.

4. City Council Minutes – September 2, 2009
Recommended action:
Approve minutes.
5. Treasurer’s Report for the Month Ended June 30, 2009
Recommended action:
That the City Council accepts Treasurer’s Report for the Month Ended June 30, 2009
6. Review of Accounts Payable Registers
Recommended action:
That the City Council accepts the Check Registers for Accounts Payable cycles:
August 27, 2009
September 03, 2009
7. Adopt ordinance amending various sections of the City Code pertaining to land use. The amendments would clarify existing provisions regarding Health and Sanitation, Subdivisions, Zoning Regulations, and Building Regulations and would adopt new provisions requiring Story Poles and setting Green Building standards.
Recommended action:
Waive the second reading and adopt the proposed ordinance.
8. Saratoga Avenue Overlay and Rehabilitation Project ESPL-5332(014) – Award of Construction Contract.
Recommended action:
 1. Move to declare O’ Grady Paving, Inc. of Mountain View to be the lowest responsible bidder on the project.
 2. Move to award a construction contract to O’ Grady Paving, Inc. in the amount of \$701,767.50
 3. Move to authorize staff to execute change orders to the contract up to \$50,000.
9. Adoption of Ordinance Amending the Zoning Regulations related to City Code Article 15-65 (Non-Conforming Uses and Structures) and City Code Sections 15-19.060, 15-12.090 and 15-17.080
Recommended action:
Staff recommends the Council waive the Second Reading and adopt the Ordinance amending the Zoning Regulations related to City Code Article 15-65 (Non-

Conforming Uses and Structures) and City Code Sections 15-19.060, 15-12.090 and 15-17.080.

10. Motor Vehicle (MV) Resolution Restricting U-Turns on Fruitvale Avenue

Recommended action:

Move to adopt MV Resolution restricting U-Turns on Fruitvale Avenue at the median opening in front of West Valley College.

11. Dedication of Wildwood Way Utility Easements

Recommended action:

Authorize dedication of utility easements on Wildwood Way to San Jose Water Company and West Valley Sanitation District.

PUBLIC HEARINGS

12. Zoning Ordinance Amendment to Create Regulations for Tobacco Retailers

Recommended action:

Conduct a public hearing regarding the attached ordinance establishing a use permit requirement for tobacco retailers, introduce and waive the first reading of the ordinance, and direct staff to place the ordinance on the consent calendar for adoption at the next regularly scheduled meeting of the City Council.

OLD BUSINESS

13. Records Management Program: Authorization to Proceed with Destruction of Certain City Records

Recommended action:

Direct staff to proceed with the destruction of records listed in Exhibit A to Resolution 09-043 that was adopted by Council on July 15, 2009.

14. Revisions to Records Retention Policy

Recommended action:

Adopt Resolution amending City's Records Retention Schedule.

15. 2009 Fall Issue of The Saratogan

Recommended action:

Accept report and direct staff accordingly.

NEW BUSINESS

16. Advertising Policy and Ad Guidelines with Contract

Recommended action:

Approve Advertising Policy and Advertising Guidelines with Contract.

17. Preparation of an ordinance establishing the City's ability to issue administrative citations for violations of the Saratoga City Code.

Recommended action:

Direct staff to prepare an ordinance comparable to the sample attached to this staff report that would establish the City's ability to issue administrative citations for violations of the Saratoga City Code.

18. Village Facade Improvement Program Amendments

Recommended action:

Accept report and approve the proposed Village Facade Improvement Program amendments.

19. Landscape Maintenance and Beautification of Areas not served by the City's Landscaping & Lighting Assessment District - LLA-1

Recommended action:

Accept Report and provide direction to staff.

20. Action Minutes Format

Recommended action:

Adopt Resolution establishing "Action Minutes" format for compiling legislative minutes for Saratoga City Council and Planning Commission meetings, and establishing the video recordings of such meetings part of the official record.

ADHOC & AGENCY ASSIGNMENT REPORTS

Mayor Chuck Page

Hakone Foundation Executive Committee
Peninsula Division, League of California Cities
SSC Cities Association Board
SCC Cities Association Selection Committee
Valley Transportation Authority PAC
West Valley Sanitation District
West Valley Mayors and Managers Association
Council Finance Committee
City School Ad-Hoc

Vice Mayor Kathleen King

Hakone Foundation Board
West Valley Flood Control Zone & Watershed Advisory Committee
SSC Cities Association Executive Board
SCC Cities Association – Joint Economic Development Policy Committee (JEDPC)
City School Ad-Hoc

Councilmember Jill Hunter

Historical Foundation
Library Joint Powers Association
Santa Clara County Valley Water District Commission
Village AdHoc

Councilmember Howard Miller

Chamber of Commerce
KSAR
Santa Clara County Emergency Council
West Valley Solid Waste Joint Powers Association
Council Finance Standing Committee

Councilmember Susie Nagpal

ABAG

Comprehensive County Expressway Planning Study Policy Advisory Board (PAB)

County HCD Policy Committee

SASCC

Sister City Liaison

Village AdHoc

CITY COUNCIL ITEMS

CITY MANAGER'S REPORT

ADJOURNMENT

In accordance with the Ralph M. Brown Act, copies of the staff reports and other materials provided to the City Council by City staff in connection with this agenda are available at the office of the Community Development Department Director at 13777 Fruitvale Avenue, Saratoga, CA 95070. Note that copies of materials distributed to the City Council concurrently with the posting of the agenda are also available on the City Website at www.saratoga.ca.us. Any materials distributed by staff after the posting of the agenda are made available for public review at the office of the City Clerk at the time they are distributed to the City Council.

In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this meeting, please contact the City Clerk at (408) 868-1269. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting (28 CFR 35.102-35.104 ADA Title II)

Certificate of Posting of Agenda:

I, Ann Sullivan, City Clerk for the City of Saratoga, declare that the foregoing agenda for the meeting of the City Council for the City of Saratoga was posted on September 11, 2009, at the City of Saratoga, 13777 Fruitvale Ave., Saratoga, CA 95070 and was available for public review at that location. The agenda is also available on the City's website at www.saratoga.ca.us

Signed this 11th day of September 2009 at Saratoga, California.

*Ann Sullivan, CMC
City Clerk*

NOTE: To view current or previous City Council meetings anytime, go to the City Video Archives at www.saratoga.ca.us



**CITY OF SARATOGA
CITY COUNCIL MEETING CALENDAR 2009**

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|-------|---|
| 9/16 | Regular Meeting – Joint Meeting with West Valley Board of Trustees |
| 10/7 | Regular Meeting – Joint Meeting with Traffic Safety Commission |
| 10/21 | Regular Meeting – Joint Meeting with Historical Foundation & Heritage Preservation Commission |
| 11/4 | Regular Meeting – Saratoga Ministerial Association |
| 11/18 | Regular Meeting – Joint Meeting with Hakone Foundation |
| 12/1 | Council Reorganization |
| 12/2 | Regular Meeting - |
| 12/16 | Regular Meeting - |