



**AGENDA
REGULAR MEETING
SARATOGA CITY COUNCIL**

Wednesday, November 18, 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 November 12, 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

SPECIAL PRESENTATIONS

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.

1. Minutes – Cost Recovery Study Session – October 13, 2009
Recommended action:
Approve minutes.
2. City Council Meeting Minutes – October 21, 2009
Recommended action:
Approve minutes.
3. Minutes – Siemens Energy/Water Efficiency & Budget Policies Review Study Session – October 26, 2009
Recommended action:
Approve minutes.
4. City Council Minutes – November 4, 2009
Recommended action:
Approve minutes.
5. Review of Accounts Payable Registers
Recommended action:
That the City Council accepts the Check Registers for Accounts Payable cycles:
October 29, 2009
November 05, 2009
6. On-going Designation of City Engineer
Recommended action:
Approve Resolution Confirming the On-going Designation Regarding the City Engineer
7. Citywide Signal Upgrade Project – Agreement for Professional Design Services
Recommended action:
 1. Approve Independent Contractor Agreement with Mark Thomas & Company Inc.
 2. Authorize the City Manager to execute the same.
 3. Authorize the Public Works Director to issue change orders for up to 25% of the Agreement amount.
8. Council Liaison to Saratoga Ministerial Association
Recommended action:
Adopt the attached Resolution amending Resolution No. 08-082 appointing Council representatives to Committees, Agencies and AdHoc Committees to include a new agency – Saratoga Ministerial Association.

PUBLIC HEARINGS

Applicants/Appellants and their representatives have a total of ten minutes maximum for opening statements. Members of the public may comment on any item for up to three minutes. Applicant/Appellants and their representatives have a total of five minutes maximum for closing statements. Items requested for continuance are subject to Council's approval at the Council meeting

9. Appeal of Conditional Use Permit Application No. CUP 09-0004: 20398 Blauer Drive, which was denied by the Planning Commission, to operate a new day care facility in the Professional Administrative Zoning District.

Recommended action:

Deny the appeal for a Conditional Use Permit, thus affirming the Planning Commission denial issued on October 14, 2009.

OLD BUSINESS

10. Website Policy

Recommended action:

Accept report and adopt resolution establishing a policy for the City of Saratoga website.

11. Commission Qualifications and Expiring Terms

Recommended action:

Accept the staff report and list of Commission qualifications and Commissioner terms that will be expiring in the next calendar year and provide staff with additional direction if needed.

NEW BUSINESS

12. Urgency Ordinance for Medical Marijuana Dispensaries

Recommended action:

Adopt the proposed interim urgency ordinance placing a 45 day moratorium on the establishment of medical marijuana dispensaries in order to provide the City of Saratoga with time to determine whether to adopt an ordinance regulating the location or operation of medical marijuana dispensaries.

13. Review of Facility Rental Fees and Criteria for Non-Profit Organizations

Recommended action:

Review and comment on the existing Facility Rental policies and rental fees for non-profit group use.

14. Parks and Recreation Commission North Campus Name Recommendations

Recommended action:

Accept report and select one of the names recommended by the Parks and Recreation Commission for the North Campus.

15. CaliforniaFIRST Letter of Commitment

Recommended action:

Accept report and approve CaliforniaFIRST letter of commitment.

16. Energy Efficiency Projects – Funding Resolution

Recommended action:

1. Accept Report and provide direction to staff.
2. Approve Budget Resolution.

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 November 12, 2009, for 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 12th day of November 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



<p style="text-align: center;">CITY OF SARATOGA CITY COUNCIL MEETING CALENDAR 2009</p>
--

12/1	Council Reorganization
12/2	Regular Meeting – Joint Meeting with Planning Commission
12/16	Regular Meeting –
1/6/2010	Regular Meeting Cancelled
1/20/2010	Regular Meeting
2/3/2010	Regular Meeting
2/17/2010	Regular Meeting