



**AGENDA  
REGULAR MEETING  
SARATOGA CITY COUNCIL**

**Wednesday, May 5, 2010**

**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 April 29, 2010)

**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. City Council Budget & CIP Study Session Minutes – April 19, 2010  
**Recommended action:**  
Approve minutes.
2. City Council Meeting Minutes – April 21, 2010  
**Recommended action:**  
Approve minutes.
3. Treasurer’s Report for the Month Ended March 31, 2010  
**Recommended action:**  
Review and accept the Treasurer’s Report for the month ended March 31, 2010.
4. Review of Accounts Payable Check Registers  
**Recommended action:**  
That the City Council review and accept the Check Registers for the following Accounts Payable payment cycles:  
April 15, 2010  
April 22, 2010
5. Delegation of Authority to the West Valley Mayors and Managers to appoint a board member for the Silicon Valley Regional Interoperability Authority (SVRIA) Joint Powers Authority (JPA)  
**Recommended action:**  
Adopt resolution authorizing the West Valley Mayors and Managers to appoint a SVRIA “Southwest County Agencies” JPA board member.
6. Amendment to Professional Services Contract with Mark Thomas & Company, Inc.  
**Recommended action:**  
Approve an Amendment to the existing professional services contract with Mark Thomas & Company, Inc for design work in the amount of \$27,556 and authorize the City Manager to execute the same.
7. Motor Vehicle (MV) Resolution Restricting Parking on Prospect Road  
**Recommended action:**  
Move to adopt MV Resolution restricting parking on a section of Prospect Road.
8. Motor Vehicle (MV) Resolutions Restricting Parking on Dolphin Drive and Portos Drive  
**Recommended action:**
  1. Move to adopt MV Resolutions restricting parking on a section of Dolphin Drive.
  2. Move to adopt MV Resolutions restricting parking on a section of Portos Drive.

## **PUBLIC HEARINGS**

9. Amendment to City Code Article 4-55 Massage Establishments and Massage Practitioners.  
**Recommended action:**  
Conduct a public hearing regarding the State mandated update of the Massage Establishments and Massage Practitioners (City Code Article 4-55). 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.

10. Amendment to City Code Article 15-47 Water Efficient Landscapes

**Recommended action:**

Conduct a public hearing regarding the State mandated update of the Water Efficient Landscape Ordinance (City Code Article 15-47). 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.

11. Hearing to Consider Adoption of a Resolution of Necessity (Eminent Domain) for Acquisition of an Additional Easement in Pacific Gas & Electric Right of Way for Joe's Trail at Saratoga De Anza.

**Recommended action:**

Adopt a Resolution of Necessity making the appropriate findings and authorizing an amendment to the complaint in eminent domain proceedings for Joe's Trail at Saratoga De Anza (the "Project") to acquire an Additional Easement necessary for the Project.

**OLD BUSINESS**

None

**NEW BUSINESS**

12. City Council Summer Recess

**Recommended action:**

Accept report and direct staff accordingly for the City Council summer recess. The Council may choose one of the following options:

1. Cancel the second meeting only in August – August 18, 2010.
2. Cancel both first and second meetings in August – August 4 and 18, 2010.

**ADHOC & AGENCY ASSIGNMENT REPORTS**

Mayor Kathleen King

ABAG

County HCD Policy Committee

Hakone Foundation Executive Committee

West Valley Flood Control Zone & Watershed Advisory Committee

SCC Cities Association Selection Committee

Santa Clara County Emergency Council

West Valley Mayors and Managers Association

Vice Mayor Jill Hunter

Hakone Foundation Board

Historical Foundation

Library Joint Powers Association

SASCC

Sister City Liaison

Village AdHoc

Councilmember Howard Miller  
City School Ad-Hoc  
Chamber of Commerce  
Council Finance Committee  
Highway 9 Adhoc  
KSAR  
Santa Clara County Cities Association Board  
West Valley Solid Waste Joint Powers Authority  
West Valley Transportation Authority PAC

Councilmember Susie Nagpal  
Highway 9 Adhoc  
Village AdHoc

Councilmember Chuck Page  
City School Ad-Hoc  
Santa Clara Valley Water District Commission  
Saratoga Ministerial Association  
West Valley Sanitation District  
Council Finance Committee

## **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 City Clerk 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](http://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 April 29, 2010, 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](http://www.saratoga.ca.us)*

*Signed this 29<sup>th</sup> day of April 2010 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](http://www.saratoga.ca.us)



<b>CITY OF SARATOGA CITY COUNCIL MEETING CALENDAR 2010</b>
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|--------------|---|
| 5/19         | Regular Meeting – Joint Meeting with Los Gatos-Saratoga Union High School District and Saratoga Union Elementary District |
| 6/2          | Regular Meeting – Joint meeting with Montalvo Arts  |
| 6/16         | Regular Meeting – Joint Meeting with HOA Presidents   |
| 7/7          | Regular Meeting –   |
| 7/21         | Regular Meeting – Joint Meeting with SASCC  |
| 8/4          | <b>SUMMER RECESS – NO COUNCIL MEETING</b> (Tentative)   |
| 8/18         | <b>SUMMER RECESS – NO COUNCIL MEETING</b>   |
| 9/1          | Regular Meeting – Joint Meeting with West Valley Board of Trustees  |
| 9/15         | Regular Meeting – <b>Joint meeting with Assemblymember Jim Beall</b>  |
| 10/6         | Regular Meeting – Joint Meeting with Traffic Safety Commission  |
| 10/20        | Regular Meeting – Joint Meeting with Historical Foundation & Heritage Preservation Comm.                                  |
| 11/3         | Regular Meeting – Joint meeting with Saratoga Ministerial Association   |
| 11/17        | Regular Meeting - Joint Meeting with Hakone Foundation  |
| <b>11/30</b> | <b>Council Reorganization</b>   |
| 12/1         | Regular Meeting - Joint Meeting with Library Commission and Friends of the Saratoga Libraries                             |
| 12/15        | Regular Meeting -   |