



# AGENDA REGULAR MEETING SARATOGA CITY COUNCIL

WEDNESDAY, APRIL 3, 2013

**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 March 28, 2013)

**REPORT FROM CLOSED SESSION**

**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. Commendation for Outgoing Planning Commissioner David Reis  
**Recommended action:**  
Read and present commendation for Planning Commissioner David Reis.
2. Appointment of Planning Commissioners  
**Recommended action:**
  1. Adopt the resolution appointing two members to the Planning Commission; and
  2. Direct the City Clerk to administer the Oaths of Office.

## **SPECIAL PRESENTATIONS**

None

## **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.*

3. City Council Meeting Minutes

**Recommended action:**

Approve minutes for the Special and Regular City Council Meeting on March 20, 2013.

4. Review of Accounts Payable Check Registers

**Recommended action:**

Review and accept check registers for the following accounts payable payment cycles:

3/19/2013

3/26/2013

5. Treasurer's Report for the Month Ended February 28, 2013

**Recommended action:**

Review and accept the Treasurer's Report for the month ended February 28, 2013.

6. ABAG POWER Pipeline Capacity Regulations

**Recommended action:**

Authorize the Mayor to sign and send the attached letter to the CPUC stating the City of Saratoga's objections to force ABAG POWER to take and pay for pipeline capacity acquired by PG&E.

7. Resolution Amending Council Agency and Ad Hoc Assignments

**Recommended action:**

Approve resolution amending Resolution 12-067 appointing Council representatives to agencies and ad hoc committees for the year 2013.

8. Quarry Property Master Plan Project Consultant Selection

**Recommended action:**

1. Select the Planning Center/DC&E as the consultant for Quarry Property Master Plan Development Project.

2. Authorize City Manager to enter into a Professional Service Agreement with The Planning Center/DC&E in the amount of \$249,631.

## **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. Zoning Ordinance Amendment (1) Allowing Businesses to Sell Beer and Wine as a Permitted Use Under Certain Conditions; (2) Creating a New Definition for Alcoholic Beverage; and (3) Modifying the Definition of Retail Establishment and Market

**Recommended action:**

Conduct a public hearing, 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 regular meeting of the City Council.

10. Annexation of Approximately 223 Acres of Certain Unincorporated Islands; an Amendment to the General Plan Land Use Map Changing the Land Use Designation of the Quarry Property to Open Space-Outdoor Recreation; and Adoption of an Ordinance Applying the AP/OS Overlay Zoning to the Property Located at 22101 Mount Eden Road

**Recommended action:**

1. Adopt the attached resolution amending Resolution No. 12-050 to add two additional unincorporated islands within the City's Urban Service Area which include the 68-acre Congress Springs Quarry Property and a 0.28 acre parcel located in the vicinity of 22100 Mount Eden Road to the list of properties to be annexed;
2. Adopt the attached resolution approving annexation of properties located within the City's Urban Service Area which include an Amendment to the General Plan Land Use Map to modify the Land Use Designation of the Congress Springs Quarry Property from Hillside Open Space to Open Space-Outdoor Recreation; and
3. Introduce and waive the first reading of the ordinance applying AP/OS Overlay Zoning and direct staff to place the ordinance on the consent calendar for adoption at the next regular meeting of the City Council.

## **OLD BUSINESS**

None

## **NEW BUSINESS**

11. Amendments to League of California Cities Bylaws

**Recommended action:**

Determine position on proposed amendments to League of California Cities bylaws and authorize the Mayor to cast the vote for the City and sign the ballot on the bylaw amendments.

## **ADHOC & AGENCY ASSIGNMENT REPORTS**

Mayor Jill Hunter

City School Ad Hoc

Hakone Foundation Board

Hakone Foundation Executive Committee

Historical Foundation  
KSAR Community Access TV Board  
Village Ad Hoc  
West Valley Mayors and Managers Association

Vice Mayor Emily Lo

Hakone Foundation Board  
Let's Move City Ad Hoc  
Library Joint Powers Authority  
Santa Clara Valley Water District Commission  
Village Ad Hoc  
West Valley Flood Control & Watershed Advisory Committee

Council Member Howard Miller

City School Ad Hoc  
Council Finance Committee  
Postal Service Liaison  
Saratoga Ministerial Association  
Valley Transportation Authority PAC  
West Valley Solid Waste Management Joint Powers Authority

Council Member Manny Cappello

Chamber of Commerce  
County HCD Policy Committee  
Highway 9 Ad Hoc  
Let's Move City Ad Hoc  
Santa Clara County Emergency Council  
SASCC  
TEA Ad Hoc

Council Member Chuck Page

Association of Bay Area Governments  
Highway 9 Ad Hoc  
Santa Clara County Cities Association  
Santa Clara County Cities Association Selection Committee  
Sister City Liaison  
TEA Ad Hoc  
West Valley Sanitation District

**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, Crystal Bothelio, 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 March 28, 2013, 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 28<sup>th</sup> day of March 2013 at Saratoga, California.*

*Crystal Bothelio, 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)



**CITY OF SARATOGA  
CITY COUNCIL MEETING CALENDAR 2013**

- |       |  |
|-------|--|
| 04/03 | Regular Meeting – Joint Meeting with Sheriff Office                                |
| 04/17 | Regular Meeting – Joint Meeting with Montalvo Arts                                 |
| 04/22 | Special Meeting – Budget Study Session   |
| 05/01 | Regular Meeting – Joint Meeting with Youth Commission                              |
| 05/15 | Regular Meeting – Joint Meeting with Mountain Winery                               |
| 06/05 | Regular Meeting – Joint Meeting with Traffic Safety Commission                     |
| 06/19 | Regular Meeting – Joint Meeting with Saratoga/Monte Sereno Community Foundation    |
| 07/03 | Regular Meeting – Civic Theater Master Plan Study Session                          |
| 07/17 | RECESS   |
| 08/07 | RECESS   |
| 08/21 | Regular Meeting – Joint Meeting with SASCC   |
| 09/04 | Regular Meeting – Joint Meeting with Parks and Rec/PEBTAC                          |
| 09/18 | Regular Meeting – Joint Meeting with West Valley Board of Trustees                 |
| 10/02 | Regular Meeting – 5:30 p.m. Joint Meeting with Saratoga School Districts           |
| 10/16 | Regular Meeting – Joint Meeting with Hakone Foundation Board                       |
| 11/06 | Regular Meeting – Joint Meeting with Library Commission and Friends of the Library |
| 11/20 | Regular Meeting – Joint Meeting Sister City Committee                              |
| 12/04 | Regular Meeting – Joint Meeting with Assembly Member Paul Fong and Jim Beall       |
| 12/18 | Regular Meeting – Joint Meeting TBD  |