

MINUTES
WEDNESDAY, FEBRUARY 5, 2016
SARATOGA CITY COUNCIL SPECIAL MEETING
CITY COUNCIL RETREAT

CALL TO ORDER

Mayor Manny Cappello called the meeting to order at 9:06 a.m. in the Baltic Room at West Valley College at 14000 Fruitvale Avenue in Saratoga, CA.

ROLL CALL

PRESENT Mayor Manny Cappello, Vice Mayor Emily Lo, Council Members
Mary-Lynne Bernald, Howard Miller, Rishi Kumar

ABSENT: None

ALSO PRESENT: James Lindsay, City Manager
Richard Taylor, City Attorney
Crystal Bothelio, City Clerk
John Cherbone, Public Works Director
Mary Furey, Finance & Administrative Services Director
Erwin Ordoñez, Community Development Director
Michael Taylor, Recreation & Facilities Director
Tony McFarlane, Finance Manager
Monica LaBossiere, Human Resources Manager
Brian Babcock, Administrative Analyst I
Mainini Cabute, Management Analyst II
Liz Ruess, Planner
Debbie Bretschneider, Deputy City Clerk

ORAL COMMUNICATIONS ON NON-AGENDIZED ITEMS

None

AGENDA ITEMS

Finance Review: Fiscal Policies, Mid-Year Budget Status, and Five Year Forecast

Finance and Administrative Services Director Mary Furey summarized the current state of the Fiscal Year 2015/16 budget. She then reviewed proposed changes to the City's fiscal policies and requested comments be provided to her by March 1.

Council Member Miller noted that the intent of the updates to the fiscal policies is to make it easier to understand and clearly explain how the City manages its finances.

Mayor Cappello added that the policies are very important from the standpoint that budget allocations are guided by the City's fiscal policies. As a result, it is important that the Council fully understand the policies and raise any questions or concerns regarding the policies.

Finance and Administrative Services Director Mary Furey then reported on the five year forecast.

The City Council and Finance and Administrative Services Director Mary Furey discussed assumptions and modeling used for the forecast.

Finance and Administrative Services Director Mary Furey noted that impacts of the Facility Reserve policy change and reduced gas tax revenue projections (which are expected to decline even with additional funds proposed by the Governor and other State legislators) will impact funding available for street improvements.

Council Member Miller pointed out that there is often confusion about how much tax revenues go to the City and other government entities, such as schools. The City receives a much smaller proportion of these revenues.

Mayor Cappello provided background on the Facility Reserve. While setting aside money for the Facility Reserve may mean reduced funds for other projects, at some point the City will have to replace its facilities and over time this fund will help towards that effort. Ultimately, it is up to the City Council to determine if this prioritization of funds is appropriate and to adjust it as needed.

Council Member Miller also commented on the Council's goal to allocate \$2 million to pavement management and streets, pointing out various potential sources of funding that may help the City reach the goal and explaining some of the rationale for setting the goal at \$2 million.

The City Council discussed recent trends in local government facility replacement projects and use of bonds for these projects.

City Council Priorities for FY 2016/17

City Manager James Lindsay explained the intent of the item and requested that the Council also provide input on current Sheriff's Office service levels, noting that the City's contract with the Sheriff's Office requires notification of any service level changes during the first part of the calendar year.

Council Member Miller noted that he had requested this item so that the City Council can discuss the possibility to adding public safety to the scope of the Traffic Safety Commission with the goal of having a discussion at the 2017 Retreat on any resulting Sheriff's Office or City staffing and service level changes.

Mayor Cappello said he felt the Council should engage in a serious discussion about the impacts of changing the scope of the Traffic Safety Commission.

Vice Mayor Lo added that the 2014 change in Sheriff's Office service levels were focused on traffic safety, especially near schools. Since then, there have been increasing concerns regarding crime and burglaries.

Council Member Kumar expressed support for adding public safety to the scope of the Traffic Safety Commission. He noted that there are many ideas that have been generated on how to address public safety concerns in the community and a Commission that oversees public safety would provide the public with a conduit for sharing ideas. He also commented upon use of surveillance cameras by law enforcement agencies. A Commission with a public

safety focus could hear resident input on use of surveillance cameras by law enforcement and make a recommendation to the City Council.

Council Member Miller suggested that Sheriff's Office service levels stay at current levels and any suggested changes that may result from the possible formation of a Traffic Safety/Public Safety Commission can be considered at the 2017 Retreat.

Mayor Cappello added that the concept of adding public safety to the Traffic Safety Commission's scope can be discussed at the City Council's Joint Meeting with the Commission.

City Manager James Lindsay reaffirmed that there are no requested changes to the Sheriff's Office service levels in Saratoga. City staff will schedule an item for a future City Council Meeting on the possibility of adding public safety to the scope of the Traffic Safety Commission. He also noted that traditionally, the Community Development Department and Planning Commission work plan has been discussed during the Retreat. This year, this practice has been changed and Commission work plans will be discussed as part of Council Joint Meetings with the Commissions. As a result, this agenda item was added to the Retreat to provide the City Council with the chance to raise priorities or initiatives not already part of the Retreat discussion. Furthermore, there are no specific work plan items proposed by staff other than various annual code updates that will be discussed during the item on Legislative and Other Statewide Policies Update in the afternoon. If anything comes up, staff will come to the City Council for direction first.

The City Council discussed the process for the regular update of the Building Code, including the process for providing input to the State and the City's past practice for including modifications to the Building Code.

Mayor Cappello commented that he would like the City to do a little more in the area of seniors. He noted a suggestion from Vice Mayor Lo to provide additional transportation options for seniors as an example. He did not advocate for any particular action item, but did observe that the City's population is continuing to age and it would be wise to take small steps over the course of the next few years to address the growing population of older adults in Saratoga. The City could take a similar approach to that used for smoking regulations, putting efforts in place every year and building over time.

Vice Mayor Lo requested that the Council continue to prioritize community outreach. A lot of work has been done to improve communications through various methods and it would be good to continue that effort.

Council Member Miller proposed that health be prioritized. It includes areas such as smoking regulations and efforts to promote active lifestyles. Perhaps the City can revisit the Circulation Element. The City could also prioritize ADA accessibility projects, as well.

Mayor Cappello concurred that health touches a number of areas.

Council Member Bernald suggested that looking at connectivity in the City may be more effective than revisiting the Circulation Element.

Council Member Miller added that the encroachment permit process also affects connectivity, particularly for bicyclists.

Council Member Kumar supported Vice Mayor Lo's recommendation that the City continue prioritizing community engagement. There is an opportunity for the City to do more related to communications, including surveys. Another opportunity is to improve the City's Wi-Fi landing pages. Along the same lines as adding public safety to the Traffic Safety Commission's focus, there is also a synergy between the Parks and Recreation Commission and Planning Commission. It would be good to have map that shows biking and hiking trails, as well as other offerings in Saratoga. Perhaps there could be an app used to view a map of trails. Council Member Kumar also expressed interest in customer service and providing Saratoga customers with additional options, such as the Community Choice Energy Program and alternative cable options.

Council Member Miller also supported keeping communications and engagement as a priority.

Mayor Cappello invited public comment on the item.

Joyce Hlava, Planning Commission Member, spoke about Code Enforcement and suggested that the City have a full time Code Enforcement Officer that is staff member rather than a contract employee.

City Manager James Lindsay provided background on the changes to Code Enforcement staffing over the last few years. The City Council recently allocated funds to hire contract Code Enforcement Officers and at the Budget Study Session in April, staff will provide the City Council with an assessment Code Enforcement staffing needs and staffing recommendation. Furthermore, the City has had a longstanding policy to conduct Code Enforcement on a complaint-basis. During the Budget Study Session, the City Council consider whether to maintain or adjust this practice.

Council Member Miller observed that while the City says it operates Code Enforcement on a complaint-driven basis, there are certain areas where the City has been proactive. For example, the City has been proactive in enforcing signage rules for commercial districts and use of sports fields.

City Manager James Lindsay clarified that proactive enforcement has been conducted with prior direction from the City Council to do so.

Council Member Miller added that in terms of deciding whether to have a full time staff member or part time staff member, working with the contractor now will help the City come up with an understanding of the appropriate level of staffing and plan for the future.

City Manager James Lindsay concurred and explained that by the Budget Study Session, the City will have a better understanding of the Code Enforcement work load.

Council Member Miller requested an update on signage issues at Argonaut Shopping Center.

Council Member Bernald commented that Code Enforcement touches a wide variety of issues and requested that the report on Code Enforcement account for this.

City Manager James Lindsay suggested that staff could bring forward an item that defines the City's Code Enforcement policy and program before the Budget Study Session.

Council Member Bernald and Vice Mayor Lo both expressed that they felt this needed to be discussed.

Mayor Cappello commented on the pros and cons of using contract Code Enforcement staff.

Council Member Miller summarized the Council's direction to staff, stating that the Council would like staff to bring forward a Code Enforcement policy for Council consideration before the Budget Study Session. During the Budget Study Session, staff will provide a proposal on the funding level for Code Enforcement.

Joyce Hlava added that Code Enforcement Officers that have worked successfully in the City have done so by establishing relationships and being familiar with the City.

FY 2016/17 Capital Improvement Plan (CIP) Budget

Tony McFarlane, Finance Manager, provided an overview of projects currently funded and recommended to be changed or closed, unfunded projects, and nominated candidate projects. He also explained the prioritization exercise.

Council Member Miller requested that staff provide information about the amount of power generated by the City's photovoltaic (PV) installations and the overall percentage of the City's energy consumption the PV systems account for.

City Manager James Lindsay shared that one of the project proposals is to transfer CDBG funds from the Theater Restroom to a new project, Senior Center Restrooms. If the Council is supportive of this project it should be included as part of the City's midyear budget adjustments.

The City Council proceeded to the capital project prioritization exercise.

MILLER/BERNALD MOVED TO **INCLUDE ADDITION OF THE SENIOR CENTER RESTROOM PROJECT TO THE CAPITAL BUDGET AS PART OF THE MIDYEAR BUDGET ADJUSTMENTS, INCLUDING TRANSFER OF CDBG FUNDS FROM THE THEATER RESTROOM PROJECT TO THE SENIOR CENTER RESTROOM PROJECT**. MOTION PASSED. AYES: CAPPELLO, LO, BERNALD, MILLER, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

Mayor Cappello invited public comment on this item.

The following person requested to speak:

Vipul Gore, with Gridscape, proposed that the City Council authorize the City Manager to release City energy bill information to allow Gridscape to seek clean energy grant funds on behalf of the City.

MILLER/BERNALD MOVED TO **TRANSFER FUNDS FROM THE GENERAL PLAN UPDATE CIP TO THE VILLAGE SPECIFIC PLAN UPDATE CIP TO BRING THE VILLAGE PLAN CIP BACK UP TO THE \$100,000 FUNDING LEVEL IN THE FISCAL YEAR 2016/17 BUDGET**. MOTION PASSED. AYES: CAPPELLO, LO, BERNALD, MILLER, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

MILLER/BERNALD MOVED TO DIRECT STAFF TO REVIEW FUNDING LEVELS OF THE NEW QUARRY PARK ADA ACCESS AND ADA INCLUSIVE PARK PROJECTS AT MIDYEAR. IF MIDPENINSULA REGIONAL OPEN SPACE DISTRICT IS ABLE TO PROVIDE SOME FUNDING FOR THE TWO QUARRY PROJECTS THEN UNUSED FUNDS COULD BE TRANSFERRED TO THE HAKONE GARDENS KOI POND PROJECT AS PART OF A MIDYEAR ADJUSTMENT TO THE FISCAL YEAR 2016/17 BUDGET. MOTION PASSED.
 AYES: CAPPELLO, LO, BERNALD, MILLER, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: NONE.

City Manager James Lindsay noted that the Hakone Gardens well is no longer producing water. As a result, potable water is currently being used in the koi pond. As part of the midyear budget adjustments, staff is proposing that the Hakone Gardens Upper Moon House Foundation Repairs be renamed Hakone Gardens Infrastructure Improvements to be used for various improvements at the park, including the well pump.

Council Member Miller requested that the project also enable use of funds for the koi pond pump project, if there are funds remaining.

The City Council considered the request to authorize the City Manager to release City energy bill information to allow Gridscape to seek clean energy grant funds on behalf of the City. The City Council authorized the City Manager to make the billing information available to Gridscape, but did not authorize expenditure of funds or additional staff time beyond providing billing information to Gridscape.

The City Council reviewed and provided concurrence on the list of projects that they agreed to close/reject, change, move to unfunded, or fund in Fiscal Year 2016/17 (shown below).

Rejected/Closed	<ul style="list-style-type: none"> - Close Saratoga Creek Trail – Overlook Project (Funded in FY 2015/16 CIP) - Close Saratoga Hills Storm Drain (Funded in FY 2015/16 CIP) - Close Village Sidewalk & Pedestrian Enhancements Phase I Design & Improvements (Funded in FY 2015/16 CIP) - Close Saratoga Village Creek Trail Design & Environmental Project (Funded in FY 2015/16 CIP) - Close McWilliams House Improvement (Funded in FY 2015/16 CIP) - Close Civic Theater Master Plan Improvements (Funded in FY 2015/16 CIP) * - Reject Quarry Park Phase 1 Clean Up (Nominated) - Reject Cox/Wardell Traffic Signal Improvements (Nominated) - Reject Pedestrian Safety Improvements (Nominated)
Accepted Recommended Project Changes	<ul style="list-style-type: none"> - Annual Roadway Improvements – Consolidation of Annual Street Resurfacing, Residential Street Reconstruction, Roadway Maintenance & Repairs (Funded in FY 2015/16 CIP) - Annual Infrastructure Maintenance & Repairs – Consolidation of Annual Sidewalk & Repairs, Annual Storm Drain Upgrades, Curb & Gutter Maintenance & Repairs, Bridge Maintenance & Repairs (Funded in FY 2015/16 CIP)

	<ul style="list-style-type: none"> - Big Basin Way Sidewalk Repairs – Rename from OBAG Big Basin Way Sidewalk Curb & Gutter (Funded in FY 2015/16 CIP) - Village Pedestrian Improvements – Phase II (Blaney Plaza) – Rename from Village Sidewalk & Pedestrian Enhancements Phase II – Construction (Funded in FY 2015/16 CIP) - General Plan & Advance Planning Update – Rename from General Plan Update (Funded in FY 2015/16 CIP) - Saratoga to the Sea Trail Construction – Rename from Quarry Park/ROW Acquisitions (Funded in FY 2015/16 CIP) - Hakone Gardens Infrastructure Improvements – Rename from Hakone Gardens Upper Moon House Foundation Repairs (Funded in FY 2015/16 CIP) * - Prospect/Saratoga Median Improvements – Rename from Prospect/Saratoga OBAG Improvements (Funded in FY 2015/16 CIP) - Hakone Gardens Sound Wall – From Hakone Gardens Visitor’s Center – Matching Contributions (Funded in FY 2015/16 CIP) - Hakone Gardens Miscellaneous Improvements – From Hakone Gardens Visitor’s Center Matching Contributions (Funded in FY 2015/16 CIP) - Senior Center ADA Restroom Upgrades (Nominated) *
Unfunded	<ul style="list-style-type: none"> - Via Regina Trail (Existing Unfunded) - Norton/Villa Montalvo Emergency Route (Existing Unfunded) - Joe’s Trail at Saratoga de Anza – Phase II (Existing Unfunded) - Quito Road Sidewalk Improvements (Existing Unfunded) - Big Basin Way Turn Around (Existing Unfunded) - Theater Improvements - Updated Project Cost (Existing Unfunded) - Solar Panels at City Hall (Existing Unfunded) - Village to Quarry Park Trail - Updated Name & Project Cost (Existing Unfunded) - Renovation of Community Center Stage (Existing Unfunded) - Community Development One Stop Permit Center Remodel – Updated Name (Existing Unfunded) - Saratoga Village Creek Trail – Construction Project (from FY 2015/16 CIP) - Senior Center Cool Roof (Nominated) - Saratoga to Sea Trail (Nominated) - Hakone Gardens Master Plan Implementation (Nominated) - Quarry Park Trail Improvements (Nominated) - Quarry Park Pond Improvements (Nominated)
Funded FY 2016/17	<ul style="list-style-type: none"> - El Camino Grande Storm Drain Pump at \$105,000 (Nominated) - Annual Infrastructure Repairs (Nominated) - Annual Roadway Repairs (Nominated) - Damon Lane Retaining Wall (Nominated) - Community/Senior Center Electrical Panel Upgrade (Nominated) - Facility Building Improvements (Nominated) - Village Specific Plan Update (Nominated) - ADA Quarry Park Access to Upper Terrace Parking Lot and Pond (Nominated) - ADA/Inclusive Playground (Nominated)

	<ul style="list-style-type: none"> - Hakone Gardens Koi Pond Pump to be funded at \$66,000 by Hakone Gardens Miscellaneous Improvements (\$23,000) and Reserve (\$43,000) (Nominated)
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* Indicates changes to be included as part of the Midyear Budget Adjustments.

Communications Progress Report

Brian Babcock, Administrative Analyst I, presented the communications progress report.

Council Member Miller suggested that the City create a video on the Community Choice Energy Program. He also suggested that the City consider creating a template or style guide for videos then have the video recording and editing outsourced to a third party with Brian Babcock serving as the video producer.

Vice Mayor Lo requested that the City create a webpage with an index of all the City’s videos.

Mayor Cappello advocated for a strategic approach in selecting topics for videos produced by the City.

Council Member Miller commented that he felt the Quarry Park videos, showing the park before and after improvements worked well. He added that short 2 minute videos that get right to the point seem like a good use of staff’s time, as opposed to longer videos.

Dede Smullen, Planning Commission Chair, addressed the City Council and shared information about the Commission’s desire to create a series of educational videos on how to work with the Planning Commission and Community Development Department.

Council Member Kumar suggested that the City create a framework or criteria for how City videos are produced, such as music and caption requirements, so that the community may submit videos to the City.

Mayor Cappello and Vice Mayor Lo noted that the community could provide videos KSAR rather than having them hosted on City sites.

Council Member Miller agreed that there should be a framework or template for videos for the purpose of outsourcing video filming and editing, as well as making the process more efficient for staff.

Mayor Cappello asked that staff to determine how many videos staff could oversee production of if filming and editing were outsourced and share that information with the City Council in the future.

City Manager James Lindsay proposed that staff return to the City Council with a template for City videos and video program plan prior to the City Council Budget Study Session.

Council Member Miller requested that the City create a video on the Community Choice Energy program and that staff regularly conduct short polls using Peak Democracy or other surveying tools.

City Manager James Lindsay proposed that staff bring forward a quarterly plan for poll topics at the same time that staff brings article topics and themes of *The Saratogan* to the City Council.

Mayor Cappello asked for staff to provide an update on the results of the postcards announcing that *The Saratogan* has been moved to a digital format with information on how to subscribe to receive email notifications when the newsletter is published.

City Manager James Lindsay said that the information would be provided to the City Council as a Council Newsletter article.

Legislative and Other Statewide Policies Update

City Attorney Richard Taylor presented information about legislative and other statewide policy updates, including items that require the City to take action and items that the Council may have an interest in.

Smoking Regulations

Crystal Bothelio, City Clerk/Assistant to the City Manager, provided a report on the item.

The City Council discussed potential changes to the City of Saratoga smoking regulations.

The City Council directed staff to bring forward an ordinance in June for first reading that would prohibit smoking in the common areas of multifamily housing complexes, in new apartment complexes, at outdoor events with children, 20 feet from entryways, in all outdoor dining areas, in all service areas, in all outdoor worksites, and updates the Tobacco Retailer Licensing requirements to include new retailer location restrictions that align with Conditional Use Permit location requirements for tobacco retailers.

The Council also requested that staff reach out to retirement communities to make the managers of these complexes and their residents aware of anticipated changes to smoking regulations in Saratoga.

Retreat Wrap Up

City Manager James Lindsay reviewed Council direction on each of the agenda topics.

FINANCIAL REVIEW – COUNCIL DIRECTION

- Provide comments on proposed financial policy changes to Finance and Administrative Services Director Mary Furey by March 1

CITY COUNCIL PRIORITIES FOR FY 2016/17 – COUNCIL DIRECTION

- No changes to current Sheriff's Office service levels
- Schedule a future City Council Agenda item on the possibility of adding public safety to the scope of the Traffic Safety Commission with the goal of being able to discuss any recommended changes from the Commission, including Sheriff's Office service levels, at the 2017 City Council Retreat
- Council Priorities include seniors, senior transportation, outreach, health, and active lifestyles

- Council directed staff to bring forward items on senior transportation then active lifestyles for Council discussion over the summer
- Council directed staff to bring forward an item on the Code Enforcement policies before the Budget Study Session so that any staffing changes can be considered during the Budget Study Session
- Council requested an update on the status of signage issues at Argonaut Shopping Center

FY 2016/17 CIP BUDGET – COUNCIL DIRECTION

- In the midyear budget adjustments, move Theater Restrooms Project to Unfunded and transfer funding to new capital project – Senior Center Restrooms
- In the midyear budget adjustments, rename the Hakone Gardens Upper Moon House Foundation Repairs to Hakone Gardens Infrastructure Improvements and allow to be used for miscellaneous improvements, including the well pump and pond pump
- In the midyear budget adjustments, include Quito Road Bridge Grant Funding
- The City Council also provided direction on projects to be closed/rejected, existing projects to be updated or changed, unfunded projects, and projects to be funded in Fiscal Year 2016/17

COMMUNICATIONS PROGRESS REPORT – COUNCIL DIRECTION

- The City Council directed staff to bring forward an agenda item before the Budget Study Session on the City Video Program that provides a template for City videos, cost information to have a third party film and edit videos, and information about the number of videos that could be produced internally or through a third party prior to the City Council Budget Study Session.
- Include a plan, including schedule and topics, for online City polls as part of the City Council agenda item on *The Saratogan*

SMOKING REGULATIONS – COUNCIL DIRECTION

- The City Council directed staff to bring forward an ordinance in June for first reading that would prohibit smoking in the common areas of multifamily housing complexes, in new apartment complexes, at outdoor events with children, 20 feet from entryways, in all outdoor dining areas, in all service areas, in all outdoor worksites, and updates the Tobacco Retailer Licensing requirements to include new retailer location restrictions that align with Conditional Use Permit location requirements for tobacco retailers.

ADJOURNMENT

MILLER/BERNALD MOVED TO **ADJOURN THE MEETING AT 4:29 P.M.** MOTION PASSED. AYES: CAPPELLO, LO, BERNALD, MILLER. NOES: NONE. ABSTAIN: NONE. ABSENT: KUMAR.

Minutes respectfully submitted:

Crystal Bothelio, City Clerk
City of Saratoga