

**MINUTES
WEDNESDAY, OCTOBER 3, 2018
SARATOGA CITY COUNCIL REGULAR MEETING**

At 5:45 p.m., the City Council conducted Parks and Recreation Commission Interviews in the Linda Callon Conference Room at 13777 Fruitvale Avenue in Saratoga.

At 6:00 p.m., the City Council held a Joint Meeting with the Saratoga Historical Foundation Board in the Linda Callon Conference Room at 13777 Fruitvale Avenue in Saratoga.

Mayor Bernald called the Regular Session to order in the Civic Theater, Council Chambers at 13777 Fruitvale Avenue in Saratoga at 7:02 p.m. and led the Pledge of Allegiance.

ROLL CALL

PRESENT: Mayor Mary-Lynne Bernald, Vice Mayor Manny Cappello
Council Members Emily Lo, Rishi Kumar
ABSENT: Council Member Howard Miller (excused)
ALSO PRESENT: James Lindsay, City Manager
Richard Taylor, City Attorney
Crystal Bothelio, Deputy City Manager
Debbie Bretschneider, Interim City Clerk
Debbie Pedro, Community Development Director
Mary Furey, Finance & Administrative Services Director
John Cherbone, Public Works Director

REPORT ON POSTING OF THE AGENDA

Interim City Clerk Debbie Bretschneider reported that the agenda for this meeting was properly posted on September 28, 2018.

REPORT FROM JOINT MEETING

Saratoga Historical Foundation Board President Annette Stransky shared a summary of the Joint Meeting, including an announcement of the Saratoga Historical Museum exhibit “Notable Saratogans” and the lecture on October 24 at 7:00 p.m. at Saratoga Library about Saratoga Visionaries.

ORAL COMMUNICATIONS ON NON-AGENDIZED ITEMS

Kevin Standlen shared information about JDRF One Walk Diabetes research walk on October 14 at 8:00 a.m. at Levi Stadium.

ANNOUNCEMENTS

Mayor Bernald announced the Saratoga Library Consumer Health Awareness Event on October 17, “Saratoga Quotes” in the Village, and the Saratoga Scarecrow Project in the Village.

1. CONSENT CALENDAR

1.1. City Council Meeting Minutes

Recommended Action:

Approve the City Council minutes for the Regular City Council Meeting on September 19, 2018.

CAPPELLO/LO MOVED TO **APPROVE THE CITY COUNCIL MINUTES FOR THE REGULAR CITY COUNCIL MEETING ON SEPTEMBER 19, 2018.** MOTION PASSED. AYES: BERNALD, CAPPELLO, LO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: MILLER.

1.2. Review of Accounts Payable Check Registers

Recommended Action:

Review and accept check registers for the following accounts payable payment cycles: 09/24/2018 Period 3; and 09/26/2018 Period 3.

CAPPELLO/LO MOVED TO **ACCEPT THE ACCOUNTS PAYABLE CHECK REGISTERS FOR THE FOLLOWING ACCOUNTS PAYABLE PAYMENT CYCLES: 09/24/2018 PERIOD 3; 09/26/2018 PERIOD 3.** MOTION PASSED. AYES: BERNALD, CAPPELLO, LO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: MILLER.

1.3. Resolution Amending the City of Saratoga Conflict of Interest Code

Recommended Action:

Approve the resolution amending the City of Saratoga Conflict of Interest Code.

RESOLUTION 18-051

CAPPELLO/LO MOVED TO **APPROVE THE RESOLUTION AMENDING THE CITY OF SARATOGA CONFLICT OF INTEREST CODE.** MOTION PASSED. AYES: BERNALD, CAPPELLO, LO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: MILLER.

1.4. Ordinance Amending Heritage Preservation Commission Membership Requirements

Recommended Action:

Waive the second reading and adopt the attached ordinance amending Chapter 13 (Heritage Preservation) of the Saratoga Municipal Code related to Heritage Preservation Commission membership requirements.

ORDINANCE 356

CAPPELLO/LO MOVED TO **WAIVE THE SECOND READING AND ADOPT THE ATTACHED ORDINANCE AMENDING CHAPTER 13 (HERITAGE PRESERVATION) OF THE SARATOGA MUNICIPAL CODE RELATED TO HERITAGE PRESERVATION COMMISSION MEMBERSHIP REQUIREMENTS.** MOTION PASSED. AYES: BERNALD, CAPPELLO, LO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: MILLER.

2. PUBLIC HEARING

2.1. Ordinance Amending Tobacco Retailer License Penalties & Banning Flavored Tobacco

Recommended Action:

Conduct a public hearing on the attached ordinance that would amend penalties for violation of the City of Saratoga's Tobacco Retailer License Ordinance and prohibit sale of tobacco at pharmacies and sale of flavored tobacco, not including menthol tobacco, in the City of Saratoga through amendments to Article 4.90 of the City Code; 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 City Council Meeting.

Crystal Bothelio, Deputy City Manager, presented the staff report.

Mayor Bernald invited public comment on the item.

The following people requested to speak:

Marilyn Pepper

Kami Cheatham

Carol Baker

Gay J. Crawford

Amanda Gutzwiller

No one else requested to speak.

Mayor Bernald closed the public hearing for this item.

CAPPELLO/LO MOVED TO **INTRODUCE AND WAIVE THE FIRST READING OF THE ORDINANCE THAT WOULD AMEND PENALTIES FOR VIOLATION OF THE CITY OF SARATOGA'S TOBACCO RETAILER LICENSE ORDINANCE AND PROHIBIT SALE OF TOBACCO AT PHARMACIES AND SALE OF FLAVORED TOBACCO, NOT INCLUDING MENTHOL TOBACCO, IN THE CITY OF SARATOGA THROUGH AMENDMENTS TO ARTICLE 4.90 OF THE CITY CODE; AND, DIRECT STAFF TO PLACE THE ORDINANCE ON THE CONSENT CALENDAR FOR ADOPTION AT THE NEXT REGULARLY SCHEDULED CITY COUNCIL MEETING.** MOTION PASSED. AYES: BERNALD, CAPPELLO, LO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: MILLER.

3. GENERAL BUSINESS

3.1. City Land and Facility Naming Policy

Recommended Action:

Adopt the resolution amending the City of Saratoga's Policy for Naming City-Owned Land and Facilities.

Crystal Bothelio, Deputy City Manager, presented the staff report.

Mayor Bernald invited public comment.

No one requested to speak.

RESOLUTION 18-052

LO/CAPPELLO MOVED TO **ADOPT THE RESOLUTION AMENDING THE CITY OF SARATOGA'S POLICY FOR NAMING CITY-OWNED LAND AND FACILITIES, WITH THE ADDITION OF LANGUAGE THAT ALLOWS NAMES TO BE REVISITED AFTER 10 YEARS AND/OR AFTER A MAJOR REMODEL OR IN THE EVENT OF EXPRESSION OF SIGNIFICANT PUBLIC CONCERN REGARDING A NAME.** MOTION PASSED. AYES: BERNALD, CAPPELLO, LO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: MILLER.

The Mayor brought the high school students in the audience to the stage.

COUNCIL ASSIGNMENTS

Mayor Mary-Lynne Bernald

Council Finance Committee – had meeting last week.

West Valley Mayors and Managers – at the last meeting, the group received a report from the County Health Dashboard, heard about scooter companies coming into Campbell, and put out the call for submittals to be appointed to VTA Board.

Mayor Bernald also gave presentation to Saratoga Rotary, which was similar to State of the City speech.

Vice Mayor Manny Cappello

Saratoga Area Senior Coordinating Council (SASCC) – the recent meeting included discussion on remodel and a tour of construction.

Council Member Howard Miller

No report

Council Member Emily Lo

KSAR Community Access TV Board – during the meeting last week, the Board heard a report on the summer internship partnership with KSAR and Saratoga High School, which resulted in creation of 12 videos.

Council Member Rishi Kumar

No report

CITY COUNCIL ITEMS

Mayor Bernald shared her experience at *Celebrating Differences*, an event grant recipient.

COUNCIL COMMUNICATIONS

None

CITY MANAGER'S REPORT

None

ADJOURNMENT

CAPPELLO/LO MOVED TO **ADJOURN THE MEETING AT 8:21 P.M.** MOTION PASSED. AYES: BERNALD, CAPPELLO, LO, KUMAR. NOES: NONE. ABSTAIN: NONE. ABSENT: MILLER.

Minutes respectfully submitted:

Debbie Bretschneider
Interim City Clerk
City of Saratoga