



City Council Agenda

City of Campbell, 70 N. First St., Campbell, California

REGULAR MEETING OF THE CAMPBELL CITY COUNCIL

Tuesday, July 31, 2018 - 7:30 PM

City Hall Council Chamber – 70 N. First Street

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

SPECIAL PRESENTATIONS AND PROCLAMATIONS

COMMUNICATIONS AND PETITIONS

ORAL REQUESTS

NOTE: This portion of the meeting is reserved for persons wishing to address the City Council on any matter not on the agenda. Persons wishing to address the Council are requested, but not required to complete a Speaker's Card. Speakers are limited to two (2) minutes. The law generally prohibits the Council from discussion or taking action on such items. However, the Council may instruct staff accordingly regarding Oral Requests.

COUNCIL ANNOUNCEMENTS

CONSENT CALENDAR

1. **Minutes of City Council Regular Meeting of July 17, 2018**
Recommended Action: This action approves Regular Meeting minutes of July 17, 2018
2. **Approving Bills & Claims**
Recommended Action: Approve the attached lists of bills and claims in the amount of \$1,281,540.38.

PUBLIC HEARINGS AND INTRODUCTION OF ORDINANCES

NOTE: Members of the public may be allotted up to two (2) minutes to comment on any public hearing item. Applicants/Appellants and their representatives may be allotted up to a total of five (5) minutes for opening statements and up to a total of three (3) minutes maximum for closing statements. Items requested/recommended for continuance are subject to Council's consent at the meeting.

OLD BUSINESS

3. **Second Reading of Ordinance 2235 Ordering the Submission of a Proposition Incurring Bonded Indebtedness to the Qualified Voters of the City of Campbell at the General Municipal Election to be Held on November**

6, 2018, for the Purpose of the Acquisition, Construction and Improvement of Certain Municipal Improvements Project. (Ordinance Second Reading/Roll Call Vote)

Recommended Action: That the City Council approve the second reading and adopt Ordinance 2235 ordering the submission of a proposition incurring bonded indebtedness to the qualified voters of the City of Campbell at the General Municipal Election to be held on November 6, 2018, for the purpose of the acquisition, construction and improvement of certain municipal improvements project.

NEW BUSINESS

COUNCIL COMMITTEE REPORTS

ADJOURN

In compliance with the Americans with Disabilities Act, listening assistive devices are available for all meetings held in the City Council Chambers. If you require accommodation, please contact the City Clerk's Office, (408) 866-2117, at least one week in advance of the meeting.

CITY COUNCIL MINUTES

City of Campbell, 70 N. First St., Campbell, California



REGULAR MEETING OF THE CAMPBELL CITY COUNCIL

Tuesday, July 17, 2018 7:30 PM

City Hall Council Chamber – 70 N. First Street

This City Council meeting was duly noticed pursuant to open meeting requirements of the Ralph M. Brown Act (G.C. Section 54956).

This meeting was recorded and can be viewed in its entirety at www.cityofcampbell.com/agendacenter.

CALL TO ORDER

The City Council of the City of Campbell convened this day in the regular meeting place, the City Hall Council Chamber, 70 N. First St., Campbell, California.

ROLL CALL

Attendee Name	Title	Status
Paul Resnikoff	Mayor	Present
Rich Waterman	Vice Mayor	Present
Elizabeth 'Liz' Gibbons	Councilmember	Present
Susan M. Landry	Councilmember	Present
Jeffrey Cristina	Councilmember	Present

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Tyler Freitas, Recreation Intern; Natasha Bissell, Recreation Services Manager; Tina Wong-Erling, Senior Services Supervisor; and Regina Maurantonio, Recreation and Community Services Director, in recognition of "Parks Make Life Better Month."

SPECIAL PRESENTATIONS AND PROCLAMATIONS

- Presentation by Recreation Staff Regarding "Agents of Discovery"**
Recommended Action: Accept presentation.

Recreation Intern, Freitas gave a brief presentation of the "Agents of Discovery" app.

COMMUNICATIONS AND PETITIONS

There were no communications and petitions.

ORAL REQUESTS

There were no oral requests.

COUNCIL ANNOUNCEMENTS

Join us Thursday nights for the 26th Annual Summer Concert Series from 6:30 p.m. to 8:00 p.m. June 21, through August 9, at the Orchard City Green located between City Hall and the Campbell Library. Thursday, July 19, will feature “Long Train Running” and on July 26, “Uncle Rico.”

Community Christian and Campbell Recreation Community Services Department present, free Movie Family Nights. Join us under the stars at John D. Morgan Park. Bring your lawn chairs, blankets, jackets and snacks. Movie night 8:00 p.m. Friday, July 27, will feature “Coco.”

The 35th annual National Night Out, sponsored by the National Association of Town Watch will be held on Tuesday, August 7, from 6:00 to 9:00 p.m. Join Police staff along with neighborhood groups, and city leaders, in celebrating this amazing community building event. For more information, or if you plan on having a neighborhood event, please call (408) 866-2171.

It’s time to clean those closets, attics and garages! Register for the City of Campbell’s Annual Community Garage sale, “Campbell On Sale” on Saturday, August 11, from 8:00 a.m. to 4:00 p.m. Registration is open through Friday, July 20. For more information, please see the Campbell Recreation Activity Guide or visit the City’s website at www.cityofcampbell.com <<http://www.cityofcampbell.com>>.

The City of Campbell Civic Improvement Commission presents “Capture Campbell.” A Youth Photo Contest which inspires youth to engage and view their community through a new lens. Participants must be 18 and under and live in Campbell. Winners will receive a \$100 cash prize. Entries are accepted thru Sunday, September 30. For more information, please visit the City’s website at www.cityofcampbell.com <<http://www.cityofcampbell.com>>.

CONSENT CALENDAR

Mayor Resnikoff asked if any Councilmember or anyone in the audience wished to remove an item from the consent calendar.

Vice Mayor Waterman asked to pull item six.

Mayor Resnikoff pulled item twelve.

The consent calendar was considered as follows:

2. Minutes of City Council Regular Meeting of July 3, 2018

Recommended Action: This action approves Regular Meeting minutes of July 3, 2018.

This action approves the regular meeting minutes of July 3, 2018.

3. **Approving Bills & Claims**

Recommended Action: Approve the bills and claims in the amount of \$1,783,635.97.

This action approves the bills and claims checks in the amount of 1,783,635.97 as follows: bills and claims checks dated June 25, 2018, in the amount of \$885,600.80; and bills and claims checks dated July 2, 2018, in the amount of \$898,035.17.

4. **Monthly Investment Report- May, 2018**

Recommended Action: That the attached Investment Report for May, 2018 be noted and filed.

This action is to note and file the monthly investment report for May, 2018.

5. **Accept Donation to Campbell Recreation Scholarship Program**

Recommended Action: It is recommended that the City Council accept a donation of \$1,000.00 from the Downtown Campbell Business Association to support the Youth Recreation Scholarship program.

This action accepts a donation of \$1,000.00 from the Downtown Campbell Business Association to support the Youth Recreation Scholarship program.

6. Declaring July 2018 as Parks Make Life Better Month was moved to ITEMS
PULLED FROM CONSENT

7. **Authorize the City Manager to Execute the Fifteenth Amendment to the Master Agreement with Compass Group USA/Bateman Division to Provide Catered Meals for the Senior Nutrition Program for FY 18-19. (Resolution/Roll Call Vote)**

Recommended Action: It is recommended that the City Council adopt a resolution authorizing the City Manager to execute the fifteenth amendment to the Master Agreement with Compass Group USA/Bateman Division to provide catered meals for the Senior Nutrition Program for FY 18-19.

Resolution 12336 authorizes the City Manager to execute the fifteenth amendment to the Master Agreement with Compass Group USA/Bateman Division to provide catered meals for the Senior Nutrition Program for FY 18-19.

8. **MoonChef Agreement FY 2018-2019 (Resolution/Roll Call Vote)**

Recommended Action: It is recommended that the City Council adopt a

resolution authorizing the City Manager to execute an Agreement with MoonChef, LLC, to provide catered meals for the Senior Nutrition Program during FY 18-19.

Resolution 12337 authorizes the City Manager to execute an Agreement with MoonChef, LLC, to provide catered meals for the Senior Nutrition Program during FY 18-19.

9. **Approval of the Vacation of a Sanitary Sewer Easement Across a Portion of the Property Known as 276 E. Campbell Avenue, and Direct the City Clerk to Record the Resolution (Resolution/Roll Call Vote)**

Recommended Action: That the City Council adopt the attached resolution (Attachment 1): vacating the Sanitary Sewer Easement recorded on April 3, 2012, as Document No. 21608336 against a portion of the property known as 276 East Campbell Avenue; and directing the City Clerk to record the resolution.

Resolution 12338 vacates the Sanitary Sewer Easement recorded on April 3, 2012, as Document No. 21608336 against a portion of the property known as 276 East Campbell Avenue; and directs the City Clerk to record the resolution.

10. **Authorization to Submit Santa Clara County Vehicle Emissions Reduction Based at Schools (VERBS) Program Grant Application for Harriet Avenue Sidewalk Project (Resolution/Roll Call Vote)**

Recommended Action: That the City Council adopt the attached resolution authorizing the Public Works Director to submit a Santa Clara County Vehicle Emissions Reduction Based at Schools (VERBS) Program grant application to Santa Clara Valley Transportation Authority (VTA) for the Harriet Avenue Sidewalk Project.

Resolution 12339 authorizes the Public Works Director to submit a Santa Clara County Vehicle Emissions Reduction Based at Schools (VERBS) Program grant application to Santa Clara Valley Transportation Authority (VTA) for the Harriet Avenue Sidewalk Project.

11. **Live Entertainment Permit Doubletree by Hilton Campbell (Resolution/Roll Call Vote)**

Recommended Action: That the City Council adopt the attached resolution approving a Live Entertainment Permit for CFEP Pruneyard LLC dba Doubletree by Hilton Campbell - Pruneyard located at 1995 S. Bascom Avenue with live entertainment being allowed Wednesday between the hours of 6:00 p.m. and 8:00 p.m. and Thursday through Saturday between the hours of 5:00 p.m. and 10:00 p.m.

Resolution 12340 approves a Live Entertainment Permit for CFEP Pruneyard LLC dba Doubletree by Hilton Campbell - Pruneyard located at 1995 S. Bascom Avenue with live entertainment being allowed Wednesday between the hours of 6:00 p.m. and 8:00 p.m. and Thursday through Saturday between the hours of

5:00 p.m. and 10:00 p.m.

12. Carnival Permit and Waiver of Fees for St. George Coptic Orthodox Church was moved to ITEMS PULLED FROM CONSENT

M/S: Cristina/Gibbons - that the City Council approve the consent calendar with the exception of item six and twelve. Motion was adopted by the following roll call vote:

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Cristina
SECONDER:	Gibbons
AYES:	Resnikoff, Waterman, Gibbons, Landry, Cristina

ITEMS PULLED FROM CONSENT

6. **Declaring July 2018 as Parks Make Life Better Month (Resolution/Roll Call Vote)**

Recommended Action: That the City Council adopt a resolution declaring the month of July 2018 as Parks Make Life Better month.

Mayor Resnikoff stated his appreciation to the Parks and Recreation staff.

M/S: Gibbons/Waterman - that the City Council adopt Resolution 12335 declaring the month of July 2018 as Parks Make Life Better month. Motion was adopted by the following roll call vote:

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gibbons
SECONDER:	Waterman
AYES:	Resnikoff, Waterman, Gibbons, Landry, Cristina

12. **Carnival Permit and Waiver of Fees for St. George Coptic Orthodox Church (Resolution/Roll Call Vote)**

Recommended Action: The City Council adopts a resolution approving the issuance of a Carnival Permit for the St. George Coptic Orthodox School Carnival on August 25, and 26, 2018; and waive 50% of the permit fee.

Mayor Resnikoff commented on the fee waiver process.

M/S: Gibbons/Landry - that the City Council adopt Resolution 12341 approving the issuance of a Carnival Permit for the St. George Coptic Orthodox School Carnival on August 25, and 26, 2018; and waive 50% of the permit fee. Motion was adopted by the following roll call vote:

RESULT:	ADOPTED [UNANIMOUS]
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MOVER:	Gibbons
SECONDER:	Landry
AYES:	Resnikoff, Waterman, Gibbons, Landry, Cristina

PUBLIC HEARINGS AND INTRODUCTION OF ORDINANCES

13. Lighting and Landscaping District, Fiscal Year 2018/19 - Confirming Assessments (Resolution/Roll Call Vote)

Recommended Action: That the Council conduct a Public Hearing for comments regarding the levy of assessments for the City of Campbell Lighting and Landscaping District (LLA-1) for Fiscal Year (FY) 2018/19 and adopt the attached Resolution overruling protests, if any, approving the Engineer's Report, ordering the improvements, and confirming the diagram and assessments.

This is the time and place for a public hearing for comments regarding the levy of assessments for the City of Campbell Lighting and Landscaping District (LLA-1) for Fiscal Year (FY) 2018/19 and adopt a resolution overruling protests, if any, approving the Engineer's Report, ordering the improvements, and confirming the diagram and assessments.

Mayor Resnikoff gave opening statements, declared the public hearing open and asked if there was anyone in the audience wishing to be heard.

City Clerk Wood read the Clerk's statement verifying public hearing notification and stated that no protests were received.

Senior Civil Engineer Storz provided statement regarding the nature of the lighting and landscape district.

There being no one wishing to speak, Mayor Resnikoff closed the public hearing.

M/S: Gibbons/Landry - that the City Council adopt Resolution 12342 approving the Engineer's Report, ordering the improvements, and confirming the diagram and assessments for the City of Campbell Lighting and Landscaping District LLA-1 for Fiscal Year 2018-19. Motion was adopted by the following roll call vote:

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gibbons
SECONDER:	Landry
AYES:	Resnikoff, Waterman, Gibbons, Landry, Cristina

14. Placing the Cost of Abating Hazardous Vegetation on the Property Tax Assessment Roll (Resolution/Roll Call Vote)

Recommended Action: Adopt a resolution, placing the cost of abating hazardous vegetation on the property tax assessment roll.

Minutes Acceptance: Minutes of Jul 17, 2018 7:30 PM (CONSENT CALENDAR)

This is the time and place for a public hearing to consider Placing the Cost of Abating Hazardous Vegetation on the Property Tax Assessment Roll.

Senior Planner Fama presented staff report dated July 17, 2018.

Mayor Resnikoff opened the public hearing and asked if there was anyone who wished to speak.

There being no one wishing to speak Mayor Resnikoff closed the public hearing.

After discussion, **M/S: Gibbons/Landry- that the City Council adopt Resolution 12343 placing the cost of abating hazardous vegetation on the property tax assessment roll. Motion was adopted by the following roll call vote:**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gibbons
SECONDER:	Landry
AYES:	Resnikoff, Waterman, Gibbons, Landry, Cristina

15. **Actions Related to the Submission of a General Bond Measure on the November 2018 General Election (Resolutions/Ordinance/Roll Call Vote)**

Recommended Action: Staff recommends that the City Council take the following actions: adopt the Resolution of Necessity; adopt the Resolution Calling Election; and introduce and take first reading of the draft Ordinance ordering the submission of the measure incurring bonded indebtedness for the purpose of the acquisition, construction and improvement of certain municipal improvement projects to City voters.

Mayor Resnikoff stated that he would have to recuse himself from this item because he lives within a 500 foot radius of the potential project and passed the gavel to Vice Mayor Waterman.

City Manager Loventhal presented staff report dated July 17, 2018.

Vice Mayor Waterman opened the public hearing and asked if there was anyone who wished to speak.

There being no one wishing to speak Vice Mayor Waterman closed the public hearing.

Councilmember Cristina suggested revised language to the second bulleted item in Section 3 of the ordinance to include the words “new,” “building,” as well as changing the last bulleted item to state “renovate and make seismically safe existing police building for other City purposes.”

Bond Counsel from Jones Hall Law Firm, Katie Dobson, suggested additional language to revise the last sentence in Section 3 of the ordinance to state “the final cost of each Improvement will be determined as plans are finalized, construction bids are awarded, and projects are completed, and therefore there is no guarantee that each of the listed Improvements will be completed.”

Councilmember Gibbons suggested revising the language in Section 6 of the ordinance to clarify that the City expects to issue the bonds at the prevailing market rates.

After discussion, **M/S: Landry/Gibbons: that the City Council adopt Resolution 12344 Resolution of Necessity determining that the public interest and necessity demand the acquisition, construction and improvement of municipal improvement projects, and their financing through the issuance of General Obligation Bonds. Motion was adopted by the following roll call vote:**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Landry
SECONDER:	Gibbons
AYES:	Waterman, Gibbons, Landry, Cristina
RECUSED:	Resnikoff

M/S: Cristina/Landry - that the City Council adopt Resolution 12345 calling an election, ordering the submission of the proposition of incurring bond indebtedness to the qualified voters of the City and making certain requests to the Board of Supervisors of the County and the County Registrar with an amendment to Section 4 to include revised language to the second bulleted item include the words “new,” “building,” and revised the last bulleted item to state “renovate and make seismically safe existing police building for other City purposes;” revise the last sentence in Section 4 to state “the final cost of each Improvement will be determined as plans are finalized, construction bids are awarded, and projects are completed, and therefore there is no guarantee that each of the listed Improvements will be completed;” and revised language in Exhibit A Section 3 to include previously mentioned changes; and add language to the end of the first sentence in Section 6 to include the wording “though the City expects to issue the bonds at prevailing market rates.” Motion was adopted by the following roll call vote:

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Cristina
SECONDER:	Landry
AYES:	Waterman, Gibbons, Landry, Cristina
RECUSED:	Resnikoff

M/S: Landry/Cristina - that the City Council take first reading of Ordinance

2235 as presented in the desk item and including amendments to the second bulleted item in section 3 of the ordinance to include the words “new,” “building,” and revised the last bulleted item to state “renovate and make seismically safe existing police building for other City purposes;” revise the last sentence in Section 3 to state “the final cost of each Improvement will be determined as plans are finalized, construction bids are awarded, and projects are completed, and therefore there is no guarantee that each of the listed Improvements will be completed;” and add language to the end of the first sentence in Section 6 to include the wording “though the City expects to issue the bonds at prevailing market rates.” Motion was adopted by the following roll call vote:

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Landry
SECONDER:	Cristina
AYES:	Waterman, Gibbons, Landry, Cristina
RECUSED:	Resnikoff

City Clerk Wood read the title of Ordinance 2235.

M/S: Waterman/Gibbons - that the City Council waive further reading of Ordinance 2235. Motion was approved unanimously.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Waterman
SECONDER:	Gibbons
AYES:	Waterman, Gibbons, Landry, Cristina
RECUSED:	Resnikoff

Vice Mayor Waterman stated that Council would take a five minute recess.

Mayor Resnikoff returned to the Council Chambers and reconvened the meeting.

NEW BUSINESS

16. **RYDE Program Update**

Recommended Action: Accept update on RYDE Program and provide direction on FY 2018-2019 funding.

Senior Services Supervisor Wong-Erling introduced Josh Selo, Executive Director for West Valley Community Services.

Josh Selo, Executive Director for West Valley Community Services, presented an update of the RYDE program.

After discussion, **M/S: Cristina/Gibbons - that the City Council accept the**

update on RYDE Program and approve FY 2018-2019 funding.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Cristina
SECONDER:	Gibbons
AYES:	Resnikoff, Waterman, Gibbons, Landry, Cristina

COUNCIL COMMITTEE REPORTS

17. **Council Committee Reports**

Recommended Action: Report on committee assignments and general comments.

--Councilmember Gibbons spoke about the upcoming Association of Bay Area Governments Executive Committee meeting; spoke about the Campbell Historic Museum and Ainsley House Foundation's fund raising with the sales of food and beverages at the summer concerts; spoke about the Friends of the Heritage Theater's annual retreat; spoke about Silicon Valley Clean Energy; attended a marijuana round table in San Jose; and attended a site visit for modular ADUs.

--Mayor Resnikoff attended the West Valley Sanitation District's performance recognition luncheon; attended the Relay for Life event; and spoke about the City receiving the 2017 Tree City USA designation from the Arbor Day Foundation.

Councilmember Gibbons commented on the fees study and requested to get the projected fees associated with single-family and multi-family residences and mixed use projects. Councilmember Gibbons also commented on requiring underground parking in the East Campbell Avenue and Winchester Boulevard Master Plan.

Councilmember Landry commented on SB 1383 recycling waste food use, spoke about getting City buildings green certified, and spoke about designating Campbell as an all-inclusive City.

Councilmember Cristiana spoke about getting an update on the Silicon Valley Clean Energy program.

M/S: Cristina/Landry - that the City Council direct staff to prepare an update on the Silicon Valley Clean Energy program for discussion to a date uncertain. Motion was adopted unanimously.

M/S: Landry/Gibbons - that the City Council direct staff to prepare an informational report on green certification of City buildings. Motion was adopted unanimously.

M/S: Gibbons/Landry - that the City Council direct staff to prepare an informational report for housing fees, utilizing the new proposed fees once

they are available. Motion was adopted unanimously.

ADJOURN

Mayor Paul Resnikoff, adjourned the meeting at 9:57 PM

APPROVED:

ATTEST:

Paul Resnikoff, Mayor

Wendy Wood, City Clerk

Minutes Acceptance: Minutes of Jul 17, 2018 7:30 PM (CONSENT CALENDAR)



*City
Council
Report*

Item: 2
Category: CONSENT CALENDAR
Meeting Date: July 31, 2018

TITLE: Approving Bills & Claims

RECOMMENDED ACTION

Approve the attached lists of bills and claims in the amount of \$1,281,540.38.

DISCUSSION

The lists of bills and claims have been audited and approved by staff for payments made as noted below:

<u>Type</u>	<u>Check Date</u>	<u>Amount</u>
Payroll	June 28, 2018	\$126,209.66
Bills & Claims	July 06, 2018	\$794,706.97
Bills & Claims	July 09, 2018	\$22,568.59
Payroll	July 12, 2018	\$85,134.79
Bills & Claims	July 13, 2018	\$154,711.69
Bills & Claims	July 16, 2018	\$98,208.68
	Total	\$1,281,540.38

FISCAL IMPACT

Adequate funding was available to cover all expenses as listed.

Prepared by:

Carolina Vargas, Accounting Clerk

Reviewed by:

Jesse Takahashi, Finance Director

Approved by:



Brian Loventhal, City Manager



*City
Council
Report*

Item: 3
Category: OLD BUSINESS
Meeting Date: July 31, 2018

TITLE: **Second Reading of Ordinance 2235 Ordering the Submission of a Proposition Incurring Bonded Indebtedness to the Qualified Voters of the City of Campbell at the General Municipal Election to be Held on November 6, 2018, for the Purpose of the Acquisition, Construction and Improvement of Certain Municipal Improvements Project. (Ordinance Second Reading/Roll Call Vote)**

RECOMMENDED ACTION

That the City Council approve the second reading and adopt Ordinance 2235 ordering the submission of a proposition incurring bonded indebtedness to the qualified voters of the City of Campbell at the General Municipal Election to be held on November 6, 2018, for the purpose of the acquisition, construction and improvement of certain municipal improvements project.

BACKGROUND

At its meeting of July 17, 2018, the City Council held a public hearing to consider adoption of Resolution of Necessity 12344, determining that the public interest and necessity demand the acquisition, construction and improvement of municipal improvement projects, and their financing through the issuance of General Obligation Bonds; adoption of Resolution 12345, calling an election, ordering the submission of the proposition of incurring bond indebtedness to the qualified voters of the City and making certain requests to the Board of Supervisors of the County and the County Registrar; and introduce and take first reading of Ordinance 2235, presented as a desk item, ordering the submission of a proposition incurring bonded indebtedness to the qualified voters of the City of Campbell at the General Municipal Election to be held on November 6, 2018, for the purpose of the acquisition, construction and improvement of certain municipal improvements project. At that meeting Council directed staff to revise the language in Section 4 of Resolution 12345 and Section 3 and 6 of Ordinance 2235. The changes are listed as follows:

- New language in the second bulleted item of Resolution 12345, Section 4 and Ordinance 2235, Section 3, adding the words “new,” and “building;”
- Revised the last bulleted item of Resolution 12345, Section 4 and Ordinance 2235, Section 3, to state “Renovate and make seismically safe existing police building for other City purposes;”
- Revised language in the last sentence of Resolution 12345, Section 4 and Ordinance 2235, Section 3, to state “The final cost of each Improvement will be

determined as plans are finalized, construction bids are awarded, and projects are completed, and therefore there is no guarantee that each of the listed Improvements will be completed;"

- New language added to the end of the first sentence in Ordinance 2235, Section 6, to include the wording "...though the City expects to issue the bonds at prevailing market rates."

Resolutions 12344, 12345, and Ordinance 2235 were approved by a 4-0-1 vote (Mayor Resnikoff recused himself from this item because he lives within a 500 foot radius of the potential project).

DISCUSSION

Ordinance 2235 will become effective immediately upon a two-thirds vote of City Council and shall be submitted to the qualified voters of the City of Campbell on the November 6, 2018 General Election.

FISCAL IMPACT

The Santa Clara County Registrar of Voters estimates that the cost of a placing a six-page measure on the November 6, 2018, General Election, is approximately \$43,358.00. Should the measure be approved by the voters, the City will issue general obligation bonds in the amount of \$50,000,000.

Prepared by:



Wendy Wood, City Clerk

Approved by:



Brian Loventhal, City Manager

Attachment:

1. Ordinance 2235

ORDINANCE NO. 2235

**ORDINANCE OF THE CITY OF CAMPBELL ORDERING THE
SUBMISSION OF A PROPOSITION INCURRING BONDED
INDEBTEDNESS TO THE QUALIFIED VOTERS OF THE CITY OF
CAMPBELL AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON
NOVEMBER 6, 2018, FOR THE PURPOSE OF THE ACQUISITION,
CONSTRUCTION AND IMPROVEMENT OF CERTAIN
MUNICIPAL IMPROVEMENT PROJECTS**

WHEREAS, the Campbell Police Department 9-1-1 Dispatch and Emergency Response Center are housed in a portion of Campbell City Hall that does not meet current seismic standards and lacks the space to provide essential emergency services; and

WHEREAS, Campbell police officers are currently working out of a modular/temporary facility that does not meet current seismic, operational, or accessibility standards, regularly experiences building system failures due to the age and condition of existing infrastructure and building systems, including HVAC, plumbing, electrical, and sewer systems, and does not contain a restroom facility; and

WHEREAS, providing a state-of-the-art police operations center will allow police officers to respond quickly and efficiently in the event of a major earthquake or other disaster and utilize modern policing technology; and

WHEREAS, the Campbell Library was built over 40 years ago, does not meet current seismic, operational, or accessibility standards, regularly experiences building system failures due to the age and condition of existing infrastructure and building systems, including HVAC, plumbing, electrical, and sewer systems, and an elevator system that is subject to an increasing amount of time out of service; and

WHEREAS, the current configuration of the Campbell Library facility restricts and limits the efficient use of space to provide library services to the community, including children and senior programs, space for community programming, and computer access; and

WHEREAS, providing a safer and more energy efficient library facility would include a new technology center, improved access for senior and disabled residents, increased space and functionality to provide additional services, and potentially extend hours of service to the Campbell community; and

WHEREAS, on July 17, 2018, the City Council adopted, by a two-thirds vote of all its members, a resolution (the "Resolution") entitled "Resolution of the City Council of the City of Campbell Determining that the Public Interest and Necessity Demand the Acquisition, Construction and Improvement of Certain Municipal Improvement Projects, and Their Financing Through the Issuance of General Obligation Bonds," pursuant to which the City Council has found and determined that the public interest and necessity demand the issuance of general obligation bonds to finance the cost of acquisition, construction and improvement of municipal improvements (the "Improvements"); and

WHEREAS, in order to provide for the issuance by the City of general obligation bonds to provide financing for the Improvements, it is necessary for the City Council to adopt an ordinance ordering the submission of the proposition of incurring bonded indebtedness for such purpose to the qualified voters of the City at a municipal election; and

WHEREAS, the City Council desires to submit said ballot measure to the qualified voters of the City at the regular election to be held in the City on November 6, 2018, and to consolidate the bond election with other elections held within the City on that date;

NOW, THEREFORE, IT IS ORDAINED by the City Council of the City of Campbell as follows:

Section 1. Call for Election. The City Council hereby orders that there be submitted to the qualified voters of the City a proposition on incurring bonded indebtedness (the "Bonds") for the purposes set forth in this Ordinance, at the regular election to be held on November 6, 2018.

Section 2. Ballot Proposition. The City Council hereby submits to the qualified voters of the City, at the regular election to be held on November 6, 2018, a proposition on issuing the Bonds in substantially the following form:

To provide a police emergency operations center that is fully operational during a disaster and an innovative library in seismically safe, accessible, and energy-efficient facilities meeting current safety codes, shall the City of Campbell's measure to issue \$50,000,000 in general obligation bonds with projected levies of \$0.019 per \$100 (\$19 per \$100,000) of assessed value, generating an estimated average of \$3,025,000 annually to repay bonds through maturity, with citizen oversight and all funds spent locally, be adopted?

Section 3. Object and Purpose of Bonds. The object and purpose of issuing the Bonds is to finance the costs of the Improvements.

The Improvements shall include, without limitation:

- A police station and a library that are innovative, seismically safe and accessible;
- A new police operations building and 9-1-1 emergency dispatch center that would remain fully operational during a disaster, would be seismically safe, would utilize up-to-date crime fighting technology, and be able to adapt to future needs resulting from new technology and operational standards;
- A safe, energy-efficient library that meets earthquake and fire codes, facilitating the collaborative and efficient use of space, which may result in longer operating hours, with space for senior reading, after-school homework programs, children's story times and a children's

- collection, summer reading programs, and public access computers and computer lab, ensuring access for senior and disabled residents;
- Renovate and make seismically safe existing police building for other City purposes.

Each of the Improvements listed above includes all work necessary and incidental to the specific projects described above. Examples of such costs include, but are not limited to: costs of design, engineering, architect and other professional services, inspections, site preparation, utilities, landscaping, construction management and other planning and permitting, legal, accounting and similar costs; a customary construction contingency; demolition and disposal of existing structures; rental or construction of storage facilities and other space on an interim basis for materials and other equipment and furnishings displaced during construction; interim facilities for municipal functions, including modular facilities; addressing unforeseen conditions revealed by construction or renovation, and other necessary improvements required to comply with existing building codes; access requirements of the Americans with Disabilities Act; costs of the election; bond issuance costs; and project administration during the duration of such projects, as permitted by law. The final cost of each Improvement will be determined as plans are finalized, construction bids are awarded, and projects are completed, and therefore there is no guarantee that each of the listed Improvements will be completed.

Section 4. Estimated Cost of Improvements. The estimated cost of the Improvements is \$50,000,000. The estimated cost includes legal or other fees, the costs of printing the Bonds, and other costs and expenses incidental to or connected with the authorization, issuance and sale of the Bonds.

Section 5. Principal Amount of Bonds. The amount of the principal of the Bonds shall not exceed \$50,000,000.

Section 6. Maximum Interest Rate. The maximum rate of interest to be paid on the Bonds shall be 12% per annum, though the City expects to issue the bonds at prevailing market rates. Said interest shall be payable semiannually, except that interest for the first year after the date of the Bonds may be made payable at the end of said year.

Section 7. Issuance and Sale of Bonds. The City proposes to issue and sell the Bonds pursuant to Article 1, commencing with Section 43600, of Chapter 4 of Division 4 of Title 4 of the California Government Code, or Article 4.5, commencing with Section 53506, of Chapter 3 of Part 1 of Division 2 of Title 5 of the California Government Code, in one or more series, in the maximum amount and for the objects and purposes set forth above if two-thirds of all qualified voters voting on the proposition set forth above vote in favor thereof. The Bonds will be general obligations of the City payable from and secured by ad valorem taxes levied and collected in the manner prescribed by laws of the State of California. All of the Bonds shall be equally and ratably secured, without priority, by the taxing power of the City.

Section 8. Manner of Conducting Election. The election held on November 6, 2018 shall be held and conducted, election officers appointed, voting precincts designated, ballots printed, polls opened and closed, ballots counted, and returned, returns canvassed, results declared, and all other proceedings incidental to and

connected with the election shall be regulated and done in accordance with the provisions of law regulating the election with which it is consolidated, as specified herein.

Section 9. Procedure for Voting on Proposition. Ballots for the election shall be provided in the form and in the number provided by law. Voters shall be provided an opportunity to vote for or against the proposition on the ballot, in accordance with procedures to be adopted by the authorized officers of the County charged with conducting the election.

Section 10. Accountability Requirements. In accordance with Sections 53410 and 53411 of the California Government Code, the City Council hereby adopts the following accountability requirements relating to the Bonds:

- (a) A separate account shall be created and held by the City, into which the proceeds of the Bonds are deposited and applied solely for the purpose of financing the Improvements.
- (b) The Finance Director of the City shall file a report with the City Council at least annually showing the amount of Bond proceeds collected and expended, and the status of the Improvements.

Section 11. Establishment of Oversight Committee. In the event the ballot proposition is passed by two-thirds of all qualified voters voting on the proposition, the City Council shall establish and appoint members to an oversight committee, which shall have responsibility for reviewing and reporting on the expenditure of the proceeds of the Bonds.

Section 12. Official Actions. The Mayor, the City Manager, the Finance Director, the City Clerk, and any of their designees, are hereby authorized to execute any documents and to perform all acts necessary to place the bond measure on the ballot.

Section 13. Publication of Ordinance. This Ordinance shall be published once a day for at least seven days in a newspaper published at least six days a week in the City, or once a week for two weeks in a newspaper published less than six days a week in the City. The first of said publications shall, in either event, be within 15 days after the adoption of this Ordinance.

Section 14. Projections. The City Council hereby finds that the estimates and projections contained in the Tax Rate Statement and in the measure have been made based on currently available information, but depend on a number of variables which are subject to variation. Such estimates and projections have been made in good faith, and are not binding or intended to be limitations on the terms of the bonds.

Section 15. Effective Date. This Ordinance shall become effective immediately upon its adoption by two-thirds vote of all the members of this City Council.

I, Wendy Wood, hereby certify that the foregoing Ordinance No. 2235 was introduced on July 17, 2018, and adopted at a regular meeting of the Campbell City Council on July 31, 2018, by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

APPROVED:

ATTEST:

Rich Waterman, Vice Mayor

Wendy Wood, City Clerk

Attachment: Ordinance 2235 (1235 : Second Reading of Ordinance 2235)