

CITY COUNCIL MINUTES

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



REGULAR MEETING OF THE CAMPBELL CITY COUNCIL

Tuesday, January 15, 2019 7:30 p.m.

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
Rich Waterman	Mayor	Present
Susan M. Landry	Vice Mayor	Present
Paul Resnikoff	Councilmember	Present
Anne Bybee	Councilmember	Present
Elizabeth 'Liz' Gibbons	Councilmember	Present

PLEDGE OF ALLEGIANCE

Mayor Waterman led the Pledge of Allegiance.

SPECIAL PRESENTATIONS AND PROCLAMATIONS

There were no special presentations or proclamations.

COMMUNICATIONS AND PETITIONS

There were no communications or petitions.

ORAL REQUESTS

John Richards, Campbell resident, gave congratulatory remarks and commented on the Ainsley House and gift shop.

Deni Urosevic spoke about accessory dwelling units, commented on the homeless, and

stated that he would like Council to enact policies for ADUs more quickly.

COUNCIL ANNOUNCEMENTS

Join the cities of Campbell and San Jose for a Martin Luther King Jr., holiday service day volunteer event, to refresh San Tomas Park on Monday, January 21. Registration opens at 8:30 a.m.

City Hall Offices will be closed Monday, January 21 in observance of the Martin Luther King Jr., Holiday. Police Department services will remain open to the public.

The City of Campbell's Valentine Fun Run is Saturday, February 9. Pre-registration for this event ends Friday, February 1.

Recruitment for summer jobs with Campbell Recreation has begun. Please visit the City's website to view job postings for recreation leaders and lifeguards.

The City of Campbell's Youth Job Fair is scheduled for Friday, February 1, from 3:30 p.m. to 5:00 p.m. at the Orchard City Banquet Hall. High school juniors 16 and older are invited to attend to connect with local businesses, organizations, and find out more about employment.

Early Settlers Day event and lunch will be on Monday, February 18. Doors open at 10:00 a.m. for a meet and greet at Orchard City Banquet Hall with lunch to follow at the Campbell's Mama Mia's Italian Restaurant at noon. Pre-registration is required and the cost is \$20.00 per person. For more information please contact dancalbear@aol.com.

For more information regarding these and other events, please visit our website at www.cityofcampbell.com.

CONSENT CALENDAR

Mayor Waterman asked if any Councilmember or anyone in the audience wished to remove an item from the Consent Calendar.

Councilmember Gibbons asked to remove items eight, ten, and eleven from Consent.

The Consent Calendar was considered as follows:

1. **Minutes of City Council Special Meeting of December 17, 2018**
Recommended Action: Approve special meeting minutes of December 17, 2018.

This action approves the special meeting minutes of December 17, 2018.
2. **Minutes of City Council Regular Meeting of December 18, 2018**
Recommended Action: Approve regular meeting minutes of December 18, 2018.

This action approved the regular meeting minutes of December 18, 2018.

3. **Microsoft Office 365 Purchase (Resolution/Roll Call Vote)**

Recommended Action: That City Council adopts the attached resolution authorizing the City Manager to take the following actions to enter into an agreement with CDW-G to purchase Microsoft Office 365 enterprise cloud application suite by: (1) executing a three year agreement with CDW-G, and other necessary documents that may be required to purchase 248 annual subscriptions of Microsoft Office 365 for a total amount of \$94,213.44; and (2) purchase additional annual subscriptions licenses or change subscription levels as may be required at the same unit prices, subject to the appropriation of funds.

Resolution 12391 authorizes the City Manager to enter into an agreement with CDW-G to purchase Microsoft Office 365 enterprise cloud application suite by: executing a three year agreement with CDW-G, and other necessary documents that may be required to purchase 248 annual subscriptions of Microsoft Office 365, for a total amount of \$94,213.44; and purchasing additional annual subscriptions licenses or change subscription levels as may be required at the same unit prices, subject to the appropriation of funds.

4. **Approving Payment of Bills & Claims**

Recommended Action: Approve the bills and claims in the amount of \$1,881,105.01.

This action approves the bills and claims in the amount of \$1,881,105.01 as follows: payroll checks dated November 29, 2018, in the amount of \$125,733.36; bills and claims checks dated December 10, 2018, in the amount of \$223,784.58; payroll checks dated December 13, 2018, in the amount of \$81,649.56; bills and claims checks dated December 17, 2018, in the amount of \$349,470.39; bills and claims checks dated December 24, 2018, in the amount of \$973,931.66; and payroll checks dated December 27, 2018, in the amount of \$126,535.46.

5. **Approval of Tract Map No. 10491 Including Acceptance of Street Dedication and Public Service Easements Shown on Said Map – 50 Shelley Avenue (Resolution/Roll Call Vote)**

Recommended Action: That the City Council adopt the attached resolution approving the Tract Map for Tract No. 10491 and accept the street dedication and public service easements as shown on the map for the property located at 50 Shelley Avenue.

Resolution 12392 approves the Tract Map for Tract No. 10491 and accepts the street dedication and public service easements as shown on the map for the property located at 50 Shelley Avenue.

6. **Approval of the Vacation of the Light and Air / Building (Setback) Lines Created by Tract Map No. 117 (Munro Avenue, Portions of Westmont Avenue and Portions of S. San Tomas Aquino Road) and Directing the City Clerk to Record the Resolution (Resolution/Roll Call Vote)**

Recommended Action: That the City Council adopt the attached resolution (1) Summarily vacating the Light and Air/Building (Setback) Lines created by Tract Map No. 117; and (2) Directing the City Clerk to record the resolution.

Resolution 12393 summarily vacates the Light and Air/Building (Setback) Lines created by Tract Map No. 117; and directs the City Clerk to record the resolution.

7. **Approval of Budget Adjustment Increase for Professional Services (Resolution/Roll Call Vote)**

Recommended Action: The City Council adopt a resolution approving a budget adjustment transfer of \$26,700 from the Records Division Personnel - Regular (101-603-7001) to cover the anticipated costs of Professional Services (101-603-7430) for configuration and training for Inform RMS Property and Evidence Module.

Resolution 12394 approves a budget adjustment transfer of \$26,700 from the Records Division Personnel - Regular (101-603-7001) to cover the anticipated costs of Professional Services (101-603-7430) for configuration and training for Inform RMS Property and Evidence Module.

8. **Proposed Budget Adjustment to Professional and Specialized Services for the Legal Services Budget has been moved to ITEMS PULLED FROM CONSENT**

9. **Amendment to the Classification and Salary Plan – Community Services Officer, Public Safety Dispatcher, Payroll/Accounting Technician, and Finance Director (Resolution/Roll Call Vote)**

Recommended Action: That the City Council adopt the attached Resolution amending the Classification and Salary Plan.

Resolution 12395 amends the Classification and Salary Plan to revise the class specifications for Community Services Officer, Public Safety Dispatcher, Accounting Technician, and Finance Director.

10. **Approve Modifications of LVL, LLC Dba LVL UP’s Arcade Permit has been moved to ITEMS PULLED FROM CONSENT**

11. **Il Sogno Live Entertainment Permit has been moved to ITEMS PULLED FROM CONSENT**

M/S: Resnikoff/Landry - that the City Council approve the consent calendar with the exception of items eight, ten, and eleven. Motion was adopted by the following roll call vote:

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Resnikoff
SECONDER:	Landry

AYES: Waterman, Landry, Resnikoff, Bybee, Gibbons
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ITEMS PULLED FROM CONSENT

Item 8. Proposed Budget Adjustment to Professional and Specialized Services for the Legal Services Budget

Recommended Action: That the City Council adopt a resolution increasing line 7430 of the Legal Services budget by \$250,000.

Councilmember Gibbons commented on the checks and balance system and discussed the Finance department’s tracking process.

After discussion, **M/S: Gibbons/Landry - that the City Council adopt Resolution 12396 increasing line 7430 of the Legal Services budget by \$250,000. Motion was adopted by the following roll call vote:**

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

Item 10. Approve Modifications of LVL, LLC DbA LVL UP’s Arcade Permit (Resolution/Roll Call Vote)

Recommended Action: That the City Council adopt a resolution approving modifications to the existing Arcade Permit at the location of 400 E. Campbell Avenue on behalf of LVL UP, consisting of extended hours and additional arcade machines.

Councilmember Gibbons asked for clarification on the process and stated concerns about ADA access.

Councilmember Landry stated concerns with ADA access.

M/S: Gibbons/Landry - that the City Council adopt Resolution 12397 approving modifications to the existing Arcade Permit at the location of 400 E. Campbell Avenue on behalf of LVL UP, consisting of extended hours and additional arcade machines. Motion was adopted by the following roll call vote:

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

Item 11. Il Sogno Live Entertainment Permit (Resolution/Roll Call Vote)
Recommended Action: That the City Council adopt the attached resolution

approving a Live Entertainment Permit for Campbell Brewing Company, LLC (dba Il Sogno) located at 200 East Campbell Avenue with live entertainment being allowed from 5:00 p.m. to 12:00 a.m. Thursday through Saturday and 12:00 p.m. to 8:00 p.m. on Sunday.

Councilmember Gibbons commented on the hours and conditional use permit.

M/S: Gibbons/Landry - that the City Council adopt Resolution 12398 approving a Live Entertainment Permit for Campbell Brewing Company, LLC (dba Il Sogno) located at 200 East Campbell Avenue with live entertainment being allowed from 5:00 p.m. to 12:00 a.m. Thursday through Saturday and 12:00 p.m. to 8:00 p.m. on Sunday. Motion was adopted by the following roll call vote:

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

PUBLIC HEARINGS AND INTRODUCTION OF ORDINANCES

12. **Public Hearing to Consider the Application of AFG Investment Group LLC for a Planned Development Permit (PLN2018-276) for an Approximately 114 Square-Foot Rear Addition to an Existing Single-Family Residence/Historic Structure of Merit on Property Located at 68 S. Fourth Street (Aka 70 S. Fourth Street) in a P-D (Planned Development) Zoning District (Resolution/Roll Call Vote)**

Recommended Action: The Planning Commission recommends that the City Council take the following action: adopt a resolution approving a Planned Development Permit (PLN2018-276) to allow an approximately 114 square-foot rear addition to an existing single-family residence/historic Structure of Merit.

This is the time and place for a public hearing to consider the application of AFG Investment Group LLC for a Planned Development Permit (PLN2018-276) for an approximately 114 square-foot rear addition to an existing single-family residence/historic structure of merit on property located at 68 S. Fourth Street (Aka 70 S. Fourth Street) in a P-D (Planned Development) zoning district.

Assistant Planner Pouya presented staff report dated January 15, 2019.

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

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

M/S: Gibbons/Resnikoff - that the City Council adopt Resolution 12399 approving a Planned Development Permit (PLN2018-276) to allow an

approximately 114 square-foot rear addition to an existing single-family residence/historic Structure of Merit. Motion was adopted by the following roll call vote:

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

OLD BUSINESS

13. Public Meeting to Receive a Report Regarding the Status of the General Plan Update Process – Envision Campbell

Recommended Action: That the City Council take the following action: (1) accept the Report; and (2) confirm the proposed January 29, 2019 Council Study Session to finalize the Draft Land Use Map.

Community Development Director Kermoyan presented staff report dated January 15, 2019.

Vikki Essert, Campbell resident and GPAC member, asked to have a joint study session with the GPAC, City Council, appropriate City staff, and the consultant to allow for review and discussion about the land use maps.

Audrey Kiehtreiber, Campbell resident and San Tomas Area Community Coalition (STACC) President, stated concerns with the GPAC process and submitted her full comments for the record.

Doug Gillison, Campbell resident and member of STACC, stated that he would like more involvement of council, an increase of public oversight, and provided suggestions to improve the process.

Maggie Desmond, Campbell resident, stated concerns with the General Plan review process, the land use maps, and staff involvement.

Deni Urosevic spoke about housing and ADUs and commented about delays in the process.

Jo-Anne Fairbanks, Campbell resident and member of the GPAC, commented on the membership of the GPAC, and stated she would like the structure more open and allow for feedback.

Council discussed holding a joint meeting with the GPAC.

After discussion, **M/S: Landry/Resnikoff - that the City Council direct staff to set up a joint study session meeting with the City Council, the GPAC, staff, and the public to provide more information on the process and receive**

public input. Motion was adopted by the following roll call vote:

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

14. **Actions Related to Implementation of Measure O (Resolution/Roll Call Vote)**
Recommended Action: Receive the informational report regarding the anticipated Measure O work plan and timeline and approve a Resolution declaring the intent of the City of Campbell to reimburse certain expenditures from the future sale tax-exempt bonds.

Councilmember Resnikoff stated that he would have to recuse himself from this item because he lives within a 500 foot radius of the project and left the Council Chambers.

City Manager Loventhal presented staff report dated January 15, 2019.

Gayle Visher, Campbell resident, thanked Council for their support and commented on the collaborative work from the Police Department and the Library.

Terri Lehan, former Community Librarian and member of the Friends of the Campbell Library, thanked the City of Campbell and the City Council for implementing this project and would like the project to get stated quickly.

Deni Urosevic made a suggestion to install security cameras in the civic center.

Cheryl Houtz requested continued involvement from Council and staff with the community in the planning and execution of the project.

Member of the public commented on the time period for the project and would like it to move faster.

Council discussed the qualifications for the proposed project manager.

After discussion, **M/S: Landry/Gibbons - that the City Council adopt Resolution 12400 declaring the intent of the City of Campbell to reimburse certain expenditures from the future sale tax-exempt bonds. Motion was adopted by the following roll call vote:**

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

M/S: Gibbons/Landry - that the City Council request staff to expedite the hiring of a project manager inclusive of providing Council with an informational memo on the job description and continued engagement with the community. Motion was adopted by the following roll call vote:

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

Mayor Waterman stated they would be taking a brief recess.

Council reconvened at 9:43 p.m.

Councilmember Resnikoff returned to the Council Chambers.

NEW BUSINESS

15. **City Council Consideration to Move to District Based City Election (Resolution /Roll Call Vote)**

Recommended Action: Staff recommends that the City Council adopt a resolution of intention to transition from an at-large to a district-based election method for City Council elections.

City Manager Loventhal presented staff report dated January 15, 2019.

Audry Kiehtreiber, Campbell resident and STACC President, commented on the Voting Rights Act, the districting process, and submitted her full comments for the record.

Doug Gillison, Campbell resident and member of STACC, commented against the districting, spoke about the process, and requested engagement with neighborhood associations.

Anne Souza, Campbell resident, commented against districting for Campbell and stated that the City should take its time with the process, to make sure it is done correctly.

Jo-Anne Fairbank, Campbell resident, requested clarification on the process.

After discussion, **M/S: Gibbons/Resnikoff - that the City Council adopt Resolution 12402 declaring the intent to transition from an at-large to a district-based election method for City Council elections. Motion was adopted by the following roll call vote:**

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

16. **2019 City Council Meeting Schedule (Resolution/Roll Call Vote)**
Recommended Action: That the City Council adopt a resolution approving the 2019 City Council meeting schedule as presented.

City Clerk Wood presented staff report dated January 15, 2019.

After discussion, **M/S: Resnikoff/Landry - that the City Council adopt Resolution 12401 approving the 2019 City Council meeting schedule as presented. Motion was adopted by the following roll call vote:**

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

COUNCIL COMMITTEE REPORTS

17. **Approve Appointment to Parks and Recreation Commission and Historic Preservation Board**
Recommended Action: It is recommended that the City Council approve the recommendation of the Advisory Commissioner Appointment Interview Subcommittee regarding the appointments to the Parks and Recreation Commission for one short term expiring December 2021 and two four-year terms expiring December 2022; and the Historic Preservation Board for two four-year term expiring October 2022.

Councilmember Resnikoff reported on the Advisory Commissioner Appointment Interview Subcommittee meeting and recommended reappointment of Susan Blake and Laura Taylor Moore, to the Historic Preservation Board, each to four-year terms expiring October 2022.

M/S: Resnikoff/Landry - that the City Council reappoint Susan Blake and Laura Taylor Moore, to the Historic Preservation Board, each to four-year terms expiring October 2022. Motion was adopted unanimously.

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

Councilmember Resnikoff reported on the Advisory Commissioner Appointment Interview Subcommittee meeting and recommended appointing Sharon Teeter

and Liraz Abraham to the Parks and Recreation Commission, each to four-year terms expiring December 2022; and appointing Frank Beitz to the Parks and Recreation Commission for a short term expiring December 2021.

M/S: Resnikoff/Bybee - that the City Council appoint Sharon Teeter and Liraz Abraham to the Parks and Recreation Commission, each to four-year terms expiring December 2022; and appoint Frank Beitz to the Parks and Recreation Commission for a short term expiring December 2021. Motion was adopted unanimously.

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

18. **Council Committee Reports**

Recommended Action: Report on committee assignments and general comments.

--Councilmember Resnikoff attended the West Valley Sanitation District meeting and Cities Association of Santa Clara County meeting.

--Councilmember Bybee attended the Cities Association of Santa Clara County meeting.

--Vice Mayor Landry attended the Recycling and Waste Reduction Commission of Santa Clara County meeting and spoke about the upcoming Santa Clara Valley Water District meeting

--Councilmember Gibbons spoke about the CASA Compact; spoke about the Silicon Valley Clean Energy De-carbonization Strategy and Program Roadmap; and discussed a possible study session with the Planning Commission on ADUs.

--Mayor Waterman attended the Downtown Campbell Business Association meeting.

ADJOURN

Mayor Waterman adjourned the meeting at 10:56 p.m.

APPROVED:

ATTEST:

Richard M. Waterman, Mayor

Wendy Wood, City Clerk