

CITY COUNCIL MINUTES

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



The City Council Executive/Regular meeting was teleconferenced pursuant to Government Code Section 54953(b)(3) with Councilmember Elizabeth “Liz” Gibbons from the location 55 Alder Lane, N. Falmouth, MA, 02556 and Councilmember Susan Landry from location 2405 Via Mariposa West, Unit 1B, Laguna Woods, CA, 92637. The teleconference locations were accessible to the public for the open session portion of the meeting pursuant to Government Code Section 54953(b)(3).

CITY COUNCIL EXECUTIVE SESSION

Tuesday, May 15, 2018 – 6:45 p.m.

Ralph Doetsch Conference Room - 70 N. First Street

A. **Personnel**

B. **Litigation**

C. **Real Property :**

Conference with Real Property Negotiators – Property: APN: 279-41-062 3,500 sq. ft. vacant lot fronting Civic Center Drive across from the Library;
City Negotiator: City Manager, Brian Loventhal
Negotiating Parties: Oversight Board
Under Negotiation: Price and Terms of Bid

Conference with Real Property Negotiators – Campbell Community Center, 1 West Campbell Avenue, Campbell, CA 95008
City Negotiator: City Manager, Brian Loventhal
Negotiating Parties: Santa Clara County Office of Education
Under Negotiation: Price and Terms of Lease

Conference with Real Property Negotiators – Campbell Community Center, 1 West Campbell Avenue, Campbell, CA 95008
City Negotiator: City Manager, Brian Loventhal
Negotiating Parties: Valley International Academy
Under Negotiation: Price and Terms of Lease

D. **Labor Negotiations**

Council met in executive session to discuss Item C. Executive session adjourned at 7:25 p.m.

REGULAR MEETING OF THE CAMPBELL CITY COUNCIL

Tuesday, May 15, 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	Remote
Susan M. Landry	Councilmember	Remote
Jeffrey Cristina	Councilmember	Present

PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Susan Blake and Todd Walter from the Historic Preservation Board.

SPECIAL PRESENTATIONS AND PROCLAMATIONS

- Recognition of Sirichon Boonprakob for her Work on the Historic Campbell Mobile Application**
Recommended Action: Present a certificate of recognition to Sirichon Boonprakob for her work on the "Historic Campbell" mobile application.

Mayor Resnikoff presented Sirichon Boonprakob with a certificate of appreciation for her work on the "Historic Campbell" mobile application.

- Proclamation Declaring the Month of May, as "National Historic Preservation Month" in the City of Campbell**
Recommended Action: It is recommended that the City Council proclaim the month of May, as "National Historic Preservation Month" in the City of Campbell.

Mayor Resnikoff presented Historic Preservation Board members, Susan Blake and Todd Walter, with a proclamation declaring the month of May as "National Historic Preservation Month" in the City of Campbell.

COMMUNICATIONS AND PETITIONS

There were no communications and petitions.

ORAL REQUESTS

Lisa Harmer, Campbell resident, thanked Council and staff for the Civic Improvement Commission Neighborhood Beautification grant and spoke about the Campbell Village Neighborhood Association planting of the traffic circle at Shamrock Drive and Erin Way.

Joanne Fairbanks, Campbell resident commented on the Envision Campbell and submitted her comments for the record.

Catherine Cavagnaro, Campbell business owner, asked about cleaning of the sidewalks and hearing devices.

COUNCIL ANNOUNCEMENTS

In honor of Peace Officers Memorial Day (Tuesday, May 15) and Police Week (Sunday, May 13 thru Saturday, May 19) the flags will be flown at half-staff and the Campbell Water Tower will be lit royal blue. The City Council would like to acknowledge the outstanding service and sacrifices Chief Carmichael and his officers make each day.

On Friday, May 18 from 5:30 p.m. to 7:30 p.m. the Ainsley House History Happy Hour presents, "The Union Army's Occupation of Catalina Island During the Civil War." Historian Steve Bathan will tell this little known part of California's History. Tickets are \$15 per person and can be reserved on the museum's website at www.campbellmuseum.com <<http://www.campbellmuseum.com>>.

Join us Thursday nights for the 26th Annual Summer Concert Series from 6:30 p.m. to 8:00 p.m. June 21, thru August 9, at the Orchard City Green located between City Hall and the Campbell Library. Thursday, June 21, will feature "The Hitman" and on June 28, the "Cocktail Monkeys."

The Summer Edition of the Recreation Activity Guide is available on-line and at City offices. Space is available for Recreation Summer Day Camps. Camps run the weeks of June 18, through August 10. For additional information about this and other programs for the summer contact the Recreation Department at 408-866-2104 or visit the City's website at www.cityofcampbell.com/recreation <<http://www.cityofcampbell.com/recreation>>.

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 September 30. For more information, please visit the city's website at www.cityofcampbell.com <<http://www.cityofcampbell.com>>.

City offices will be closed Monday, May 28, in observance of Memorial Day.

CONSENT CALENDAR

Mayor Resnikoff asked if any Councilmember or anyone in the audience wished to

remove an item from the consent calendar.

Items 9, 10, 11, 12, 15, and 16 were pulled.

The consent calendar was considered as follows:

3. **Minutes of City Council Study Session Meeting of April 23, 2018**

Recommended Action: This action approves study session meeting minutes of April 23, 2018.

This action approves the study session minutes of April 23, 2018.

4. **Minutes of City Council Study Session Meeting of April 30, 2018**

Recommended Action: This action approves Study session meeting minutes of April 30, 2018.

This action approves the study session minutes of April 30, 2018.

5. **Minutes of City Council Study Session Meeting of May 1, 2018**

Recommended Action: This action approves study session meeting minutes of May 1, 2018.

This action approves the study session minutes of May 1, 2018.

6. **Minutes of City Council Regular Meeting of May 1, 2018**

Recommended Action: This action approves Regular Meeting minutes of May 1, 2018.

This action approves the regular meeting minutes of May 1, 2018.

7. **Approving Bills & Claims**

Recommended Action: Approve the bills and claims in the amount of \$1,577,583.96.

This action approves the bills and claims checks in the amount of \$1,577,583.96 as follows: payroll checks dated April 19, 2018, in the amount of \$83,349.10; bills and claims checks dated April 23, 2018, in the amount of \$1,323,232.01; and bills and claims checks dated April 30, 2018, in the amount of \$171,002.85.

8. **Monthly Investment Report- February, 2018**

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

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

9. **Accept Donation of \$3,300 from Friends of the Heritage Theatre was moved to ITEMS PULLED FROM CONSENT**

10. **Declaring May 20-26, 2018 National Public Works Week was moved to ITEMS PULLED FROM CONSENT**

11. **Approval of Transportation Development Act (TDA) Article 3 Grant Applications or Fiscal Year 18/19 was moved to ITEMS PULLED FROM CONSENT**

12. **Authorization to Submit Program for Arterial System Synchronization (PASS) Grant Application was moved to ITEMS PULLED FROM CONSENT**

13. **Budget Adjustment to Reallocate Salary Savings from Personnel to Professional Line Item (Resolution/Roll Call Vote)**

Recommended Action: That the City Council adopt a resolution approving a \$21,000 budget adjustment to reallocate salary savings from the Personnel - Regular line item (101.554.7001) into the Professional Services line item (101.554.7430) to cover the two final invoices for the Contract Code Enforcement Officer who staffed the Code Enforcement Division from June 2017 until April 23, 2018.

Resolution 12314 approves a \$21,000 budget adjustment to reallocate salary savings from the Personnel - Regular line item (101.554.7001) into the Professional Services line item (101.554.7430) to cover the two final invoices for the Contract Code Enforcement Officer who staffed the Code Enforcement Division from June 2017 until April 23, 2018.

14. **Second Reading of Ordinance 2233 Amending Provision of the Campbell Municipal Code to Revise the Business License Tax Rates (Ordinance Second Reading/Roll Call Vote)**

Recommended Action: That the City Council approve the second reading and adopt Ordinance 2233 amending provisions of the Campbell Municipal Code to revise Business License Tax Rates.

Second reading of Ordinance 2233 amends provisions of the Campbell Municipal Code to revise Business License Tax Rates.

15. **Pool Table Permit Pruneyard Cinemas LLC was moved to ITEMS PULLED FROM CONSENT**

16. **Live Entertainment Permit Willard Hicks was moved to ITEMS PULLED FROM CONSENT**

M/S: Cristina/Landry - that the City Council approve the Consent Calendar with the exception of items 9, 10, 11, 12, 15, and 16. Motion was adopted by the following roll call vote:

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

ITEMS PULLED FROM CONSENT

Item 9. Accept Donation of \$3,300 from Friends of the Heritage Theatre

Recommended Action: Accept Donation of \$3,300 from the Friends of the Heritage Theatre.

Vice Mayor Waterman thanked the president of the Friends of the Heritage Theatre, Kereli Sengstack, for the generous donation.

Kereli Sengstack, spoke about the donation and presented the check to Council.

M/S: Cristina/Waterman - that the City Council accept a donation of \$3,300 from the Friends of the Heritage Theatre. Motion was adopted unanimously.

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

Item 10. Declaring May 20-26, 2018 National Public Works Week

Recommended Action: That the City Council adopt the attached resolution declaring the week of May 20-26, 2018, as National Public Works Week.

Mayor Resnikoff thanked the Public Works Department for all their work.

M/S: Landry/Gibbons - that the City Council adopt Resolution 12315 declaring the week of May 20-26, 2018, as National Public Works Week. Motion was adopted by the following roll call vote:

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

Item 11. Approval of Transportation Development Act (TDA) Article 3 Grant Applications for Fiscal Year 2018/19 (Resolution/Roll Call Vote)

Recommended Action: That the City Council adopt the attached resolution authorizing the Public Works Director to submit a grant application to the Santa Clara Valley Transportation Authority (VTA) for \$34,469 in Transportation Development Act (TDA) Article 3 Guarantee Funds for the Campbell Bicycle and Pedestrian Project Fiscal Year (FY) 18/19.

Councilmember Gibbons stated concerns with project number seven in the report.

After discussion, **M/S: Gibbons/Landry** - that the City Council adopt resolution 12316 authorizing the Public Works Director to submit a grant application to the Santa Clara Valley Transportation Authority (VTA) for \$34,469 in Transportation Development Act (TDA) Article 3 Guarantee Funds for the Campbell Bicycle and Pedestrian Project Fiscal Year (FY) 18/19 with the list of project 1- 6. Motion failed by a 2-3 vote (Councilmember Cristina, Vice Mayor Waterman and Mayor Resnikoff voted no).

M/S: Cristina/Waterman - that the City Council adopt resolution 12316 authorizing the Public Works Director to submit a grant application to the Santa Clara Valley Transportation Authority (VTA) for \$34,469 in Transportation Development Act (TDA) Article 3 Guarantee Funds for the Campbell Bicycle and Pedestrian Project Fiscal Year (FY) 18/19. Motion was adopted by the following roll call vote:

RESULT:	ADOPTED [4 TO 1]
MOVER:	Cristina
SECONDER:	Waterman
AYES:	Resnikoff, Waterman, Landry, Cristina
NAYS:	Gibbons

Item 12. Authorization to Submit Program for Arterial System Synchronization (PASS) Grant Application for the East Hamilton Avenue-Bascom Avenue Traffic Signal Timing Project (Resolution/Roll Call Vote)

Recommended Action: That the City Council adopt the attached resolution authorizing the Public Works Director to submit a Program for Arterial System Synchronization (PASS) grant application to the Metropolitan Transportation Commission (MTC) for the East Hamilton Avenue-Bascom Avenue Traffic Signal Timing Project.

Councilmember Gibbons asked for clarification on the commitment.

M/S: Gibbons/Cristina - that the City Council adopt Resolution 12317 authorizing the Public Works Director to submit a Program for Arterial System Synchronization (PASS) grant application to the Metropolitan Transportation Commission (MTC) for the East Hamilton Avenue-Bascom Avenue Traffic Signal Timing Project. Motion was adopted by the following roll call vote:

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

Item 15. Pool Table Permit Pruneyard Cinemas LLC (Resolution/Roll Call Vote)

Recommended Action: That the City Council adopt a resolution approving the issuance of a single pool table permit for Pruneyard Cinemas LLC located at

1875 S. Bascom Avenue #100 Campbell Avenue, Campbell, CA 95008.

M/S: Gibbons/Cristina - that the City Council adopt Resolution 12318 approving the issuance of a single pool table permit for Pruneyard Cinemas LLC located at 1875 S. Bascom Avenue #100 Campbell Avenue, Campbell, CA 95008. Motion was adopted by the following roll call vote:

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

Item 16. Live Entertainment Permit Willard Hicks (Resolution/Roll Call Vote)

Recommended Action: That the City Council adopt the attached resolution approving a Live Entertainment Permit for No Name Grill dba Willard Hicks located at 280 E. Campbell Avenue with live entertainment being allowed Thursday through Saturday 6:30 pm to 9:30 pm.

Councilmember Cristina commented on condition stating the door shall remain closed when live entertainment is occurring.

Councilmember Cristina made a motion to adopt Resolution 12319 approving a Live Entertainment Permit for No Name Grill dba Willard Hicks located at 280 E. Campbell Avenue with live entertainment being allowed Thursday through Saturday 6:30 p.m. to 9:30 p.m. excluding conditions five and seven. Motion failed due to the lack of a second.

M/S: Gibbons/Landry - that the City Council adopt Resolution 12319 approving a Live Entertainment Permit for No Name Grill dba Willard Hicks located at 280 E. Campbell Avenue with live entertainment being allowed Thursday through Saturday 6:30 p.m. to 9:30 pm. Motion was adopted by the following roll call vote:

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

PUBLIC HEARINGS AND INTRODUCTION OF ORDINANCES

16. Council Compensation for 2019 (Ordinance/Roll Call Vote)

Recommended Action: Staff recommends that the City Council provide direction on Council compensation for 2019 and introduce an ordinance based on the attachment should that be Council's direction.

Deputy City Manager Bito presented staff report dated May 15, 2018.

This is the time and place for a public hearing to discuss Council Compensation

for 2019.

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

Steve Saunders, Campbell resident, provided comments stated support for the increase.

After discussion, **M/S: Gibbons/Waterman - that the City Council introduce Ordinance 2234 increasing the monthly salary of each member of the City Council shall be increased from 683.45 per month to \$717.62 per month, to commence on January 14, 2019. Motion was adopted by the following roll call vote:**

RESULT:	ADOPTED [4 TO 1]
MOVER:	Gibbons
SECONDER:	Waterman
AYES:	Resnikoff, Waterman, Gibbons, Landry
NAYS:	Cristina

City Clerk Wood read Ordinance 2234.

OLD BUSINESS

17. **Initiation of a Zoning Code Amendment to Adopt a New Land Use Table and Revised Sign Standards for the C-3 (Central Business District) Zoning District**

Recommended Action: That the City Council initiate a Zoning Code Amendment to adopt a new land use table for the C-3 (Central Business District) Zoning District.

Senior Planner Fama presented staff report dated May 15, 2018.

After discussion, **M/S: Cristina/Waterman - that the City Council direct staff to bring back the list of previous and proposed prohibited uses to allow Council to compare the changes and impacts; and continue this item to a date uncertain.**

Councilmember Gibbons asked to make a friendly amendment to address the conversion and parking issues. Amendment was not accepted.

Motion was adopted by the following roll call vote:

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

NEW BUSINESS

There were no agendized items.

COUNCIL COMMITTEE REPORTS

18. Council Committee Reports

Recommended Action: Report on committee assignments and general comments.

-- Councilmember Landry attended VTA Policy Advisory Committee, Campbell Village Neighborhood Association planting of the traffic circle at Shamrock Drive and Erin Way, and the Governor's debate.

-- Mayor Resnikoff attended the volunteer luncheon, Clean Water JPA meeting, West Valley Solid Waste JPA meeting, West Valley Sanitation District meeting, Best of the West S.W.A.T. competition, Cities Association of Santa Clara County dinner, and a lunch with the Silicon Valley Leadership Group.

--Vice Mayor Waterman spoke about the upcoming the Campbell Chamber lunch where Mayor Resnikoff will be giving a presentation.

ADJOURN

Mayor Paul Resnikoff, adjourned the meeting at 9:43 PM

APPROVED:

ATTEST:

Paul Resnikoff, Mayor

Wendy Wood, City Clerk