

CITY COUNCIL MINUTES

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



REGULAR MEETING OF THE CAMPBELL CITY COUNCIL

Tuesday, June 4, 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
Richard M. 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

The Pledge of Allegiance was led by Recreation Supervisor, Misty Booth. Mayor Waterman spoke about Misty and her service with the City of Campbell. He congratulated her on her upcoming retirement and presented her with a certificate for leading the pledge.

Misty spoke about her time working for the City and thanked the Council, the community, and City staff for all their support over the years.

SPECIAL PRESENTATIONS AND PROCLAMATIONS

There were no special presentations or proclamations.

COMMUNICATIONS AND PETITIONS

There were no communications or petitions.

ORAL REQUESTS

There were no oral requests.

COUNCIL ANNOUNCEMENTS

Campbell Recreation Summer Day Camps offers quality programs for children and teens ages 3 to 15, providing a fun, safe place to play during the summer. Camps run the weeks of June 17 through August 9. For more information, please visit the City's website at www.cityofcampbell.com.

Join us Thursday nights for the 27th Annual Summer Concert Series from 6:30 p.m. to 8:00 p.m. June 20 through August 8, at the Orchard City Green located between City Hall and the Campbell Library. Thursday, June 20, will feature "Glory" and on June 27, "The Joint Chiefs."

The Civic Improvement Commission's "Capture Campbell" photo contest is now running through September 1. Capture Campbell is a youth photo contest inspiring youth to engage and view their community through a new lens. Participants must be 18 and under and live in Campbell. For more information, please visit the city's 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.

Mayor Waterman stated Councilmember Gibbons wished to pull items six and seven from consent.

The Consent Calendar was considered as follows:

1. **Minutes of City Council Regular Meeting of May 21, 2019**
Recommended Action: This action approves regular meeting minutes of May 21, 2019.

This action approves the regular meeting minutes of May 21, 2019, including the desk item.

2. **Approving Bills and Claims**
Recommended Action: Approve the bills and claims in the amount of \$1,309,146.65.

This action approves the bills and claims in the amount of \$1,309,146.65 as

follows: bills and claims checks dated May 10, 2019, in the amount of \$432,516.63; payroll checks dated May 16, 2019, in the amount of \$106,986.85; and bills and claims checks dated May 20, 2019, in the amount of \$769,643.17.

3. **Resolution Recognizing Misty Booth for 27 Years of Service (Resolution/Roll Call Vote)**

Recommended Action: That the City Council adopt the attached resolution commending Misty Booth upon her retirement after 27 years of dedicated service to the City of Campbell.

Resolution 12435 commends Misty Booth upon her retirement after 27 years of dedicated service to the City of Campbell.

4. **Second Reading of Ordinance 2244 Amending Chapter 7.30 of the Campbell Municipal Code Regarding Restrictions on Dangerous Dogs (Ordinance/Roll Call Vote)**

Recommended Action: That the City Council approve the second reading and adopt Ordinance 2244 amending Chapter 7.30 of the Campbell Municipal Code regarding restrictions on dangerous dogs.

Ordinance 2244 amends Chapter 7.30 of the Campbell Municipal Code regarding restrictions on dangerous dogs.

5. **Approval of Tract Map 10501 Including Acceptance of Street Dedication and Public Service Easements Shown on Said Map - 880 & 910 Harriet Avenue (Resolution/Roll Call Vote)**

Recommended Action: That the City Council adopt the attached resolution approving the Tract Map for Tract No. 10501 and accept the street dedication and public service easements as shown on the map for the property located at 880 & 910 Harriet Avenue.

Resolution 12436 approves the Tract Map for Tract No. 10501; and accepts the street dedication and public service easements as shown on the map for the property located at 880 & 910 Harriet Avenue.

M/S: Resnikoff/Gibbons - that the City Council approve the consent calendar with the exception of items six and seven, including the desk item. Motion was adopted by the following roll call vote:

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

ITEMS PULLED FROM CONSENT

6. **Preliminary Approval of Engineer's Report and Adoption of Resolution of**

Intention, Lighting and Landscaping District LLA-1, Fiscal Year 2019-20 and Set Time and Place for Public Hearing (Resolution/Roll Call Vote)

Recommended Action: Adopt the attached resolutions 1) preliminarily approving the Engineer’s Report for the annual levy and collection of assessments for City of Campbell Lighting and Landscaping District LLA-1 for Fiscal Year (FY) 2019-20; and 2) declaring Council’s intention to levy and collect assessments within the City of Campbell Lighting and Landscaping District LLA-1 for FY 2019-20 and setting forth the time and place for required Public Hearing.

Councilmember Gibbons asked about the Engineer’s Report and increasing the rate.

Public Works Director Capurso provided clarification.

City Attorney Seligmann further clarified by stating that a property owner ballot would be required for an increase to the rates.

M/S: Gibbons/Landry - that the City Council adopt Resolution 12437 preliminarily approving the Engineer’s Report for the annual levy and collection of assessments for City of Campbell Lighting and Landscaping District LLA-1 for Fiscal Year (FY) 2019-20; and adopt Resolution 12438 declaring Council’s intention to levy and collect assessments within the City of Campbell Lighting and Landscaping District LLA-1 for FY 2019-20 and setting July 16, 2019 as the time and the Council Chamber at City Hall as the place for the required Public Hearing. Motion was adopted by the following roll call vote:

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

7. **Resolution Authorizing the City Manager to Execute an Agreement Amending the Terms Under Which Campbell Police Officers Are Authorized to Work as Reserve Officers at the City of Santa Clara Levi’s Stadium (Resolution/Roll Call Vote)**

Recommended Action: Adopt the attached resolution authorizing the City Manager to execute an agreement substantially conforming to the attached Amendment regarding the terms under which Campbell Police Officers serve as Officers for the City of Santa Clara at Levi’s Stadium.

Councilmember Bybee stated that she would be recusing herself from this item due to a conflict of interest because a family member is employed with the Santa Clara Police Department as a reserve officer. Councilmember Bybee left the Council Chambers.

Councilmember Gibbons asked about the undefined term.

Captain Cefalu provided clarification.

M/S: Gibbons/Resnikoff - that the City Council adopt Resolution 12439 authorizing the City Manager to execute an agreement substantially conforming to the attached Amendment regarding the terms under which Campbell Police Officers serve as Officers for the City of Santa Clara at Levi's Stadium. Motion was adopted by the following roll call vote:

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

Councilmember Bybee returned to the Council Chambers.

PUBLIC HEARINGS AND INTRODUCTION OF ORDINANCES

8. **Public Hearing to Consider the Application of Elena Foxx for a Modification (PLN2018-394) to a Previously Approved Planned Development Permit (ZC 85-03) to Allow Construction of an Addition to an Existing Home on Property Located at 1198 Latimer Ave in the P-D (Planned Development) Zoning District (Resolution / Roll Call Vote)**
Recommended Action: That the City Council adopt a resolution approving a Modification (PLN2018-394) to a previously-approved Planned Development Permit (ZC 85-03).

This is the time and place for a public hearing to consider the application of Elena Foxx for a modification (PLN2018-394) to a previously approved Planned Development Permit (ZC 85-03) to allow construction of an addition to an existing home on property located at 1198 Latimer Ave in the P-D (Planned Development) Zoning District.

Community Development Director Kermoyan presented a staff report dated June 4, 2019.

Mayor Waterman declared the public hearing open and asked if there was anyone in the audience wishing to be heard.

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

M/S: Resnikoff/Landry - that the City Council adopt Resolution 12440 approving a modification (PLN2018-394) to a previously-approved Planned Development Permit (ZC 85-03). Motion was adopted by the following roll call vote:

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

9. **City Council Consideration of Draft Maps for City Council Voting Districts Boundaries and Sequencing for District Elections**

Recommended Action: That the City Council receive public comment regarding the draft maps for the City Council voting district boundaries and the sequencing of district elections; provide guidance on no more than four preferred maps for further analysis; and provide guidance on the sequencing of the districts to be established.

Two desk items were prepared for Council’s consideration.

This is the time and place for a public hearing to consider draft maps for City Council voting districts boundaries and sequencing for district elections.

Doug Johnson, President of National Demographic Corporation (NDC), gave a presentation on the districting process and briefly reviewed the posted draft maps.

Mayor Waterman declared the public hearing open and asked if there was anyone in the audience wishing to be heard.

Steve Saunders, Campbell resident, commented on the draft maps and stated a preference for maps 120, 121, 102, and 111.

Barbara Robinson, Campbell resident, read comments on behalf of Maggie Desmond who was not able to attend the meeting, stating concerns with the districting process and would like it postponed until the completion of the 2020 census.

Audrey Kiehtreiber, Campbell resident and President of the San Tomas Area Community Coalition (STACC), commented on maps 124, 120, 113, 112 and 109 and stated important factors that should considered.

Anne Souza, Campbell resident, commented on the maps, stated a preference for maps 110, 111, 120 and 114 and stated concerns with the maps that go from east to west.

Steve Chessin, President of California for Electoral Reform, commented on the districting process and spoke about the single transferable vote.

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

Council discussed maps 108, 109, 110, 111, 112, 120, 121, and 124. After further discussion, Council narrowed the focus to maps 111, 112, and 120 with minor modifications.

M/S: Landry/Gibbons - the that City Council select maps 111, 112 and 120; and move forward consolidating the comments they had discussed of the pros and cons of each map.

City Attorney Seligmann stated that the motion needs to specify what the Council wants changed.

Vice Mayor Landry clarified that the motion is to attempt to combine 111, 112, and 120; of that, on map 111 from somewhere around Jeffery Avenue north that beige area take that out of district five that then could potentially be combined with four; on map 120 make the changes around the four corners of downtown so that they stay closer to where the neighborhood stays together; and on map 112 combine over where district three and district five is over in the Pruneyard area so that that neighborhood stays a little closer together and past that it's little areas.

President of NDC, Doug Johnson, asked for clarification on the changes to map 112.

Vice Mayor Landry provided the requested clarification.

After discussion, **motion was adopted by the following roll call vote:**

RESULT:	ADOPTED [3 TO 2]
MOVER:	Landry
SECONDER:	Gibbons
AYES:	Landry, Bybee, Gibbons
NAYS:	Waterman, Resnikoff

After discussion, City Attorney Seligmann, stated that he did not hear the seconder agree to the changes.

Councilmember Gibbons stated that she did agree with the changes and accepted the modifications to the motion.

Council discussed directing the consultant to prepare an alternative map to address Council's comments.

After further discussion, **M/S: Gibbons/Landry - that the City Council direct the consultant to have the flexibility of doing a fourth map which would attempt to reconcile all the comments they made. Motion was adopted by the following roll call vote:**

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

BUSINESS

10. **Acceptance of Fiscal 2017-18 Comprehensive Annual Financial Report and Auditor’s Written Communication on Internal Control Structure and Audit Process**

Recommended Action: That the City Council accepts the fiscal 2017-18 Comprehensive Annual Financial Report (CAFR) and Auditor’s written communication on internal control structure and the audit process as submitted with this report.

Finance Director Fuentes presented a staff report dated June 4, 2019.

Finance Subcommittee members Bybee and Waterman gave a brief summary of the subcommittee meeting.

After discussion, **M/S: Gibbons/Resnikoff - that the City Council accept the fiscal 2017-18 Comprehensive Annual Financial Report (CAFR) and Auditor’s written communication on internal control structure and the audit process as submitted with this report. Motion was adopted by the following roll call vote:**

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

COUNCIL COMMITTEE REPORTS

11. **Council Committee Reports**

Recommended Action: Report on committee assignments and general comments.

--Councilmember Resnikoff attended the San Jose Water Open House at the Community Center; attended the Memorial Day Ceremony; and thanked Vice Mayor Landry for filling in for him at the West Valley Clean Water JPA Special meeting.

--Councilmember Gibbons attended the Silicon Valley Clean Energy meeting; and attended the Cities Association's annual event at West Valley College.

--Vice Mayor Landry attended and spoke at the Memorial Day Ceremony in Mayor Waterman's absence; attended the West Valley Clean Water JPA Special meeting in Councilmember Resnikoff's absence; and attended Anna Esho's Town Hall meeting on Net Neutrality.

Councilmember Bybee stated concerns with the lack of noticing for the budget introduction and adoption; and would like a written policy to publish budget information ten days in advance of the introduction.

M/S: Bybee/Landry - that the City Council direct staff to agendize for a future meeting, a discussion on a policy to publish a notice for the introduction and adoption of the budget. Motion was adopted by the following roll call vote:

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

ADJOURN

Mayor Waterman adjourned the meeting at 10:29 p.m.

APPROVED:

ATTEST:

Richard M. Waterman, Mayor

Wendy Wood, City Clerk