

CITY COUNCIL MINUTES

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



REGULAR MEETING OF THE CAMPBELL CITY COUNCIL

Tuesday, June 5, 2018 7:30 PM

City Hall Council Chamber – 70 N. First Street

The City Council Regular meeting was teleconferenced pursuant to Government Code Section 54953(b)(3) with Councilmember Jeffrey Cristina from the location 73896 Desert Bloom Tr., Palm Desert, CA, 92260. The teleconference location was accessible to the public for the open session portion of the meeting pursuant to Government Code Section 54953(b)(3).

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	Arrived
Paul Resnikoff	Mayor	Present	
Rich Waterman	Vice Mayor	Present	
Elizabeth 'Liz' Gibbons	Councilmember	Present	
Susan M. Landry	Councilmember	Present	
Jeffrey Cristina	Councilmember	Remote	

PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Fire Chief Kenneth Kehmna. Mayor Resnikoff commended him on his upcoming retirement and presented him with a certificate of appreciation for leading the pledge.

SPECIAL PRESENTATIONS AND PROCLAMATIONS

There were no special presentations or proclamations.

COMMUNICATIONS AND PETITIONS

There were no communications and petitions.

ORAL REQUESTS

There were no oral requests.

COUNCIL ANNOUNCEMENTS

The City Council invites applications from current commission members and interested citizens for the following: Planning Commission, Civic Improvement Commission, and the Rental Fact Finding Committee. Applications may be obtained from the City Clerk's office or from the City's website at <http://www.cityofcampbell.com/157/Boards-Commissions> and must be returned no later than 5:00 p.m. July 2, 2018. For more information, please call the City Clerk's office at (408) 866-2117.

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 <http://www.cityofcampbell.com/226/Recreation-Parks>.

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 <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 13.

The consent calendar was considered as follows:

1. **Minutes of City Council Regular Meeting of May 15, 2018**
Recommended Action: This action approves regular meeting minutes of May 15, 2018.

This action approves the regular meeting minutes of May 15, 2018.

2. **Approving the Bills & Claims**
Recommended Action: Approve the bills and claims in the amount of \$2,011,663.70.

This action approves the bills and claims checks in the amount of \$2,011,663.70

as follows: payroll checks dated May 3, 2018, in the amount of \$124,712.44; bills and claims checks dated May 7, 2018, in the amount of \$259,187.12; bills and claims checks dated May 14, 2018, in the amount of \$530,196.56; payroll checks dated May 17, 2018, in the amount of \$100,333.92 and bills and claims checks dated May 21, 2018, in the amount of \$997,233.66.

3. **Monthly Investment Report- March, 2018**

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

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

4. **Excess Workers' Compensation Coverage Renewal**

Recommended Action: That the City Council approve the Excess Workers' Compensation Insurance coverage provided by Midwest Employers Casualty Company for the period from July 1, 2018, to June 30, 2020.

This action approves the Excess Workers' Compensation Insurance coverage provided by Midwest Employers Casualty Company for the period from July 1, 2018, to June 30, 2020.

5. **Authorization to Enter into a Service Agreement for Citywide Tree Care Services (Resolution/Roll Call Vote)**

Recommended Action: That the City Council adopt a resolution authorizing the Public Works Director to enter into a service agreement with Brightview Landscape for citywide tree services in the amount of \$100,000.

Resolution 12320 authorizes the Public Works Director to enter into a service agreement with Brightview Landscape for citywide tree services in the amount of \$100,000.

6. **Authorization to Solicit Bids for Concrete Sidewalk Repairs (Resolution/Roll Call Vote)**

Recommended Action: That the City Council adopt the attached resolution authorizing the solicitation of bids for concrete sidewalk repair work and authorizing the Public Works Director to execute a contract with the lowest responsible bidder.

Resolution 12321 authorizes the solicitation of bids for concrete sidewalk repair work and authorizes the Public Works Director to execute a contract with the lowest responsible bidder.

7. **Preliminary Approval of Engineer's Report and Adoption of Resolution of Intention, Lighting and Landscaping District LLA-1, Fiscal Year 2018-19 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) 2018-19; and (2) declaring Council's intention to levy and collect assessments within

the City of Campbell Lighting and Landscaping District LLA-1 for FY 2018-19 and setting forth the time and place for required Public Hearing.

Resolution 12322 preliminarily approves 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) 2018-19; and Resolution 12323 declares Council's intention to levy and collect assessments within the City of Campbell Lighting and Landscaping District LLA-1 for FY 2018-19 and setting forth July 17, 2018, as the time and place for the required Public Hearing.

8. **Ordinance 2234 Approving a City Council Compensation Adjustment (Ordinance Second Reading/Roll Call Vote)**

Recommended Action: That the City Council approve the second reading of Ordinance 2234 approving an adjustment to the City Council compensation for 2019.

Ordinance 2234 approves an adjustment to the City Council compensation for 2019, from \$683.45 per month to \$717.62 per month, to commence on January 14, 2019. (4-1 vote Councilmember Cristina voted no)

9. **Proposed Modification to the City Council Financial Assistance Program Policy**

Recommended Action: That the City Council approve the attached modifications to City Council Policies, Section 18, Financial Assistance Program Policy.

This action approves the desk item to include Resolution 12324 approving the modifications to City Council Policies, Section 18, Financial Assistance Program Policy.

10. **Approval of City's Response to the 2017-2018 Santa Clara County Civil Grand Jury Report: "Police and the Mentally Ill: Improving Outcomes"**

Recommended Action: That the City Council authorize the Mayor to submit, on behalf of the City Council, the attached letter as the City's response to the 2017-18 Santa Clara County Civil Grand Jury Report: "Police and the Mentally Ill: Improving Outcomes".

This action authorizes the Mayor to submit, on behalf of the City Council, a letter as the City's response to the 2017-18 Santa Clara County Civil Grand Jury Report: "Police and the Mentally Ill: Improving Outcomes".

11. **Destruction of Certain Records (Resolution/Roll Call Vote)**

Recommended Action: That the City Council adopt a resolution authorizing the destruction of certain City records.

Resolution 12325 authorizes the destruction of certain City records.

12. **Water Tower Lighting Request - June 2018 Pride Month**

Recommended Action: It is recommended that the City Council approve the attached Water Tower Lighting application related to Pride month in June 2018.

This action approves the attached Water Tower Lighting application related to Pride month in June 2018.

13. Commendation of Fire Chief Kenneth Kehmna was moved to ITEMS PULLED FROM CONSENT

M/S: Gibbons/Cristina - that the City Council approve the Consent Calendar with the exception of item 13 including desk item 9. Motion was adopted by the following roll call vote:

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gibbons
SECONDER:	Cristina
AYES:	Resnikoff, Waterman, Gibbons, Landry, Cristina (voted no on item 8)

ITEMS PULLED FROM CONSENT

Item 13 Commendation of Fire Chief Kenneth Kehmna

Recommended Action: Adopt the attached Resolution commending Fire Chief Kenneth Kehmna upon his retirement from the Santa Clara County Fire Department after nearly 31 years of service.

Councilmembers commented on Fire Chief retirement and thanked him for his service.

M/S: Waterman/ Landry - that the City Council adopt Resolution 12326 commending Fire Chief Kenneth Kehmna upon his retirement from the Santa Clara County Fire Department after nearly 31 years of service. Motion was adopted by the following roll call vote:

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

PUBLIC HEARINGS AND INTRODUCTION OF ORDINANCES

14. **Public Hearing to Consider an Appeal of the Planning Commission's Decision to Revoke (PLN2018-86) Conditional Use Permits PLN2015-196 and PLN2015-248 Due to Failure to Comply with the Imposed Conditions of Approval for the Carden Day School on Property Located at 1980 Hamilton Avenue in the P-F (Public Facilities) Zoning District (Resolution/Roll Call Vote)**

Recommended Action: Adopt a resolution, denying the appeal and upholding the Planning Commission decision to revoke (PLN2018-86) Conditional Use Permits PLN2015-196 and PLN2015-248.

Senior Planner Fama presented staff report dated June 5, 2018.

This is the time and place for a public hearing to consider an appeal of the Planning Commission's decision to revoke (PLN2018-86) Conditional Use Permits PLN2015-196 and PLN2015-248 due to failure to comply with the imposed conditions of approval for the Carden Day School on property located at 1980 Hamilton Avenue in the P-F (Public Facilities) zoning district.

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

Rev. Dr. J. Thomas Gough, representative from First Congregational Church of San Jose, spoke about the appeal, stated that a new school would be taking over the site and that he would like to withdraw the appeal.

Natasha and Eric Venzon, owners of the new proposed school spoke about the school.

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

No Council action was required due to the withdrawal of the appeal.

RESULT: WITHDRAWN

15. **Introduction of Fiscal Year 2018-19 Operating & Capital Budgets**
Recommended Action: That the City Council review the proposed fiscal year 2018-19 (FY 2019) operating & capital budget as presented; provide direction to staff to proceed with finalizing the budget; and establish June 19, 2018, as the date for a public hearing and adoption of the FY 2019 operating and capital budget, as well as the Gann Spending Limit.

This is the time and place for a public hearing to review the proposed fiscal year 2018-19 (FY 2019) operating & capital budget as presented; provide direction to staff to proceed with finalizing the budget; and establish June 19, 2018, as the date for a public hearing and adoption of the FY 2019 operating and capital budget, as well as the Gann Spending Limit.

Finance Director Takahashi presented staff report dated June 5, 2018.

Mayor Resnikoff 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 Resnikoff closed the public hearing.

After discussion, **M/S: Waterman/Cristina - that the City Council establish June 19, 2018, as the date for a public hearing and adoption of the FY 2019 Operating and Capital Budget, as well as the Gann Spending Limit. Motion was approved by the following roll call vote:**

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

OLD BUSINESS

16. **Consideration of Revenue Measure Ballot Language**

Recommended Action: Consider potential ballot language and provide staff with direction to return to the City Council and present a Resolution of Necessity and an Ordinance placing a general obligation bond measure on the November 6, 2018 General Election ballot.

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.

Mayor Resnikoff left the Council Chambers.

City Manager Loventhal presented staff report dated June 5, 2018.

Anne Souza, Campbell resident, commented on the language used for the 75-word statement.

Cheryl Houts, Campbell resident, spoke about the library and stated concerns with the language used for the 75-word statement.

Steve Saunders, Campbell resident commented on the number of words in the statement.

Campbell resident questioned new or renovated police station.

Council commented on the use of the word "civic center" and "modern" and provided suggested alternative wording as well as suggested a revised order of the wording.

After discussion, **M/S: Landry/Gibbons - that the City Council directs staff to come back with valid language in keeping with the direction of the Council and to present a resolution of necessity and an ordinance placing a general obligation bond on the November 6, 2018 General Election ballot. Motion was adopted by the following roll call vote:**

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

Council took a ten minute recess.

Mayor Resnikoff came back into the Council Chambers and reconvened the meeting.

NEW BUSINESS

17. **Accessory Dwelling Unit (ADU) Ordinance Update – Request for City Council Direction on the Minimum Lot Size**
Recommended Action: That the City Council provide direction on the minimum lot size requirement to be incorporated in a revised Accessory Dwelling Unit Ordinance.

Senior Planner Fama presented staff report dated June 5, 2018.

Jennifer Moore, Campbell resident, commented on ADUs and stated she was against eliminating minimum lot size.

Audrey Kiehtreiber, president of San Tomas Area Community Coalition, commented on minimum lot sizes and suggested revisions.

Shirley Chan, Campbell resident, commented on ADUs and stated support for a reduction or elimination of lots size and modified setbacks.

Larry Hayes, Campbell resident, stated support for Senate Bill 831 and would like to have the option to build a small unit in his backyard.

Scott Rees, Campbell resident, commented on ADUs and would like to be involved in providing input.

Bob Dougherty, Campbell resident, commented on ADUs and provided suggestion for requirements.

Mathew Reed, Policy Manager for Silicon Valley at Home, commented on affordable housing and minimum lot sizes for ADUs.

Raja Pallela, Campbell resident, commented on reviewing the San Tomas Area Plan in regards to ADUs.

Maryanne Yoshikawa, Campbell resident, commented on ADUs and affordable housing.

Council provided feedback and had a general consensus that there should be no minimum as long as there are other controls.

Councilmember Cristina disconnected from the teleconference.

18. **BMR Administrator Update**
Recommended Action: Accept the Report

Senior Planner McCormick introduced Julius Nyanda from HouseKeys.

Julius Nyanda, representative for HouseKeys, presented an update on the progress of the general administration and the housing programs.

Council accepted the report.

19. **Consideration of Shuttle Services**

Recommended Action: That the City Council provide input to staff regarding the potential implementation of shuttle services in and around the Downtown area and other retail and employment centers.

Public Works Director Capurso presented staff report dated June 5, 2018.

Council discussed and a general consensus of the majority of Council stated support to move this item forward and direct the Economic Development Subcommittee to work with staff. (Councilmember Gibbons was not supportive and Councilmember Cristina was absent).

COUNCIL COMMITTEE REPORTS

20. **Council Committee Reports**

Recommended Action: Report on committee assignments and general comments.

Due to the time this item was continued to the June 19, 2018 Council meeting.

ADJOURN

Mayor Paul Resnikoff adjourned the meeting at 11:46 p.m.

APPROVED:

ATTEST:

Paul Resnikoff, Mayor

Wendy Wood, City Clerk