

CITY COUNCIL MINUTES

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



REGULAR MEETING OF THE CAMPBELL CITY COUNCIL

Tuesday, June 19, 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 Phil Alne, Beautiful Day Organizer and Finny Abraham, Pastor for Westgate Church. Mayor Resnikoff presented them with a certificate of appreciation for leading the pledge.

SPECIAL PRESENTATIONS AND PROCLAMATIONS

1. **Appreciation for "Beautiful Day" Volunteer Improvement Project**

Recommended Action: It is recommended that the City Council recognize the event planners, volunteers and donors associated with the recently completed "Beautiful Day" improvement project at Civic Center over the weekend of April 28-29, 2018.

Mayor Resnikoff presented Phil Alne, Beautiful Day Organizer, and Finny Abraham, Pastor for Westgate Church with a proclamation in appreciation of the volunteer effort provided on the "Beautiful Day" project helping to improve the Civic Center grounds around City Hall and the Veterans Memorial site.

Phil Alne and Finny Abraham spoke about the project.

Jim Free spoke about the work that was done on the Veterans memorial site and thanked everyone involved.

2. **Recognition of the Friends of Children with Special Needs**

Recommended Action: That the City Council recognize the Friends of Children with Special Needs group for their involvement in City of Campbell sponsored projects and events with a proclamation.

Mayor Resnikoff presented the Friends of Children with Special Needs representative with a proclamation in appreciation of their volunteer efforts to help maintain and beautify various City of Campbell parks.

COMMUNICATIONS AND PETITIONS

E-Mail from Crystal Mangiameli Regarding a Fee Waiver for Pleasures from the Heart

Recommended Action:

City Manager Loventhal provided a brief explanation of this item.

After discussion, **M/S: Cristina/Gibbons - that the City Council direct staff to bring back this item on a future agenda to discuss the possibility of allowing a fee waiver for this issue. Motion was adopted unanimously.**

ORAL REQUESTS

Mike Kotowski, Campbell resident and Event Chairman for the Veterans Memorial Foundation, wanted to thank Community Services and other City staff on all the work they do for the Veterans Memorial events.

Dan Furtado, Campbell resident, spoke about traffic studies not planning for the concept of “weaving” and would like a more open process for the public to speak on the general plan.

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, 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.”

A great way to support the City of Campbell Ainsley House and Museum Foundation is by volunteering to cook and cater the food and libations for the summer concert series. Schedules and signup sheets will be available next week as we fill the remaining shifts for this great annual event and fundraiser.

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 <<http://www.cityofcampbell.com>>.

The City Council invites applications from current commission members and interested citizens for the following: the Planning and Civic Improvement Commissions 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.

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 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 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.

Councilmember Cristina asked to pull item six.

The consent calendar was considered as follows:

3. **Minutes of City Council Regular Meeting of June 5, 2018**

Recommended Action: This action approves regular meeting minutes of June 5, 2018.

This action approves the regular meeting minutes of June 5, 2018.

4. **Approving Bills & Claims**

Recommended Action: Approve the bills and claims in the amount of \$1,036,828.12.

This action approves the bills and claims checks in the amount of \$1,036,828.12 as follows: bills and claims checks dated May 28, 2018, in the amount of \$496,800.24; payroll checks dated May 31, 2018, in the amount of \$144,154.54; and bills and claims checks dated June 4, 2018, in the amount of \$395,873.34.

5. **Monthly Investment Report- April, 2018**

Recommended Action: That the attached Investment Report for April, 2018 be

noted and filed.

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

6. Third Amendment Senior Nutrition Program Contract FY 18-19 was moved to ITEMS PULLED FROM CONSENT

7. **Live Entertainment Permit Rock Bottom Brewery & Restaurant (Resolution/Roll Call Vote)**

Recommended Action: That the City Council adopt the attached resolution approving a Live Entertainment Permit for Walnut Brewery, Inc. dba Rock Bottom Restaurant and Brewery located at 1875 S Bascom Avenue #700 with live entertainment being allowed Tuesday from 5:00 pm to 7:00 pm.

Resolution 12327 approves a Live Entertainment Permit for Walnut Brewery, Inc. dba Rock Bottom Restaurant and Brewery located at 1875 S Bascom Avenue #700 with live entertainment being allowed Tuesday from 5:00 p.m. to 7:00 p.m.

8. **Proposition 4 - GANN Spending Limitation for FY 18/19 (Resolution/Roll Call Vote)**

Recommended Action: Adopt the change in California per capita income and the change in the County of Santa Clara population as the calculation factors to be used in determining the City's spending limitation for FY 18/19; and adopt the attached resolution establishing the City of Campbell's FY 18/19 appropriations limit at \$70,508,410.

Resolution 12328 adopts the change in California per capita income and the change in the County of Santa Clara population as the calculation factors to be used in determining the City's spending limitation for FY 18/19; and adopt the attached resolution establishing the City of Campbell's FY 18/19 appropriations limit at \$70,508,410.

M/S: Gibbons/Cristina - that the City Council approve the consent calendar with the exception of item 6. 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 6 - Third Amendment Senior Nutrition Program Contract FY 18-19

Recommended Action: It is recommended that the City Council adopt a resolution authorizing the City Manager to execute the Third Amendment to the Contract with the County of Santa Clara to provide a Senior Nutrition Program for FY 18-19.

Councilmember Cristina stated concerns with the cost of the program.

After discussion, **M/S: Gibbons/Landry - that the City Council adopt Resolution 12329 authorizing the City Manager to execute the Third Amendment to the Contract with the County of Santa Clara to provide a Senior Nutrition Program for FY 18-19. 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

There were no agendized items.

OLD BUSINESS

9. **Actions Related to the Submission of a General Bond Measure on the November 2018 General Election (Resolutions/Introduction of 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 an 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 June 19, 2018.

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

Council commented on the 75-word ballot statements and bulleted items in the proposed ordinance and provided feedback on wording.

After discussion, Council came to a general consensus to direct staff to bring this item back with modified language in the 75-word ballot statement and proposed ordinance to reflect their feedback.

Vice Mayor Waterman stated that Council would take a 15 minute recess.

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

NEW BUSINESS

10. **Authorize the City Manager to Execute the BMR Administrator Contract with HouseKeys (Resolution/Roll Call Vote)**

Recommended Action: That the City Council adopts the attached Resolution authorizing the City Manager to execute a 12 month (expiring June 30, 2019) Professional Service Agreement with Nyanda & Associates, LLC, a California Limited Liability Company d/b/a HouseKeys.

Senior Planner McCormick presented staff report dated June 19, 2018.

Garland Yee, Campbell resident, spoke about his BMR house and asked if the rules could be modified.

After discussion, **M/S: Gibbons/Cristina - that the City Council adopt Resolution 12330 authorizing the City Manager to execute a 12 month (expiring June 30, 2019) Professional Service Agreement with Nyanda & Associates, LLC, a California Limited Liability Company d/b/a HouseKeys with an amendment to the contract to have HouseKeys provide an annual update of the funds in and out of the housing reserve.**

After further discussion, **Councilmember Gibbons modified her motion with clarification that the determination will be with the Community Development Director on how to track and report the finances. Councilmember Cristina accepted the modification. Motion was adopted by the following roll call vote:**

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

11. **Adoption of Fiscal Year 2018-19 (FY 19) Operating & Capital Budget and 2019-23 Five-Year Capital Improvement Plan (CIP) (Resolutions/Roll Call Vote)**

Recommended Action: That the City Council approves the attached resolutions adopting the FY 19 City operating and capital budgets, including transfers, in the amounts of \$64,892,456 and \$9,873,200, respectively, for a combined total budget of \$74,765,656; adopting findings that the proposed FY 2019-2023 Capital Improvement Plan projects are categorically exempt under the California Environmental Quality Act (CEQA) and are consistent with the City's General Plan; and approving the five-year plan total of \$20,133,600 and adopting appropriations for FY 19 projects of \$4,936,600.

Finance Director Takahashi presented staff report dated June 19, 2018.

After discussion, **M/S: Gibbons/Waterman - that the City Council approve Resolution 12331 adopting the FY 19 City operating and capital budgets, including transfers, in the amounts of \$64,892,456 and \$9,873,200,**

respectively, for a combined total budget of \$74,765,656; and Resolution 12332 adopting findings that the proposed FY 2019-2023 Capital Improvement Plan projects are categorically exempt under the California Environmental Quality Act (CEQA) and are consistent with the City's General Plan; and approving the five-year plan total of \$20,133,600 and adopting appropriations for FY 19 projects of \$4,936,600; and directing staff to incorporate within the final adopted and published FY 19 budget document any changes or adjustments pursuant to this public hearing and any other minor corrections prior to the budget's final publication. Motion was adopted by the following roll call vote:

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

12. **Review and Discussion of Reserves and Funding Levels**

Recommended Action: That the City Council discuss the adequacy of reserves and provide direction to Staff regarding possible modifications to the existing reserve policies.

Finance Director Takahashi presented staff report dated June 19, 2018

Councilmember Cristina requested more time to review information received regarding the breakdown of the reserves and funding.

After discussion, **M/S: Cristina/Gibbons - that the City Council continue this item to a date uncertain. Motion was adopted unanimously.**

13. **Adopt a Resolution Authorizing an Exception to the 180-Day Wait Period to Rehire a PERS Retiree, Pursuant to the California Public Employees Reform Act 2013 (Resolution/Roll Call Vote)**

Recommended Action: Adopt a resolution authorizing an exception to the 180-day wait period, certifying the appointment of Dennis Nguyen to serve as temporary part time extra help, pursuant to the California Public Employees Reform Act (PEPRA) of 2013.

Finance Director Takahashi presented staff report dated June 19, 2018

After discussion, **Gibbons/Waterman - that the City Council adopt Resolution 12333 authorizing an exception to the 180-day wait period, certifying the appointment of Dennis Nguyen to serve as temporary part time extra help, pursuant to the California Public Employees Reform Act (PEPRA) of 2013 with an amendment to direct staff to provide a Council update in approximately three months for both modernizing the accounting system and/or relocating the service to an external provider. Motion was adopted by the following roll call vote:**

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

COUNCIL COMMITTEE REPORTS

14. **Council Committee Reports**

Recommended Action: Report on committee assignments and general comments.

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

-- Councilmember Landry spoke about the upcoming Recycling and Waste Reduction Commission of Santa Clara County meeting, attended the Veterans Memorial event, and attended the tiny house display at the Santa Clara County Fairgrounds.

-- Vice Mayor Waterman attended the Mustang Auto show where the Police Foundation was selling food, attended the County Library District JPA Board of Director meeting, and attended the Downtown Campbell Business Association meeting.

-- Councilmember Gibbons attended the Association of Bay Area Government Executive Committee meeting, the Education Subcommittee meeting, Friends of the Heritage Theatre meeting, and the Silicon Valley Clean Energy JPA Board of Director meeting.

-- Mayor Resnikoff attended the West Valley Sanitation District Board meeting and the Cities Association of Santa Clara County Selection Committee and Legislative Action Committee meeting.

ADJOURN

Mayor Paul Resnikoff adjourned the meeting at 10:58 p.m.

APPROVED:

ATTEST:

Paul Resnikoff, Mayor

Wendy Wood, City Clerk