

CITY COUNCIL MINUTES

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



REGULAR MEETING OF THE CAMPBELL CITY COUNCIL

Tuesday, July 17, 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 Tyler Freitas, Recreation Intern; Natasha Bissell, Recreation Services Manager; Tina Wong-Erling, Senior Services Supervisor; and Regina Maurantonio, Recreation and Community Services Director, in recognition of "Parks Make Life Better Month."

SPECIAL PRESENTATIONS AND PROCLAMATIONS

1. **Presentation by Recreation Staff Regarding "Agents of Discovery"**
Recommended Action: Accept presentation.

Recreation Intern, Freitas gave a brief presentation of the "Agents of Discovery" app.

COMMUNICATIONS AND PETITIONS

There were no communications and petitions.

ORAL REQUESTS

There were no oral requests.

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, through August 9, at the Orchard City Green located between City Hall and the Campbell Library. Thursday, July 19, will feature “Long Train Running” and on July 26, “Uncle Rico.”

Community Christian and Campbell Recreation Community Services Department present, free Movie Family Nights. Join us under the stars at John D. Morgan Park. Bring your lawn chairs, blankets, jackets and snacks. Movie night 8:00 p.m. Friday, July 27, will feature “Coco.”

The 35th annual National Night Out, sponsored by the National Association of Town Watch will be held on Tuesday, August 7, from 6:00 to 9:00 p.m. Join Police staff along with neighborhood groups, and city leaders, in celebrating this amazing community building event. For more information, or if you plan on having a neighborhood event, please call (408) 866-2171.

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 a.m. 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 Sunday, 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.

Vice Mayor Waterman asked to pull item six.

Mayor Resnikoff pulled item twelve.

The consent calendar was considered as follows:

2. Minutes of City Council Regular Meeting of July 3, 2018

Recommended Action: This action approves Regular Meeting minutes of July 3, 2018.

This action approves the regular meeting minutes of July 3, 2018.

3. **Approving Bills & Claims**

Recommended Action: Approve the bills and claims in the amount of \$1,783,635.97.

This action approves the bills and claims checks in the amount of 1,783,635.97 as follows: bills and claims checks dated June 25, 2018, in the amount of \$885,600.80; and bills and claims checks dated July 2, 2018, in the amount of \$898,035.17.

4. **Monthly Investment Report- May, 2018**

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

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

5. **Accept Donation to Campbell Recreation Scholarship Program**

Recommended Action: It is recommended that the City Council accept a donation of \$1,000.00 from the Downtown Campbell Business Association to support the Youth Recreation Scholarship program.

This action accepts a donation of \$1,000.00 from the Downtown Campbell Business Association to support the Youth Recreation Scholarship program.

6. Declaring July 2018 as Parks Make Life Better Month was moved to ITEMS
PULLED FROM CONSENT

7. **Authorize the City Manager to Execute the Fifteenth Amendment to the Master Agreement with Compass Group USA/Bateman Division to Provide Catered Meals for the Senior Nutrition Program for FY 18-19. (Resolution/Roll Call Vote)**

Recommended Action: It is recommended that the City Council adopt a resolution authorizing the City Manager to execute the fifteenth amendment to the Master Agreement with Compass Group USA/Bateman Division to provide catered meals for the Senior Nutrition Program for FY 18-19.

Resolution 12336 authorizes the City Manager to execute the fifteenth amendment to the Master Agreement with Compass Group USA/Bateman Division to provide catered meals for the Senior Nutrition Program for FY 18-19.

8. **MoonChef Agreement FY 2018-2019 (Resolution/Roll Call Vote)**

Recommended Action: It is recommended that the City Council adopt a

resolution authorizing the City Manager to execute an Agreement with MoonChef, LLC, to provide catered meals for the Senior Nutrition Program during FY 18-19.

Resolution 12337 authorizes the City Manager to execute an Agreement with MoonChef, LLC, to provide catered meals for the Senior Nutrition Program during FY 18-19.

9. **Approval of the Vacation of a Sanitary Sewer Easement Across a Portion of the Property Known as 276 E. Campbell Avenue, and Direct the City Clerk to Record the Resolution (Resolution/Roll Call Vote)**

Recommended Action: That the City Council adopt the attached resolution (Attachment 1): vacating the Sanitary Sewer Easement recorded on April 3, 2012, as Document No. 21608336 against a portion of the property known as 276 East Campbell Avenue; and directing the City Clerk to record the resolution.

Resolution 12338 vacates the Sanitary Sewer Easement recorded on April 3, 2012, as Document No. 21608336 against a portion of the property known as 276 East Campbell Avenue; and directs the City Clerk to record the resolution.

10. **Authorization to Submit Santa Clara County Vehicle Emissions Reduction Based at Schools (VERBS) Program Grant Application for Harriet Avenue Sidewalk Project (Resolution/Roll Call Vote)**

Recommended Action: That the City Council adopt the attached resolution authorizing the Public Works Director to submit a Santa Clara County Vehicle Emissions Reduction Based at Schools (VERBS) Program grant application to Santa Clara Valley Transportation Authority (VTA) for the Harriet Avenue Sidewalk Project.

Resolution 12339 authorizes the Public Works Director to submit a Santa Clara County Vehicle Emissions Reduction Based at Schools (VERBS) Program grant application to Santa Clara Valley Transportation Authority (VTA) for the Harriet Avenue Sidewalk Project.

11. **Live Entertainment Permit Doubletree by Hilton Campbell (Resolution/Roll Call Vote)**

Recommended Action: That the City Council adopt the attached resolution approving a Live Entertainment Permit for CFEP Pruneyard LLC dba Doubletree by Hilton Campbell - Pruneyard located at 1995 S. Bascom Avenue with live entertainment being allowed Wednesday between the hours of 6:00 p.m. and 8:00 p.m. and Thursday through Saturday between the hours of 5:00 p.m. and 10:00 p.m.

Resolution 12340 approves a Live Entertainment Permit for CFEP Pruneyard LLC dba Doubletree by Hilton Campbell - Pruneyard located at 1995 S. Bascom Avenue with live entertainment being allowed Wednesday between the hours of 6:00 p.m. and 8:00 p.m. and Thursday through Saturday between the hours of

5:00 p.m. and 10:00 p.m.

12. Carnival Permit and Waiver of Fees for St. George Coptic Orthodox Church was moved to ITEMS PULLED FROM CONSENT

M/S: Cristina/Gibbons - that the City Council approve the consent calendar with the exception of item six and twelve. Motion was adopted by the following roll call vote:

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

ITEMS PULLED FROM CONSENT

6. **Declaring July 2018 as Parks Make Life Better Month (Resolution/Roll Call Vote)**

Recommended Action: That the City Council adopt a resolution declaring the month of July 2018 as Parks Make Life Better month.

Mayor Resnikoff stated his appreciation to the Parks and Recreation staff.

M/S: Gibbons/Waterman - that the City Council adopt Resolution 12335 declaring the month of July 2018 as Parks Make Life Better month. Motion was adopted by the following roll call vote:

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

12. **Carnival Permit and Waiver of Fees for St. George Coptic Orthodox Church (Resolution/Roll Call Vote)**

Recommended Action: The City Council adopts a resolution approving the issuance of a Carnival Permit for the St. George Coptic Orthodox School Carnival on August 25, and 26, 2018; and waive 50% of the permit fee.

Mayor Resnikoff commented on the fee waiver process.

M/S: Gibbons/Landry - that the City Council adopt Resolution 12341 approving the issuance of a Carnival Permit for the St. George Coptic Orthodox School Carnival on August 25, and 26, 2018; and waive 50% of the permit fee. 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

13. Lighting and Landscaping District, Fiscal Year 2018/19 - Confirming Assessments (Resolution/Roll Call Vote)

Recommended Action: That the Council conduct a Public Hearing for comments regarding the levy of assessments for the City of Campbell Lighting and Landscaping District (LLA-1) for Fiscal Year (FY) 2018/19 and adopt the attached Resolution overruling protests, if any, approving the Engineer's Report, ordering the improvements, and confirming the diagram and assessments.

This is the time and place for a public hearing for comments regarding the levy of assessments for the City of Campbell Lighting and Landscaping District (LLA-1) for Fiscal Year (FY) 2018/19 and adopt a resolution overruling protests, if any, approving the Engineer's Report, ordering the improvements, and confirming the diagram and assessments.

Mayor Resnikoff gave opening statements, declared the public hearing open and asked if there was anyone in the audience wishing to be heard.

City Clerk Wood read the Clerk's statement verifying public hearing notification and stated that no protests were received.

Senior Civil Engineer Storz provided statement regarding the nature of the lighting and landscape district.

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

M/S: Gibbons/Landry - that the City Council adopt Resolution 12342 approving the Engineer's Report, ordering the improvements, and confirming the diagram and assessments for the City of Campbell Lighting and Landscaping District LLA-1 for Fiscal Year 2018-19. Motion was adopted by the following roll call vote:

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

14. Placing the Cost of Abating Hazardous Vegetation on the Property Tax Assessment Roll (Resolution/Roll Call Vote)

Recommended Action: Adopt a resolution, placing the cost of abating hazardous vegetation on the property tax assessment roll.

This is the time and place for a public hearing to consider Placing the Cost of Abating Hazardous Vegetation on the Property Tax Assessment Roll.

Senior Planner Fama presented staff report dated July 17, 2018.

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

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

After discussion, **M/S: Gibbons/Landry- that the City Council adopt Resolution 12343 placing the cost of abating hazardous vegetation on the property tax assessment roll. Motion was adopted by the following roll call vote:**

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

15. **Actions Related to the Submission of a General Bond Measure on the November 2018 General Election (Resolutions/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 the draft 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 July 17, 2018.

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

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

Councilmember Cristina suggested revised language to the second bulleted item in Section 3 of the ordinance to include the words “new,” “building,” as well as changing the last bulleted item to state “renovate and make seismically safe existing police building for other City purposes.”

Bond Counsel from Jones Hall Law Firm, Katie Dobson, suggested additional language to revise the last sentence in Section 3 of the ordinance to state “the final cost of each Improvement will be determined as plans are finalized, construction bids are awarded, and projects are completed, and therefore there is no guarantee that each of the listed Improvements will be completed.”

Councilmember Gibbons suggested revising the language in Section 6 of the ordinance to clarify that the City expects to issue the bonds at the prevailing market rates.

After discussion, **M/S: Landry/Gibbons: that the City Council adopt Resolution 12344 Resolution of Necessity determining that the public interest and necessity demand the acquisition, construction and improvement of municipal improvement projects, and their financing through the issuance of General Obligation Bonds. Motion was adopted by the following roll call vote:**

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

M/S: Cristina/Landry - that the City Council adopt Resolution 12345 calling an election, ordering the submission of the proposition of incurring bond indebtedness to the qualified voters of the City and making certain requests to the Board of Supervisors of the County and the County Registrar with an amendment to Section 4 to include revised language to the second bulleted item include the words “new,” “building,” and revised the last bulleted item to state “renovate and make seismically safe existing police building for other City purposes;” revise the last sentence in Section 4 to state “the final cost of each Improvement will be determined as plans are finalized, construction bids are awarded, and projects are completed, and therefore there is no guarantee that each of the listed Improvements will be completed;” and revised language in Exhibit A Section 3 to include previously mentioned changes; and add language to the end of the first sentence in Section 6 to include the wording “though the City expects to issue the bonds at prevailing market rates.” Motion was adopted by the following roll call vote:

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

M/S: Landry/Cristina - that the City Council take first reading of Ordinance

2235 as presented in the desk item and including amendments to the second bulleted item in section 3 of the ordinance to include the words “new,” “building,” and revised the last bulleted item to state “renovate and make seismically safe existing police building for other City purposes;” revise the last sentence in Section 3 to state “the final cost of each Improvement will be determined as plans are finalized, construction bids are awarded, and projects are completed, and therefore there is no guarantee that each of the listed Improvements will be completed;” and add language to the end of the first sentence in Section 6 to include the wording “though the City expects to issue the bonds at prevailing market rates.” Motion was adopted by the following roll call vote:

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

City Clerk Wood read the title of Ordinance 2235.

M/S: Waterman/Gibbons - that the City Council waive further reading of Ordinance 2235. Motion was approved unanimously.

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

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

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

NEW BUSINESS

16. **RYDE Program Update**

Recommended Action: Accept update on RYDE Program and provide direction on FY 2018-2019 funding.

Senior Services Supervisor Wong-Erling introduced Josh Selo, Executive Director for West Valley Community Services.

Josh Selo, Executive Director for West Valley Community Services, presented an update of the RYDE program.

After discussion, **M/S: Cristina/Gibbons - that the City Council accept the**

update on RYDE Program and approve FY 2018-2019 funding.

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

COUNCIL COMMITTEE REPORTS

17. **Council Committee Reports**

Recommended Action: Report on committee assignments and general comments.

--Councilmember Gibbons spoke about the upcoming Association of Bay Area Governments Executive Committee meeting; spoke about the Campbell Historic Museum and Ainsley House Foundation's fund raising with the sales of food and beverages at the summer concerts; spoke about the Friends of the Heritage Theater's annual retreat; spoke about Silicon Valley Clean Energy; attended a marijuana round table in San Jose; and attended a site visit for modular ADUs.

--Mayor Resnikoff attended the West Valley Sanitation District's performance recognition luncheon; attended the Relay for Life event; and spoke about the City receiving the 2017 Tree City USA designation from the Arbor Day Foundation.

Councilmember Gibbons commented on the fees study and requested to get the projected fees associated with single-family and multi-family residences and mixed use projects. Councilmember Gibbons also commented on requiring underground parking in the East Campbell Avenue and Winchester Boulevard Master Plan.

Councilmember Landry commented on SB 1383 recycling waste food use, spoke about getting City buildings green certified, and spoke about designating Campbell as an all-inclusive City.

Councilmember Cristiana spoke about getting an update on the Silicon Valley Clean Energy program.

M/S: Cristina/Landry - that the City Council direct staff to prepare an update on the Silicon Valley Clean Energy program for discussion to a date uncertain. Motion was adopted unanimously.

M/S: Landry/Gibbons - that the City Council direct staff to prepare an informational report on green certification of City buildings. Motion was adopted unanimously.

M/S: Gibbons/Landry - that the City Council direct staff to prepare an informational report for housing fees, utilizing the new proposed fees once

they are available. Motion was adopted unanimously.

ADJOURN

Mayor Paul Resnikoff, adjourned the meeting at 9:57 PM

APPROVED:

ATTEST:

Paul Resnikoff, Mayor

Wendy Wood, City Clerk