

CITY COUNCIL MINUTES

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



CITY COUNCIL EXECUTIVE SESSION
Tuesday, September 17, 2019 – 7:00 p.m.
Ralph Doetsch Conference Room - 70 N. First Street

- A. Personnel
- B. Litigation
- C. Real Property
- D. Labor Negotiations – Pursuant to G.S. Section 54957.6: Conference with Labor Negotiator – Agency Negotiator: Jill Lopez, Human Resources Manager. Employee Organization: Campbell Peace Officers Association (CPOA)

Council met in Executive Session to discuss Item D. Council adjourned at 7:25 p.m.

REGULAR MEETING OF THE CAMPBELL CITY COUNCIL
Tuesday, September 17, 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
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PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Officer Chris Kimma. Mayor Waterman recognized Officer Kimma for his service in the Police Department and presented him with a certificate of appreciation for leading the pledge.

Acting Police Chief Berg commented on Officer Kimma's retirement.

SPECIAL PRESENTATIONS AND PROCLAMATIONS

There were no special presentations or proclamations.

COMMUNICATIONS AND PETITIONS

There were no communications or petitions.

ORAL REQUESTS

Ming Hong Yang, Campbell resident, commented on issues with the homeless and submitted his comments for the record.

COUNCIL ANNOUNCEMENTS

The American Foundation for Suicide Prevention and the Civic Improvement Commission present "Youth Mental Health First Aid Training" on Sunday, September 22, from 8:30 a.m. to 5:30 p.m. at the Campbell Community Center. This training is designed for adults who regularly interact with young people. Learn how to help an adolescent who is experiencing a mental health or addictions challenge or is in crisis. This training is free to community members. For more information, visit www.afspsfbay@gmail.com.

The Santa Clara County Office of LGBTQ Affairs, in partnership with the City of Campbell, will host an LGBTQ Listening Forum on Tuesday, September 24, from 6:30 p.m. to 8:30 p.m. in room Q80 at the Community Center. Recreation staff will provide free childcare during the meeting in room Q84.

Please join Mayor Waterman at the annual State of the City Address as he discusses the current state of the City, recent accomplishments, and provides information on upcoming projects. The State of the City Address will be held at the Orchard City Banquet Hall on Thursday, September 26. Doors will open at 5:30 p.m. and the event will begin promptly at 6:00 p.m. Please RSVP to www.MayorStateOfTheCity@cityofcampbell.com by Thursday, September 19.

The next History Happy Hour lecture at the Ainsley House will be held on Friday, September 27, from 5:30 p.m. to 7:30 p.m. Join Anita Kwock from the Chinese

Historical and Cultural Project as she discusses the history of Chinese and Chinese Americans in Santa Clara County. For reservations please visit www.campbellmuseums.com.

The Ainsley House and Museum are recruiting for the following volunteers opportunities: Docents, Greeters, Garden Volunteers, and Special Events volunteers. They are also looking for board members to serve on the Campbell Museum Foundation Board. For more information, please visit www.campbellmuseum.com.

The Civic Improvement Commission is accepting entries for the “Capture Campbell” youth photo contest. “Capture Campbell” inspires youth to engage and view their community through photography. Participants must be 18 and under and live in Campbell. Entries are accepted through Monday, September 30. 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 pull an item from the Consent Calendar.

Vice Mayor Landry asked to pull items one and five.

The Consent Calendar was considered as follows:

2. **Minutes of City Council Regular Meeting of September 3, 2019**

Recommended Action: Approve the regular meeting minutes of September 3, 2019.

This action approves the regular meeting minutes of September 3, 2019.

3. **Approving Bills and Claims**

Recommended Action: Approve the bills and claims in the amount of \$1,628,891.57.

This action approves the bills and claims in the amount of \$1,628,891.57 as follows: payroll checks dated August 22, 2019, in the amount of \$224,172.48; bills and claims checks dated August 26, 2019, in the amount of \$384,100.42; and bills and claims checks dated September 2, 2019, in the amount of \$1,020,618.67.

4. **Resolution Commending Officer Chris Kimma for Service to the City of Campbell (Resolution/Roll Call Vote)**

Recommended Action: Adopt a resolution commending Officer Chris Kimma for the outstanding service he provided to the City of Campbell.

Resolution 12500 commends Officer Chris Kimma for the outstanding service he provided to the City of Campbell.

6. **Approval of Budget Adjustment for Bike/Pedestrian Traffic Safety Improvements (Resolution/Roll Call Vote)**

Recommended Action: That the City Council adopt a resolution approving a budget adjustment for the Bike/Pedestrian Traffic Safety Project 18-CC.

Resolution 12501 approves a budget adjustment for the Bike/Pedestrian Traffic Safety Project 18-CC.

7. **Water Tower Lighting Request - Teal Foundation**

Recommended Action: It is recommended that the City Council approve the Water Tower Lighting application related to September 2019 National Ovarian Cancer Awareness month.

This action approves the Water Tower Lighting application related to September 2019 National Ovarian Cancer Awareness month.

M/S: Resnikoff/Gibbons – that the City Council approve the consent calendar with the exception of items one and five. 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

1. **Minutes of City Council Study Session Meeting of September 3, 2019**

Recommended Action: Approve the study session meeting minutes of September 3, 2019.

Vice Mayor Landry commented on the minutes and providing a summary of discussion.

After discussion, **M/S: Landry/Gibbons - that the City Council not approve the study session meeting minutes and that they are brought back to the next meeting with what was summarized.**

After further discussion, Vice Mayor Landry withdrew her motion and Councilmember Gibbons accepted the withdrawal.

M/S: Resnikoff/Landry - to approve the study session minutes of September 3, 2019 and direct staff to incorporate a summary of direction into future study session minutes. The motion was adopted unanimously.

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

5. **Adopt Santa Clara Countywide Bicycle Plan**
Recommended Action: That the City Council adopt a resolution adopting the Santa Clara Countywide Bicycle Plan.

Vice Mayor Landry stated concerns with pursuing grants for projects not listed on priorities or five-year CIP projects lists.

After discussion, **M/S: Landry/Resnikoff - that the City Council adopt Resolution 12502 adopting the Santa Clara Countywide Bicycle Plan. Motion was adopted by the following roll call vote:**

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

PUBLIC HEARINGS AND INTRODUCTION OF ORDINANCES

8. **Appeal of Massage Establishment Permit Revocation - LT Day Spa Located at 2050 S. Bascom Avenue, Campbell California (Resolution/Roll Call Vote)**
Recommended Action: That the City Council adopt a resolution that rejects the appeal of the revocation of the massage establishment permit for LT Day Spa and its owner Linda Tang.

This is the time and place for a public hearing to hear an appeal of a massage establishment permit revocation for LT Day Spa located at 2050 S. Bascom Avenue, Campbell, California.

City Clerk Wood swore in all testifying parties.

Police Sergeant White presented the staff report dated September 17, 2019.

Appellant’s attorney Warren Nguyen presented his case on behalf of his client Linda Tang owner of LT Day Spa.

Linda Tang made comments about the business and spoke in favor of the appeal.

Police Sergeant White answered questions from Council.

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.

Appellant's attorney Warren Nguyen gave closing remarks in response to concerns of employees living in the establishment.

After discussion, **M/S: Resnikoff/Gibbons - that the City Council adopt Resolution 12503 rejecting the appeal of the revocation of the massage establishment permit for LT Day Spa and its owner Linda Tang. Motion was adopted by the following roll call vote:**

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

UNFINISHED BUSINESS

9. **Review of Campbell Park Conceptual Design Alternatives**

Recommended Action: That the City Council receive the Community Input Summary Memo for the Campbell Park Improvement Project 17-DD, and provide feedback to staff regarding the conceptual design alternatives

Associate Civil Engineer DeLeon presented the staff report dated September 17, 2019.

David Rubin a representative from Callandar Associates, spoke about the project and the two proposed concepts.

Student from Prospect High School commented on the possibility of installing a horseshoe pit.

After Council discussion, Public Works Director Capurso and City Engineer Olay summarized the comments of Council and stated that there was a general consensus to have staff review the possibility of adding the following: swings, a sand play area, a water feature, more shade, and a family restroom. It was stated that there was also a general consensus, that they preferred the more natural elements of concept A, such as the logs, they liked the idea of the spinner and did not like the fort concept. Additional items of concern for Council included surfacing material and placement of picnic tables.

NEW BUSINESS

10. **Pilot Beautification Grant Program Update (Resolution/Roll Call Vote)**

Recommended Action: The Civic Improvement Commission recommends that the City Council adopt a resolution to approve the continuation of the Pilot Beautification Grant Program.

Civic Improvement Vice-Chair Hoffman presented the report dated September 17, 2019.

Student from Prospect High School asked if there were surveys or reviews done to see if the changes were noticed.

After discussion, **M/S: Gibbons/Resnikoff - that the City Council adopt Resolution 12504 to approve the continuation of the Beautification Grant Program. Motion was adopted by the following roll call vote:**

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

11. **Quimby Act Parkland Dedication and In-Lieu Fee Update (Resolution/Roll Call Vote)**

Recommended Action: That the City Council adopt a resolution directing staff to return with the necessary ordinance and fee schedule updates to 1) Implement new Parkland Dedication In-Lieu (Section 20.24) and Park Impact Fees (Section 13.08) consistent with a land valuation of \$3,876,087 per acre; 2) Revise the Parkland Dedication requirement in Section 13.08 from four acres per 1,000 residents to the same three acres per 1,000 residents required by Section 20.24; 3) Implement these new fees effective January 1, 2020, allowing projects already approved or on-file with the Planning Division prior to December 31, 2019, to pay the rates in effect prior to this adjustment; 4) Defer changing the number of residents per unit until the 2020 Census data is available; and 5) Defer discussion of an additional Park Development Impact Fee to a future date.

Senior Civil Engineer Storz presented the staff report dated September 17, 2019.

Wenjie Fu, representative from DTA presented financial information related to the parkland dedication and proposed fee rates.

Raja Pallela, Campbell resident, commented on the park impact fee's impact on ADUs, single-family, and multifamily residents; and requested that the fee be eliminated or changed for ADUs.

After discussion, **M/S: Gibbons/Landry - that the City Council adopt Resolution 12505 directing staff to return with the necessary ordinance and fee schedule updates to 1) Implement new Parkland Dedication In-Lieu (Section 20.24) and Park Impact Fees (Section 13.08) consistent with a land valuation between \$2 million and \$4 million per acre; 2) Revise the Parkland Dedication requirement in Section 13.08 from four acres per 1,000 residents to the same three acres per 1,000 residents required by Section 20.24; 3) Implement these new fees effective December 24, 2019, allowing projects**

already on-file with the Planning Division and the application deemed complete prior to December 24, 2019, to pay the rates in effect prior to this adjustment; 4) Defer changing the number of residents per unit until the 2020 Census data is available; and 5) Include in staff return of the ordinance as identified in action one to include a recommendation on the Park Development Impact Fees Assembly Bill 1600 with the goal that together the two fees would not be greater than the two million to four million dollar range.

After further discussion, Councilmember Gibbons revised her motion to amend action five removing her previously stated language and replacing it with the following: "defer discussion of an additional Park Development Impact Fee to a future date." Vice Mayor Landry accepted the amendment.

After more discussion, Councilmember Gibbons amended her motion to add "that what comes back provides a better balance between the single-family and multifamily and clarifying that it includes information on the impact of ADUs." Vice Mayor Landry accepted the amendment.

City Clerk Wood asked for clarification on the motion. Motion was clarified as follows: **that the City Council adopt Resolution 12505 directing staff to return with the necessary ordinance and fee schedule updates to 1) Implement new Parkland Dedication In-Lieu (Section 20.24) and Park Impact Fees (Section 13.08) consistent with a land valuation between \$2 million and \$4 million per acre; 2) Revise the Parkland Dedication requirement in Section 13.08 from four acres per 1,000 residents to the same three acres per 1,000 residents required by Section 20.24; 3) Implement these new fees effective December 24, 2019, allowing projects already on-file with the Planning Division and the application deemed completed prior to December 24, 2019 to pay the rates in effect prior to this adjustment; 4) Defer changing the number of residents per unit until the 2020 Census data is available; and 5) Defer discussion of an additional Park Development Impact Fee to a future date; and amended adding that what comes back provides a better balance between the single-family and multifamily and clarifying that it includes information on the impact of ADUs. Motion was adopted by the following roll call vote:**

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

COUNCIL COMMITTEE REPORTS

12. Council Committee Reports

Recommended Action: Report on committee assignments and general

comments.

This item was continued to the next meeting.

ADJOURN

Mayor Waterman adjourned the meeting at 10:57 p.m.

APPROVED:

ATTEST:

Richard M. Waterman, Mayor

Wendy Wood, City Clerk