

CITY COUNCIL MINUTES

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



REGULAR MEETING OF THE CAMPBELL CITY COUNCIL

Tuesday, October 16, 2018 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
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 Mayor Resnikoff.

SPECIAL PRESENTATIONS AND PROCLAMATIONS

There were no special presentations and proclamations.

COMMUNICATIONS AND PETITIONS

There were no communications and petitions.

ORAL REQUESTS

There were no oral requests.

COUNCIL ANNOUNCEMENTS

The Police Department is once again helping support Breast Cancer Awareness with the "Pink Patch Project." This month, officers may choose to wear a pink Campbell Police shoulder patch on their uniforms. The general public may also purchase these specially designed patches. All sale proceeds are donated to non-profits supporting breast cancer awareness.

There is still time to participate in the 11th annual Oktoberfest 5K and 10K Fun Run. The Run will take place on Saturday, October 20 at 9:00 a.m. at Campbell Park. The cost is \$45 for adults and \$25 for youth. For more information, please visit www.cityofcampbell.com.

The Downtown Campbell Business Association is hosting the annual Creepy Crawly Halloween Trick-or-Treat event! This year, the event will be held on Sunday, October 28 from 4:00 p.m. to 6:00 p.m. and feature live entertainment and activities. Downtown shops and boutiques will be open and hand out treats to little goblins.

The Campbell Veterans Memorial Foundation is hosting its annual "Saluting Our Veterans Gala Dinner & Fundraiser" on Saturday, November 10 from 5:30 p.m. to 9:00 p.m. The Foundation supports a scholarship fund for returning veterans who wish to pursue post-secondary education. For event information, please visit www.campbellveteransmemorial.org

The Silicon Valley Leadership Group has challenged our City Council to participate in the 14th annual Silicon Valley Turkey Trot! The winner gets bragging rights and holds the "Mayor's Cup" trophy for a year. The race will be held on November 22 - Thanksgiving morning. The fundraising goal is \$1 million dollars and will support local charities. For more information, please visit www.svturkeytrot.com.

The City's Civic Improvement Commission is accepting applications for the Beautification Grant program. This funding is to support projects that improve the aesthetics of neighborhoods and businesses. Applicants may apply for projects between \$500 and \$5,000. Grants are awarded as reimbursement for completed work. For more information, please visit 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 eight. Councilmember Landry and member of the public asked to pull item eleven.

The Consent Calendar was considered as follows:

1. **Minutes of City Council Regular Meeting of October 2, 2018.**

Recommended Action: This action approves regular meeting minutes of October 2, 2018

This action approved the regular meeting minutes of October 16, 2018.

2. **Approving Bills and Claims**

Recommended Action: Approve the bills and claims in the amount of \$1,496,020.15.

This action approves the bills and claims in the amount of \$1,496,020.15 as follows: payroll checks dated September 20, 2018 in the amount of \$84,300.93; bills and claims checks dated September 24, 2018 in the amount of \$446,096.22; and bills and claims checks dated October 1, 2018 in the amount of \$965,623.00.

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

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

This action is to note and file the Monthly Investment report for August, 2018.

4. **Approval of the FY 2018-19 City of Campbell Investment Policy Update (Resolution/Roll Call Vote)**

Recommended Action: It is recommended that City Council adopt a resolution approving the annual review of the City's Investment Policy.

Resolution 12366 approves the annual review of the City's Investment Policy.

5. **Second Reading of Ordinance 2237 Amendment to Chapter 2.40 of the Campbell Municipal Code Conflict of Interest (Second Reading of Ordinance/Roll Call Vote)**

Recommended Action: That the City Council take second reading of Ordinance 2237 amending Chapter 2.40 of the Campbell Municipal Code - Conflict of Interest.

Second reading of Ordinance 2237 amends Chapter 2.40 of the Campbell Municipal Code – Conflict of Interest.

6. **Re-Appropriate Heritage Theatre Preservation and Enhancement Fund Budget Adjustments (Ba3) from Fiscal Year 2018 Operating Budget to Fiscal Year 2019 Operating Budget and Approve Additional Purchase of Replacement Projector (Resolution/Roll Call Vote)**

Recommended Action: That the City Council approve the attached Council Resolution and budget adjustment authorizing the re-appropriation of budget adjustment, BA3, from fiscal year 2018 to fiscal year 2019 and approve the additional appropriation to purchase a replacement projector.

Resolution 12367 approves the re-appropriation of Heritage Theatre preservation

and enhancement fund budgets adjustment from fiscal year 2018 Operating Budget to fiscal year 2019 Operating Budget and approves the additional appropriations to purchase a projector.

7. **Accept Improvements for Annual Street Maintenance – Residential Rubber Cape Seal and Slurry Seal Project 17BB, and File Notice of Completion, and Authorize a Budget Adjustment (Resolution/Roll Call Vote)**

Recommended Action: That the City Council (1) adopt the attached resolution accepting construction of the improvements for the Annual Street Maintenance - Residential Rubber Cape Seal and Slurry Seal Project 17BB; (2) direct the City Engineer to file the Notice of Completion; and (3) authorize the Finance Director to perform a budget adjustment.

Resolution 12368 accepts construction of the improvements for the Annual Street Maintenance Rubber Cape Seal and Slurry Seal Project 17BB and directs the City Engineer to file the Notice of Completion; and authorizes the Finance Director to perform a budget adjustment.

8. **Authorize Issuance of Request for Proposals (RFP) and Authorize the Public Works Director to Execute an Agreement for the Park Dedication In-Lieu and Development Impact Fee Study (19-JJ) was moved to ITEMS PULLED FROM CONSENT**

9. **Approval of Budget Adjustment - Expenditure of Funds to Support the Public Informational Program Related to the November 2018 Ballot Measure (Resolution/Roll Call Vote)**

Recommended Action: That the City Council adopt the attached resolution approving a budget adjustment in the amount of \$28,000 to cover the anticipated costs for consulting services and informational material mailer production.

Resolution 12369 approves a budget adjustment in the amount of \$28,000 to cover the anticipated costs for consulting services and informational material mailer production. 4-0-1 vote (Mayor Resnikoff abstained)

10. **Harriet Avenue Traffic Calming Project 18NN Approval of Plans and Specification, Authorization to Advertise for Bids, Approval of a Budget Adjustment, and Other Associated Actions (Resolution/Roll Call Vote)**

Recommended Action: That the City Council adopt the attached resolution: 1) approving plans and specifications, authorizing the advertisement of bids; 2) authorizing the Public Works Director to award and execute a construction contract and encumber a construction contingency to the lowest responsive and responsible bidder in an amount not to exceed \$620,400; 3) authorizing the City Engineer to negotiate and execute contract change orders up to and within the allocated construction contingency; 4) authorizing the Public Works Director to reject bids and rebid the project should bids received have unamenable irregularities; and, 5) authorizing the Finance Director to execute a budget adjustment for the Harriet Avenue Traffic Calming Project 18NN.

Resolution 12370 approves plans and specifications, authorizing the advertisement of bids; authorizes the Public Works Director to award and execute a construction contract and encumber a construction contingency to the lowest responsive and responsible bidder in an amount not to exceed \$620,400; authorizes the City Engineer to negotiate and execute contract change orders up to and within the allocated construction contingency; authorizes the Public Works Director to reject bids and rebid the project should bids received have unamenable irregularities and, authorizes the Finance Director to execute a budget adjustment for the Harriet Avenue Traffic Calming Project 18NN. 4-0-1 vote (Councilmember Landry abstained)

11. **Approve a Resolution Modifying the “Green” Policies of the City was moved to ITEMS PULLED FROM CONSENT**

M/S: Gibbons/Landry – that the City Council approve the consent calendar with the exception of item eight and eleven. Motion was adopted by the following roll call vote:

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gibbons
SECONDER:	Landry
AYES:	Resnikoff (Abstained from item 9), Waterman, Gibbons, Landry (Abstained from item10), Cristina

ITEMS PULLED FROM CONSENT

8. **Authorize Issuance of Request for Proposals (RFP) and Authorize the Public Works Director to Execute an Agreement for the Park Dedication In-Lieu and Development Impact Fee Study (19-JJ) (Resolution/Roll Call Vote)**
Recommended Action: That the City Council adopt the attached resolution to: 1) authorize issuance of a Request for Proposals (RFP) for the Park Dedication In-Lieu and Development Impact Fee Study (19-JJ); and 2) authorize the Public Works Director to negotiate and execute a consultant services agreement.

Councilmember Cristina commented on Park Dedication In-Lieu fees.

Councilmember Cristina made a motion to take no action on Item 8. Motion failed due to lack of a second.

M/S: Gibbons/Landry - that the City Council adopt Resolution 12371 authorizing the issuance of a Request for Proposals (RFP) for the Park Dedication In-Lieu and Development Impact Fee Study (19-JJ); and authorizing the Public Works Director to negotiate and execute a consultant services agreement. Motion was adopted by the following roll call vote:

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

11. **Approve a Resolution Modifying the “Green” Policies of the City (Resolution/Roll Call Vote)**

Recommended Action: That the City Council approve a resolution modifying the “Green” policies for construction and development in the City.

Councilmember Cristina recused himself from this item due to a potential business conflict and left the Council Chambers.

Jo-Ann Fairbanks, Campbell resident, spoke about "Green" policies in Campbell.

Councilmember Gibbons commented on “Green” policies and the LEED certification process.

After discussion, **M/S: Gibbons/Landry - that the City Council adopt Resolution 12372 modifying the “Green” policies for construction and development in the City with an amendment to eliminate all of the requirements set by Council Resolution 10850. Motion was adopted by the following roll call vote:**

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

PUBLIC HEARINGS AND INTRODUCTION OF ORDINANCES

12. **Approval of 2018-19 Schedule of Fees and Charges (Resolution/Roll Call Vote)**

Recommended Action: That the City Council approve the attached resolution adopting the FY 2018-19 Schedule of Fees and Charges to be effective January 1, 2019.

This is the time and place for a public hearing to consider the approval of the 2018-19 Schedule of Fees and Charges.

Finance Director Takahashi presented staff report dated October 16, 2018.

Terry Madsen, Principal Consultant of ClearSource Financial Consulting, gave a presentation on the User and Regulatory Fee Study.

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

Audrey Kiehtreiber, President of the San Tomas Area Community Coalition (STACC), spoke about appeal fees and submitted her comments for the record as a desk item.

Jo-Ann Fairbanks, Campbell resident spoke about appeal fees and submitted her comments for the record.

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

Council discussed planning department fees as well as the department's processes.

After discussion, **M/S: Landry/Gibbons - that the City Council adopt Resolution 12373 approving the FY 2018-19 Schedule of Fees and Charges to be effective January 1, 2019, including the desk item. Motion was adopted by the following roll call vote:**

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

M/S: Landry/Gibbons - that staff returns to Council with a re-evaluation of fees for the Planning Department mailing of notices, Planned Development permits, Site and Architectural Review, Stormwater fees, outdoor seating, fencing, tree removal, appeal fees, and non-profits fees. Motion was adopted by the following roll call vote:

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

M/S: Cristina/Landry - directed staff to complete an evaluation of efficiency for Planning, and Building Department processes. Motion was adopted by the following roll call vote:

RESULT:	ADOPTED [3 TO 2]
MOVER:	Landry
SECONDER:	Gibbons

AYES:	Resnikoff, Cristina, Landry
NAYS:	Gibbons, Waterman

OLD BUSINESS

There were no agendized items.

NEW BUSINESS

There were no agendized items.

COUNCIL COMMITTEE REPORTS

13. Council Committee Reports

Recommended Action: Report on committee assignments and general comments.

--Councilmember Gibbons attended the Friends of the Heritage Theatre meeting; attended the Silicon Valley at Home presentation; attended the Country Woman's Club of Campbell presentation; spoke about the 18th U.S Congressional District Candidate Forum; and the CERT Wine and Beer fundraiser.

--Councilmember Landry attended the Shared Mobility Ad Hoc Subcommittee and attended the Rolling Hills Neighborhood Association meeting.

--Councilmember Cristina attended the Shared Mobility Ad Hoc subcommittee and the Cities Association of Santa Clara County meeting.

--Mayor Resnikoff attended the Santa Clara County Office of Sustainability Home Energy Workshop; attended the Wesley Manor celebration; attended the Campbell High School dedication event; hosted a City Hall tour with Village School; attended the West Valley Sanitation District Board meeting; and attended the West Valley Clean Water JPA.

ADJOURN

Mayor Paul Resnikoff, adjourned the meeting at 9:53 p.m.

APPROVED:

ATTEST:

Paul Resnikoff, Mayor

Andrea Sanders, Deputy City Clerk