



City Council Agenda

City of Campbell, 70 North First Street, Campbell, California

CITY COUNCIL EXECUTIVE SESSION

Tuesday February 16, 2016 – 5:30 p.m.

Ralph Doetsch Conference Room - 70 N. First Street

- A. Personnel - Pursuant to G.C. Section 54957: Public Employee Performance Evaluation – City Manager
- B. Litigation
- C. Real Property
- D. Labor Negotiations

REGULAR MEETING OF THE CAMPBELL CITY COUNCIL

Tuesday, February 16, 2016 – 7:30 p.m.

Council Chamber – 70 N. First Street

CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE

SPECIAL PRESENTATIONS AND PROCLAMATIONS

COMMUNICATIONS AND PETITIONS

ORAL REQUESTS

NOTE: This portion of the meeting is reserved for persons wishing to address the City Council on any matter not on the agenda. Persons wishing to address the Council are requested, but not required to complete a Speaker's Card. Speakers are limited to two (2) minutes. The law generally prohibits the Council from discussion or taking action on such items. However, the Council may instruct staff accordingly regarding Oral Requests.

COUNCIL ANNOUNCEMENTS

CONSENT CALENDAR

NOTE: All matters listed under consent calendar are considered by the City Council to be routine and will be enacted by one motion. There will be no separate discussion of these items unless a request is made by a member of City Council, City staff, or a member of the public. Any person wishing to speak on any item on the consent calendar should ask to have the item removed from the consent calendar prior to the time the Council votes to approve. If removed, the item will be discussed in the order in which it appears.

1. **Minutes of Special Meeting of January 29, 2016.**
Recommended Action: Approve the Special Meeting Minutes
2. **Minutes of Study Session of February 2, 2016**
Recommended Action: Approve the Study Session Minutes
3. **Minutes of Regular Meeting of February 2, 2016**
Recommended Action: Approve the Regular Meeting Minutes.
4. **Approving Bills and Claims**
Recommended Action: Approve the bills and claims in the amount of \$1,463,980.84.
5. **Approval of Parcel Map Including Acceptance of Street Dedication and Public Service Easements Shown on Said Map – 1685 Bucknall Road (Resolution/Roll Call Vote)**
Recommended Action: Adopt a resolution approving the parcel map and accept the street dedication and public service easement for the property located at 1685 Bucknall Road.
6. **Authorization to Submit Vehicle Registration Fee (VRF) Intelligent Transportation Systems (ITS) Program Grant Applications for Citywide ITS Enhancements Project and Winchester ITS Phase 2 Project (Resolution/Roll Call Vote)**
Recommended Action: Adopt a resolution authorizing the Public Works Director to submit a Vehicle Registration Fee (VRF) Intelligent Transportation System (ITS) Program grant application to the Santa Clara Valley Transportation Authority (VTA) for the Winchester Boulevard ITS Phase 2 Projects and the Citywide ITS Enhancements Projects.
7. **Approval of Tract Map No. 10309 including Acceptance of Street Dedication and Public Service Easements Shown on Said Map, and Abandonment of a Light and Air Easement and a Public Utility Easement – 2295 & 2305 S. Winchester Boulevard (Resolution/Roll Call Vote)**
Recommended Action: Adopt a resolution approving the Tract Map for Tract No. 10309 and accept the street dedication and public service easement and public utility easement for the property located at 2295 & 2305 S. Winchester Boulevard.
8. **Amendment to the Classification and Salary Plan – Recreation Supervisor (Resolution/Roll Call Vote)**
Recommended Action: Adopt a resolution amending the Classification and Salary Plan for Recreation Supervisor.
9. **Second Reading of Ordinance to Authorize Implementation of Community Choice Aggregation Program (Second Reading Ordinance/Roll Call Vote)**
Recommended Action: Approve second reading of Ordinance 2198 authorizing the implementation of a Community Choice Aggregation program.

PUBLIC HEARINGS AND INTRODUCTION OF ORDINANCES

NOTE: Members of the public may be allotted up to two (2) minutes to comment on any public hearing item. Applicants/Appellants and their representatives may be allotted up to a total of five (5) minutes for opening statements and up to a total of three (3) minutes maximum for closing statements. Items requested/recommended for continuance are subject to Council's consent at the meeting.

10. **Acceptance of Supplemental Law Enforcement Service Funds and Approval of Related Operating Budget Adjustment (Resolution/Roll Call Vote)**

Recommended Action: Adopt a resolution authorizing acceptance of \$100,000 from the State of California for FY 2016 and the deposit of this amount in the existing Supplemental Law Enforcement Services Fund; and approve the use of FY 2015 Supplemental Service Funds for the services of 0.90 FTE Police Department Community Services Officers.

OLD BUSINESS

11. **Second Reading of Ordinance Imposing an Express Ban on Marijuana Processing, Marijuana Delivery, and Marijuana Dispensaries in the City of Campbell (Second Reading Ordinance/Roll Call Vote)**

Recommended Action: Approve second reading of Ordinance 2197 adding Chapter 8.38 (Medical Marijuana) to the Campbell Municipal Code imposing an express ban on marijuana processing, marijuana delivery, and marijuana dispensaries in the City of Campbell.

NEW BUSINESS

12. **FY 16 General Fund Mid-Year Budget Update**

Recommended Action: Review and file this mid-year budget update for FY16 and direct staff to prepare the necessary budget adjustments recommended within this report and attachments.

COUNCIL COMMITTEE REPORTS

13. **Approve Appointment to Historic Preservation Board**

Recommended Action: Approve the recommendation of the Advisory Commissioner Appointment Interview Subcommittee regarding an appointment to the Historic Preservation Board for one short term expiring October, 2017.

14. **City Councilmember Reports/Updates on Committee Assignments**

Recommended Action: Report on committee assignments and general comments.

ADJOURN

In compliance with the Americans with Disabilities Act, listening assistive devices are available for all meetings held in the City Council Chambers. If you require accommodation, please contact the City Clerk's Office, (408) 866-21117, at least one week in advance of the meeting.

CITY COUNCIL MINUTES

City of Campbell, 70 North First Street, Campbell, California



SPECIAL MEETING OF THE CAMPBELL CITY COUNCIL

Friday, January 29, 2016 – 8:00 a.m.
Double Tree by Hilton Hotel Campbell – Pruneyard Plaza
Harvest Room
1995 S. Bascom Avenue, Campbell, California

COUNCIL PRIORITY SETTING WORKSHOP

Note: This Special Meeting was duly noticed pursuant to open meeting requirements of the Ralph M. Brown Act (G.C. Section 54956).

CALL TO ORDER, ROLL CALL

The City Council of the City of Campbell convened this day in a Special Meeting place at the Double Tree by Hilton Hotel Campbell - Pruneyard Plaza, 1995 S. Bascom Avenue, Campbell, for a Council Priority Setting Workshop.

The meeting was facilitated by consultant, Tim Dunkin.

Roll Call:

Present: Councilmembers: Kotowski, Resnikoff, Cristina, Gibbons, Baker

Absent: Councilmembers: None

Staff Present:

Mark Linder, City Manager; Bill Seligmann, City Attorney; Wendy Wood, City Clerk; Jill Lopez, Human Resources Manager; Al Bito, Deputy City Manager; Regina Maurantonio, Recreation and Community Services Director; Paul Kermoyan, Community Development Director; Jesse Takahashi, Finance Director; Dave Carmichael, Police Chief; and Todd Capurso, Public Works Director.

1. **Welcome/Overview of Workshop**

City Manager Linder made opening remarks regarding the Satisfaction Survey.

2. **Council Conversation on Satisfaction Survey Results**

The City Council discussed the Satisfaction Survey Results.

3. Overview of Strategic Planning Process and Questions

Consultant Tim Dunkin gave a brief introduction and summary of the priorities that were approved in 2015.

4. Public Comment

Mayor Baker asked for public comment.

Charles Gibson, Campbell resident, spoke about the importance of parks and open space as the community continues to grow and develop.

Mike Krisman, Campbell resident, spoke about public art in the in the parks and traffic impact fees.

Kimi de Leonibus, member of Campbell Parks and Recreation Foundation, spoke about increasing playgrounds and would like to see a playground added at the Community Center.

5. Strategic Planning Discussion

The City Council discussed Strategic Plan for fiscal year 2015.

Susan Blake, Campbell resident, requested clarification in regards to the allocation of staff time for work load.

Mayor Baker called for a 30 minute lunch break at 12:18 p.m. Discussion continued following the lunch break.

The City Council continued discussion on the Strategic Plan for fiscal year 2015/16 with updates and discussed the Strategic Plan for fiscal year 2016/17.

6. Wrap-up

Consultant Tim Dunkin, summarized Council's priorities list for the Strategic Plan for fiscal years 2015/16 and 2016/17; and stated that staff would review the feasibility completing all the requested items.

Mike Krisman, Campbell resident, gave positive feedback regarding the process and spoke about having a historical statue in Campbell Park.

ADJOURN

Mayor Baker adjourned the meeting at 2:39 p.m.

APPROVED:

Jason T. Baker, Mayor

ATTEST:

Wendy Wood, City Clerk

CITY COUNCIL MINUTES

City of Campbell, 70 North First Street, Campbell, California



CAMPBELL CITY COUNCIL STUDY SESSION

Tuesday, February 2, 2016 - 6:30 p.m.

Council Chamber – 70 N. First Street

This Study Session 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.

NOTE: No action may be taken on a matter under Study Session other than direction to staff to further review or prepare a report. Any proposed action regarding items on a Study Session must be agendized for a future Regular or Special City Council meeting.

CALL TO ORDER, ROLL CALL

The City Council of the City of Campbell convened this day in the Council Chamber of City Hall, 70 N. First Street, Campbell, California, to discuss Silicon Valley Clean Energy.

Roll Call:

Present: Councilmembers: Kotowski, Resnikoff, Cristina, Gibbons, Baker

Absent: Councilmembers: None

Staff Present: Mark Linder, City Manager; Bill Seligmann, City Attorney; Wendy Wood, City Clerk; and Al Bito, Deputy City Manager

NEW BUSINESS

1. **Silicon Valley Clean Energy**

Recommended Action: Conduct Study Session and provide direction to staff.

Deputy City Manager Bito introduced the item.

Erin Cooke, Assistant to the City Manager & Sustainability Manager for the City of Cupertino, presented the report.

PUBLIC COMMENT

Mayor Baker asked for public comment.

Paul Ledesma, Campbell resident, spoke in favor of Campbell joining the Community Choice Energy Program and stated that local energy will help promote local jobs.

Brian Schmidt, spoke in favor of Campbell joining the Community Choice Energy Program and the value of the program.

Jaclyn Satira, Campbell resident, spoke in favor of Campbell joining the Community Choice Energy Program.

John Scarboro spoke in favor of Campbell joining the Community Choice Energy Program and stated that it is the best benefit for the least cost.

Jan Butts, representative for the Loma Prieta chapter of Sierra Club, stated that they endorse the Community Energy Choice model and would like Campbell to join the Community Choice Energy Program.

Bruce Naegel spoke in favor of Campbell joining the Community Choice Energy Program and the benefits of the program.

Mayor Baker asked if anyone else in the audience wished to speak on this item. There being no one else wishing to speak Mayor Baker closed the public comment.

After discussion, Council provided general feedback.

ADJOURN

Mayor Baker adjourned the meeting at 7:25 p.m.

APPROVED:

Jason T. Baker, Mayor

ATTEST:

Wendy Wood, City Clerk

CITY COUNCIL MINUTES

City of Campbell, 70 North First Street, Campbell, California



REGULAR MEETING OF THE CAMPBELL CITY COUNCIL

Tuesday, February 2, 2016 – 7:30 p.m.

Council Chamber – 70 N. First Street

Note: This Regular 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, ROLL CALL, PLEDGE OF ALLEGIANCE

The City Council of the City of Campbell convened this day in the regular meeting place, the Council Chamber of City Hall, 70 N. First Street, Campbell, California.

Roll Call:

Present: Councilmembers: Kotowski, Resnikoff, Cristina, Gibbons, Baker

Absent: Councilmembers: None

SPECIAL PRESENTATIONS AND PROCLAMATIONS

There were no special presentations or proclamations.

COMMUNICATIONS AND PETITIONS

There were no communications and petitions.

ORAL REQUESTS

NOTE: This portion of the meeting is reserved for persons wishing to address the City Council on any matter not on the agenda. Persons wishing to address the Council are requested, but not required to complete a Speaker's Card. Speakers are limited to two (2) minutes. The law generally prohibits the Council from discussion or taking action on such items. However, the Council may instruct staff accordingly regarding Oral Requests.

Glenn Hanzlick, Campbell resident, stated concerns with the rental mediation process and asked that Council revise the Municipal Code Chapter 6.09 to allow for recourse when a rent increase is found to be unreasonable.

Joanne Fairbanks, Campbell resident, spoke about a movie screening she attended in Campbell and thanked the City for the event.

COUNCIL ANNOUNCEMENTS

Campbell will be celebrating Super Bowl week with various events including the First Friday of the month featuring various live musicians at downtown businesses. Then on Saturday, February 6th the "Super" Valentine Fun Run is coming to Campbell Park. The 10K race begins at 9:00 a.m. followed by the 5K race at 9:10 a.m. Although preregistration has closed, those interested can still sign up on race day between 8:00 a.m. and 8:45 a.m. Lastly, check out the Super Farmer's Market and enjoy the community atmosphere and fresh produce grown locally by California farmers. The Farmer's Market is this Sunday from 9:00 a.m. to 1:00 p.m.

Reservations are now being accepted for Campbell Heritage Day on Monday, February 15th celebrating the 124th anniversary of Campbell's early settlers. This event takes place at Orchard City Banquet Hall with lunch at noon. Tickets cost \$17 each and must be purchased by February 8th. For tickets and information contact the Early Settlers Committee or visit www.brownpapertickets.com. Event reservation forms are available at the table up at the front.

City staff successfully tested the Campbell water tower's newly installed LED light fixtures last night. Councilmembers attended last night's successful test. The new LED fixtures were installed last Thursday replacing the 15 year old fluorescent light fixtures. The new LED fixtures enable the City the option to change color themes as desired for special occasions, holidays, and events. Due to the successful test, the water tower will remain illuminated in gold light this week in support of Super Bowl 50 and to celebrate Campbell as a Super Community.

The City's website has a new feature to help users find commercial, industrial, retail and office space in Campbell. Users can access this information by using the mapping tool on the Economic Development Division's "Doing Business" page.

For more information about news and events in Campbell at www.cityofcampbell.com.

CONSENT CALENDAR

NOTE: All matters listed under consent calendar are considered by the City Council to be routine and will be enacted by one motion. There will be no separate discussion of these items unless a request is made by a member of City Council, City staff, or a member of the public. Any person wishing to speak on any item on the consent calendar should ask to have the item removed from the consent calendar prior to the time the Council votes to approve. If removed, the item will be discussed in the order in which it appears.

Mayor Baker asked if any Councilmember or anyone in the audience wished to remove any item from the Consent Calendar.

Item eight was removed from the consent calendar.

The Consent calendar was considered as follows:

- 1. Minutes of Study Session of January 19, 2016**
Recommended Action: Approve the Study Session Minutes.

This action approves the minutes of the study session of January 19, 2016.

2. **Minutes of Regular Meeting of January 19, 2016**

Recommended Action: Approve the Regular Meeting Minutes.

This action approves the minutes of the regular meeting of January 19, 2016.

3. **Approving Bills and Claims**

Recommended Action: Approve the bills and claims in the amount of \$1,750,875.58.

This action approves the Bills and Claims in the amount of \$1,750,875.58 as follows: bills and claims checks dated January 11, 2016 in the amount of \$476,124.69; payroll checks dated January 14, 2016 in the amount of \$250,881.76; and bills and claims checks dated January 18, 2016 in the amount of \$360,582.02.

4. **Monthly Investment Report – December, 2015**

Recommended Action: Note and file the monthly investment report for December, 2015.

This action is to note and file the monthly investment report for December, 2015.

5. **Resolution Commending City Engineer Michelle Quinney for Her 26 Years of Service with the City of Campbell (Resolution/Roll Call Vote)**

Recommended Action: Adopt a resolution commending Michelle Quinney upon her retirement after 26 years of service with the City of Campbell.

Resolution 11942 commends Michelle Quinney upon her retirement after 26 years of service with the City of Campbell.

6. **Approval of the Vacation of a Portion of El Patio Drive, Authorizing the Public Works Director to Sign the Quitclaim Deed, and Directing the City Clerk to Record the Resolution – 580 El Patio Drive (Resolution/Roll Call Vote)**

Recommended Action: Adopt a resolution summarily vacating a portion of El Patio Drive; authorizing the Public Works Director to sign the Quitclaim Deed; and direct the City Clerk to record the resolution.

Resolution 11943 summarily vacates a portion of El Patio Drive; authorizes the Public Works Director to sign the Quitclaim Deed; and directs the City Clerk to record the resolution.

7. **Ordinance 2196 Approves a Zoning Text Amendment (PLN2015-294) to the Campbell Zoning Code: Chapter 21.10 (Commercial and Industrial Districts); Chapter 21.12 (Special Purpose Districts): Section 21.72.020 (Definitions); and Chapter 21.36 (Provisions Applying to Special Uses) of**

the Zoning Ordinance to Create Regulations for Payday Lenders (Ordinance Second Reading/Roll Call Vote)

Recommended Action: Approve the second reading of Ordinance 2196 approving a City-initiated Zoning Text amendment (PLN2015-294) to amend certain sections of Title 21 (Zoning) of the Campbell Municipal Code to create regulations for payday lending establishments.

This action approves the second reading of Ordinance 2196 approving a City-initiated Zoning Text amendment (PLN2015-294) to amend certain sections of Title 21 (Zoning) of the Campbell Municipal Code to create regulations for payday lending establishments.

M/S: Gibbons/Kotowski - that the City Council approve the Consent Calendar with the exception of item eight. Motion was adopted by the following roll call vote:

AYES: Councilmembers: Kotowski, Resnikoff, Cristina, Gibbons, Baker

NOES: Councilmembers: None

ITEMS CONSIDERED SEPARATE FROM THE CONSENT CALENDAR

8. Ordinance 2197 Adding Chapter 8.38 (Medical Marijuana) to the Campbell Municipal Code Imposing an Express Ban on Marijuana Processing, Marijuana Delivery, and Marijuana Dispensaries in the City of Campbell (Ordinance Second Reading/Roll Call Vote)

Recommended Action: Approve second reading of Ordinance 2197 adding Chapter 8.38 (Medical Marijuana) to the Campbell Municipal Code to impose an express ban on marijuana processing, marijuana delivery, and marijuana dispensaries in the City of Campbell.

Kale Schulte, Campbell resident, stated support of the use of medical marijuana and spoke against the ban.

Grant Atwell, Campbell resident, stated support of the use of medical marijuana and spoke against the ban.

Andrew Piccott, Campbell resident, provided a handout for Council and spoke against the ban.

Viktoria Foxx, Campbell resident, provided a handout for Council and spoke against the ban.

Alex Smirnov, Campbell resident, stated support of the use of medical marijuana and spoke against the ban.

After discussion, Gibbons/Resnikoff – that the City Council defer voting on the second reading of Ordinance 2197 to the next regularly scheduled Council meeting of February 16, 2016. Motion was adopted unanimously.

PUBLIC HEARINGS AND INTRODUCTION OF ORDINANCES

NOTE: Members of the public may be allotted up to two (2) minutes to comment on any public hearing item. Applicants/Appellants and their representatives may be allotted up to a total of five (5) minutes for opening statements and up to a total of three (3) minutes maximum for closing statements. Items requested/recommended for continuance are subject to Council's consent at the meeting.

9. **Public Hearing to Consider a Mills Act Application request for Property located at 146 Alice Avenue in the Alice Avenue Historic District by Property Owners, Ron and Monica Grandia (Resolution/Roll Call Vote)**
Recommended Action: Adopt a resolution authorizing the City Manager to enter into a Mills Act contract with property owners of 146 Alice Avenue.

Senior Planner McCormick presented staff report dated February 2, 2016.

Mayor Baker declared the public hearing open and asked if there was anyone in the audience wishing to be heard.

There being no one wishing to be heard, Mayor Baker closed the public hearing.

M/S: Cristina/Resnikoff – that the City Council adopt Resolution 11944 authorizing the City Manager to enter into a Mills Act contract with the property owners of 146 Alice Avenue. Motion was adopted by the following roll call vote:

AYES: Councilmembers: Kotowski, Resnikoff, Cristina, Gibbons, Baker

NOES: Councilmembers: None

10. **Public Hearing to Consider the Appeal of a Planning Commission Approval of a Modification (PLN2015-311) to a Previously Approved Administrative Planned Development Permit (PLN2014-159) and a Parking Modification Permit (PLN2015-312) to Allow Outdoor Seating, an Increase in the Number of Approved Seats, and a Reduction in the Number of Required On-site Parking Spaces, for an Existing Restaurant on Property Located at 2125 S. Winchester Boulevard, Suite 120 in the P-D (Planned Development) Zoning District (Resolution/Roll Call Vote)**
Recommended Action: Adopt a resolution denying the appeal and upholding the Planning Commission approval of a Modification (PLN2015-311) to a previously approved Administrative Planned Development Permit (PLN2014-159) and a Parking Modification Permit (PLN2015-312).

Associate Planner Fama presented staff report dated February 2, 2016.

Mayor Baker declared the public hearing open and asked if there was anyone in the audience wishing to be heard.

Russell Pffirman, appellant, spoke about parking standards and stated that the parking modification permit should have gone to Council.

There being no one else wishing to be heard, Mayor Baker closed the public hearing.

After discussion, **M/S: Cristina/Resnikoff – that the City Council adopt Resolution 11945 denying the appeal and upholding the Planning Commission approval of a Modification (PLN2015-311) to a previously approved Administrative Planned Development Permit (PLN2014-159) and a Parking Modification Permit (PLN2015-312). Motion was adopted by the following roll call vote:**

AYES: Councilmembers: Resnikoff, Cristina, Baker

NOES: Councilmembers: Kotowski, Gibbons

11. **Authorization to Proceed with a General Plan Amendment for the Property Located at 973 Apricot Avenue to consider a Change in the Land Use Designation from High Density Residential (21-27 Units per Gross Acre) to General Commercial and a Request to Waive All Associated Development Application Fees (Resolution/Roll Call Vote)**

Recommended Action: Authorize the application with an amendment to the Land Use Element of the General Plan from High Density to General Commercial on the project site located at 973 Apricot Avenue and deny the request to waive all associated development application fees.

Project Planner Pouya presented staff report dated February 2, 2016.

Mayor Baker declared the public hearing open and asked if there was anyone in the audience wishing to be heard.

Roy Watson, applicant, spoke about the new canopy and asked to have the property grandfathered.

Sandie Vargas, employee of Maki Swim School, stated concerns about the fees.

Heidi Perry, instructor at the Maki Swim School, asked that Council consider waving the fees.

Campbell resident stated that she would like Maki Swim School to stay as is.

Maggie Eyerman, business owner, stated that she would like the business to continue and asked that Council waive the fees.

There being no one else wishing to be heard, Mayor Baker closed the public hearing.

After discussion, **M/S: Gibbons/Cristina** – that the City Council authorize the applicant to proceed with a variance; comply with all appropriate permits and fees to bring the pool facility and canopy up to current building code; and recognize that it is a nonconforming use in the current zoning. Motion was adopted by the following roll call vote:

AYES: Councilmembers: Kotowski, Cristina, Gibbons, Baker

NOES: Councilmembers: Resnikoff

12. **Community Choice Energy Program**

Recommended Action: Introduce an Ordinance authorizing the implementation of a Community Choice Aggregation (CCA) program, and find that the program is exempt from CEQA; adopt a Resolution approving the Joint Powers Authority Agreement establishing the Silicon Valley Clean Energy Authority, and find that the program is exempt from CEQA; appropriate \$150,000 from the Capital Improvement Plan Reserve to the Silicon Valley Clean Energy Authority to support the initial costs of the Authority; authorize the City Manager to remit up to \$150,000 to the SVCEA to support the initial costs of the SVCEA (including a contingency); appoint a regular director and alternate director to the SVCEA's Board of Directors; direct staff to return to Council with an update and potential action regarding bridge financing for the Authority; and direct staff to return to Council with a proposal to provide interim project and/or staffing support to the Authority via separate services agreement, if needed.

Deputy City Manager Bito presented staff report dated February 2, 2016.

Paul Ledesma, Campbell resident, spoke in favor of adopting the ordinance and would like an efficient permitting process for solar installations.

There being no one else wishing to be heard, Mayor Baker closed the public hearing.

After discussion, **M/S: Cristina/Gibbons** – that the City Council adopt **Resolution 11946** approving the Joint Powers Authority Agreement establishing the Silicon Valley Clean Energy Authority, and find that the program is exempt from CEQA; appropriate \$150,000 from the Capital Improvement Plan Reserve to the Silicon Valley Clean Energy Authority to support the initial costs of the Authority; authorize the City Manager to remit up to \$150,000 to the SVCEA to support the initial costs of the SVCEA (including a contingency); direct the Mayor to appoint a regular director and alternate director to the SVCEA's Board of Directors; direct staff to return to Council with an update and potential action regarding bridge financing for the Authority; direct staff to return to Council with a proposal to provide interim project and/or staffing support to the Authority via

separate services agreement, if needed; and introduce an Ordinance 2198 authorizing the implementation of a Community Choice Aggregation (CCA) program. Motion was adopted by the following roll call vote:

AYES: Councilmembers: Kotowski, Resnikoff, Cristina, Gibbons, Baker

NOES: Councilmembers: None

City Clerk Wood read the title of Ordinance 2198.

M/S: Kotowski/Gibbons – that the City Council waive further reading of Ordinance 2198. Motion was adopted unanimously.

NEW BUSINESS

13. Regional Transportation Update – Envision Silicon Valley

Recommended Action: Receive an update regarding regional transportation issues; endorse the draft allocation of revenue of a potential transportation sales tax measure; and authorize the Mayor to sign a letter in conjunction with the West Valley and North County cities supporting the proposed allocation methodology.

Public Works Director Capurso presented staff report dated February 2, 2016.

Mary Robertson, stated concerns with the Valley Transportation Plan 2040 and the proposed VTA sales tax measure.

Carl Guardino, CEO of the Silicon Valley Leadership Group, stated concerns with the dollar amounts allocated for the different categories.

After discussion, **M/S: Cristina/Resnikoff – that the City Council receive the update regarding regional transportation issues; endorse the draft allocation of revenue of a potential transportation sales tax measure; and authorize the Mayor to sign a letter in conjunction with the West Valley and North County cities supporting the proposed allocation methodology. Motion was adopted unanimously.**

14. Acceptance of 2014-15 Comprehensive Annual Financial Report and Auditors Written Communication on Internal Control Structure and Audit

Recommended Action: Accept the 2014-15 Comprehensive Annual Financial Report (CAFR) and Auditor's written communication on internal control structure and the audit process as submitted.

Finance Director Takahashi presented staff report dated February 2, 2016.

After discussion, **M/S: Resnikoff/Gibbons – that the City Council accept the 2014-15 Comprehensive Annual Financial Report (CAFR) and Auditor's**

written communication on internal control structure and the audit process as submitted. Motion was adopted by the following roll call vote:

AYES: Councilmembers: Kotowski, Resnikoff, Cristina, Gibbons, Baker

NOES: Councilmembers: None

COUNCIL COMMITTEE REPORTS

15. **City Councilmember Reports/Updates on Committee Assignments**
Recommended Action: Report on committee assignments and general comments.

This item was continued to the February 16, 2016 City Council meeting.

ADJOURN

Mayor Baker adjourned the meeting at 12:04 a.m.

APPROVED:

Jason T. Baker, Mayor

ATTEST:

Wendy Wood, City Clerk

MEMORANDUM



City of Campbell

City Clerk's Office

To: Honorable Mayor and City Council

Date: February 16, 2016

From: Wendy Wood, City Clerk 

Via: Mark Linder, City Manager 

Subject: **Desk Item #3 – Approval of Minutes of February 2, 2015 Council Meeting**

It has been brought to my attention that there is an error on page five of the draft Minutes. The motion to defer item eight was adopted by a 4-1 vote.

Attached is the revised page, reflecting the correction.

Staff recommends that Council approve the Minutes as corrected.

After discussion, Gibbons/Resnikoff – that the City Council defer voting on the second reading of Ordinance 2197 to the next regularly scheduled Council meeting of February 16, 2016. Motion was adopted by a 4-1 vote (Councilmember Cristina voted no).

PUBLIC HEARINGS AND INTRODUCTION OF ORDINANCES

NOTE: Members of the public may be allotted up to two (2) minutes to comment on any public hearing item. Applicants/Appellants and their representatives may be allotted up to a total of five (5) minutes for opening statements and up to a total of three (3) minutes maximum for closing statements. Items requested/recommended for continuance are subject to Council's consent at the meeting.

9. **Public Hearing to Consider a Mills Act Application request for Property located at 146 Alice Avenue in the Alice Avenue Historic District by Property Owners, Ron and Monica Grandia (Resolution/Roll Call Vote)**
Recommended Action: Adopt a resolution authorizing the City Manager to enter into a Mills Act contract with property owners of 146 Alice Avenue.

Senior Planner McCormick presented staff report dated February 2, 2016.

Mayor Baker declared the public hearing open and asked if there was anyone in the audience wishing to be heard.

There being no one wishing to be heard, Mayor Baker closed the public hearing.

M/S: Cristina/Resnikoff – that the City Council adopt Resolution 11944 authorizing the City Manager to enter into a Mills Act contract with the property owners of 146 Alice Avenue. Motion was adopted by the following roll call vote:

AYES: Councilmembers: Kotowski, Resnikoff, Cristina, Gibbons, Baker

NOES: Councilmembers: None

10. **Public Hearing to Consider the Appeal of a Planning Commission Approval of a Modification (PLN2015-311) to a Previously Approved Administrative Planned Development Permit (PLN2014-159) and a Parking Modification Permit (PLN2015-312) to Allow Outdoor Seating, an Increase in the Number of Approved Seats, and a Reduction in the Number of Required On-site Parking Spaces, for an Existing Restaurant on Property Located at 2125 S. Winchester Boulevard, Suite 120 in the P-D (Planned Development) Zoning District (Resolution/Roll Call Vote)**
Recommended Action: Adopt a resolution denying the appeal and upholding the Planning Commission approval of a Modification (PLN2015-311) to a previously approved Administrative Planned Development Permit (PLN2014-159) and a Parking Modification Permit (PLN2015-312).

Associate Planner Fama presented staff report dated February 2, 2016.



City Council Report

Item: 4.
Category: Consent Calendar
Meeting Date: February 16, 2016

TITLE: Approving Payment of Bills and Claims

RECOMMENDATION

Approve the attached lists of bills and claims for payment in the amount of \$1,463,980.84.

DISCUSSION

Attached are the lists of bills and claims that have been audited and approved by staff for payments made as noted below:

Table with 3 columns: Type, Check Date, Amount. Rows include Bills & Claims, Payroll, Bills & Claims, and a Total row.

FISCAL IMPACT

Adequate funding was available to cover all expenses as listed.

Prepared by: Carolina Vargas, Accounting Clerk II
Reviewed by: Sharif Etman, Finance Manager
Reviewed by: Jesse Takahashi, Finance Director
Approved by: Mark Linder, City Manager

Attachments: Attachment 1 - Bills & Claims Lists



*City
Council
Report*

Item No.: 5.
Category: Consent Calendar
Meeting Date: February 16, 2016

TITLE: Approval of Parcel Map including Acceptance of Street Dedication and Public Service Easements Shown on Said Map – 1685 Bucknall Road (Resolution/Roll Call Vote)

RECOMMENDATION

That the City Council adopt the attached resolution approving the Parcel Map and accept the street dedication and public service easements as shown on the map for the property located at 1685 Bucknall Road.

DISCUSSION

On November 17, 2015, the City Council adopted Resolution No. 11916 conditionally approving a Tentative Parcel Map (PLN2015-036) to allow the creation of three single family home lots and one common lot on the property located at 1685 Bucknall Road.

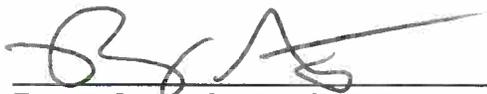
The Parcel Map includes the public street dedication and public service easements necessary to accommodate the approved use of the property. Staff has reviewed the map and found it in compliance with the approved Tentative Parcel Map, the Subdivision Map Act, and Title 20 of the Campbell Municipal Code. The attached resolution has been prepared for Council's consideration for approval of the Parcel Map and acceptance of the street dedication and public service easements offered for dedication.

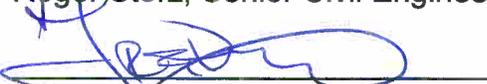
FISCAL IMPACT

There is no fiscal impact associated with this action.

ALTERNATIVES

Determine that the Parcel Map is not consistent with the Tentative Parcel Map or applicable codes, and do not approve the Parcel Map or accept dedications.

Prepared by: 
Roger Storz, Senior Civil Engineer

Reviewed by: 
Fred Ho, Acting City Engineer

**Approval of Parcel Map and Acceptance of Street
Dedication and Public Service Easements Shown
On Said Map – 1685 Bucknall Road
February 16, 2016**

Reviewed by: 
Todd Capurso, Public Works Director

Approved by: 
Mark Linder, City Manager

Attachments: Attachment 1: Resolution
Attachment 2: Parcel Map

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAMPBELL
APPROVING THE PARCEL MAP AND
ACCEPTING THE PUBLIC STREET AND THE PUBLIC
SERVICE EASEMENTS OFFERED FOR DEDICATION FOR PROPERTY
LOCATED AT 1685 BUCKNALL ROAD**

WHEREAS, on November 17, 2015, the City Council adopted Resolution No. 11916 approving a Tentative Parcel Map for the property located at 1685 Bucknall Road; and

WHEREAS, public street dedication and public service easements are necessary to accommodate the approved use of the property and have been offered for dedication on the Parcel Map; and

WHEREAS, the Parcel Map has been prepared, reviewed by staff, and found to be in compliance with the Tentative Parcel Map, the Subdivision Map Act and Title 20 of the Campbell Municipal Code.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Campbell that the Parcel Map is hereby approved and the Public Street and Public Service Easements offered for dedication as shown on said map are hereby accepted in conformity with the terms for which they are offered.

PASSED AND ADOPTED this 16th day of February, 2016 by the following roll call vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

APPROVED:

Jason T. Baker, Mayor

ATTEST:

Wendy Wood, City Clerk

PARCEL MAP

FOUR LOT SUBDIVISION
CONSISTING OF TWO (2) SHEETS
BEING A SUBDIVISION OF THE LANDS AS DESCRIBED IN DOCUMENT
NUMBER 22605499, SANTA CLARA COUNTY RECORDS.

LYING ENTIRELY WITHIN THE
CITY OF CAMPBELL
SANTA CLARA COUNTY, CALIFORNIA
JANUARY 2016

JMP ENGINEERS
1534 CAROL LANE
LOS ALTOS, CA 94024

OWNER'S STATEMENT

WE HEREBY STATE THAT WE ARE THE OWNERS OF OR HAVE SOME RIGHT, TITLE OR INTEREST IN AND TO THE REAL PROPERTY INCLUDED WITHIN THE SUBDIVISION SHOWN UPON THIS MAP; THAT WE ARE THE ONLY PERSONS WHOSE CONSENT IS NECESSARY TO PASS CLEAR TITLE TO SAID PROPERTY, AND THAT WE HEREBY CONSENT TO THE MAKING AND RECORDING OF SAID MAP AND SUBDIVISION AS SHOWN WITHIN THE DISTINCTIVE BORDER LINE.

WE HEREBY OFFER FOR DEDICATION IN FEE SIMPLE TO PUBLIC USE ALL STREETS AND PORTIONS OF STREETS NOT PREVIOUSLY EXISTING AS SHOWN ON THE MAP WITHIN SAID SUBDIVISION, AND ALSO DEDICATE TO PUBLIC USE EASEMENTS FOR ANY AND ALL PUBLIC USES UNDER, UPON AND OVER SAID STREETS AND PORTIONS THEREOF.

WE HEREBY DEDICATE TO PUBLIC USE EASEMENTS FOR ANY AND ALL PUBLIC UTILITIES INCLUDING, BUT NOT LIMITED TO POLES, WIRES, CONDUITS, GAS, WATER, ELECTRIC, TV, TELEPHONE AND ALL APPURTENANCES TO THE ABOVE, UNDER, UPON, OR OVER THAT CERTAIN 10 FOOT STRIP OF LAND ACROSS A PORTION OF LOT 1 AND LOT A, DESIGNATED AND DELINEATED AS A "PUBLIC SERVICE EASEMENT" (P.S.E.) TO BE KEPT OPEN AND FREE FROM BUILDINGS AND STRUCTURES OF ANY KIND, EXCEPT PUBLIC SERVICE STRUCTURES, IRRIGATION SYSTEMS AND APPURTENANCES, THERETO, LAWFUL FENCES AND ALL LAWFUL UNSUPPORTED ROOF OVERHANGS.

WE FURTHER RESERVE AN EASEMENT FOR INGRESS AND EGRESS DESIGNATED AS "PRIVATE INGRESS/EGRESS EASEMENT" (P.I.E.) AND "PUBLIC UTILITY EASEMENT" (P.U.E.) ACROSS LOT A FOR THE BENEFIT OF THE OWNERS OF LOTS 1, 2 AND 3 IN THIS SUBDIVISION AND THEIR VISITORS, TENANTS AND SERVICE VEHICLES AND PERSONS, FIRMS AND CORPORATIONS PERFORMING SERVICE FUNCTIONS FOR SAID LOTS, SAID EASEMENTS TO BE KEPT OPEN AND FREE FROM BUILDINGS AND STRUCTURES OF ANY KIND EXCEPT LAWFUL FENCES, PUBLIC UTILITY FACILITIES, STORM DRAIN FACILITIES, SANITARY SEWER FACILITIES, LAWFUL UNSUPPORTED ROOF OVERHANGS, IRRIGATION SYSTEMS AND APPURTENANCES THERETO.

WE FURTHER RESERVE A "PRIVATE STORM DRAIN EASEMENT" (P.S.D.E.) ACROSS LOT A, AND THOSE PORTIONS OF LOTS 1 AND 2, DESIGNATED AND DELINEATED AS A "PRIVATE STORM DRAIN EASEMENT" (P.S.D.E.), FOR THE BENEFIT OF THE OWNERS OF LOTS 1, 2 AND 3 IN THIS SUBDIVISION, SAID EASEMENT TO BE KEPT OPEN AND FREE FROM BUILDINGS AND STRUCTURES OF ANY KIND EXCEPT LAWFUL FENCES, PUBLIC UTILITY FACILITIES, STORM DRAIN FACILITIES, SANITARY SEWER FACILITIES, LAWFUL UNSUPPORTED ROOF OVERHANGS, IRRIGATION SYSTEMS AND APPURTENANCES THERETO.

WE FURTHER RESERVE A "PRIVATE SANITARY SEWER EASEMENT" (P.S.S.E.) ACROSS LOT A FOR THE BENEFIT OF THE OWNERS OF LOTS 1, 2 AND 3 IN THIS SUBDIVISION, SAID EASEMENT TO BE KEPT OPEN AND FREE FROM BUILDINGS AND STRUCTURES OF ANY KIND EXCEPT LAWFUL FENCES, PUBLIC UTILITY FACILITIES, STORM DRAIN FACILITIES, SANITARY SEWER FACILITIES, LAWFUL UNSUPPORTED ROOF OVERHANGS, IRRIGATION SYSTEMS AND APPURTENANCES THERETO.

WE FURTHER RESERVE A "PRIVATE WATER EASEMENT" (P.W.E.) ACROSS LOT A AND THAT PORTION OF LOT 1 DESIGNATED AND DELINEATED AS A "PRIVATE WATER EASEMENT" (P.W.E.), FOR THE BENEFIT OF THE OWNERS OF LOTS 1, 2 AND 3 IN THIS SUBDIVISION, SAID EASEMENT TO BE KEPT OPEN AND FREE FROM BUILDINGS AND STRUCTURES OF ANY KIND EXCEPT LAWFUL FENCES, PUBLIC UTILITY FACILITIES, STORM DRAIN FACILITIES, SANITARY SEWER FACILITIES, LAWFUL UNSUPPORTED ROOF OVERHANGS, IRRIGATION SYSTEMS AND APPURTENANCES THERETO.

LOT A (COMMON LOT), CONTAINING PRIVATE STREET, IS A COMMON AREA TO BE GRANTED TO THE HOMEOWNERS' ASSOCIATION.

AS OWNERS: AKBAR ABDOLLAH AND FARVIN ABDOLLAH, HUSBAND AND WIFE AS COMMUNITY PROPERTY WITH RIGHT OF SURVIVORSHIP

BY: AKBAR ABDOLLAH DATE: _____

BY: FARVIN ABDOLLAH DATE: _____

OWNER'S ACKNOWLEDGMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA
COUNTY OF _____

ON _____, 2016, BEFORE ME, _____

A NOTARY PUBLIC PERSONALLY APPEARED _____

WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND

NOTARY'S SIGNATURE: _____ (SEAL)

PRINTED NOTARY'S NAME: _____

NOTARY'S PRINCIPAL PLACE OF BUSINESS: _____

NOTARY'S COMMISSION NO.: _____

EXPIRATION OF NOTARY'S COMMISSION: _____

SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY MADE IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF AKBAR ABDOLLAH IN OCTOBER 2015.

I HEREBY STATE THAT THIS PARCEL MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE PARCEL MAP, IF ANY; THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN; THAT ALL MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED, OR THAT THEY WILL BE SET IN THOSE POSITIONS ON OR BEFORE DECEMBER 2016; AND THAT THE MONUMENTS ARE, OR WILL BE, SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

SARISS PARVIN
LS 8261



SOILS REPORT

A SOIL & FOUNDATION INVESTIGATION REPORT ON THIS PROPERTY HAS BEEN PREPARED BY ENVIRO SOIL TECH CONSULTANTS, DATED MAY 1, 2015, File No. 11-14-872-SPT AND IS ON FILE IN THE OFFICE OF THE CITY ENGINEER OF THE CITY OF CAMPBELL.

CITY ENGINEER'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THIS PARCEL MAP; THAT THE MAP IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP AND ANY APPROVED ALTERATION THEREOF; AND THAT ALL PROVISIONS OF THE CALIFORNIA SUBDIVISION MAP ACT AND ANY LOCAL ORDINANCES APPLICABLE AT THE TIME OF THE APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH.

FREDRICK HO
ACTING CITY ENGINEER
RCE 58995
EXP. 06/30/17



CITY SURVEYOR'S STATEMENT

I AM SATISFIED THAT THE WITHIN PARCEL MAP IS TECHNICALLY CORRECT.

CYRUS KHANPOUR
L.S. 7515
EXP. 12/31/17



CITY CLERK'S STATEMENT

I HEREBY STATE THAT THIS MAP, DESIGNATED AS PARCEL MAP, CONSISTING OF TWO (2) SHEETS, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF CAMPBELL AT MEETING OF SAID COUNCIL HELD ON THE _____ DAY OF _____, 20____, AND THAT SAID COUNCIL ACCEPTED, SUBJECT TO IMPROVEMENT, ON BEHALF OF THE PUBLIC, THE DEDICATION OF ALL STREETS AND EASEMENTS OFFERED FOR DEDICATION, AS SHOWN ON SAID MAP WITHIN SAID SUBDIVISION, IN CONFORMITY WITH THE TERMS OF THE OFFER OF DEDICATION.

DATE: _____
WENDY WOOD
CITY CLERK OF THE CITY OF CAMPBELL

RECORDER'S STATEMENT

FILED THIS _____ DAY OF _____, 20____, AT _____, CA,
IN BOOK _____ OF MAPS AT PAGE(S) _____ AND _____, SANTA CLARA COUNTY RECORDS,
AT THE REQUEST OF AKBAR ABDOLLAH.

FILE NO.: _____ REGINA ALCOMENDRAS, COUNTY RECORDER
FEE: _____, PAID. SANTA CLARA COUNTY, CALIFORNIA

BY: _____
DEPUTY

PARCEL MAP

FOUR LOT SUBDIVISION
 CONSISTING OF TWO (2) SHEETS
 BEING A SUBDIVISION OF THE LANDS AS DESCRIBED IN DOCUMENT
 NUMBER 22888499, SANTA CLARA COUNTY RECORDS.

LYING ENTIRELY WITHIN THE
 CITY OF CAMPBELL
 SANTA CLARA COUNTY, CALIFORNIA
 JANUARY 2016 SCALE: 1"=30'

SMP ENGINEERS
 1534 CAROB LANE
 LOS ALTOS, CA 94024



REFERENCE DOCUMENTS:

- (1) TRACT NO. 8948 819-N-45 TO 47
- (2) TRACT NO. 8622 887-N-22 & 23
- (3) TRACT NO. 2591 142-N-4
- (4) GRANT DEED DOC. # 22888499
- (5) TRACT NO. 2522 111-N-9

BASIS OF BEARINGS:
 THE BEARING N 88°29'00" E OF THE CENTERLINE OF BUCKNALL RD., AS SHOWN ON CERTAIN TRACT NO. 8948, RECORDED IN BOOK 819 OF MAPS, AT PAGES 45 TO 47, WAS USED AS THE BASIS OF BEARINGS SHOWN ON THIS MAP.

NOTES:

1. ALL DISTANCES AND DIMENSIONS ARE SHOWN IN FEET AND DECIMALS THEREOF.
2. THE AREA OF LAND WITHIN THE DISTINCTIVE BORDER LINE IS 14,208 SQFT (0.33 ACRES), MORE OR LESS.
3. THE DISTINCTIVE BORDER LINE DENOTES THE BOUNDARY OF THE SUBDIVISION.

LEGEND

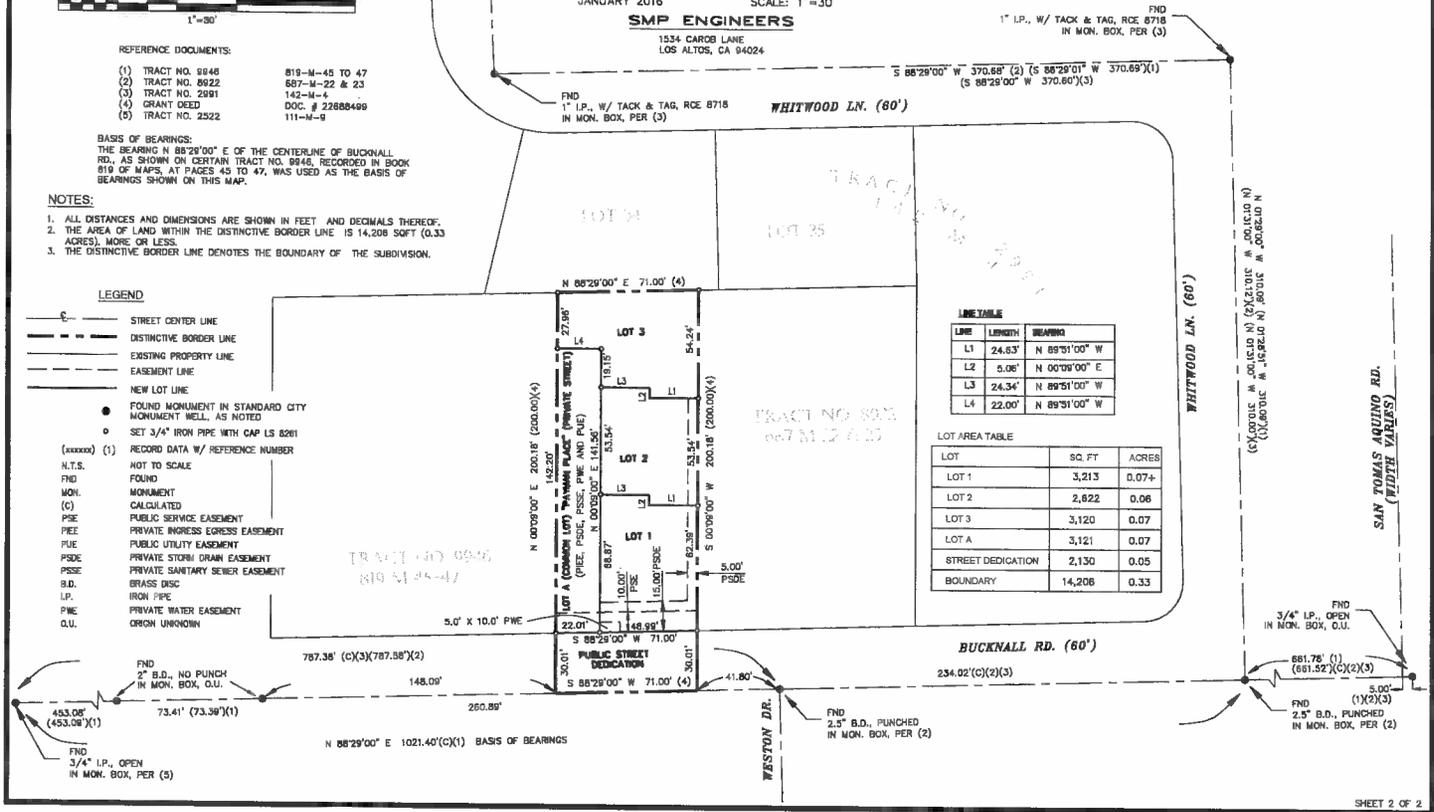
- STREET CENTER LINE
- - - - - DISTINCTIVE BORDER LINE
- EXISTING PROPERTY LINE
- - - - - EASEMENT LINE
- NEW LOT LINE
- FOUND MONUMENT IN STANDARD CITY MONUMENT WELL, AS NOTED
- SET 3/4" IRON PIPE WITH CAP LS 8261
- (xxxxxx) (1) RECORD DATA W/ REFERENCE NUMBER
- N.T.S. NOT TO SCALE
- FND FOUND
- MON. MONUMENT
- (C) CALCULATED
- PSE PUBLIC SERVICE EASEMENT
- PIE PRIVATE INGRESS EGRESS EASEMENT
- PUE PUBLIC UTILITY EASEMENT
- PSDE PRIVATE STORM DRAIN EASEMENT
- PSSE PRIVATE SANITARY SEWER EASEMENT
- B.D. BRASS DISC
- I.P. IRON PIPE
- PWE PRIVATE WATER EASEMENT
- O.U. ORIGIN UNKNOWN

LINE TABLE

LINE	LENGTH	BEARING
L1	24.53'	N 89°51'00" W
L2	5.06'	N 00°09'00" E
L3	24.34'	N 89°51'00" W
L4	22.00'	N 89°51'00" W

LOT AREA TABLE

LOT	SQ. FT.	ACRES
LOT 1	3,213	0.074
LOT 2	2,822	0.06
LOT 3	3,120	0.07
LOT A	3,121	0.07
STREET DEDICATION	2,130	0.05
BOUNDARY	14,206	0.33





City Council Report

Item: 6.
Category: Consent Calendar
Meeting Date: February 16, 2016

TITLE: Authorization to Submit Vehicle Registration Fee (VRF) Intelligent Transportation Systems (ITS) Program Grant Applications for Citywide ITS Enhancements Project and Winchester ITS Phase 2 Project (Resolution/Roll Call Vote)

RECOMMENDATION

That the City Council adopt the attached resolution:

1. Authorizing the Public Works Director to submit a Vehicle Registration Fee (VRF) Intelligent Transportation Systems (ITS) Program grant application to the Santa Clara Valley Transportation Authority (VTA) for a) the Winchester Boulevard ITS Phase 2 Project and b) the Citywide ITS Enhancements Project.

BACKGROUND

On September 18, 2012, the City Council adopted Resolution No. 11459 authorizing the City Engineer to submit a Vehicle Registration Fee (VRF) grant application for the Winchester Boulevard Intelligent Transportation System (ITS) Project. In October 2012, staff learned that Campbell was not awarded a VRF grant for this project.

On January 15, 2013, the City Council adopted Resolution No. 11496 authorizing the City Engineer to submit a Transportation Fund for Clean Air (TFCA) Program grant application to the VTA for the Winchester Boulevard Signal Timing Project. This project was similar in scope to the aforementioned Winchester Boulevard ITS Project and was completed in 2015.

In January 2016 the VTA issued a call for projects for the 2015/2016 Vehicle Registration Fee ITS projects. The VTA Board has made available a total of \$3 million in Vehicle Registration Fee revenue to Intelligent Transportation System projects for both Regional Intelligent Transportation System Maintenance Service (RITSMS) and Regional Traffic Operations Personal Service (RTOPS). There is no local match required for these funds.

The purpose of this program area is to fund ITS projects primarily focused on maintenance and operations of transportation technologies to improve operations and enhance safety throughout Santa Clara County. The minimum grant amount is \$50,000, and the maximum is \$500,000 for these funds.

DISCUSSION

Citywide ITS Enhancements Project

The Citywide ITS Enhancements Project would do the following:

- Replace older video detection systems at six intersections (Winchester/Latimer, Winchester/Budd, Union/Duncanville, Civic Center/First, Civic Center/Central, and Orchard City/First).
- Install Ethernet routers and wireless interconnect along Union Avenue between McGlincy Lane and Campbell Avenue (to connect Union Avenue traffic signals to the City's Advanced Traffic Management System server located in City Hall)
- Install Ethernet router at Civic Center/Harrison to connect the traffic signal at this intersection to City Hall.
- Purchase traffic signal controllers for six traffic signals (Union/McGlincy, Union/Duncanville, Civic Center/Harrison, Civic Center/Central, Civic Center/First, and Orchard City/First).
- Purchase and install emergency vehicle preemption equipment for four intersections (Union/Duncanville, Civic Center/First, Civic Center/Central, Orchard City/First).
- Construct the Controller Cabinet Replacements Project (CIP No. 14-FF). This item includes the equipment procurement and construction costs.

The preliminary cost estimate to design and construct this project is \$480,000.

Winchester Boulevard ITS Phase 2 Project

The Winchester Boulevard ITS Phase 2 Project is so named to avoid confusion with the Winchester Boulevard ITS Project from 2012. The Phase 2 Project would do the following:

- Replace older video detection systems at six intersections (Winchester at Latimer, Kennedy, Budd, Camden, Sunnyoaks, and Hacienda).
- Replace unreliable older copper interconnect cable between Hacienda Avenue and Sunnyoaks Avenue.
- Install new emergency vehicle preemption equipment at Winchester/Hacienda and Winchester/Camden.

The preliminary cost estimate to design and construct this project is \$210,000. This project was submitted for inclusion in VTA's Valley Transportation Plan 2045.

Both the Winchester Boulevard ITS Phase 2 Project and Citywide ITS Enhancements Project include replacing older video detection systems for Winchester/Latimer and Winchester/Budd, respectively; some adjustment to either project scope would need to

be made in case the VTA awards grants for both projects. The cost for one of the two projects would be reduced by \$46,200. Staff believes both projects will compete well since the VRF grant program scoring criteria rewards projects that include multiple types of technology.

VRF Grant Program Schedule

Grant applications are due to the VTA on March 8, 2016. The VTA Board is scheduled to approve a projects list on June 2, 2016.

FISCAL IMPACT

The VRF Grant program requires no local match. Staff estimates that applying for VRF grant funds would save the City approximately \$218,700 as the Citywide ITS Enhancements Project would include equipment procurement and construction costs related to the Controller Cabinet Replacements Project (CIP No. 14-FF).

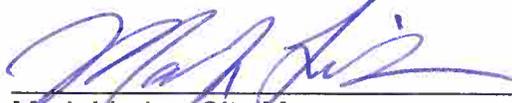
ALTERNATIVES

1. Do not submit VRF grant applications.

Prepared by: 
Matthew Jue, Traffic Engineer

Reviewed by: 
Todd Capurso, Public Works Director

Reviewed by: 
Jesse Takahashi, Finance Director

Approved by: 
Mark Linder, City Manager

Attachment: 1. Resolution

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAMPBELL
AUTHORIZING THE PUBLIC WORKS DIRECTOR TO SUBMIT VEHICLE
REGISTRATION FEE (VRF) PROGRAM GRANT APPLICATIONS FOR THE
CITYWIDE ITS ENHANCEMENTS PROJECT AND THE WINCHESTER BOULEVARD
ITS PHASE 2 PROJECT**

WHEREAS, the Santa Clara Valley Transportation Authority (VTA) has issued a call for projects for the 2015/2016 Vehicle Registration Fee Intelligent Transportation Systems (ITS) projects; and

WHEREAS, the VTA Board has made available a total of \$3 million in Vehicle Registration Fee (VRF) revenue to Intelligent Transportation System projects; and

WHEREAS, the purpose of this program area is to fund ITS projects primarily focused on maintenance and operations of transportation technologies to improve operations and enhance safety throughout Santa Clara County; and

WHEREAS, the minimum grant amount is \$50,000, and the maximum is \$500,000 for these funds; and

WHEREAS, the Citywide ITS Enhancements Project would replace older video detection systems, install communications equipment, and purchase and install traffic signal equipment for various locations throughout the city; and

WHEREAS, the preliminary cost estimate to design and construct the Citywide ITS Enhancements Project is \$480,000; and

WHEREAS, the Winchester Boulevard ITS Phase 2 Project would replace older video detection systems at six intersections; replace old copper interconnect cable between Hacienda Avenue and Sunnyoaks Avenue; and, install new emergency vehicle preemption equipment at Winchester/Hacienda and Winchester/Camden; and

WHEREAS, the preliminary cost estimate to design and construct the Winchester Boulevard ITS Phase 2 Project is \$210,000; and

WHEREAS, the VRF program requires no local matching funds.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Campbell that the Public Works Director is hereby authorized to submit Vehicle Registration Fee (VRF) Program grant applications for the Citywide ITS Enhancements Project and the Winchester Boulevard ITS Phase 2 Project.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to execute funding agreements for either project should the VTA award a VRF grant to the City for either project.

PASSED AND ADOPTED this 16th day of February, 2016, by the following roll call vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS
ABSENT: COUNCILMEMBERS:

APPROVED:

Jason T. Baker, Mayor

ATTEST:

Wendy Wood, City Clerk



City Council Report

Item No.: 7.
Category: Consent Calendar
Meeting Date: February 16, 2016

TITLE: Approval of Tract Map No. 10309 including Acceptance of Street Dedication and Public Service Easements Shown on Said Map, and Abandonment of a Light and Air Easement and a Public Utility Easement – 2295 & 2305 S. Winchester Boulevard (Resolution/Roll Call Vote)

RECOMMENDATION

That the City Council adopt the attached resolution approving the Tract Map for Tract No. 10309 and accept the street dedication and public service easements as shown on the map, and abandonment of a light and air easement and a public utility easement for the property located at 2295 & 2305 S. Winchester Boulevard.

DISCUSSION

On January 6, 2015, the City Council adopted Resolution No. 11759 conditionally approving a Tentative Vesting Subdivision Map (PLN2014-141) to merge two existing parcels into one lot to accommodate 16 residential condominium units over 3,200 square feet of ground floor retail space on property owned by Winchester Boulevard Partners, LLC located at 2295 and 2305 S. Winchester Boulevard.

Included in the approval was the Abandonment of an existing Light and Air (Building Setback Line) easement along Winchester Boulevard and an existing Public Utility Easement along the southerly boundary of the project. The applicant has provided letters from all of the utility companies indicating that they have no objection to the abandonment of this easement.

The Tract Map includes the public street dedication and public service easements necessary to accommodate the approved use of the property. Staff has reviewed the map and found it in compliance with the approved Tentative Map, the Subdivision Map Act, and Title 20 of the Campbell Municipal Code. The attached resolution has been prepared for Council's consideration for approval of the Tract Map, including Abandonment of the Light and Air Easement and Public Utility Easement, and acceptance of the street dedication and public service easements offered for dedication.

FISCAL IMPACT

There is no fiscal impact associated with this action.

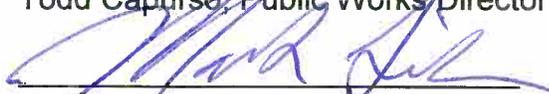
ALTERNATIVES

Determine that the Tract Map is not consistent with the Tentative Map or applicable codes, and do not approve the Tract Map, accept dedications or approve the abandonment.

Prepared by: 
Roger Storz, Senior Civil Engineer

Reviewed by: 
Fred Ho, Acting City Engineer

Reviewed by: 
Todd Capurse, Public Works Director

Approved by: 
Mark Linder, City Manager

Attachments: Attachment 1: Resolution
Attachment 2: Tract Map

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAMPBELL
APPROVING THE TRACT MAP FOR TRACT NO. 10309 AND
ACCEPTING THE PUBLIC STREET AND THE PUBLIC SERVICE EASEMENTS
OFFERED FOR DEDICATION, AND ABANDONING A LIGHT AND AIR EASEMENT
AND A PUBLIC UTILITY EASEMENT FOR PROPERTY
LOCATED AT 2295 & 2305 S. WINCHESTER BOULEVARD**

WHEREAS, on January 6, 2015, the City Council adopted Resolution No. 11759 approving a Tentative Map for the property located at 2295 & 2305 S. Winchester Boulevard; and

WHEREAS, said Tentative Map included approval of the abandonment of a light and air easement and abandonment of a public utility easement, said abandonment to be implemented on the Tract Map; and

WHEREAS, public street dedication and public service easements are necessary to accommodate the approved use of the property and have been offered for dedication on the Tract Map; and

WHEREAS, the Tract Map has been prepared, reviewed by staff, and found to be in compliance with the Tentative Map, Subdivision Map Act and Title 20 of the Campbell Municipal Code.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Campbell that Tract Map 10309 is hereby approved and the Public Street and Public Service Easements offered for dedication as shown on said map are hereby accepted in conformity with the terms for which they are offered, and that the Light and Air Easement and Public Utility Easement are hereby Abandoned.

PASSED AND ADOPTED this 16th day of February, 2016 by the following roll call vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

APPROVED:

Jason T. Baker, Mayor

ATTEST:

Wendy Wood, City Clerk

OWNER'S STATEMENT

WE HEREBY STATE THAT WE ARE THE OWNERS OF OR HAVE SOME RIGHT, TITLE OR INTEREST IN AND TO THE REAL PROPERTY INCLUDED WITHIN THE SUBDIVISION SHOWN ON THE MAP; THAT WE ARE THE ONLY PERSONS WHOSE CONSENT IS NECESSARY TO PASS CLEAR TITLE TO SAID REAL PROPERTY; THAT WE HEREBY CONSENT TO THE MAKING AND RECORDING OF SAID MAP AND SUBDIVISION AS SHOWN WITHIN THE DISTINCTIVE BORDER LINE.

WE ALSO HEREBY DEDICATE TO PUBLIC USE EASEMENTS, TOGETHER WITH THE RIGHTS OF INGRESS AND EGRESS, FOR ANY AND ALL PUBLIC SERVICE FACILITIES INCLUDING POLES, WIRES, CONDUITS, STORM SEWERS, SANITARY SEWERS, GAS, WATER AND ALL PUBLIC UTILITIES AND ANY AND ALL APPURTENANCES TO THE ABOVE, UNDER, UPON, OR OVER THOSE CERTAIN PORTIONS OF LAND DELINEATED AND DESIGNATED AS "P.S.E." (PUBLIC SERVICE EASEMENT), SAID PUBLIC SERVICE EASEMENTS ARE TO BE KEPT OPEN AND FREE FROM BUILDINGS AND STRUCTURES OF ANY KIND EXCEPT PUBLIC SERVICE STRUCTURES, IRRIGATION SYSTEMS AND APPURTENANCES THERETO, LAWFUL FENCES AND ALL LAWFUL UNSUPPORTED ROOF OVERHANGS.

WE ALSO HEREBY DEDICATE TO PUBLIC USE EASEMENTS FOR PUBLIC UTILITY PURPOSES FOR THE USE AND BENEFIT OF THE PUBLIC UTILITY COMPANIES WHICH ARE AUTHORIZED TO SERVE SAID SUBDIVISION OVER, UNDER OR UPON THOSE CERTAIN PORTIONS OF LAND DELINEATED AS "P.U.E." (PUBLIC UTILITY EASEMENT), SAID PUBLIC UTILITY EASEMENTS ARE TO BE KEPT OPEN AND FREE FROM BUILDINGS AND STRUCTURES OF ANY KIND EXCEPT PUBLIC UTILITY STRUCTURES, IRRIGATION SYSTEMS AND APPURTENANCES THERETO, LAWFUL FENCES AND ALL LAWFUL UNSUPPORTED ROOF OVERHANGS.

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED IN FEE FOR PUBLIC PURPOSES: ALL STREETS AND PORTIONS OF STREETS NOT PREVIOUSLY EXISTING AS SHOWN ON THE MAP WITHIN SAID SUBDIVISION.

AS OWNER:
WINCHESTER BOULEVARD PARTNERS, LLC,
A CALIFORNIA LIMITED LIABILITY COMPANY

BY: SJR VENTURES, INC., ITS MANAGER

BY: STEVE JOHNSON, ITS PRESIDENT

AS TRUSTEE:
NORTH AMERICAN TITLE COMPANY,
A CALIFORNIA CORPORATION

BY: _____
ITS: _____

OWNER'S ACKNOWLEDGMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA)
COUNTY OF _____) SS.

ON _____ BEFORE ME, _____, PERSONALLY APPEARED _____, WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/ THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/ THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND.

SIGNATURE _____

PRINTED NOTARY'S NAME _____

COUNTY OF NOTARY'S PRINCIPAL PLACE OF BUSINESS _____

NOTARY'S COMMISSION NO. _____

EXPIRATION DATE OF NOTARY'S COMMISSION _____

TRACT NO. 10309

A ONE LOT SUBDIVISION FOR CONDOMINIUM PURPOSES BEING A SUBDIVISION OF LOT 18 AND LOT 19 AS SHOWN ON THAT CERTAIN "TRACT NO. 179, E.R. KENNEDY, SUBDIVISION NO. 2, PART OF THE N. E. ¼ OF SECTION 34, TOWNSHIP 7 SOUTH, RANGE 1 WEST, M.D.B.&M." FILED FOR RECORD ON APRIL 14, 1941 IN BOOK 5 OF MAPS, PAGES 52 AND 53, SANTA CLARA COUNTY RECORDS, AND LYING WITHIN THE

CITY OF CAMPBELL
COUNTY OF SANTA CLARA, STATE OF CALIFORNIA
FEBRUARY, 2016
CONSISTING OF TWO SHEETS



KIER & WRIGHT
CIVIL ENGINEERS & SURVEYORS, INC.
3350 Scott Boulevard, Building 22
Santa Clara, California 95054

CITY CLERK'S STATEMENT

I HEREBY STATE THAT THIS MAP, DESIGNATED AS TRACT NO. 10309, CONSISTING OF TWO SHEETS, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF CAMPBELL AT A MEETING OF SAID COUNCIL HELD ON THE _____ DAY OF _____, 20____, AND THAT SAID COUNCIL ACCEPTED, SUBJECT TO IMPROVEMENT, ON BEHALF OF THE PUBLIC, THE DEDICATION OF ALL STREETS AND EASEMENTS OFFERED FOR DEDICATION, AS SHOWN ON SAID MAP WITHIN SAID SUBDIVISION, IN CONFORMITY WITH THE TERMS OF THE OFFER OF DEDICATION; AND THAT PURSUANT TO SECTION 66434(g) OF THE SUBDIVISION MAP ACT ALL PORTIONS OF THE PUBLIC UTILITY EASEMENT (P.U.E.) AND LIGHT AND AIR EASEMENT DELINEATED AS "BUILDING LINE", NOT SHOWN ON THIS MAP, THAT WERE DEDICATED TO PUBLIC USE BY "TRACT NO. 179, E.R. KENNEDY SUBDIVISION NO. 2" FILED FOR RECORD ON APRIL 14, 1941 IN BOOK 5 OF MAPS AT PAGES 52 AND 53, SANTA CLARA COUNTY RECORDS, ARE HEREBY VACATED.

CLERK OF THE CITY OF CAMPBELL

BY: WENDY WOOD
CITY CLERK OF THE CITY OF CAMPBELL

TRUSTEE'S ACKNOWLEDGMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA)
COUNTY OF _____) SS.

ON _____ BEFORE ME, _____, PERSONALLY APPEARED _____, WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/ THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/ THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND.

SIGNATURE _____

PRINTED NOTARY'S NAME _____

COUNTY OF NOTARY'S PRINCIPAL PLACE OF BUSINESS _____

NOTARY'S COMMISSION NO. _____

EXPIRATION DATE OF NOTARY'S COMMISSION _____

SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF GABILAN STREET, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, IN FEBRUARY, 2016. I HEREBY STATE THAT ALL THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED OR THAT THEY WILL BE SET IN THOSE POSITIONS BEFORE FEBRUARY, 2017, THAT THE MONUMENTS ARE, OR WILL BE, SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED, AND THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP, IF ANY.

DATE: _____
RYAN M. AMAYA P.L.S. 8134



CITY ENGINEER'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THE WITHIN TRACT MAP; THAT THE MAP IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP, AND ANY APPROVED ALTERATIONS THEREOF; AND THAT ALL PROVISIONS OF THE CALIFORNIA SUBDIVISION MAP ACT AND ANY LOCAL ORDINANCE APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP, IF REQUIRED, HAVE BEEN COMPLIED WITH.

FREDRICK C. HO
ACTING CITY ENGINEER
R.C.E. 58995
EXPIRES 06/30/17



CITY SURVEYOR'S STATEMENT

I AM SATISFIED THAT THE WITHIN TRACT MAP IS TECHNICALLY CORRECT.

CYRUS KIANPOUR
L.S. 7515
EXPIRES 12/31/17



SOILS REPORT

A GEOTECHNICAL INVESTIGATION WAS PREPARED BY SILICON VALLEY SOIL ENGINEERING, DATED MARCH 17, 2015, AND SIGNED BY VIEN VO, P.E. AND IS ON FILE AT THE OFFICE OF THE CITY ENGINEER.

RECORDER'S STATEMENT

FILED THIS _____ DAY OF _____, 20____, AT _____ M. IN BOOK _____ OF MAPS, AT PAGES _____, SANTA CLARA COUNTY RECORDS, AT THE REQUEST OF KIER & WRIGHT CIVIL ENGINEERS & SURVEYORS, INC.

FILE NO. _____
REGINA ALCOMENDRAS, COUNTY RECORDER
SANTA CLARA COUNTY, CALIFORNIA
BY: _____
DEPUTY

A07036-3

SHEET 1 OF 2

TRACT NO. 10309

A ONE LOT SUBDIVISION FOR CONDOMINIUM PURPOSES
 BEING A SUBDIVISION OF LOT 18 AND LOT 19 AS SHOWN ON THAT CERTAIN
 "TRACT NO. 179, E.R. KENNEDY, SUBDIVISION NO. 2, PART OF THE N. E. ¼
 OF SECTION 34, TOWNSHIP 7 SOUTH, RANGE 1 WEST, M.D.B.&M." FILED FOR
 RECORD ON APRIL 14, 1941 IN BOOK 5 OF MAPS, PAGES 52 AND 53, SANTA
 CLARA COUNTY RECORDS, AND LYING WITHIN THE
 CITY OF CAMPBELL
 COUNTY OF SANTA CLARA, STATE OF CALIFORNIA
 SCALE: 1" = 20'
 FEBRUARY, 2016
 CONSISTING OF TWO SHEETS

KIER & WRIGHT
 CIVIL ENGINEERS & SURVEYORS, INC.
 3350 Scott Boulevard, Building 22
 Santa Clara, California 95054

LEGEND

DISTINCTIVE BORDER	
NEW PROPERTY LINE	
ADJACENT PROPERTY LINE	
CENTERLINE	
EASEMENT LINE	
NEW EASEMENT LINE	
TIE LINE	
FOUND MONUMENT AS NOTED	
SET 3/4" IRON PIPE W/ PLUG & TACK, LS 8134	
RECORD INFORMATION W/ REFERENCE	

ABBREVIATIONS

DOC.	DOCUMENT
FND	FOUND
I.P.	IRON PIPE
MON	MONUMENT
NO.	NUMBER
P.S.E.	PUBLIC SERVICE EASEMENT
P.U.E.	PUBLIC UTILITY EASEMENT
U.O.	UNKNOWN ORIGIN
W/	WITH

REFERENCES

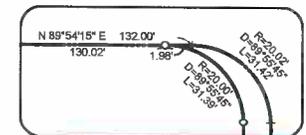
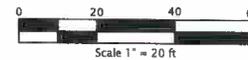
①	TRACT 3324	(155 M 6)
②	RECORD OF SURVEY	(39 M 20)
③	PARCEL MAP	(767 M 29-30)
④	TRACT NO. 179	(5 M 52-53)

BASIS OF BEARINGS

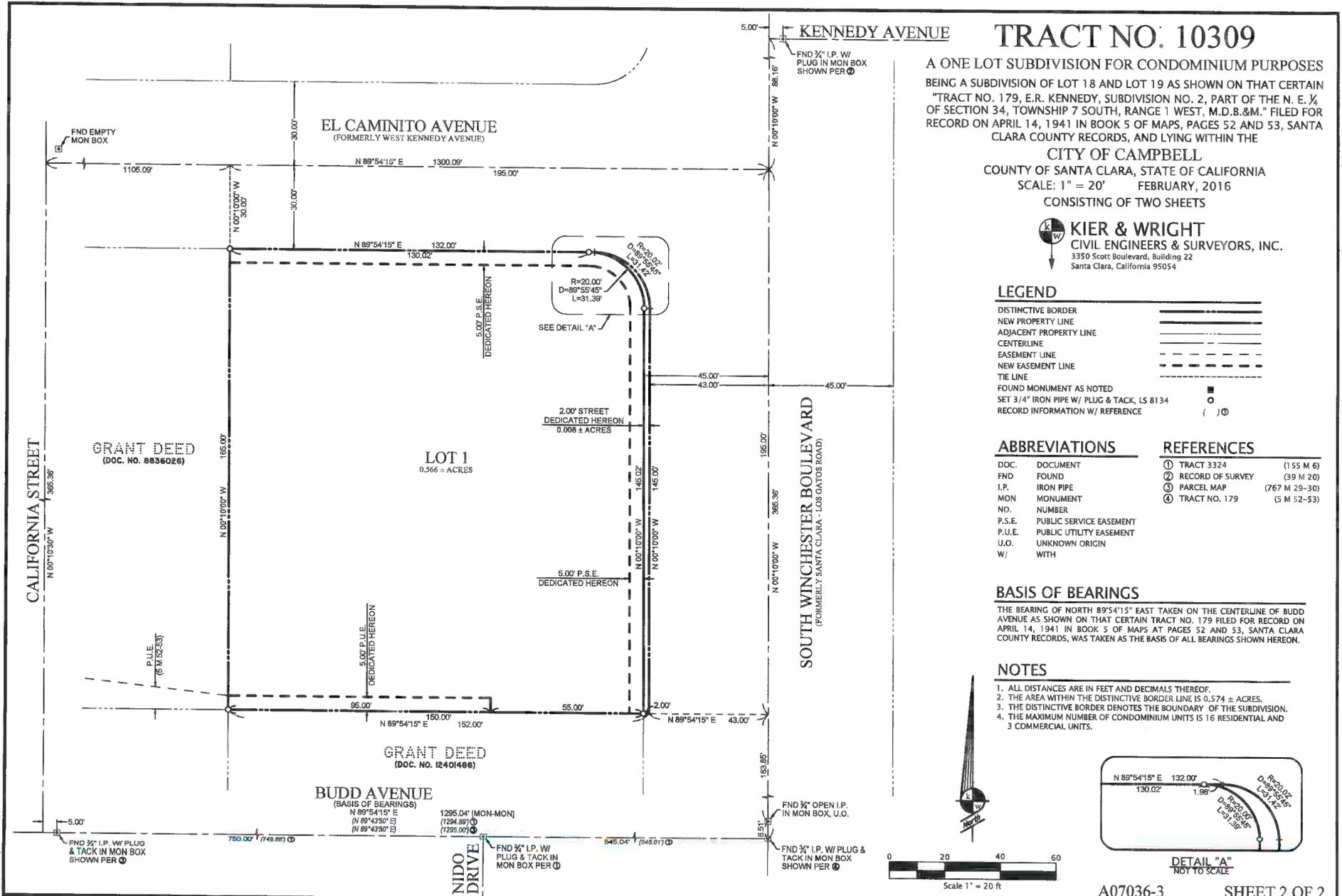
THE BEARING OF NORTH 89°54'15" EAST TAKEN ON THE CENTERLINE OF BUDD AVENUE AS SHOWN ON THAT CERTAIN TRACT NO. 179 FILED FOR RECORD ON APRIL 14, 1941 IN BOOK 5 OF MAPS AT PAGES 52 AND 53, SANTA CLARA COUNTY RECORDS, WAS TAKEN AS THE BASIS OF ALL BEARINGS SHOWN HEREON.

NOTES

- ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF.
- THE AREA WITHIN THE DISTINCTIVE BORDER LINE IS 0.574 ± ACRES.
- THE DISTINCTIVE BORDER DENOTES THE BOUNDARY OF THE SUBDIVISION.
- THE MAXIMUM NUMBER OF CONDOMINIUM UNITS IS 16 RESIDENTIAL AND 3 COMMERCIAL UNITS.



DETAIL "A"
 NOT TO SCALE





City Council Report

Item: 8.
Category: Consent
Meeting Date: February 16, 2016

TITLE: AMENDMENT TO THE CLASSIFICATION AND SALARY PLAN – RECREATION SUPERVISOR

RECOMMENDATION

That the City Council adopt the attached Resolution amending the Classification and Salary Plan.

DISCUSSION

A recruitment will be conducted in February 2016 to establish an eligibility list for the upcoming vacancy for Recreation Supervisor. Mariah Dabel has resigned her position effective in May 2016 and Human Resources needs to begin a recruitment for this position. The Recreation Supervisor job description was last amended in 1979. Due to the period of time since the last amendment, some changes to the job description are proposed. Staff believes the proposed changes reflect a more accurate description of the job.

The attached resolution proposes changes to the class specification of Recreation Supervisor. Attachment B is a strikethrough, underline format to show the changes from the current job description.

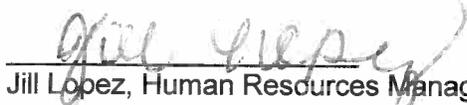
FISCAL IMPACT

There are no fiscal impacts as a result of this action.

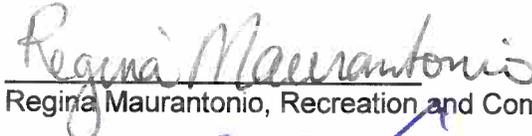
ALTERNATIVES

1. Do not amend the Classification and Salary Plan by modifying the attached class specification.
2. Recommend alternative changes to the class specification.

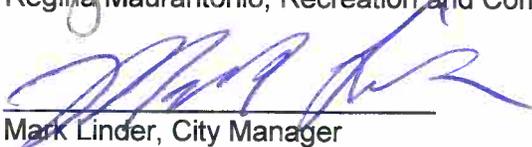
Prepared by:


Jill Lopez, Human Resources Manager

Reviewed by:


Regina Maurantonio, Recreation and Community Services Director

Approved by:


Mark Linder, City Manager

Attachments:

- A – Resolution
- B – Recreation Supervisor, strikethrough, underline version

RESOLUTION NO. _____

RESOLUTION AMENDING THE CLASSIFICATION AND SALARY PLAN

WHEREAS, The City Manager is required by Section 2.12.030 of the Campbell Municipal Code to prepare and submit to the City Council recommendations for the reorganization of offices, departments, and positions which are considered to be in the best interest of efficient, effective and economical conduct of the municipal services provided by the City; and

WHEREAS, Title 2, Section 2.16.020 of the Campbell Municipal Code provides that the City Council may, from time to time, by resolution, change the compensation of employees of said City, and may, by resolution, adopt salary and wage scales; and

WHEREAS, a review has been conducted; and

WHEREAS, an amendment to the current Classification and Salary Plan is needed to meet the requirements of Municipal Code Section 2.12.030.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Campbell does hereby approve the revised class specification of Recreation Supervisor (Attachment B) as outlined in the Council Report.

PASSED AND ADOPTED this 16th day of February 2016, by the following roll call vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

APPROVED:

Jason T. Baker, Mayor

ATTEST:

Wendy Wood, City Clerk

CITY OF CAMPBELL

RECREATION SUPERVISOR

DEFINITION

Under direction, to plan, organize, and supervise the recreation component of the Community Services Program; and to do related work as required.

TYPICAL DUTIES

Organizes, develops, supervises, and coordinates recreation program activities; recruits, trains, and supervises full time, part-time and contract employees; ~~coordinates adult and youth special interest classes~~; coordinates the use of facilities for recreation activities ~~with local school districts~~; ~~plans and organizes adult sports activities~~; develops and prepares reports as required; ~~organizes youth activity programs~~; ~~organizes and supervises summer day camp and holiday camps~~; prepares and controls equipment inventory; coordinates public information concerning recreation programs; prepares and monitors program budget; interfaces with non-profits and outside user groups; ~~including news releases, informational flyers, and program brochures~~; participates in local recreational planning organizations/committees and advisory groups; organizes City-wide special events; and performs other related duties as required.

EMPLOYMENT STANDARDS

Education and Experience: Graduation from an accredited college or university with major work in recreation/leisure services or closely related field, and equivalent of one year of full-time related experience in recreation/leisure services.

Knowledge of: Principles and practices of recreation/leisure services and public relations.

Ability to: Work independently; ~~speaks and writes effectively~~; communicate effectively both orally and in writing; establish and maintain effective working relations with other employees, municipal officials, school district personnel, and the public; ~~develop and operate programs~~; gain the cooperation of other agencies and groups; perform basic computer tasks; effectively and efficiently plan, organize and supervise employees and volunteers; direct the activities of recreation

workers and related personnel; organize and direct activities, programs and special events; work in a team-based environment and achieve common goals; walk or stand for extended periods of time, bend stoop, reach, carry, crawl, climb, run and lift as necessary to perform assigned duties: effectively handle multiple priorities, organize workload, and meet strict deadlines.

Possession of:

Valid California Driver's License.

Est. '79;Rev. 2/16
J:\Specs\RecreationSupv



City Council Report

Item: 9.
Category: Consent Calendar
Meeting Date: February 16, 2016

TITLE: Ordinance 2198 Authorizing the Implementation of a Community Choice Aggregation (CCA) Program (Ordinance Second Reading/Roll Call Vote)

RECOMMENDATION:

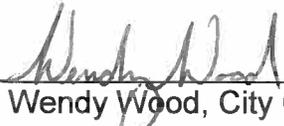
That the City Council approve the second reading of Ordinance 2198 authorizing the implementation of a Community Choice Aggregation program.

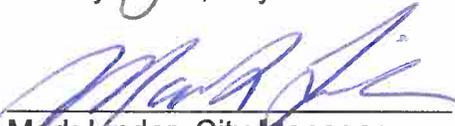
DISCUSSION:

On February 2, 2016, the City Council gave first reading to Ordinance 2198. Second reading of Ordinance 2198 will authorize the implementation of a community Choice Aggregation program. Ordinance 2198 will become effective 30 days following the date of the second reading.

FISCAL IMPACT:

There is no fiscal impact associated with this action.

Prepared by: 
Wendy Wood, City Clerk

Approved by: 
Mark Linder, City Manager

Attachment – Ordinance 2198

ORDINANCE NO. 2198

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CAMPBELL AUTHORIZING THE IMPLEMENTATION OF A COMMUNITY CHOICE AGGREGATION (CCA) PROGRAM

THE CITY COUNCIL OF THE CITY OF CAMPBELL DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Findings. The City Council finds as follows:

1. The Cities of Cupertino, Mountain View, and Sunnyvale, and the County of Santa Clara formed and sponsored the Silicon Valley Community Choice Energy Partnership (SVCCEP) to investigate options to provide electric service to customers within their respective jurisdictions and surrounding municipalities with the intent of achieving greater local control and involvement over the provision of electric services, competitive electric rates, the development of local renewable energy projects, reduced greenhouse gas emissions, and the implementation of energy conservation and efficiency projects and programs.
2. The SVCCEP has prepared a Technical Feasibility Study for a Community Choice Aggregation (“CCA”) program under the provisions of Public Utilities Code Section 366.2. The Technical Feasibility Study shows that implementing a community choice aggregation program would likely provide multiple benefits, including the following:
 - a. Providing customers a choice of power providers;
 - b. Increasing local control over energy rates and other energy-related matters;
 - c. Providing electric rates that are competitive with those provided by the incumbent utility;
 - d. Reducing greenhouse gas emissions arising from electricity use in the City;
 - e. Increasing local and regional renewable generation capacity;
 - f. Increasing energy conservation and efficiency projects and programs;
 - g. Increasing regional energy self-sufficiency; and
 - h. Improving the local economy by implementing new local renewable and energy conservation and efficiency projects.
3. The Joint Powers Agreement creating the Silicon Valley Clean Energy Authority (“Authority”) will govern and operate the CCA program on behalf of its member jurisdictions. The Initial Participants within the County of Santa Clara, as defined by the Joint Powers Agreement, may participate in the Authority by adoption of a resolution approving the execution of the Joint Powers Agreement and adoption of the CCA ordinance required by Public Utilities Code Section 366.2(c)(12) by March 31, 2016. Municipalities choosing to participate in the Authority will have membership on the Board of Directors of the Authority as provided in the Joint Powers Agreement.

4. The Authority will enter into agreements with electric power suppliers and other service providers and, based upon those agreements, the Authority plans to provide electrical power to residents and businesses at rates that are competitive with those of the incumbent utility. Once the California Public Utilities Commission approves the implementation plan prepared by the Authority, the Authority may provide service to customers within the City of Campbell and those cities that choose to participate in the Silicon Valley Clean Energy Authority.
5. Under Public Utilities Code Section 366.2, customers have the right to opt out of a CCA program and continue to receive service from the incumbent utility. Customers who wish to continue to receive service from the incumbent utility will be able to do so at any time.
6. On February 2, 2016, the Campbell City Council held a public hearing at which time interested persons had an opportunity to testify either in support of or in opposition to implementation of the Silicon Valley Clean Energy CCA program in the City of Campbell.
7. This ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to the State CEQA Guidelines as it is not a "project" and has no potential to result in a direct or reasonably foreseeable indirect physical change to the environment (14 Cal. Code Regs. § 15378(a)). Further, this ordinance is exempt from CEQA as there is no possibility that this ordinance or its implementation would have a significant negative effect on the environment (14 Cal. Code Regs. § 15061(b)(3)). This ordinance is also categorically exempt because it is an action taken by a regulatory agency to assure the maintenance, restoration, enhancement, or protection of the environment (14 Cal. Code Regs. § 15308). The Community Development Director shall cause a Notice of Exemption to be filed as authorized by CEQA and the State CEQA Guidelines.

Section 2. The above findings are true and correct.

Section 3. Authorization to Implement a Community Choice Aggregation Program. Based upon the foregoing, and in order to provide businesses and residents within the City of Campbell with a choice of power providers, the City of Campbell hereby elects to implement a community choice aggregation program within the jurisdiction of the City by participating in the Community Choice Aggregation program of the Silicon Valley Clean Energy Authority, as described in its Joint Powers Agreement.

Section 4. The provisions of this ordinance shall be effective thirty (30) days from and after the date of its adoption.

Section 5. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the other remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

Section 6 Effective Date. This Ordinance shall become effective (30) days following its passage and adoption and shall be published once within fifteen (15) days upon passage and adoption in the Campbell Express, a newspaper of general circulation in the City of Campbell, County of Santa Clara.

PASSED AND ADOPTED this 16th day of February, by the following roll call vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

APPROVED:

Jason T. Baker, Mayor

ATTEST:

Wendy Wood, City Clerk



City Council Report

Item: 10.
Category: Public Hearings
Meeting Date: February 16, 2016

TITLE: Acceptance of Supplemental Law Enforcement Service Funds and Approval of Related Operating Budget Adjustment (Resolution/Roll Call Vote)

RECOMMENDATION

- 1) Adopt the attached resolution authorizing acceptance of \$100,000 from the State of California for FY 2016 and the deposit of this amount in the existing Supplemental Law Enforcement Services Fund.
- 2) Approve the use of FY 2015 Supplemental Service Funds for the services of 0.90 FTE Police Department Community Services Officers.

BACKGROUND

In July 1996, California approved AB3229 {Citizens' Option for Public Safety (COPS)} and in July 2000, AB2885 extended this program indefinitely. This bill appropriated \$100 million from the State General Fund for distribution to local law enforcement agencies for "front line municipal police services." Each California City is guaranteed a minimum of \$100,000, regardless of population. No competitive selection process is necessary to qualify for these funds, nor are matching City funds required. However, COPS funds must be spent on personnel. COPS funds are not approved for capital improvement or construction projects.

Other requirements and restrictions include:

- 1) COPS funds shall be used to supplement, not supplant existing funding for law enforcement services.
- 2) COPS funds shall be deposited into a separate fund, not intermingled with other monies.
- 3) The City Council shall approve the appropriation of COPS funds pursuant to a recommendation by the Chief of Police.
- 4) The City Council shall hold a Public Hearing each year to receive comments on the proposed use of COPS funds.
- 5) Each County shall establish a Supplemental Law Enforcement Services Fund for deposit of State COPS funds and distribution to municipalities.
- 6) Each county shall establish a Supplemental Law Enforcement Oversight committee. The Oversight Committee must approve proposed uses of COPS funds and ensure that funds are expended in compliance with State Law.

DISCUSSION

Beginning in 2002, and in each year that followed, the City Council has approved COPS funds for the services of Police Department Community Services Officers. The Chief of Police again proposes that COPS funds be applied towards Community Services Officers.

The Finance Department has established a separate account for the deposit and disbursement of COPS funds.

FISCAL IMPACT

COPS funds in the amount of \$107,061.54 received in FY 2015 will be applied toward the salary and benefits of .90 FTE Community Services Officers budgeted in the FY 2016 Police Department Field Services Division. COPS funds received during FY 2016 will be deferred until FY 2017.

ALTERNATIVES

- 1) Direct that available COPS funds be applied towards another approved purpose.

Prepared by: 

Gary Berg, Police Captain

Reviewed by: 

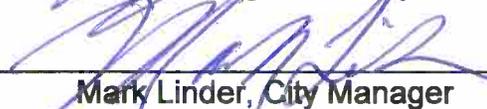
David Carmichael, Chief of Police

Reviewed by: 

Jesse Takahashi, Finance Director

Reviewed by: 

William Seligmann, City Attorney

Approved by: 

Mark Linder, City Manager

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAMPBELL
ACCEPTING STATE OF CALIFORNIA CITIZENS' OPTION FOR PUBLIC
SAFETY FUNDING AND APPROVING AN ADJUSTMENT TO THE 2015-2016
FISCAL YEAR BUDGET

WHEREAS, the City Council of the City of Campbell has adopted a budget for the 2015-2016 fiscal year; and,

WHEREAS, additional revenue is available to the City from the State of California Supplemental Law Enforcement Services Fund; and,

WHEREAS, the City has complied with the legal provisions required to receive this revenue.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Campbell that the City accept Citizens' Option for Public Safety Funding from the State of California in the amount of \$100,000 (plus any overage payments) as its FY 2015/2016 allocation; authorize a budget adjustment to deposit these funds into the existing Supplemental Law Enforcement Services account; and authorize expenditures related to Community Services Officer salary and benefits.

PASSED AND ADOPTED this 16th day of February, 2016 by the following roll call vote:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

APPROVED:

Jason T. Baker, Mayor

ATTEST:

Wendy Wood, City Clerk

City of Campbell Request for Budget Adjustments

Department/Program	Division	Date	Request No.
Police Department	Field Services	February 16, 2016	BA 13 SK

Budget to be Reduced

Fund	Account Number	Description	Amount
101	605.7001	Regular Salary	68,693
101	605.7103	Holiday Pay	3,298
101	605.7105	Uniform Allowance	666
101	605.7106	Retirement (PERS)	13,652
101	605.7107	Dental Insurance	1,825
101	605.7108	Health & Vision Insurance	15,271
101	605.7109	Life Insurance	259
101	605.7110	Worker's Compensation Insurance	3,710
101	605.7112	Disability Insurance	659
101	605.7113	Midicare	996
101	605.7122	Deferred Compensation	1,100
101	605.4526	Supplemental Law Enforcement Grant	100,000

Budget to be Increased

Fund	Account Number	Description	Amount
210	606.7001	Regular Salary	68,693
210	606.7103	Holiday Pay	3,298
210	606.7105	Uniform Allowance	666
210	606.7106	Retirement (PERS)	13,652
210	606.7107	Dental Insurance	1,825
210	606.7108	Health & Vision Insurance	15,271
210	606.7109	Life Insurance	259
210	606.7110	Worker's Compensation Insurance	3,710
210	606.7112	Disability Insurance	659
210	606.7113	Midicare	996
210	606.7122	Deferred Compensation	1,100
210	606.4526	Supplemental Law Enforcement Grant (Recognized Revenue)	107,062
210	606.4526	Supplemental Law Enforcement Grant (Prior Excess)	3,067

REASON FOR REQUEST - BE SPECIFIC:

Supplemental Law Enforcement Grant funds received in fiscal year 2014/2015 to be used to offset salary and benefit expenses for 0.9 Community Services Officer (0.9 FTE) that are budgeted in the Field Service Division. Prior excess funding received will offset expenses in FY15/16. Grant funds received during FY15/16 to be deferred until FY16/17.

 David Carmichael Chief of Police	 Jesse Takahashi Finance Director	 Mark Linder City Manager
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*City
Council
Report*

Item: 11.
Category: Old Business
Meeting Date: February 16, 2016

TITLE: Ordinance 2197 Adding Chapter 8.38 (Medical Marijuana) to the Campbell Municipal Code Imposing an Express Ban on Marijuana Processing, Marijuana Delivery, and Marijuana Dispensaries in the City of Campbell (Ordinance Second Reading/Roll Call Vote)

RECOMMENDATION:

That the City Council approve the second reading of Ordinance 2197 adding Chapter 8.38 (Medical Marijuana) to the Campbell Municipal Code imposing an express ban on marijuana processing, marijuana delivery, and marijuana dispensaries in the City of Campbell.

DISCUSSION:

On January 19, 2016, the City Council held a public hearing to consider an ordinance that would prohibit the establishment and operation of marijuana processing, delivery, and dispensary activities and gave first reading of Ordinance 2197. Second reading of Ordinance 2197 was scheduled the February 2, 2016 City Council meeting. On February 2, 2016 Council requested a continuation of the second reading to the February 16, 2016 City Council meeting. Second reading of Ordinance 2197 will amend the Campbell Municipal Code adding Chapter 8.38 (Medical Marijuana); add Section 8.38.010 (Legislative Findings and Statement of Purpose); add Section 8.38.020 (Definitions); add Section 8.38.030 (Prohibited Activities); add Section 8.38.040 (Public Nuisance); add Section 8.38.050 (Violations); add Section 8.38.070 (Severability); and amend Section 6.10.020. Ordinance 2197 will become effective 30 days following the date of the second reading.

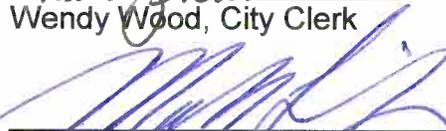
FISCAL IMPACT:

There is no fiscal impact associated with this action.

Prepared by:


Wendy Wood, City Clerk

Approved by:


Mark Linder, City Manager

Attachment – Ordinance 2197

ORDINANCE NO. 2197

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CAMPBELL, CALIFORNIA, REAFFIRMING AND IMPOSING AN EXPRESS BAN ON MARIJUANA PROCESSING, MARIJUANA DELIVERY, AND MARIJUANA DISPENSARIES IN THE CITY OF CAMPBELL

WHEREAS, in 1996, the voters of the State of California approved Proposition 215 (codified as Health & Safety Code Section 11362.5 *et seq.* and entitled "The Compassionate Use Act of 1996" referred to herein as the "CUA");

WHEREAS, the intent of the CUA was to enable seriously ill Californians to legally possess, use, and cultivate marijuana for medical use under state law once a physician has deemed the use beneficial to a patient's health;

WHEREAS, in 2003, the California Legislature adopted SB 420, the Medical Marijuana Program ("MMP"), codified as Health and Safety Code Section 11362.7 *et seq.*, which permits qualified patients and their primary caregivers to associate collectively or cooperatively to cultivate marijuana for medical purposes without being subject to criminal prosecution under the California Penal Code;

WHEREAS, neither the CUA nor the MMP require or impose an affirmative duty or mandate upon a local government to allow, authorize, or sanction the establishment of facilities that cultivate or process medical marijuana within its jurisdiction;

WHEREAS, in May 2013, the California Supreme Court issued its decision in *City of Riverside v. Inland Empire Patients Health and Wellness Center, Inc., et al.*, holding that cities have the authority to ban medical marijuana land uses;

WHEREAS, under the Federal Controlled Substances Act, codified in 21 U.S.C. Section 801 *et seq.*, the use, possession, and cultivation of marijuana are unlawful and subject to federal prosecution without regard to a claimed medical need;

WHEREAS, on October 9, 2015, Governor Jerry Brown signed the "Medical Marijuana Regulation and Safety Act" ("Act"), which is comprised of the state legislative bills known as AB 243, AB 266, and SB 643, into law;

WHEREAS, the Act becomes effective January 1, 2016 and contains provisions that govern the cultivating, processing, transporting, testing, and distributing of medical cannabis to qualified patients. The Act also contains new statutory provisions that:

- Allow local governments to enact ordinances expressing their intent to prohibit the cultivation of marijuana and their intent not to administer a conditional permit program pursuant to Health & Safety Code Section 11362.777 for the cultivation of marijuana (Health & Safety Code § 11362.777(c)(4));

- Expressly provide that the Act does not supersede or limit local authority for local law enforcement activity, enforcement of local ordinances, or enforcement of local permit or licensing requirements regarding marijuana (Business & Professions Code § 19315(a));
- Expressly provide that the Act does not limit the authority or remedies of a local government under any provision of law regarding marijuana, including but not limited to a local government's right to make and enforce within its limits all police regulations not in conflict with general laws (Business & Professions Code § 19316(c)); and
- Require a local government that wishes to prevent marijuana delivery activity, as defined in Business & Professions Code section 19300.5(m) of the Act, from operating within the local government's boundaries to enact an ordinance affirmatively banning such delivery activity (Business & Professions Code § 19340(a));

WHEREAS, many California cities, as well as the City of Campbell, have reported negative impacts of marijuana processing and distribution activities, including offensive odors, illegal sales and distribution of marijuana, trespassing, theft, violent robberies and robbery attempts, fire hazards, and problems associated with mold, fungus, and pests;

WHEREAS, marijuana plants, as they begin to flower and for a period of two months or more, produce a strong odor, offensive to many people, and detectable far beyond property boundaries if grown outdoors;

WHEREAS, in the case of multiple qualified patients who are in control of the same legal parcel, or parcels, of property, or in the case of collective or cooperative cultivation, or in the case of a caregiver growing for numerous patients, a very large number of plants could be cultivated on the same legal parcel, or parcels, within the City of Campbell ("City");

WHEREAS, the strong smell of marijuana creates an attractive nuisance, alerting persons to the location of the valuable plants, and creating a risk of burglary, robbery or armed robbery;

WHEREAS, the indoor cultivation of marijuana has potential adverse effects to the structural integrity of the building, and the use of high wattage grow lights and excessive use of electricity increases the risk of fire which presents a clear and present danger to the building and its occupants;

WHEREAS, the Attorney General's August 2008 Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use recognizes that the cultivation or

other concentration of marijuana in any location or premises without adequate security increases the risk that nearby homes or businesses may be negatively impacted by nuisance activity such as loitering or crime;

WHEREAS, based on the experiences of other cities, these negative effects on the public health, safety, and welfare are likely to occur, and continue to occur, in the City due to the establishment and operation of marijuana processing and distribution activities;

WHEREAS, Section 7 of Article 11 of the California Constitution and Section 2.04.010 of the Campbell Municipal Code provides the City Council with the authority to make and enforce all laws, rules and regulations with respect to not in conflict with general laws, and the power to exercise, or act pursuant to any and all rights, powers, and privileges, or procedures granted or prescribed by any law of the State of California;

WHEREAS, under the Campbell Municipal Code ("CMC") every zoning district in the City of Campbell prohibits "[a]ny use inconsistent with state or federal law;"

WHEREAS, the cultivation, processing and distribution of medical marijuana is already prohibited in the City to pursuant to the aforementioned zoning provisions that prohibit "[a]ny use inconsistent with state or federal law;"

WHEREAS, based on the findings above, the potential establishment of the processing and distribution of medical marijuana in the City without an express ban on such activities poses a current and immediate threat to the public health, safety, and welfare in the City due to the negative impacts of such activities as described above;

WHEREAS, the issuance or approval of business licenses, subdivisions, use permits, variances, building permits, or any other applicable entitlement for marijuana processing, delivery, and/or distribution will result in the aforementioned threat to public health, safety, and welfare; and

WHEREAS, it is in the interest of the City, its residents, and its lawfully permitted businesses that the City adopts this ordinance to expressly confirm and reaffirm the prohibition on the establishment and operation of marijuana processing, delivery, and dispensary activities as well as the issuance of any use permit, variance, building permit, or any other entitlement, license, or permit for any such activity, except where the City is preempted by federal or state law from enacting a prohibition on any such activity or a prohibition on the issuance of any use permit, variance, building permit, or any other entitlement, license, or permit for any such activity.

NOW THEREFORE, the City Council of the City of Campbell does ordain as follows:

Section 1. The City Council of the City of Campbell hereby finds that the above recitals are true and correct and are incorporated into the substantive portion of this ordinance.

Section 2: The City Council hereby adds Chapter 8.38 entitled "Medical Marijuana" to Title 8 of Campbell Municipal Code to read as follows:

8.38.010 Legislative Findings and Statement of Purpose.

A. The City Council finds that the prohibitions on marijuana processing, marijuana delivery, and marijuana dispensaries are necessary for the preservation and protection of the public health, safety, and welfare for the City and its community. The City Council's prohibition of such activities is within the authority conferred upon the City Council in state law.

B. On October 9, 2015, the governor signed the "Medical Marijuana Regulation and Safety Act" ("Act") into law. The Act becomes effective January 1, 2016 and contains new statutory provisions that:

1. Allow local governments to enforce new and existing ordinances expressing their intent to prohibit the cultivation of marijuana and their intent not to administer a conditional permit program pursuant to Health & Safety Code section 11362.777 for the cultivation of marijuana (Health & Safety Code § 11362.777(c)(4));

2. Expressly provide that the Act does not supersede or limit local authority for local law enforcement activity, enforcement of local ordinances, or enforcement of local permit or licensing requirements regarding marijuana (Business & Professions Code § 19315(a));

3. Expressly provide that the Act does not limit the authority or remedies of a local government under any provision of law regarding marijuana, including but not limited to a local government's right to make and enforce within its limits all police regulations not in conflict with general laws (Business & Professions Code § 19316(c)); and

4. Require a local government that wishes to prevent marijuana delivery activity, as defined in Business & Professions Code section 19300.5(m) of the Act, from operating within the local government's boundaries to enact an ordinance affirmatively banning such delivery activity (Business & Professions Code § 19340(a)).

C. The City Council finds that this Chapter: (1) acknowledges that existing provisions of Title 21 of the Campbell Municipal Code

already prohibit the cultivation, processing or dispensing of marijuana in the City and preclude a conditional permit program pursuant to Health & Safety Code section 11362.777 for the cultivation of marijuana in the City; (2) exercises its local authority to enact and enforce local regulations and ordinances, including those regarding the permitting, licensing, or other entitlement of the activities prohibited by this Chapter; (3) exercises its police power to enact and enforce regulations for the public benefit, safety, and welfare of the City and its community; and (4) expressly prohibits the delivery of marijuana in the City.

8.38.020 Definitions.

For purposes of this Chapter, the following definitions shall apply:

A. "Marijuana" means any or all parts of the plant *Cannabis sativa* Linnaeus, *Cannabis indica*, or *Cannabis ruderalis*, whether growing or not; the seeds thereof; the resin or separated resin, whether crude or purified, extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin, including marijuana infused in foodstuff or any other ingestible or consumable product containing marijuana. The term "marijuana" shall also include "medical marijuana" as such phrase is used in the August 2008 Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use, as may be amended from time to time, that was issued by the office of the Attorney General for the state of California or subject to the provisions of California Health and Safety Code Section 11362.5 (Compassionate Use Act of 1996) or California Health and Safety Code Sections 11362.7 to 11362.83 (Medical Marijuana Program Act); and the term shall also include the substance defined as "cannabis" in section 19300.5 of the California Business and Professions Code or any successor statute thereto;

B. "Marijuana Processing" means any method used to prepare marijuana or its byproducts for commercial retail and/or wholesale, including but not limited to: drying, cleaning, curing, packaging, and extraction of active ingredients to create marijuana related products and concentrates;

C. "Marijuana Delivery" shall have the same meaning as the term "delivery" defined in section 19300.5 of the California Business and Professions Code or any successor statute thereto;

D. "Marijuana Dispensary" or "Marijuana Dispensaries" means any business, office, store, facility, location, retail storefront or

wholesale component of any establishment, cooperative or collective that delivers (as defined in Business & Professions Code section 19300.5(m) or any successor statute thereto) whether mobile or otherwise, dispenses, distributes, exchanges, transmits, transports, sells or provides marijuana to any person for any reason, including members of any medical marijuana cooperative or collective consistent with the August 2008 Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use, as may be amended from time to time, that was issued by the office of the Attorney General for the state of California, or for the purposes set forth in California Health and Safety Code Section 11362.5 (Compassionate Use Act of 1996) or California Health and Safety Code Sections 11362.7 to 11362.83 (Medical Marijuana Program Act). The term shall include a "dispensary" as defined in section 19300.5 of the California Business and Professions Code or any successor statute thereto;

E. "Medical marijuana collective" or "cooperative or collective" means any group that is collectively or cooperatively cultivating and distributing marijuana for medical purposes that is organized in the manner set forth in the August 2008 Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use, as may be amended from time to time, that was issued by the office of the Attorney General for the state of California or subject to the provisions of California Health and Safety Code Section 11362.5 (Compassionate Use Act of 1996) or California Health and Safety Code Sections 11362.7 to 11362.83 (Medical Marijuana Program Act).

8.38.030 Prohibited Activities.

Marijuana Processing, Marijuana Delivery, and Marijuana Dispensaries shall be prohibited activities in the City, except where the City is preempted by federal or state law from enacting a prohibition on any such activity. No use permit, variance, building permit, or any other entitlement, license, or permit, whether administrative or discretionary, shall be approved or issued for the activities of Marijuana Processing, Marijuana Delivery, or the establishment or operation of a Marijuana Dispensary in the City, and no person shall otherwise establish or conduct such activities in the City, except where the City is preempted by federal or state law from enacting a prohibition on any such activity for which the use permit, variance, building permit, or any other entitlement, license, or permit is sought.

8.38.040 Public Nuisance.

Any violation of this chapter is hereby declared to be a public nuisance.

8.38.050 Violations.

Any violation of this chapter shall be punishable as provided in Chapter 6.10 Campbell Municipal Code or any successor provisions thereto.

8.38.070 Severability.

If any section, subsection, sentence or clause of this chapter is, for any reason, held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this chapter.

Section 3: Subparagraph (Q) of paragraph (6) of subsection (a) of section 6.10.020 of the Campbell Municipal Code is hereby amended to read (with underlining indicating new text):

A violation of any of the provisions of Campbell Municipal Code Chapters 5.24, 5.28, 5.29, 5.30, 5.36, 5.48, 5.58, 6.11, 6.20, 6.30, 8.34, 8.38, 11.04, 11.08, 11.12, 11.16, 11.32, 13.04, or 14.02,

Section 4: The provisions of this ordinance are declaratory of existing law in the City of Campbell, and are intended to clarify and facilitate, and not to supersede the existing provisions contained in Title 21 of the Campbell Municipal Code.

Section 5: If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared, invalid or unconstitutional.

Section 6: The City Council finds the approval of this ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. Alternatively, the City Council finds the approval of this ordinance is not a project under CEQA Regulation Section 15061(b)(3) because it has no potential for causing a significant effect on the environment.

Section 7: Effective Date. This ordinance shall take effect thirty (30) days after passage thereof.

Section 8: Publication. This ordinance shall be published in accordance with the provisions of Government Code Section 36933.

PASSED AND ADOPTED this 16th day of February, 2016 by the following roll call vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

APPROVED:

Jason T. Baker, Mayor

ATTEST:

Wendy Wood, City Clerk



City Council Report

Item: 12.
Category: New Business
Meeting Date: February 16, 2016

TITLE: FY 16 General Fund Mid-Year Budget Update

RECOMMENDATION

Staff recommends that the City Council review and file this mid-year budget update for FY 16 and direct staff to prepare the necessary budget adjustments recommended within this report and attachments.

BACKGROUND

The City's Financial Policies require staff to provide the Council with a mid-year budget status report each year. The report discusses how the City is progressing with respect to its budgeted revenues and expenditures in the current fiscal year including a discussion of key general revenue sources and recommended adjustments. It also contains department submitted updates of revenues and expenditures. Lastly, the report includes an assessment of the City's fiscal outlook for the remainder of the year and potential issues that may have an impact the development of next year's budget.

Attachments 1 and 2 summarize the original budget and mid-year projections for revenues and expenditures, respectively. Attachment 3 summarizes the pro-forma projections of incorporating all recommended adjustments to the General Fund and provides a basis for demonstrating that the budget remains in balance by having total operating revenues, including use of beginning fund balance (i.e., reserves), meet or exceed total operating expenditures. Additionally, it provides a projection of the residual fund balances taking into account the City's financial policy requirements. Other potential factors that may alter the year-end results from what is anticipated at this mid-point are changes in staffing and any unanticipated circumstances and/or economic events. The basis for the estimates contained in this report was financial operating results through December, 2015.

DISCUSSION

At the midway point of the year, the City's General Fund is expected to end the fiscal year with an operating surplus of approximately \$1.7 million. This represents an improvement in the City's general revenues of \$0.6 million and a net positive change in department controlled revenues and expenditures of \$0.5 million. Of course, four months remain before the fiscal year concludes, and the final numbers will likely change for better or worse as a multitude of factors can impact the economy, including unforeseen events, causing these estimates to differ from the final fiscal year results.

FY 16 General Revenues

In the General Fund, "General Revenues" are differentiated from program specific revenues in that general revenues are not derived from a City provided service and may be used for most City expenditures. General revenues include all tax revenues such as sales, property, franchise, transient occupancy, vehicle license, construction, business license and real property transfer taxes, as well as related investment income. In comparison, program revenues are generated and, to a large degree, are subject to control of the respective departments. Fees are charged to a user in return for the City providing a specific service for the user. Examples of this type of revenue include building permits, encroachment permits, plan check and zoning fees, fines and penalties, recreation fees and facility lease/rental fees. Many of these revenues are categorized as Charges for Services.

Table 1 below summarizes the City's significant general revenues, that staff is recommending for adjustment, based on its analysis and the most recent information available to-date. Following the table is a brief discussion of each significant revenue source along with an explanation of the requested modification.

Table 1 - General Revenues (In 000's)

<u>Revenue Source</u>	<u>FY 16 Budgeted Revenue</u>	<u>FY 16 Revised Estimate</u>	<u>Increase (Decrease)</u>
Sales Tax	\$ 14,850	\$ 14,850	\$ -
Property Taxes Secured	10,940	10,750	(190)
Property Taxes Unsecured	-	569	569
Redevelopment Property Tax Trust Fund (RPTTF) Residual	250	369	119
Transient Occupancy Taxes	4,300	4,500	200
Real Property Transfer Tax	579	449	(130)
Totals	\$ 30,919	\$ 31,487	\$ 568

Sales Tax: Sales tax is the single largest revenue component of the City's General Fund representing approximately 33% of total operating revenue, excluding use of reserves. This revenue source is highly sensitive to the state of the economy and has seen steep declines over the past decade as the economy experienced severe challenges after 2001 and again in 2007 and 2008 during the Great Recession. During the ensuing economic recovery, the City experienced several years of strong growth; however, after eight years of recovery and expansion, the revenue growth has leveled off and appears to be only modestly improving at this point in time.

Table 1 shows the aggregate sales tax revenues are on track with the current budget. While the economy of Silicon Valley continues to perform well regionally, the City is somewhat constrained in its ability to grow sales tax revenues due to the limited opportunities for adding significant new retail developments. Other factors have also contributed to this situation, notably the continued decline in gasoline prices which has offset other areas of modest growth, as well as an inflation level that continues to remain low.

Consequently, staff recommends no changes at this time to the sales tax budget.

Property Tax: Property tax revenue continues to see improvement year over year. Property tax revenue comprises approximately 25% of General Fund revenues for FY 16. Assessed valuations continue to see healthy growth due to continued strength in the residential and commercial real estate markets. Also contributing to the increase is the continued growth in the Vehicle License Fee (VLF) backfill from the State, which is based on the City's estimated overall property tax growth.

Based on current data, and the review of actual receipts from the County for the first half of the year, secured and unsecured property tax revenue for this year is projected to reach a combined \$11.3 million or \$379,000 (3.7%) more than originally budgeted.

As a result of the dissolution of the City's Redevelopment Agency in February, 2012, the City receives a modest amount of residual tax increment representing an excess of what is necessary to pay for the debt obligations of the former RDA and related administrative costs. Excess funds are distributed twice per year by the County Auditor-Controller to the respective taxing jurisdictions based on approved ROPs (Recognized Obligation Payments) that are approved by the Successor Agency's Oversight Board. The City's General Fund is expected to receive approximately \$369,000 in residual distributions from the County's RPTTF this year, an increase of \$119,000 from what was originally budgeted. This is again the result of the better than expected strength in the local housing market.

In total, staff recommends combined increases in the property tax revenue budgets of \$498,000 to reflect the expected increases in revenue.

Transient Occupancy Tax: A Transient Occupancy Tax (TOT) of 12% is applied to the room revenues at the City's seven hotels/motels/inns. Generally, exemptions occur once a guest has stayed for more than 30 consecutive days assuming there is no break in the stay. At the midpoint of the year, revenue is trending higher based on actual receipts. The travel industry continues to experience strong business and personal travel. Locally, these lodging facilities have been able to increase average room revenues while maintaining or increasing occupancy. Current projections place year-end revenues at \$4.5 million. At this time, staff recommends a budget increase of \$200,000 to reflect the additional expected revenue by year end.

Documentary Transfer Tax: This revenue source is based on the recording of documents transferring ownership of real property. With the continued strength in the housing market, as previously noted, revenue from this source has grown significantly the past two years. However, although the real estate market is still doing well, there has been a slowing of the growth and latest projections indicate revenues will not meet the original budget of \$579,000. Consequently, staff recommends decreasing budgeted revenue by \$130,000 to reflect this revised estimate.

Departmental Program Revenues and Expenditures

For revenues and expenditures under the control of departments, each department head reviewed and submitted requests to adjust the budget as deemed necessary based on actual receipts and expenditures to-date and expected projections through fiscal year-end.

A summary of the requested changes to revenue and expenditure budgets from departments is shown in the following table.

Table 2 - Department/Program Recommended Changes (In 000's)

<u>Department / Function</u>	<u>Proposed Revenue Adjustment</u>	<u>Proposed Expenditure Adjustment</u>	<u>Net GF Impact Pos (Neg)</u>
City Manager	\$ -	\$ 221	\$ (221)
Community Development	467	(317)	784
Finance	-	60	(60)
Public Safety	-	(47)	47
Public Works	-	39	(39)
Recreation & Community Services	(64)	5	(69)
Totals	\$ 403	\$ (39)	\$ 442

City Manager

At the February 2nd meeting, Council approved the City's participation in the Community Choice Energy Program and use of \$150,000 to support the initial costs of this program. The funding will come from the Capital Improvement Program Reserve. Staff is also requesting appropriation of \$25,000 from the Council Priority Reserve for Super Bowl 50 marketing efforts. This included the video vignette on the City as well as banners and other costs related to the recent Super Bowl.

The Information Technology division is requesting funding for a higher capacity data storage device (\$25,000) as well as a new high speed data circuit (\$8,200) needed to accommodate current and future Police department systems that store high definition

video data and which need to be transmitted to the County District Attorney's Office. Also requested are funds for enhancements related to Recreation's ActiveNet registration system (\$8,000) to allow electronic waiver signatures and upgrade credit card readers. Due to the need to complete numerous technology projects, staff would like to move \$40,000 from its budgeted Personnel line item to Professional Services in order to utilize short term outside help to tackle these projects. Lastly, \$5,000 is requested to be appropriated from the Council Priority Reserve for Planning Commission iPads as discussed and approved in June.

In summary, \$221,200 in additional appropriations and operating transfers are requested from the General Fund as well as related appropriations for the IT Pool fund to effect the approved expenditures including reclassifying \$40,000 as noted above. This includes \$30,000 in funding from the Council Priority Reserve.

Community Development

In Administration (550), Rents/Leases revenue is expected to be \$30,000 lower than budget due to a planned new communication tower that is now not expected to occur. Current Planning (551) zoning fee revenues are anticipated to come in \$80,000 higher than budget due to increased numbers of project applications needing review.

In the Building division (554), construction permit revenue is expected to realize an additional \$99,000 over budget and plan check revenue is expected to be up by \$301,000, both due to the increase in number and size of submitted projects. Microfilm revenue is expected to see a \$7,000 increase and Code Enforcement revenue is expected to realize \$10,000 for which no budget currently exists. The aggregate of these changes will result in a net revenue budget increase of \$467,000.

On the expenditure side, expected net savings of \$317,000 are attributable to budgeted costs related to the General Plan update (\$200,000) that will likely not be spent until next fiscal year due to not hiring a GP consultant until sometime in the Spring; additionally, salary savings will result from the Planning Manager position that has been and will likely remain vacant most of the year (\$109,000). In the Building division, cost savings of \$61,000 are anticipated due to the timing of hiring of a new Senior Inspector and vacancies in the Inspector positions. Offsetting these savings is the need for \$75,000 in additional appropriations for contract services to handle the increased demand in building plan checks for the remainder of the year.

In summary, staff recommends an increase in net revenues of \$467,000 and a net decrease in expenditure appropriations of \$317,000 for this department. The net impact to the General Fund is a positive \$784,000.

Finance and Non-Departmental

In Non-Departmental program (540), an additional \$30,000 is needed for higher than expected insurance premiums which are not known until after budgets have been submitted. The other request is for an additional \$30,000 needed for claims expenditures as the City had two modest settlements during the year which consumed most of the

budget. The combined impact to the General Fund for all requested adjustments is \$60,000.

Public Safety

The Police Department has no revenue adjustments at this time. With respect to expenditures in program (601), higher than anticipated recruitments in the department require an increase of \$11,000 related to the cost of conducting background investigations.

In Special Enforcement division (604), the department is requesting an additional \$5,000 for CERT (Community Emergency Response Team) equipment and supplies that was funded by a General Fund reserve during the FY 2016 budget process. Approval of this item will appropriate funds from the Council Priority Reserve fund and add it to the \$3,000 already adopted by Council in the operating budget for a total of \$8,000 for the year.

In Field Services division (605), salary savings of approximately \$131,500 are expected from various officer vacancies due to the timing of hiring these positions. In the same program, \$54,500 is requested for the replacement of department Tasers which are about 10 years old and in need of replacement. The proposed new Taser units will have two cartridges that allow an officer a second attempt if the first try is unsuccessful. Also requested is \$9,400 for the installation of in-car video cameras by an outside contractor. Originally, it was planned that the County would be able to do this, as was done in the past; however, they are no longer able to do this and the department will have to find an alternate for this work which will cost more.

In summary, PD is recommending a net expenditure reduction of \$46,600 for the department.

Public Works

No revenue adjustments are proposed by Public Works. With respect to expenditures, in Administration (701), additional temporary budget is needed (\$20,000) to cover work on various projects this year including LED streetlight conversion analysis, the Civic Center Master Plan, residential permit parking management and water conservation analysis.

In Transportation Engineering (720) staff requests transferring budget from the Permanent Personnel line item to Temporary Personnel (\$30,000) to rebalance resources during the recruitment of Assistant Traffic Engineer.

In Engineering (730), rebalancing for the positions of City Engineer and Associate Civil Engineer will require backfilling to be done through an outside contractor. Thus, reduction in both Permanent and Temporary Personnel of \$70,000 will be offset by an increase in Professional Services of \$60,000 with a small increase in Overtime of \$3,000.

Land Development (740) is requesting an additional \$20,000 which will also be used to help backfill the vacancies in (730) during the recruitment process.

In Maintenance Administration (745), \$6,000 is requested to restore an Office Assistant to full time from 0.9 FTE due to increased workload.

In summary, the impact to the General Fund is a net increase in expenditures of \$39,000.

Recreation and Community Services

Total recommended adjustments for the department will result in a net decrease in revenues of \$63,600 while net expenditure adjustments will increase the budget by \$5,300.

The projected changes are comprised of the following:

- In Administration, \$3,500 is requested for work experience funding that was not carried forward from the previous year when the grant funds were received and is needed this year.
- In Adult (Senior) Services, higher enrollment in a day trip will increase revenue by \$17,600 and expenditures by \$16,000.
- In the Museum, revenues are expected to fall short of original budget by \$20,400 despite increased fees and extended rental hours at the Ainsley Garden. Because many events are booked in advance, the increased fees may not be realized until the subsequent year. On the expenditure side, \$18,000 is requested to purchase a Tuff Shed and to modify the exit door and garden gates so as to improve access and storage capacity at the Museum.
- Theatre ticket sales are stronger than expected and staff recommends increasing revenue by \$24,800. Sponsorship revenue, on the other hand, is down and estimates show a reduction of \$8,000 is needed to match new estimates. On the expenditure side, \$17,000 will not be spent for the ticketing software replacement due to a transition with the vendor to a new owner. However, an additional \$5,100 is needed to reflect an increase in ticketing fee costs due to increased internet sales.
- In Sports, Aquatics & Fitness, the youth soccer contract was dropped and replaced with a new one in late Fall. Additionally, summer youth volleyball league was not offered due to low enrollment last season; and, tennis and karate classes were also reduced. Consequently, revenues are expected to be reduced by \$77,600. Corresponding reductions in expenses of \$6,400 in Temporary Personnel and \$36,900 in the line item for Other Contracts are being made.
- In Trips, Tours & Classes, an additional \$17,000 is needed to comply with minimum wage law which became effective January 1, 2016. Staff is also requesting \$6,000 to replace the window shade covers in room M47.

Non-General Fund Budget Adjustments

There are several additional items which staff is requesting budget adjustments impacting funds other than the General Fund.

In the Information Technology Pool fund (647), appropriations are needed to move \$40,000 from Permanent Personnel to Temporary Personnel and \$25,000 is needed for a new higher capacity data storage unit as well as \$8,200 for a new high speed data circuit and iPads for the Planning Commission. These items were discussed previously under the City Manager's Department requests since General Fund dollars will be transferred to the IT Pool fund.

In the Motor Vehicle and Equipment fund (641), \$36,000 is needed to repair three vehicles: a police marked vehicle, a SWAT vehicle, and brakes for the front loader.

The Streets fund (204.760) is requesting that \$40,000 be moved from the permanent personnel line item to temporary personnel to rebalance resources during various recruitments.

FISCAL IMPACT

The net impact to the General Fund of the recommended adjustments to general revenues is a positive \$568,000, and the impact of department requested changes (both department controlled revenue and expenditures) is a positive \$441,500. The combined net impact to the General Fund, should Council approve the requests and recommendations of staff, is a positive \$1,009,500. Staff recommends reducing the use of Construction Tax, PERS/OPEB reserves and General Plan Maintenance reserves, while increasing use of the Council Priority Reserve which is a net \$298,000 reduction in use of reserves. It should be emphasized that these reserves are budgeted for one-time expenditures and don't represent ongoing operating costs.

The following table summarizes the original estimate of draws on General Fund reserves and recommended revisions based on the midyear changes:

Table 3 – Estimated Draw on Reserves (In 000's)

Reserve	FY 16 Budgeted Draw	FY 16 Revised Draw	Difference
Encumbrances	\$ 146	\$ 146	\$ -
CIPR	1,033	1,033	-
General Plan Maintenance	359	159	(200)
Council Priorities	-	35	35
PERS/OPEB	98	-	(98)
Construction Tax	35	-	(35)
Totals	<u>\$ 1,671</u>	<u>\$ 1,373</u>	<u>\$ (298)</u>

Assuming the revised draw on reserves is approved, the General Fund will end up with a surplus of approximately \$1.7 million. As previously approved by Council, \$1 million has already been set aside in reserves (\$0.5 million for the Civic Center Master Plan and \$0.5 million for other Council Priorities). The remaining \$0.7 million is recommended to be added to the Capital Improvement Reserve (CIPR) for one time operating and/or capital project funding needs, including the Council priority projects. Council may wish to discuss other uses for these funds and provide staff with direction.

Table 4 below summarizes the revised General Fund estimated results compared to the final adopted budget:

Table 4 – Estimated General Fund Yearend Results (In 000's)

	Adopted Budget	Revised Estimate	Change
Revenues	\$45,644	\$46,615	\$ 971
Expenditures	<u>46,147</u>	<u>46,270</u>	<u>123</u>
Subtotal	(503)	345	848
Reserve usage	<u>1,671</u>	<u>1,373</u>	<u>(298)</u>
Surplus	<u>\$ 1,168</u>	<u>\$ 1,718</u>	<u>\$ 550</u>

ECONOMIC CONDITIONS AND OUTLOOK

The City's fiscal situation continues to be healthy and robust. Property tax revenue also continues to do well. Real property values and transactions around Silicon Valley and the greater Bay Area remain vibrant and appear poised to stay this way over the near term. The Valley continues to be a major job creator as recent payroll data demonstrates.

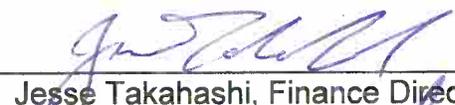
The unemployment rate for Campbell has also improved considerably over the past few years. At December, 2015, the rate was 2.7% which is down from 3.8% a year ago and compared to Santa Clara County where the rate was 3.7%. While the unemployment rate continues to show improvement locally, another indicator, the inflation outlook, continues to hold steady and is expected to continue low for the remainder of the year.

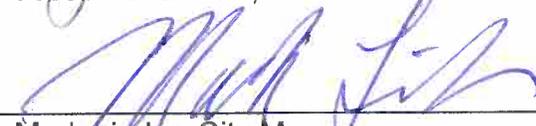
The State of California is also projecting another surplus budget for next year which would be a continued relief for local governments who have, over the decades, been the target of State revenue grabs, the most recent one being the dissolution of redevelopment agencies in 2012. With projected excess revenues on the horizon, the State should not need to take away revenues from cities to balance its budget, leaving local governments alone.

As previously noted in this report, Campbell's sales tax base is somewhat constrained due to our limited geography and ability to bring in significant new retail development. The mid-

year shows revenue growth for sales tax has leveled off despite the overall strength of the surrounding region, indicating the inherent limitations of our geography. Additionally, there a number of individual sales tax generators whom, if the City lost any one of them, could have a significant impact on revenues. It is crucial the City continue its efforts, which it has done, at economic development and business retention to promote a strong and stable tax base for the long-term fiscal health of the City.

It should be noted that the economy has been in expansion cycle for the past eight years which is coming up to the average business cycle time of about 10 years. Over the past two decades, experience has shown that the current environment can change rapidly; thus, it is important to move ahead cautiously and strive for fiscal sustainability over the long haul. Despite the challenges that lie ahead, the City's fiscal health remains strong and, with continued prudence and foresight, the City will be able to continue providing quality services to its residents.

Prepared by: 
Jesse Takahashi, Finance Director

Approved by: 
Mark Linder, City Manager

Attachments:

- 1 - Summary of General Fund Operating Revenues
- 2 - Summary of General Fund Operating Expenditures
- 3 - Summary of General Fund Revenues, Expenditures & Fund Balance

ATTACHMENT 1

**Summary of General Fund Operating Revenues
As of 01/31/16
(Including Mid-Year Recommendations)**

Description	FY 16 Budget	Recommended Mid-Year Adjustments	FY 16 Amended
Property Taxes	\$ 10,983,000	\$ 379,000	\$ 11,362,000
RPTTF	250,000	119,000	369,000
Sales Tax	14,850,000		14,850,000
Franchise Taxes	2,850,500		2,850,500
Transient Occupancy Tax	4,300,000	200,000	4,500,000
Other Taxes	1,254,000	(130,000)	1,124,000
Licenses & Permits	2,293,092	487,000	2,780,092
Fines and Forfeitures	300,000	10,000	310,000
Investment Income	223,000		223,000
Intergovernmental Revenue	357,802		357,802
Charges for Services	4,022,765	(63,600)	3,959,165
Rents & Leases	2,498,179	(30,000)	2,468,179
Other Revenue	70,700		70,700
Sub-total	<u>44,253,038</u>	<u>971,400</u>	<u>45,224,438</u>
Operating Transfers-In	<u>1,390,978</u>	-	<u>1,390,978</u>
Beginning Fund Balance:			
Encumbrance Reserve	146,072		146,072
PERS - OPEB	98,000	(98,000)	-
General Plan Update	359,000	(200,000)	159,000
Construction Tax Reserve	35,000	(35,000)	-
CIPR	1,033,000		1,033,000
Council Priority Reserve	-	35,000	35,000
Sub-total, Reserves	<u>1,671,072</u>	<u>(298,000)</u>	<u>1,373,072</u>
Total Operating Revenues	<u>\$ 47,315,088</u>	<u>\$ 673,400</u>	<u>\$ 47,988,488</u>

ATTACHMENT 2**Summary of General Fund Operating Expenditures
As of 1/31/16
(Including Mid-Year Recommendations)**

Department	FY 16 Budget *	Recommended Mid-Year Adjustments	FY 16 Amended
City Council	\$ 270,915		\$ 270,915
City Manager	907,519	175,000	1,082,519
City Clerk	397,713		397,713
Human Resources	838,349		838,349
City Attorney	382,066		382,066
Recreation & Community Services	5,729,439	5,300	5,734,739
Finance	1,546,201		1,546,201
Non-Departmental	1,647,300	60,000	1,707,300
Community Development	2,849,685	(317,000)	2,532,685
Police	15,417,217	(46,600)	15,370,617
Fire	7,515,180		7,515,180
Public Works	5,494,085	39,000	5,533,085
Sub-total	42,995,669	(84,300)	42,911,369
Operating Transfers-Out:			
Lighting and Landscaping	1,337,168		1,337,168
Environmental Services	511,500		511,500
COP Debt Service	941,333		941,333
Information Technology	487,000	46,200	533,200
Vehicle & Equipment Pool	35,000		35,000
Sub-total, Transfers-Out	3,312,001	46,200	3,358,201
Total Operating Expenditures	\$ 46,307,670	\$ (38,100)	\$ 46,269,570

* Includes operating encumbrances carried forward from FY 15.

ATTACHMENT 3
City of Campbell
Summary of General Fund
Revenues - Expenditures - Fund Balances

Description	FY 15 Actual	FY 16 Amended Budget
Fund Balance, July 1 (Adjusted):		
Operating Beginning Fund Balance		\$ 16,027,655
Capital Beginning Fund Balance		10,040,560
Fund Balance, July 1	\$ 25,429,609	\$ 26,068,215
Revenues:		
Property Taxes	10,891,277	11,362,000
RPTTF	349,452	369,000
Sales Tax	13,915,291	14,850,000
Franchise Taxes	3,322,031	2,850,500
Transient Occupancy Tax	4,091,923	4,500,000
Other Taxes (Includes Construction Tax)	1,254,550	1,124,000
Licenses & Permits	1,620,778	2,780,092
Fines & Forfeitures	293,290	310,000
Investment Income	187,941	223,000
Intergovernmental Revenues	355,128	357,802
Charges for Services (Includes Theatre Preserv & Gen Plan Maint)	4,549,040	3,959,165
Rents & Leases	1,594,435	2,468,179
Other Revenues	1,094,478	70,700
Operating Transfers In	1,302,493	1,390,978
Encumbrance Carryforward Reserve	-	146,072
Theatre Preservation & Enhancement		159,000
CIPR		1,033,000
Total Revenues	44,822,107	47,953,488
Expenditures:		
General Government	12,747,066	14,492,487
Public Safety	20,942,793	22,885,797
Public Works	4,744,307	5,533,085
Operating Transfers Out	2,633,846	3,358,201
Total Operating Expenditures	41,068,012	46,269,570
Capital Transfers Out	3,115,484	1,000,000
Total Expenditures	44,183,496	47,269,570
Reserves:		
Committed for:		
General Plan Update	563,541	663,541
Compensated Absences	994,681	1,100,000
Economic Fluctuations	6,000,000	6,000,000
Liability Insurance	125,439	150,000
Capital Improvements Reserve	7,737,438	6,500,398
Capital Projects Carryforward	2,184,579	1,829,579
Workers' Compensation	500,000	500,000
Heritage Theatre	340,454	330,000
Emergencies	4,484,210	4,700,000
Assigned for:		
Capital projects (Construction Tax)	118,543	278,543
Unemployment Insurance	60,000	60,000
PERS/OPEB	1,852,000	2,152,000
Other	146,072	150,000
Unassigned	961,258	1,000,000
Fund Balance, June 30	\$ 26,068,215	\$ 25,414,061



City Council Report

Item:

13.

Category:

Council Committee Reports

Meeting Date:

February 16, 2016

TITLE: Approve Appointment to Historic Preservation Board

RECOMMENDATION

It is recommended that the City Council approve the recommendation of the Advisory Commissioner Appointment Interview Subcommittee regarding an appointment to the Historic Preservation Board for one short term expiring October, 2017.

BACKGROUND

Historic Preservation Board Member George Niczewicz resigned from the board in October, 2015. Notices of the unscheduled vacancies were posted pursuant to Council Policy 1.9a. In addition to the residency requirements, it is desirable to the Historic Preservation Board applicants to have professional experience in the disciplines of architecture, history, architectural planning, or planning and/or lay members who have demonstrated special interest, competence, experience or knowledge in historic preservation. The City Clerk's Office received three applications for the unexpected vacancy for a short term expiring October 31, 2017.

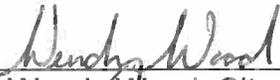
DISCUSSION

The Advisory Commissioner Appointment Interview Subcommittee (Vice Mayor Gibbons and Councilmember Resnikoff) met on February 3, 2016, to interview three applications for Historic Preservation Board. One of the applicants, Nolan Dempster, did not attend the scheduled interview. The Council Subcommittee will report on the interviews and make a recommendation regarding the appointment to the Historic Preservation Board. Applications are attached for the Council's review.

FISCAL IMPACT

There is no fiscal impact.

Prepared by:


Wendy Wood, City Clerk

Approved by:


Mark Linder, City Manager

DEC 02 2015

CITY CLERK'S OFFICE

APPLICATION FOR APPOINTMENT AS

HISTORIC PRESERVATION BOARD

REQUIREMENTS:- Campbell resident and at least 18 years of age.

Name FREDERICK HERMAN

Address [REDACTED]

Telephone No: Home [REDACTED] Work [REDACTED] Email [REDACTED]

Have you served in a similar capacity previously? Yes No

If "Yes", give name of City or other jurisdiction:

CITY OF PALO ALTO, STATE OF CA HISTORIC BUILDING SAFETY BOARD

Present Occupation RETIRED BUILDING OFFICIAL
(Give Title)

Name and Address of Present Employer (If employed)

Education: High School Yes
College De ANZA, FOOTHILL, SAN JOSE STATE, STANFORD
Degree(s) Obtained CIVIL ENGINEERING

What is your specific interest in this appointment?
NOT SURE WHY I WANT TO GET INVOLVED OTHER THAN I THINK I HAVE SOMETHING TO OFFER TO THE CITY OF CAMPBELL, WHICH WE LOVE. I HAVE MANY YEARS INVOLVED WITH HISTORIC STRUCTURES INCLUDING DRAFTING THE STATE HISTORIC BUILDING CODE (TITLE 24 PART B). HEARD MANY APPEALS ON STATE WIDE ENFORCEMENT OF THE SHBC. I BELIEVE IN PUBLIC SAFETY, AND DOING IT CORRECTLY WITHOUT DESTROYING THE HISTORIC FABRIC OF STRUCTURES - I AM ALSO VERY KNOWLEDGEABLE OF THE AMERICAN S WITH DISABILITIES ACT (ADA)!

Signature FREDERICK HERMAN Date 11/30/2015

Rev. 12/10 CV-attached
P.S. Sorry for my printing, I had CAT scan surgery last week!

[REDACTED]
[REDACTED]
[REDACTED] 0508
[REDACTED]
[REDACTED]
Email: [REDACTED]

Employment History

1978 to July 2006: Chief Building Official, City of Palo Alto, California

Responsible for the administration of the Division of Inspection Services. The Division is composed of 18 employees including three managers. Americans with Disabilities Act (ADA) coordinator for all city programs and facilities.

1985 to Present: Code consultant and expert witness on issues involving Uniform Codes application. Perform site inspections and provide testimony when required.

1977-1979: Plan Check Engineer, City of Palo Alto, California

1972-1977: Building Inspector, City of Palo Alto, California.

1966-1971: U.S. Air Force, Honorable Discharge.

Professional Activities

- International Code Council Evaluation Service Board of Directors 2004-2006
- International Code Council Board of Directors 1997-2004
- ICBO Board of Directors, 1993-2002 (Chairman Of the Board 2001-2002)
- Chairman, ICBO Code Coordinating Committee, 1994-1999
- ICBO Evaluation Service Board of Directors, 1992-1993
- California State Historic Building Safety Board, 1996-2004
- Chairperson/Moderator ICBO Evaluation Committee, 1992
- CALBO Seismic Safety Committee, Chairman, 1987-1992
- Earthquake Engineering Research Institute (EERI) member, 1984-Present.

Previous Professional Activities

- Commissioner, California Seismic Safety Commission, 1994-97
- Bay Area Regional Earthquake Preparedness Project (BAREPP) Advisory Board, 1986-1992.
- President, Peninsula Chapter of ICBO, 1984.
- CALBO Board of Directors, 1983-86.
- Participant on National Science Foundation project on strengthening unreinforced masonry buildings with Peoples Republic of China, 1986.
- Applied Technology Council (ATC) Policy Advisory Board, ATC 20-2 (Procedures for post earthquake Safety Evaluation of Buildings)
- Professional Advisory Board on ATC-14, ATC-19, ATC-21

Certificates & Training

- ICBO Certified Building Inspector #4284
- ICBO Certified Plans Examiner #4534
- Continuing education at DeAnza, Foothill Community Colleges and San Jose State University.

Awards & Honors

- California Building Codes Institute Educator of the Year 1994
- California Building Official of the Year, 1992
- CALBO Presidents award for individual achievement, 1990

CITY OF CAMPBELL
70 N. FIRST STREET
CAMPBELL, CA 95008-1423

Nov. 11, 2015
RECEIVED

NOV 19 2015
CITY CLERK'S OFFICE

APPLICATION FOR APPOINTMENT AS

Historic Preservation Board Vacancy

REQUIREMENTS: - Campbell resident and at least 18 years of age. ✓✓

Name Dawn Anderson

Address [REDACTED]

Telephone No: Home [REDACTED] Work same Email [REDACTED]

Have you served in a similar capacity previously? Yes X No _____

If "Yes", give name of City or other jurisdiction:

DCA - OSHPD - CBSC

Present Occupation Architect w/ Accessibility Specialist
(Give Title)

Name and Address of Present Employer (If employed)

Self-employed - 80 Gilman Ave #2F

Education: High School ✓

College ✓

Degree(s) Obtained Liberal Arts - Bachelors

What is your specific interest in this appointment?

I have a strong interest in historic preservation as an architect & member of my community. To the group I would bring an expertise in accessibility, codes, building systems, & historically significant buildings and landmarks. I have a strong knowledge of construction methods from yester years and future developments. I have contributed to the preservation of architecture. One example projects of many is the exterior facade rehabilitation (terra cotta) of 140 New Montgomery in S.F. and accessibility upgrades @ California's Missions (Santa Cruz) and...

Signature Dawn Anderson

Date 11/18/2015

Nov. 19, 2015, cont.

Dawn Anderson
Historic Preservation
Board.

San Jose's Performing Arts Center.

I understand well the duties of local authorities to distinguish "historical" aspects of landmarks and registering properties into the federal, state and local historic registry.

Always eager for new opportunities for learning and sharing, more about the history of Campbell and our fascinating region in the South Bay of San Francisco, California.

I will diligently attend Board meetings, contribute, and respect and uphold the community's desire to preserve our history.

Find out more about me on [LinkedIn.com](https://www.linkedin.com).

Dawn.

Dawn Anderson, AIA, CASp

Title: Principal Architect, Inspector, and Accessibility Specialist

Employer: As It Stands

Business License and Establishment: April 2003 in the City of Campbell

Business Entity: Woman-owned, Sole Proprietorship

Mailing Address: 80 Gilman Ave. Suite 2F, Campbell, CA., 950008

Phone: (408) 422-6155

Email: dawn@asitstands.com

Citizenry: United States of America

Online Presence: www.asitstands.com www.linkedin.com

Subject Matter Expertise:

Facility Accessibility: Architectural Barrier Removal

Construction Defect

Architectural Practice and Construction Law

Consulting Services:

Accessibility Scoping, Design, Plan Review, and Construction Monitoring

Architectural Design, Project Management and Construction Administration

Expert Testimony

Accessibility Specialist Inspections and Site Certifications

Facility As-Built Surveys, Property Condition Assessment, and Reporting

Historical and Forensic Research, Analysis and Reporting

ADA Transition Plans and Self-Evaluations

ADA Coordination Services

Regulatory Review and Development

Teaching and Training

Statement of Qualifications:

Ms. Anderson is the principal of As It Stands, a full-service architectural firm specializing in accessible design and construction in the built environment. The firm serves corporate, non-profit, and jurisdictional clients in the assessment, analysis, and remediation of non-compliant conditions.

Dawn performs facility surveys, scoping analysis, and due diligence inspections of new and existing commercial and residential properties. She prepares a variety of reports including self evaluations and transition plans, CASp certification of property, and presents legal findings as a subject matter expert.

Ms. Anderson participates nationally in the development of the ANSI A117.1 and the ASTM E2018 standards. Dawn has served on California's Division of State Architect Advisory code task force, the Commission on Disabled Access, and the California Building Standards Commission Access Committee.

She is a registered Accessibility Specialist in California (CASp), Texas (RAS), and an ICC Accessibility Plan Reviewer and Inspector, Combination Inspector, and OSHPD Inspector of Record.

Ms. Anderson speaks regularly on the application of accessibility law and regulations, and best practices for public entities, design firms and business to incorporate access and reduce risk.

Education:

Madison West Senior High School, Madison, WI. 93726, Graduated: 1976
San Francisco State University, San Francisco, CA. 94132
Bachelor of Arts - Liberal Studies, Graduated: 1991
University of Minnesota, Minneapolis, MN Pre-requisite Studies, c. 1984
University of Wisconsin, Madison, WI Pre-requisite Studies, c. 1981

Licenses:

Architect License #CA 25835, c. 1995, Re: 2017, California Architects Board

Certifications:

California Access Specialist #CASp-050, c. 2009, Re: 2017, California Division of the State Architect [DSA]
ADA Coordinator #32442121-4617, c. 2015, Re: 2018, ADA Coordinator Training Certification Program [ACTCP]
Accessibility Inspector & Plans Examiner #1017422, c. 2009, Re: 2016, International Code Council [ICC]
Texas Accessibility Specialist #1372 c. 2014, Re: 2016, Texas Dept. of Licensing and Regulation [TDLR]
Inspector of Record #A-20314, c. 2005, Re: 2017, California Office of Statewide Health Planning [OSHPD]
Combination Residential Inspector #1017422, c. 2005, Re: 2016, International Code Council [ICC]
Combination Building Inspector #1017422, c. 2005, Re: 2016, International Code Council [ICC]
Combination Plumbing Inspector #1017422, c. 2005, Re: 2016, International Code Council [ICC]
Combination Mechanical Inspector #1017422, c. 2005, Re: 2016, International Code Council [ICC]

Expert Witness:*Named Expert for Defense:*

Rodriguez v. Barrita, #C09-04057 – United States District Court Northern California, c. 2011

Named Expert for Plaintiff:

Kalani vs. National Seating & Mobility, Inc., #13-cv-00061-JAM-CKD – US District Court Eastern California, c. 2013
Kalani vs. Starbucks Corporation, #13-cv-00734-LHK – US District Court Northern California, c. 2014
Hernandez vs. Yen, #13-cv-01830-PSG – US District Court Northern California, c. 2015

Arbitration:

Momentum A&E vs. Bedolla Concrete: c. 2015

Represented the claimant, Bedolla Concrete, as architectural and construction contract expert in voluntary arbitration conducted through the California State License Board. Remedies awarded to claimant. All fees pro bono.

Public Sector Case-Monitoring Activities:

Scott's Valley High School District, Scotts Valley, CA.: c. 2007 - 2008

Provided advisement, determinations, reporting, and surveys on existing exterior conditions of a 40-acre Scott's Valley High School campus.

Defense – Case Action – Private Sector:

Olson vs. Sutter Health, #RG06-302354 - Superior Court of Alameda County, c. 2008 - 2011

Provided advisement, determinations, reporting, surveys, peer review of construction documents, and monitoring inspections at existing facilities and new construction projects under court direction of imposed injunctive relief for various Sutter Health Affiliates of Northern California.

Recent Public and Private Sector Employment:

Compliance Officer, Health Facilities Construction, June 2012 – November 2012

Employer: Office of Statewide Health Planning and Development, Sacramento, CA

Provided jurisdictional oversight for over 250 healthcare projects at 43 healthcare campuses throughout Santa Clara and San Mateo Counties. Projects varied from acute care hospital replacements, departmental expansions, bed additions, and alterations including compulsory seismic and fire and life safety upgrades. Total accounting of project load was approximately \$437M of construction improvements.

On a daily basis served design professionals, vendors and contractors with advisement, clarification, and interpretation of compliant material use, building systems, and construction methodology, and the application of California Building Codes and Regulations with respect to health facilities. Provided guidance throughout the building design and construction process; evaluated and approved change orders, engineering judgments, alternate means of compliance, and submittals. Maintained clear and comprehensive compliance reports and thorough correspondence on opinions and expectations.

Made final determinations and jurisdictional approvals on all inspection activities, test reports, and permit applications submitted. Selectively stationed in complex project sites to promote cooperative efforts in difficult project environments.

Senior Supervisory Construction Administrator, February 2011 – August 2011

Employer: University of California, Davis, CA

Led and supervised a team of Construction Administrators performing inspection and construction administration for architectural, structural, and civil systems campus wide.

Implemented and managed general inspection and permitting procedures related to the projects to ensure consistency and compliance with applicable codes, campus standards, plans, and specifications. Delegated project workloads and administrated construction consultant contracts.

Advised and served as a resource to project management teams, staff, consultants, contractors, and campus departments, and augmented project management on several smaller projects.

Prepared complex database and incorporating algorithmic expressions to forecast and analyze existing resources against projected capital improvements through 2015 during recessionary trends.

Building Official, February 2010 to December 2010

Employer: Stanford Linear Accelerator [SLAC], Menlo Park, CA

Worked as an officer of the Authority Having Jurisdiction over all new construction and alterations within the SLAC campus. Was responsible for enforcing the construction regulations under Federal and State jurisdictions as mandated by the US Department of Energy and the Stanford University.

Provided advisement to primarily scientific project teams on construction methods, techniques and materials, and code related matters. Executed plan review and issuance of occupancy permits and monitored the work of third party inspection consultants.

Project Architect, February 2001 to April 2003

Employer: Barry Swenson Builder, San Jose, CA

Worked within developer's in-house architectural studio preparing land-use planning documents, environmental reports, and architectural designs of mixed-use residential and commercial products.

Led and supervised studio personnel to prepare construction documents and specifications for permit application submittal and approval. Duties also included construction administration and writing traditional bid/build contracts for diverse consultant teams and value engineering and commissioning reports. When directed by clients, interviewed sub-consultants and contractors for bid selection. Most projects had accelerated schedules with propriety FF&E specifications.

Created databases used by the development team to evaluate the feasibility of marketable products. By entering small amounts of discrete data, the resultant calculations instantly produced meaningful capital cost analysis influencing investment decisions and saving considerable time and design efforts. These databases were formulated with the input of code and regulation variables involving density, zoning criteria, minimum area allowances, building limitations, and architectural guidelines and grossing factors.

Prepared and presented hand rendered sketches, computer models, and media presentations to facilitate communication to a wide variety of stakeholders having financial and political project interests.

Presentations & Speeches:

"Path of Travel Obligation" c. 2014 – present; Various Organizations [AIA, ICC and CSI]
"Alterations" & Accessible Doors, Gates and Security Assemblies c. 2015 Pacific ADA Center, ADA Update Conference
"Accessible Doors, Door Hardware and Gates" c. 2014 – present; Ca. Building Inspectors Group [CALBIG]
"2013 California Accessibility Regulations" c. 2014 – present; Various Organizations [AIA, ICC and CSI]
"Advanced Accessibility Design" c. 2013 - present; Various Architectural and Engineering Firms
"2010 ADA and CBC" c. 2010 - present; Various Organizations [AIA, ICC and CSI]
"Senate Bill 1608 and 1186" c. 2010; ICC Peninsula Chapter
"California Accessibility Statues" c. 2010; ICC Peninsula Chapter
"ADA and Unruh; Law and Litigation" c. 2009; AIA Monterey
"ADA and FHA; Different Applications for Access" c. 2009; Various Organizations [AIA, ICC and CSI]
"ADA: Future Shaping of the Architectural Landscape", c 2009, East Bay AIA
"ADA: Removing Barriers in Architecture", c. 2009; Various Organizations [AIA, ICC and CSI]
"Applications of the Fair Housing Act", c. 2009; Various Organizations [AIA, ICC and CSI]
"Accessibility Inspections", c. 2005; CREIA Conference

Teaching & Training:

"Exterior Accessibility on Public Lands" c. 2014 – present, Five Hour Continuing Education, AIA San Francisco, AIA Santa Clara
"Inclusive Design for Blind Users" c. 2014 – present, Five Hour Continuing Education, AIA San Francisco, AIA Santa Clara
"Advanced Accessibility Workshop – The 2013 CBC Accessibility Regulations" c. 2013 - present; Various Organizations [AIA, ICC and CSI]
2010 California Accessibility Regulations, c. 2009 to present, Five Hour Seminars, Community Organizations
Accessibility in Retail Occupancies, c. 2009 to present, In-house Workshops for Various Retail Clientele
Structural Provisions of the Building Code, c. 2008 to present, San Mateo Community College
State Inspection Certification, c. 2006 to present, San Mateo Community College
Advanced Plans Reading Seminar, c. 2006 to present, Santa Clara County Builder's Exchange

Publications & Articles:

"Beware the Victorian" Ask an Expert, c. 2005; San Jose Mercury News
"Renovations Take Planning" c. 1987; San Francisco Business Times

Appointments:

California Building Standards Commission - Accessibility Code Advisory Committee - c. 2015 - present
 Advisory Board Member - Division of the State Architect, [DSA] 2013 Emergency Regulations Task Force
 Subcommittee Member - California Commission on Disability Access [CCDA] c. 2009-2011
 Directorship - American Institute of Architects Santa Clara Chapter [AIA] c. 2007-2009

Public Member:

ANSI A117.1 Standards Committee c. 2011 - present

Professional Memberships:

American Institute of Architects [AIA] Director, c. 1979

International Code Council [ICC] c. 1990

California Accessibility Specialist Institute [CASI] Founding Member c. 2009

American Standards and Testing of Materials [ASTM] Technical Lead of E50.2 Standard c. 2015

Construction Specifications Institute [CSI] c. 1995

Previous Employment History, Credential Documentation, Project Lists, and Professional References available upon request.

Wendy Wood

From: [REDACTED]
Sent: Wednesday, November 04, 2015 8:13 AM
To: Wendy Wood
Subject: Re: Historic Preservation Board

Absolutely, I am still very interested in serving the community and I thank you for contacting me with opportunity. Please keep me posted.

Thank You,

[REDACTED]
[REDACTED]
[REDACTED]

"The opportunity to secure ourselves against defeat lies in our own hands, but the opportunity of defeating the enemy is provided by the enemy himself." - Sun Tzu.

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On Mon, Nov 2, 2015 at 5:35 PM, Wendy Wood <wendyw@cityofcampbell.com> wrote:

Hello Nolan,

I just wanted to inform you that we have an unexpected vacancy on the Historic Preservation Board for a short term to expire October 31, 2017. I still have you application on file. If you are still interested in serving on the board and would like to resubmit you application please let me know.

Thank you,

Wendy Wood, CMC, City Clerk

70 N. First Street, Campbell, CA 95008

[\(408\) 866-2117](tel:(408)866-2117)

wendvw@cityofcampbell.com



City Council Report

Item: 14.

Category: Council Committee Reports

Meeting Date: February 16, 2016

DISCUSSION

This is the section of the City Council Agenda that allows the City Councilmembers to report on items of interest and the work of City Council Committees.

MAYOR BAKER

Cities Association of Santa Clara County:
Board of Directors
Selection Committee
City Atty. Performance/Comp. Subcommittee
City Clerk Performance/Comp. Subcommittee
City Mgr. Performance/Comp. Subcommittee
County Expressway Policy Advisory Board
County Library District JPA Board of Dir.
*Metropolitan Transportation Commission***
Bay Area Toll Authority
Santa Clara County Operational Area
*Council (Chair)***
*VTA Board of Directors***
West Valley Cities Representative to Silicon
*Valley Interoperability Authority ***
West Valley Mayors and Managers

VICE MAYOR GIBBONS:

Advisory Commissioner Appointment Interview Subcommittee
Campbell Historical Museum & Ainsley House Foundation Liaison
City Atty. Performance/Comp. Subcommittee
City Clerk Performance/Comp. Subcommittee
City Mgr. Performance/Comp. Subcommittee
CDBG Program Committee (County) (Alt.)
Cities Association of Santa Clara County:
Board of Directors (Alt.)
Selection Committee (Alt.)
County Expressway Policy Adv. Board (Alt.)
County Library District JPA Board of Dir. (Alt.)
Downtown Subcommittee
Education Liaison Subcommittee
Finance Subcommittee
Friends of the Heritage Theatre Liaison (Alt.)
Housing Rehabilitation Loan Committee
Legislative Subcommittee
State Route (SR) 85 Corridor Policy Advisory Board (Alt.)
Santa Clara Valley Water District:
County Water Commission (Alt.)
20% Housing Committee (Successor Agency)
West Valley Mayors and Managers (Alt.)

COUNCILMEMBER CRISTINA:

Assn. of Bay Area Governments
Cities Association of Santa Clara County:
ABAG Representative (Alternate)
Economic Development Subcommittee
Santa Clara Valley Water District:
County Water Commission

COUNCILMEMBER KOTOWSKI:

Assn. of Bay Area Governments (Alt.)
CDBG Program Committee (County)
Education Liaison Subcommittee
Friends of the Heritage Theatre Liaison
Housing Rehab Loan Committee (Alt.)
*Recycling Waste Reduction Commission***
Legislative Subcommittee
Silicon Valley Animal Control Authority Board (SVACA) (Alt.)
Valley Transportation Authority Policy Advisory Committee (Alt.)
West Valley Sanitation District
West Valley Solid Waste Authority JPA (Alt.)

COUNCILMEMBER RESNIKOFF:

Advisory Commissioner Appointment Interview Subcommittee
Campbell Historical Museum & Ainsley House Foundation Liaison (Alt.)
Downtown Subcommittee
Economic Development Subcommittee
Education Subcommittee (Alt.)
Finance Subcommittee
State Route (SR) 85 Corridor Policy Advisory Board
Silicon Valley Animal Control Authority Board (SVACA)
20% Housing Committee (Successor Agency)
Valley Transportation Authority Policy Advisory Committee
West Valley Sanitation District (Alt.)
West Valley Solid Waste Authority JPA