

# CITY COUNCIL MINUTES

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



## REGULAR MEETING OF THE CAMPBELL CITY COUNCIL

Tuesday, May 17, 2016 – 7:30 p.m.  
Council Chamber – 70 N. First Street

This City Council meeting was duly noticed pursuant to open meeting requirements of the Ralph M. Brown Act (G.C. Section 54956).

This meeting was recorded and can be viewed in its entirety at [www.cityofcampbell.com/agendacenter](http://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

**Pledge:** Chris Kimma and Charlotte Andreen

Police Officer Chris Kimma and Code Enforcement Officer Charlotte Andreen led the Pledge of Allegiance. Mayor Baker thanked them and presented them with certificates of appreciation for leading the pledge.

### SPECIAL PRESENTATIONS AND PROCLAMATIONS

1. **Recognition of Officer Chris Kimma and Code Enforcement Officer Charlotte Andreen for Life Saving Efforts**

Recommended Action: Recognize Police Officer Chris Kimma and Code Enforcement Officer Charlotte Andreen for their life saving efforts.

Mayor Baker and Chief Carmichael commented on the incident, presented proclamations to Chris and Charlotte and thanked them for their efforts.

2. **Proclamation Recognizing May 13 – 20 as Santa Clara County Affordable Housing Week**

Recommended Action: Present proclamation.

Mayor Baker presented the proclamation to representatives from SV@home, Pilar Lorenzana-Campo and Gina Lee.

## **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.

Faisal Mohamed, stated concerns about the proposed traffic signal at Harriet Avenue and McCoy Avenue and would like to see alternative solutions.

## **COUNCIL ANNOUNCEMENTS**

This Saturday, May 21 and Sunday, May 22, the Campbell Chamber of Commerce will hold its annual "Boogie on the Avenue" festival in the Downtown. Enjoy over 200 arts & crafts booths, live entertainment, international cuisine, beer, wine, and Kiddie Korner. Admission is free. Festival hours are 10:00 a.m. to 6:00 p.m. on Saturday and Sunday. For more information, please visit [www.downtowncampbell.com](http://www.downtowncampbell.com).

On Monday, May 23, at 7:00 p.m., the Valley Transportation Authority will hold a public meeting for Envision Silicon Valley, at the Campbell Community Center in the Roosevelt Redwood Room. Envision Silicon Valley was launched by VTA to engage community leaders and county residents in a dynamic visioning process to discuss current and future transportation needs, identify solutions and craft funding priorities. For more information, please visit [www.envisionsv.org](http://www.envisionsv.org).

On Tuesday, May 24, from 7:00 p.m. to 8:30 p.m., join Master Gardener Rebecca Schoenenberger at the Campbell Library to learn how to control pests and diseases in the garden in an environmentally sensitive way. There will be discussion on cultural practices that discourage pests, how to deal with pest population explosions, how to encourage beneficial insects, and appropriate control measures that will have little or no effect on the environment. For more information, please visit the library's website at [www.sccl.org](http://www.sccl.org).

On Monday, May 30, rain or shine, the Campbell Veterans Memorial Foundation invites everyone to their Memorial Day celebration at 9 a.m. at the Orchard City Green. The program includes a performance by Del Mar High School band and a wreath ceremony. For more information, please email Jim Free at [jamesf733@yahoo.com](mailto:jamesf733@yahoo.com).

On Friday, June 10, Opera San Jose General Director Larry Hancock will return to the Ainsley House when he will discuss the upcoming 2016-17 season. Joining Mr. Hancock will be a soprano and pianist to perform for guests. History Happy Hour events begin at 5:30 p.m. with the main program at 6:00 p.m. To register for either event, call 408-866-2104. For more information, contact Kerry Perkins at 408-866-2718.

Santa Clara County Registrar of Voters needs your help! They are actively recruiting election officers to work on Election Day and need 600 more workers countywide to volunteer, particularly from the Campbell, Saratoga and Cambrian areas. Both monolingual and bilingual election officers are needed, and will earn up to \$200 for working on Election Day.

If you are a U.S. citizen over 18 years old and a registered voter; or a legal permanent resident or a high school student, age 16 or older please consider signing up! Please visit [sccvote.org](http://sccvote.org) or call (408) 299-VOTE.

### **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.

Vice Mayor Gibbons asked to remove items 5, 11, 12, and 13 from the consent calendar.

City Manager Linder stated that item seven would be differed to a future meeting within the current fiscal year, in order to get more information on an issue that had occurred.

The Consent calendar was considered as follows:

3. **Minutes of Study Session of May 2, 2016**  
Recommended Action: Approve the study session minutes.

This action approves the study session minutes of May 2, 2016.

4. **Minutes of Study Session of May 3, 2016**  
Recommended Action: Approve the study session minutes.

This action approves the study session minutes of May 3, 2016

6. **Approving Bills and Claims**  
Recommended Action: Approve the bills and claims in the amount of \$773,802.51.

This action approves the bills and claims in the amount of \$773,803.51 as follows: payroll checks dated April 21, 2016 in the amount of \$250,285.19; bills and claims checks dated April 25, 2016 in the amount of \$276,467.59; and bills and claims checks dated May 2, 2016 in the amount of \$247,049.73.

8. **Approval of Transportation Development Act (TDA) Article 3 Grant Applications for Fiscal Year 2016/17 (Resolution/Roll Call Vote)**

Recommended Action: Adopt a resolution authorizing the Public Works Director to submit a grant application to the Santa Clara Valley Transportation Authority (VTA) for \$32,543 in Transportation Development Act (TDA) Article 3 Guarantee Funds for the Campbell Bicycle and Pedestrian Project.

Resolution 11980 authorizes the Public Works Director to submit a grant application to the Santa Clara Valley Transportation Authority (VTA) for \$32,543 in Transportation Development Act (TDA) Article 3 Guarantee Funds for the Campbell Bicycle and Pedestrian Project.

9. **Authorize Issuance of Request for Proposals for Materials Testing and Authorize the Public Works Director to Execute a Contract with the Selected Materials Testing Provider (Resolution/Roll Call Vote)**

Recommended Action: Adopt a resolution authorizing the issuance of a Request for Proposals for Materials and Testing Services and authorizing the Public Works Director to enter into a contract with the selected materials testing provider in a cumulative amount not to exceed \$250,000.

Resolution 11981 authorizes the issuance of a Request for Proposals for Materials and Testing Services and authorizing the Public Works Director to enter into a contract with the selected materials testing provider in a cumulative amount not to exceed \$250,000.

10. **Approval of Specifications, Authorize Solicitation of Bids, Authorize the Public Works Director to Award the Contract, and Approval of a Budget Adjustment for the Annual Street Maintenance Project No. 16-BB, Local Streets Sealing (Resolution/Roll Call Vote)**

Recommended Action: Adopt a resolution approving the specification for the Annual Street Maintenance Project No. 16-BB, Local Streets Sealing; authorizing the solicitation of bids; authorizing the Public Works Director to award a construction contract and encumber a 10% construction contingency; authorizing the Public Works Director to negotiate and execute contract change orders up to and within the 10% contingency; and approving a budget adjustment.

Resolution 11982 approves the specification for the Annual Street Maintenance Project No. 16-BB, Local Streets Sealing; authorizes the solicitation of bids; authorizes the Public Works Director to award a construction contract and encumber a 10% construction contingency; authorizes the Public Works Director to negotiate and execute contract change orders up to and within the 10% contingency; and approves a budget adjustment.

**M/S: Kotowski/Cristina - that the City Council approve the Consent Calendar with the exception of item 5, 7, 11,12, and 13. 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**

5. **Minutes of Regular Meeting of May 3, 2016**  
Recommended Action: Approve the regular meeting minutes.

Vice Mayor Gibbons requested that the minutes be amended to add a header to note where item seven was continued, correct the spelling of Russell Pfirman last name adding an "r", and add the statement "...including the DAAP documents of the plan and revised Environmental Impact Report" to the motion of item 11.

**M/S: Gibbons/Resnikoff – that the City Council approve the minutes of the regular meeting of May 3, 2016 with the revisions as stated. Motion was adopted unanimously.**

7. **Renewal of Campbell Pony Baseball League Agreement**

Recommended Action: Authorize the City Manager to renew a license agreement with Campbell Pony Baseball League for the use of the baseball field, concession building and associated areas at John D. Morgan Park for the period of July 1, 2016 - June 30, 2019.

Mayor Baker stated that this item will be continued to a future meeting within the current fiscal year.

11. **Approval of Tract Map No. 10337 Including Acceptance of Street Dedication and Public Service Easement Shown on Said Map, and Abandonment of Excess Right-of-Way Along Railway Avenue – 300 Railway Avenue (Resolution/Roll Call Vote)**

Recommended Action: Adopt a resolution approving the Tract Map for Tract No. 10337 and accept the street dedication and public service easement as shown on the map, and abandonment of excess of right-of-way for the property located at 300 Railway Avenue.

Vice Mayor Gibbons stated that she asked to remove this item so she could record a no vote.

**M/S: Cristina/Resnikoff – that the City Council adopt resolution 11983 approving the Tract Map for Tract No. 10337 and accept the street dedication and public service easement as shown on the map, and abandonment of excess of right-of-way for the property located at 300 Railway Avenue. Motion was adopted by the following roll call vote:**

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

**NOES: Councilmembers: Gibbons**

12. **Approval of Budget Adjustment to Increase Community Development Building Professional Services (Resolution/Roll Call Vote)**

Recommended Action: Adopt a resolution approving a budget adjustment of \$140,000 to cover unanticipated cost and expenditures associated with Community Development Building Professional Services.

Vice Mayor Gibbons requested clarification on the cost in regards to the budget for this year and next.

Building Official Bruckart clarified the need for this year's budget adjustment.

**M/S: Gibbons/Kotowski that the City Council adopt resolution 11984 approving a budget adjustment of \$140,000 to cover unanticipated cost and expenditures associated with Community Development Building Professional Services. Motion was adopted by the following roll call vote:**

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

**NOES: Councilmembers: None**

13. **Second Reading of Undergrounding Ordinance (Ordinance Second Reading /Roll Call Vote)**

Recommended Action: Approve the second reading of Ordinance 2202 amending the Campbell Municipal Code Sec. 21.18.140 (Undergrounding of Utilities) to exempt development of all properties located along local streets and single-family residential properties located on residential collector streets from the utility undergrounding requirements.

Vice Mayor Gibbons requested clarification on the language in the ordinance.

Associate Planner Fama provided clarification.

After discussion, **M/S: Kotowski/Resnikoff – that the City Council approve the second reading of Ordinance 2202 amending the Campbell Municipal Code Sec. 21.18.140 (Undergrounding of Utilities) to exempt development of all properties located along local streets and single-family residential properties located on residential collector streets from the utility undergrounding requirements. Motion was adopted by the following roll call vote:**

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

**NOES: Councilmembers: None**

**PUBLIC HEARINGS AND INTRODUCTION OF ORDINANCES**

There were no agendized items.

## **NEW BUSINESS**

There were no agendized items.

## **OLD BUSINESS**

14. **Campbell Water Tower Lighting Policy (Resolution/Roll Call Vote)**  
Recommended Action: Adopt a resolution approving the policy on lighting the Campbell Water Tower.

City Manager Linder presented staff report dated May 17, 2016.

Council requested revisions to the policy clarifying that requests should be brought to Council unless there are unusual circumstances, in which case the Mayor can make the decision; the water tower will be lit up on all Federally recognized holidays in red, white, and blue unless otherwise indicated; and remove the requirement that third party requests be a 501(c)(3) to allow individuals or businesses.

**M/S: Gibbons/Resnikoff – that the City Council approved the Water Tower Lighting Policy to include the revisions discussed and bring it back to Council for approval as a consent item. Motion was adopted unanimously.**

## **COUNCIL COMMITTEE REPORTS**

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

--Councilmember Resnikoff attended the Employee's service awards; Silicon Valley Animal Control Authority meeting; Valley Transportation Authority Policy Advisory Committee meeting; and West Valley Solid Waste Authority JPA meeting.

--Councilmember Cristina spoke about the upcoming Boogie on the Avenue and the dunk tank he will be in to help support the Police Foundation.

--Councilmember Kotowski attended the West Valley Sanitation District meeting; the Civic Improvement 5<sup>th</sup> grade poster contest awards ceremony; spoke about the upcoming Youth Commission open mic night at Snake and Butterfly; attended the Friends of the Heritage Theatre meeting; spoke about the upcoming Memorial Day Ceremony on Monday May, 30<sup>th</sup> at 9:00 a.m.; and attended the History Happy Hour at the Ainsley House.

--Vice Mayor Gibbons attended the Employee's service awards; attended the Silicon Valley Clean Energy Authority board meeting via phone call; spoke about the election and encouraged citizens to vote.

--Mayor Baker attended the Bike to Work Day; attended and moderated a panel at the City's Association of Santa Clara County's general membership meeting; attended the Metropolitan Transportation Commission meeting; and the Employee's Service Awards.

**ADJOURN**

Mayor Baker adjourned the meeting at 8:49 p.m.

APPROVED:

ATTEST:

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Jason T. Baker, Mayor

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Wendy Wood, City Clerk