

CITY COUNCIL MINUTES

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



REGULAR MEETING OF THE CAMPBELL CITY COUNCIL

Tuesday, August 2, 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.

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

1. **Campbell Based Crisis Stabilization Unit Outcomes**

Recommended Action: Accept the presentation.

Laura Champion, Executive Director at Uplift Family Services, formerly known as EMQ Families First, provided Council with an overview sheet and gave a presentation to update Council on services the unit has provided.

Council listened to the presentation and provided general comments.

COMMUNICATIONS AND PETITIONS

There were no communications or 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.

There were no oral requests.

COUNCIL ANNOUNCEMENTS

The Silicon Valley Clean Energy Authority Board unanimously approved recommendations to guide negotiations with power suppliers over the next five years for 100% carbon free electricity at a lower cost than Silicon Valley residents and businesses pay now. Notices from the Authority will be mailed to Campbell residents in early 2017 with more information.

Upcoming Below Market Rate Housing Orientation Workshops: The City's new BMR Administrator, HouseKeys, will hold orientations every other week to explain the process for purchasing a BMR home from initial application, lottery selection, financing and document signing to moving in. The meetings are scheduled for the Council Chambers on the following dates from 6:30 p.m. to 8:30 p.m. Those dates are: Thursday, August 4; Wednesday, August 17; and Wednesday, August 31.

You are cordially invited to the dedication and celebration of the official opening of the East Campbell Avenue Portals Project on Friday, August 5 at 11:00 a.m. The meeting will commence on East Campbell Avenue at Highway 17 overcrossing on the Pruneyard side.

Be a part of the solution to pollution. Join Senator Jim Beall's 2016 Creek Cleanup event, at Campbell Park on Saturday, August 13 from 8:45 a.m. to 11:00 a.m. This event is free and everyone is welcome. For more information please visit: <http://sd15.senate.ca.gov>.

Please join us for the "End of Summer Movie Night under the Stars" at John D. Morgan Park on Friday, August 19. The featured movie "Rio" will begin at 8:00 p.m. Bring your lawn chair, blanket and jacket. Parking is available in City lots.

Join us Thursday nights for the 24th Annual Summer Concert Series presented by Kaiser Permanente from 6:30 p.m. to 8:00 p.m. at the Orchard City Green located between City Hall and the Campbell Library. This week's concert features Sage. For more information about these and other events and information, visit the City's website at www.cityofcampbell.com.

Valley Transportation Authority (VTA) is seeking input on a new paratransit contract and there will be public meetings. On June 24, 2016 the VTA board took action to end VTA's contract with Outreach and Escort Inc. Early on in this 12 month transitional period VTA will be issuing a request for proposals for paratransit services and will seek feedback from paratransit customers regarding their priorities for services. Nothing will change in the interim. There will be a community meeting at the Campbell Community Center on Tuesday, August 9, 2016 from 9:00 a.m. to 11:30 a.m. at One West Campbell Avenue. Space is limited so please R.S.V.P. by going to www.eventbright.com or e-mailing customerservice@vta.org

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 pull items six and seven.

Councilmember Cristina asked to pull item eight.

The Consent calendar was considered as follows:

2. **Minutes of Study Session of July 19, 2016**

Recommended Action: Approve the study session minutes.

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

3. **Minutes of Regular Meeting of July 19, 2016**

Recommended Action: Approve the regular meeting minutes.

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

4. **Approving Bills and Claims**

Recommended Action: Approve the bills and claims in the amount of \$1,276,843.82.

This action approves the payment of bills and claims in the amount of \$1,276,843.82 as follows: bills and claims checks dated July 11, 2016 in the amount of \$407,427.40; bills and claims checks dated July 7, 2016 in the amount of \$17,255.35; bills and claims checks dated July 15, 2016; bills and claims checks dated July 18, 2016 in the amount of \$315,234.57; and payroll checks dated July 14, 2016 in the amount of \$313,846.25.

5. **Monthly Investment Report – June, 2016**

Recommended Action: Note and file the monthly investment report for June 2016.

This action is to note and file the monthly investment report for June, 2016.

9. **Authorize City Manager to Execute an Agreement with EPCIT for Temporary Information Technology Professional Services (Resolution/Roll Call Vote)**

Recommended Action: Adopt a resolution authorizing the City Manager to execute an agreement with EPCIT to provide temporary professional services for the Information Technology Division.

Resolution 12029 authorizes the City Manager to execute an agreement with EPCIT to provide temporary professional services for the Information Technology Division.

M/S: Gibbons/Kotowski - that the City Council approve the Consent Calendar with the exception of items six, seven and 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

6. **Second Reading of Ordinance 2206 Approving a City-Initiated Text (PLN2016-180) to Amend Campbell Municipal Code Chapters 21.20 and 21.24 Regarding Density Bonus Regulations (Second Reading Ordinance/Roll Call Vote)**

Recommended Action: Approved second reading and adopt Ordinance 2206 approving a city-initiated text amendment to Campbell Municipal Code Section 21.20 and 21.24 regarding Density Bonus Regulations.

Vice Mayor Gibbons commented on the potential change in legislation that will constrain cities in the state from reviewing housing projects that provide affordable housing and eliminate the CEQA review process.

M/S: Gibbons/Resnikoff – that the City Council approve the second reading and adopt Ordinance 2206 approving a city-initiated text amendment to Campbell Municipal Code Section 21.20 and 21.24 regarding Density Bonus Regulations. Motion was adopted by the following roll call vote:

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

NOES: Councilmembers: None

7. **Authorize Issuance of Request for Proposal to Replace City Gas Pumps and Authorize the purchase of New Management Software (Resolution/Roll Call Vote)**

Recommended Action: Adopt a resolution authorizing the Public Works Director to issue a request for proposals and enter into an agreement for the purchase and installation of gas pumps located at the City Service Yard and at the Police Department fleet parking area; and authorize the Public Works Director to execute a purchase agreement for the “FUELMASTER” fuel

management software by “piggybacking” on the National Joint Power Alliance No. 051613-sys.

Vice Mayor Gibbons commented on the need to identify long range replacement programs and include them in the Capital Improvement Project Budget.

M/S: Gibbons/Kotowski – that the City Council adopt resolution 12027 authorizing the Public Works Director to issue a request for proposals and enter into an agreement for the purchase and installation of gas pumps located at the City Service Yard and at the Police Department fleet parking area; and authorizing the Public Works Director to execute a purchase agreement for the “FUELMASTER” fuel management software by “piggybacking” on the National Joint Power Alliance No. 051613-sys. Motion was adopted by the following roll call vote:

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

NOES: Councilmembers: None

8. **A Resolution to Implement Stage 2 Potable Water Restrictions to Correspond with the Reductions of the Water Conservation Goal from 30% to 20% (Resolution/Roll Call Vote)**

Recommended Action: Adopt a resolution to implement Stage 2 drought restrictions based on the Santa Clara Valley Water District and San Jose Water Company reduction of the water conservation goal from 30% to 20% of 2013 usage.

Councilmember Cristina stated that he would like the water conservation goal to remain at 30% to allow for future growth and would not support a reduction to 20%.

After discussion, **M/S: Gibbons/Resnikoff – that the City Council adopt resolution 12028 to implement Stage 2 drought restrictions based on the Santa Clara Valley Water District and San Jose Water Company reduction of the water conservation goal from 30% to 20% of 2013 usage. Motion was adopted by the following roll call vote:**

AYES: Councilmembers: Kotowski, Resnikoff, Gibbons, Baker

NOES: Councilmembers: Cristina

PUBLIC HEARINGS AND INTRODUCTION OF ORDINANCES

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

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

This is the time and place for a public hearing to consider placing the cost of abating hazardous vegetation on the property tax assessment roll.

Community Development Director Kermoyan presented staff report dated August 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 speak, Mayor Baker closed the public hearing.

M/S: Resnikoff/Gibbons – that the City Council adopt resolution 12030 placing the cost of abating hazardous vegetation on the property tax assessment roll including the desk item. Motion was adopted by the following roll call vote:

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

NOES: Councilmembers: None

NEW BUSINESS

11. **Authorization to Enter into Negotiations for Acquisition to Purchase and to Appoint a Negotiator**

Recommended Action: Authorize the City Manager to enter into negotiations for acquisition to purchase property and to appoint a negotiator.

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

Mayor Baker asked if there was anyone in the audience wishing to speak on this item.

Laura Moore, Campbell resident, spoke about the building and commented on a successful project in Los Gatos where the City was given a building and it was moved and repurposed.

There being no one else wishing to speak, Mayor Baker closed the public comment.

After discussion, **M/S: Gibbons/Kotowski – that the City Council authorize the City Manager to enter into negotiations for acquisition to purchase property and to appoint a negotiator. Motion was adopted unanimously.**

12. **Water Tower Lighting Request**

Recommended Action: Review and provide direction related to Water Tower Lighting Requests from the Campbell Police Officers Association and the Teal Foundation.

City Manager Linder presented staff report dated August 2, 2016.

Police Officers Association President, Sergeant Livingston, commented on the request and stated that the community has shown an outpouring of support and the Police Officers Association would like the lighting of the water tower on the soonest date possible to show the shared support with the community.

Police Chief Carmichael stated his administration's support of the Police Officers Association's request.

Ralph De Simone, representative from the Teal Foundation, spoke about the organization and bringing awareness to ovarian cancer.

Council discussed the individual request and commented on adding May 15th "Peace Officer Memorial Day" to the permanent list of dates.

M/S: Cristina/Resnikoff – that the City Council approve the request of the Teal Foundation to light the water tower teal on Friday, September 23, 2016 to promote the "Teal Run" and ovarian cancer awareness. Motion was adopted by the following roll call vote:

AYES: Councilmembers: Kotowski, Resnikoff, Cristina, Gibbons

NOES: Councilmembers: Baker

M/S: Cristina/Kotowski – that the City Council add blue lighting on May 15th "Peace Officer Memorial Day" to the Campbell Water Tower Lighting policy list of annual dates. Motion was adopted unanimously.

M/S: Cristina/Resnikoff – that the City Council approve a lighting request from Campbell Police Officers Association to light the water tower blue on the soonest date possible to display a shared support of the residents and Campbell Police. Motion was adopted by the following roll call vote:

AYES: Councilmembers: Kotowski, Resnikoff, Cristina, Gibbons

NOES: Councilmembers: Baker

COUNCIL COMMITTEE REPORTS

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

--Councilmember Resnikoff attended the Campbell Chamber of Commerce lunch; chaired the Silicon Valley Animal Control Authority meeting; participated on the Advisory Commission Appointment Interview Subcommittee for the Parks and Recreation Commission and the Rental Fact Finding Committee; attended

four neighborhood events for National Night Out; and spoke about the upcoming portals project dedication event on August 5th.

--Councilmember Cristina attended four neighborhood events for National Night Out.

--Vice Mayor Gibbons attended five neighborhood events for National Night Out; attended the Campbell Historic Museum & Ainsley House Foundation meeting and spoke about the recruitment for board members; participated in the City Attorney Performance/Compensation Subcommittee, and attended the Silicon Valley Clean Energy Executive Board meeting.

--Councilmember Kotowski attended a retreat of the Friends of the Heritage Theatre.

--Mayor Baker attended one neighborhood event for National Night Out; attended Silicon Valley Leadership Group Regional Economic Forum; West Valley Mayors and Managers meeting; Metropolitan Transportation Commission meeting; and attended a closed session of Valley Transportation Authority.

Vice Mayor Gibbons commented on agenizing a policy for press releases to look at broadening the distribution, foreign language outreach, and to develop guidelines for issuing releases.

Vice Mayor Gibbons commented on including significant actions taken by a committee or board on which Council serves, in the minutes.

After discussion, no further action was taken.

ADJOURN

Mayor Baker adjourned to the Executive Session meeting at 9:21 p.m.

APPROVED:

Jason T. Baker, Mayor

ATTEST:

Wendy Wood, City Clerk

CITY COUNCIL EXECUTIVE SESSION

**Tuesday, August 2, 2016 – Immediately Following Council Meeting
Ralph Doetsch Conference Room - 70 N. First Street**

- A. Personnel - PUBLIC EMPLOYEE PERFORMANCE EVALUATION (California Government Code § 54957)
Title: City Attorney**
- B. Litigation**
- C. Real Property**
- D. Labor Negotiations - CONFERENCE WITH LABOR NEGOTIATORS (California Government Code § 54957.6) Agency Designated Representatives: Mayor Jason Baker and Vice-Mayor Elizabeth Gibbons
Unrepresented Employee: City Attorney**

Council met in Executive session to discuss item A and D. Executive session adjourned at 9:55 p.m.