

CITY COUNCIL MINUTES

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



CITY COUNCIL EXECUTIVE SESSION

Tuesday, August 16, 2016 – 7:00 p.m.

Ralph Doetsch Conference Room - 70 N. First Street

- A. Personnel
- B. Litigation – Conference with Legal Counsel – Anticipated Litigation – Significant exposure to litigation pursuant to paragraph (2) of subsection (d) of California Government Code Section 54956.9: One case.
- C. Real Property
- D. Labor Negotiations

Council met in Executive Session to discuss item B. Executive session adjourned at 7:14 p.m.

REGULAR MEETING OF THE CAMPBELL CITY COUNCIL

Tuesday, August 16, 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

CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE

Pledge: Westmont High School Key Club

The Pledge of Allegiance was led by Westmont High School Key Club. Mayor Baker presented them with a certificate of appreciation for leading the pledge and thanked them for all their help with the summer concerts.

SPECIAL PRESENTATIONS AND PROCLAMATIONS

1. **Recognize the Friends of the Heritage Theatre for their \$25,000 donation**

Recommended Action: Accept the presentation.

Recreation Services Manager Bissell introduced Kereli Sengstack, President of the Friends of the Heritage Theatre.

Kereli Sengstack gave a brief background of the foundation, spoke about the donation and presented the check to council.

2. **Recognize the Museum Foundation and Kaiser Permanente for their support of the Summer Concert Series**

Recommended Action: Accept the presentation.

Recreation Supervisor Merriman spoke about the concert series and donation from Kaiser Permanente as well as the Campbell Historical Museum Ainsley House Foundation, and the Westmont High School Key Club.

Cedric Wilson and Hahn Nguyen representatives from Kaiser Permanente spoke about Kaiser Campbell, raising awareness on wellness, and stated that they are proud to be a sponsor of the concert series.

JR Makee representative from Kiwanis International spoke about all the help they received from the Westmont High School Key Club in putting this event together.

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

Upcoming Below Market Rate Housing Orientation Workshops: The City's new BMR Administrator, House Keys, will hold two orientations to explain the process for

purchasing a BMR home from initial application, lottery selection, financing and document signing to moving in. The workshops will be held in this Council Chamber on the following dates from 6:30 p.m. to 8:30 p.m.: Wednesday, August 17 and Wednesday, August 31.

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.

Save the Date: Please join me for my State of the City event on Thursday, September 22, in the Orchard City Banquet Hall at the Campbell Community Center. Stay tuned for more information.

Save the Date: Silicon Valley Neighborhood Development “Mini” Training Conference: Saturday, September 24, from 1-5:00 p.m. at the Camden Community Center. Learn about the essential tools for neighborhood leaders and participate in networking opportunities. For more information about this free event, please visit www.unscc.org.

Free English Classes for Adults: The Campbell Library is hosting free English classes on Monday’s and Thursday’s, from August 25 thru December 19. This class helps adults improve English listening and speaking skills. For more information about this event, please visit www.sccl.org.

Historical Museum Exhibit opening in September: Canneries to Computers is slated to open on September 17. The exhibit will explore the transition from cannery work to computer/high tech work in Campbell and Santa Clara Valley.

History Happy Hour Lecture Series at the Ainsley House: On Friday, September 30, from 5:30- 7:30 p.m., an interfaith panel from five major religions will host a discussion on Religion and Extremism and how communities of faith are affected. To register for this event, please visit www.campbellmuseums.com.

Valley Transportation Authority (VTA) is having a network meeting in August 27 from 6:00 p.m. to 8:00 p.m. in the Campbell Library Community room to discuss their plan to reorganize the bus system in Santa Clara County.

Also the Senior Agendas Network is having a meeting on August 31st from 1:00 p.m. to 3:30 p.m. in the Campbell Community Center.

The museum board potential new member’s social is August 24th at 5:30 p.m. at the Campbell Museum.

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 five, six and seven.

The Consent calendar was considered as follows:

3. **Minutes of Regular Meeting of August 2, 2016**

Recommended Action: Approve the regular meeting minutes.

This action approves the minutes of the regular meeting of August 2, 2016.

4. **Approving Bills and Claims**

Recommended Action: Approve the bills and claims in the amount of \$2,016,185.45.

This action approves the payment of bills and claims in the amount of \$2,016,185.45 as follows: bills and claims checks dated July 22, 2016 in the amount of \$746,040.75; bills and claims checks dated July 25, 2016 in the amount of \$482,773.02; payroll checks dated July 28, 2016 in the amount of \$321,879.91; bills and claims checks dated July 29, 2016 in the amount of \$144,771.98; and bills and claims checks dated August 1, 2016 in the amount of \$320,719.79.

8. **Approval of Specifications and Call for Bids and Authorization to Purchase One Unmarked Police Vehicle (Resolution/Roll Call Vote)**

Recommended Action: Adopt a resolution approving the specifications and call for bids for the purchase of one new 2016 unmarked police vehicle; and authorize the Public Works Director to award the contract for the replacement unit to the lowest responsible bidder.

Resolution 12034 approves the specifications and calls for bids for the purchase of one new 2016 unmarked police vehicle; and authorizes the Public Works Director to award the contract for the replacement unit to the lowest responsible bidder.

9. **Accept a \$25,000 donation from Friends of the Heritage Theatre**

Recommended Action: Accept a donation of \$25,000 from the Friends of the Heritage Theatre for the purchase of a Moving Lights system.

This action accepts a donation of \$25,000 from the Friends of the Heritage Theatre for the purchase of a Moving Lights system.

M/S: Cristina/Resnikoff - that the City Council approve the Consent Calendar with the exception of items five, six, and seven. 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. Carnival Permit and Waiver of Fees for St. Lucy Parish School (Resolution/Roll Call Vote)

Recommended Action: Adopt a resolution approving the issuance of a Carnival Permit for the St. Lucy Parish School on October 7-9, 2016 subject to the restrictions and conditions as described in said resolution; and waive 50% of the permit fee.

Vice Mayor Gibbons requested that two typos be corrected on the desk item resolution.

Councilmember Cristina stated he would like a policy to eliminate the need for these organizations to have to request a 50% permit fee waiver each year.

M/S: Gibbons/Kotowski – that the City Council adopt resolution 12031 approving the issuance of a Carnival Permit for the St. Lucy Parish School on October 7-9, 2016 subject to the restrictions and conditions as described in said resolution; and waive 50% of the permit fee. Motion was adopted by the following roll call vote:

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

NOES: Councilmembers: None

6. Approval of Tract Map No. 10376 Including Acceptance of Public Service Easement Shown on Said Map – 180 Redding Road (Resolution/Roll Call Vote)

Recommended Action: Adopt a resolution approving the Tract Map for Tract No. 10376 and accept the public service easement as shown on the map for the property located at 180 Redding Road.

Vice Mayor Gibbons provided clarification in regards to the easement.

M/S: Gibbons/Cristina – that the City Council adopt resolution 12032 approving the Tract Map for Tract No. 10376 and accepting the public service easement as shown on the map for the property located at 180 Redding Road. Motion was adopted by the following roll call vote:

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

NOES: Councilmembers: None

7. **Approval of Restated Silicon Valley Regional Interoperability Authority Joint Powers Agreement to Accommodate Santa Clara Valley Transportation Authority as an Additional Member (Resolution/Roll Call Vote)**

Recommended Action: Authorize the City Manager to sign the approval of the restated Joint Powers Agreement.

Vice Mayor Gibbons requested clarification regarding Valley Transportation Authority (VTA) becoming a member.

Mayor Baker provided a brief explanation.

M/S: Gibbons/Resnikoff – that the City Council adopt resolution 12033 authorizing the City Manager to sign the approval of the restated Joint Powers Agreement. 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

10. **Public Hearing to consider the application of Brice Colton for a Modification (PLN2016-73) to previously-approved Planned Development Permits to allow the exterior remodel of an existing building listed on the City's Historic Resource Inventory (George Hyde Co. Sunsweet Growers) as well as associated on and offsite improvements and a Tree Removal Permit (PLN2016-154) on property located at 300 & 307 Orchard City Drive. Staff is recommending that a Negative Declaration be adopted for this project. (Resolution/Roll Call Vote)**

Recommended Action: Adopt a resolution incorporating findings, approving a Modification (PLN2016-73) to previously-approved Planned Development permit to allow the exterior remodel of an existing building listed on the City's Historic Resources Inventory (George Hyde Co. Sunsweet Growers) as well as associated on and offsite improvements and a Tree Removal Permit (PLN2016-154) on property located at 300 & 307 Orchard City Drive. Staff is recommending that a Negative Declaration be adopted for this project.

This is the time and place for a public hearing to consider the application of Brice Colton for a Modification (PLN2016-73) to previously-approved Planned Development Permits to allow the exterior remodel of an existing building listed on the City's Historic Resource Inventory (George Hyde Co. Sunsweet Growers)

as well as associated on and offsite improvements and a Tree Removal Permit (PLN2016-154) on property located at 300 & 307 Orchard City Drive.

Associate Planner Rose presented staff report dated August 16, 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.

After discussion, **M/S: Gibbons/Resnikoff – that the City Council adopt resolution 12035 incorporating findings, approving a Modification (PLN2016-73) to previously-approved Planned Development permit to allow the exterior remodel of an existing building listed on the City’s Historic Resources Inventory (George Hyde Co. Sunsweet Growers) as well as associated on and offsite improvements and a Tree Removal Permit (PLN2016-154) on property located at 300 & 307 Orchard City Drive, subject to the Conditions of Approval. Motion was adopted by the following roll call vote:**

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

NOES: Councilmembers: None

11. **Public Hearing to consider the application of Brian Skarbek for an Administrative Planned Development Permit (PLN2015-98) and Conditional Use Permit (PLN2015-99) to allow an outdoor patio with alcohol service in conjunction with an existing restaurant (Orale) with a request for an exception to a streetscape standard contained within the Winchester Boulevard Master Plan on properties located at 1708, 1740 & 1750 S. Winchester Boulevard. Staff is recommending that this item be deemed Categorically Exempt under CEQA.**

Recommended Action: Adopt a resolution incorporating findings, approving an Administrative Planned Development Permit (PLN2015-98) and Conditional Use Permit (PLN2015-99) to allow an outdoor patio with alcohol service in conjunction with an existing restaurant (Orale) with a request for an exception to a streetscape standard contained within the Winchester Boulevard Master Plan on properties located at 1708, 1740 & 1750 S. Winchester Boulevard, subject to the conditions of approval.

This is the time and place for a public hearing to consider the application of Brian Skarbek for an Administrative Planned Development Permit (PLN2015-98) and Conditional Use Permit (PLN2015-99) to allow an outdoor patio with alcohol service in conjunction with an existing restaurant (Orale) with a request for an exception to a streetscape standard contained within the Winchester Boulevard Master Plan on properties located at 1708, 1740 & 1750 S. Winchester Boulevard.

Associate Planner Rose presented staff report dated August 16, 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: Gibbons/Resnikoff – that the City Council adopt resolution 12036 incorporating findings, approving an Administrative Planned Development Permit (PLN2015-98) and Conditional Use Permit (PLN2015-99) to allow an Outdoor patio with alcohol service in conjunction with an existing restaurant (Orale) with a request for an exception to a streetscape standard contained within the Winchester Boulevard Master Plan on properties located at 1708, 1740 & 1750 S. Winchester Boulevard, subject to the conditions of approval. Motion was adopted by the following roll call vote:

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

NOES: Councilmembers: None

NEW BUSINESS

12. **Designation of Voting Delegate and Alternate for 2016 League of California Cities Annual Cities Conference**
Recommended Action: Designate a Voting Delegate and Alternate(s) for the League of California Cities Annual Conference General Business Meeting to be held on October 7, 2016.

City Clerk Wood prepared staff report dated August 16, 2016.

After discussion, **M/S: Kotowski/Resnikoff – that the City Council designate Vice Mayor Gibbons as Voting Delegate for the League of California Cities Conference General Business Meeting to be held on October 7, 2016. Motion was adopted unanimously.**

COUNCIL COMMITTEE REPORTS

13. **Approve the Appointments to the Civic Improvement Commission, Rental Fact Finding Committee, and Parks and Recreation Commission**
Recommended Action: Approve the recommendation of the Advisory Commissioner Appointment Interview Subcommittee regarding appointments to the Civic Improvement Commission, Rental Fact Finding Committee, and Parks and Recreation Commission.

Vice Mayor Gibbons reported on the Advisory Commission Appointment Interview Subcommittee meetings and gave the following recommendations for

council approval: reappointment of Anne Castleton and appointment of Amy Carpenter to the Civic Improvement Commission to four year terms expiring August 2020; appointment of Jennifer Dooley to the Rental Fact Finding Committee to a four year term expiring August 2020; and appointment of Sherrie Doherty to the Parks and Recreation Commission to a short term expiring December 2017.

M/S: Gibbons/Kotowski – that the City Council appoint Sherrie Doherty to the Parks and Recreation Commission to a short term expiring December 2017. Motion was adopted unanimously.

M/S: Gibbons/Cristina – that the City Council appoint Jennifer Dooley to the Rental Fact Finding Committee to a four year term expiring August 2020. Motion was adopted unanimously.

M/S: Gibbons/Resnikoff – that the City Council reappoint of Anne Castleton and appoint Amy Carpenter to the Civic Improvement Commission to four year terms expiring August 2020. Motion was adopted unanimously.

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

Recommended Action: Report on committee assignments and general comments.

-- Councilmember Resnikoff attended the monthly Downtown Campbell Business Association meeting; served on the Advisory Commissioner Appointment Interview Subcommittee, the Portals dedication ceremony; Valley Transportation Policy Advisory Committee meeting; and participated in Senator Beall's Los Gatos Creek Clean up on Saturday August 16th.

-- Councilmember Kotowski attended the West Valley Sanitation District meeting, spoke about the Recycling Waste Reduction Commission meeting being canceled and stated that he is termed out this year but the appointment goes through 2018 so he will find out how it will be handled; and spoke about Campbell's Veteran Memorial Foundation fund raising event on November 5th with speaker Dr. Gloria Duffy.

-- Vice Mayor Gibbons attended the Cities Association of Santa Clara County meeting; spoke about the Age Friendly Cities program; spoke about a presentation by past San Jose Mayor Chuck Reed on the Silicon Valley Talent Pool; spoke about the "Yes on A" which is the County Board of Supervisors ballot measure to support housing in Santa Clara County; spoke about Proposition 53; and attended several meetings for the Silicon Valley Clean Energy.

ADJOURN

Mayor Baker adjourned the meeting at 8:40 p.m.

APPROVED:

ATTEST:

Jason T. Baker, Mayor

Wendy Wood, City Clerk