



City Council Agenda

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

NOTE: To protect our constituents, City officials, and City staff, the City requests all members of the public follow the guidance of the California Department of Health Services', and the County of Santa Clara Health Officer Order, to help control the spread of COVID-19. Additional information regarding COVID-19 is available on the City's website at www.campbellca.gov.

This Executive Session and Regular City Council meeting will be conducted via telecommunication and is compliant with provisions of the Brown Act and Executive Order N-29-20 issued by the Governor.

The following Councilmembers of the Campbell City Council are listed to permit them to appear electronically or telephonically at the Executive Session/Regular City Council meeting on June 2, 2020: Councilmember Rich Waterman, Councilmember Anne Bybee, Councilmember Paul Resnikoff, Vice Mayor Elizabeth "Liz" Gibbons, and Mayor Susan M. Landry.

Members of the public will not be able to attend meetings at the Campbell City Council Chamber physically. The City Council meeting will be live-streamed on Channel 26, the City's website, and YouTube (<https://www.youtube.com/user/CityofCampbell>).

Public comment for the City Council meetings will be accepted via email at ClerksOffice@campbellca.gov during the meeting, prior to the close of public comment on an item. Please note that the City cannot guarantee that any emails sent during the meeting will be received by the close of the public comment, so to ensure Council's consideration, it is recommended that all comments be submitted prior to the meeting. If you choose to email your comments during the meeting, please indicate in the subject line "FOR PUBLIC COMMENT" and list the item number(s) you wish to comment on. Comments will be read during the comment period for the item and will be subject to the two-minute time limitation (approximately 250 words). Written comments received by 5:00 p.m. on the day of the meeting will be posted on the website and distributed to the Council before the meeting.

CITY COUNCIL EXECUTIVE SESSION

Tuesday, June 2, 2020 6:30 p.m.

City Hall – 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** - Pursuant to G.C. Section 54957.6: Conference with Labor Negotiator - Agency Designated Representatives: City Council and City Manager Performance/Compensation Subcommittee Members Susan M. Landry and Anne Bybee
Unrepresented Employee: City Manager

REGULAR MEETING OF THE CAMPBELL CITY COUNCIL

Tuesday, June 2, 2020 7:30 p.m.

City Hall 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. The law generally prohibits the Council from discussing or taking action on such items. However, the Council may instruct staff accordingly regarding Oral Requests.

Persons wishing to address the Council are requested to email their comments to the City Clerk at ClerksOffice@campbellca.gov prior to the close of Oral Requests. Please note that the City cannot guarantee that any emails sent during the meeting will be received by the close of the Oral Request period, so to ensure Council's consideration, it is recommended that all comments be submitted prior to the meeting. Please indicate in the subject line "FOR ORAL REQUEST" and indicate if you would like your comments to be read during the Oral Request portion of the meeting. All comments read during the meeting will be subject to the two-minute time limitation (approximately 250 words). Written comments received by 5:00 p.m. on the day of the meeting will be posted on the website and distributed to the Council before the meeting.

COUNCIL ANNOUNCEMENTS

CONSENT CALENDAR

1. **Minutes of City Council Executive Session Meeting of May 15, 2020**
Recommended Action: Approve the executive session meeting minutes of May 15, 2020.
2. **Minutes of City Council Regular Meeting of May 19, 2020**
Recommended Action: Approve the regular meeting minutes of May 19, 2020.

3. **Approving Bills and Claims**

Recommended Action: Approve the bills and claims in the amount of \$631,411.93

4. **Preliminary Approval of Engineer's Report and Adoption of Resolution of Intention, Lighting and Landscaping District LLA-1, Fiscal Year 2020-21 and Set Time and Place for Public Hearing (Resolutions/Roll Call Vote)**

Recommended Action: Adopt resolutions preliminarily approving the Engineer's Report for the annual levy and collection of assessments for City of Campbell Lighting and Landscaping District LLA-1 for Fiscal Year (FY) 2020-21; and declaring Council's intention to levy and collect assessments within the City of Campbell Lighting and Landscaping District LLA-1 for FY 2020-21 and setting forth the time and place for required Public Hearing.

5. **Agreement Between the County of Santa Clara and the City of Campbell for Communications Equipment Maintenance and Technical Services (Resolution/Roll Call Vote)**

Recommended Action: That the City Council adopt a resolution authorizing the City Manager to enter into an agreement with the County of Santa Clara to provide communications equipment maintenance and technical services for the City of Campbell.

PUBLIC HEARINGS AND INTRODUCTION OF ORDINANCES

NEW BUSINESS

6. **Discussion of Outdoor Dining on Public Property as Part of the City's Efforts to Support the Business Community and Initiation of Zoning Text Amendments to Implement Such Allowances**

Recommended Action: Initiate the preparation of zoning text amendments to establish development standards and permit processes that will provide greater opportunities for businesses to conduct operations on public property as part of the City's recovery efforts in response to the COVID-19 pandemic.

COUNCIL COMMITTEE REPORTS

7. **Council Committee Reports**

Recommended Action: Report on committee assignments and general comments.

ADJOURN

IMPORTANT NOTICE: Materials related to an item on this agenda submitted to the City Council after distribution of the agenda packet are available for public inspection with the agenda packet in the lobby of City Clerk's Office, 70 N. First Street, Campbell, CA 95008, during normal business hours. These materials will also be available on the City website at <https://www.ci.campbell.ca.us/agendacenter> with the agenda packet following the last item of the agenda, subject to staff's ability to post the documents prior to the meeting. All documents not

posted prior to the meeting will be posted the next business day.

Pursuant to the Executive Order, and in compliance with the Americans with Disabilities Act, if you need special assistance to participate in the Council meeting, please contact the City Clerk's Office at ClerksOffice@campbellca.gov or at (408) 866-2117 48 hours before the meeting.

CITY COUNCIL MINUTES

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



CITY COUNCIL EXECUTIVE SESSION

Friday, May 15, 2020 – 2:00 p.m.
City Hall – 70 N. First Street

This City Council meeting was conducted pursuant to the Governor's Executive Order N-29-20.

CALL TO ORDER

The City Council of the City of Campbell convened this day in the special meeting place, via telecommunication to discuss Executive Session item D.

Attendee Name	Title	Status
Susan M. Landry	Mayor	Remote
Elizabeth 'Liz' Gibbons	Vice Mayor	Remote
Rich Waterman	Councilmember	Remote
Anne Bybee	Councilmember	Remote
Paul Resnikoff	Councilmember	Remote

City Manager Brian Loventhal, City Attorney Bill Seligmann, Human Resources Manager Jill Lopez, Finance Director Will Fuentes, and attorneys from Liebert Cassidy Whitmore, Lisa Charbonneau and Rick Bolanos were in attendance.

ORAL REQUESTS

There were no oral requests.

EXECUTIVE SESSION:

- A. **Personnel**
- B. **Litigation**
- C. **Real Property**
- D. **Labor Negotiations** - Pursuant to G.C. Section 54957.6: Conference with Labor Negotiator - Agency Designated Representatives: City Council, City Manager, Human Resources Manager, and Finance Director
Employee Organizations: Campbell Municipal Employees Association (CMEA); Campbell Police Civilian Employees Association (CPCEA); Campbell Peace

Officers' Association (CPOA); Carpenters; Management Employees; and Confidential Employees

The City Council met in Executive Session to discuss item D.

ADJOURNMENT

Council adjourned at approximately 2:56 p.m.

APPROVED:

ATTEST:

Susan M. Landry, Mayor

Andrea Sanders, Deputy City Clerk

Minutes Acceptance: Minutes of May 15, 2020 2:00 PM (CONSENT CALENDAR)

CITY COUNCIL MINUTES

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



CITY COUNCIL EXECUTIVE SESSION

Tuesday, May 19, 2020
City Hall – 70 N. First Street

- A. **Personnel** –Pursuant to G.C. Section 54957: Public Employee Performance Evaluation – City Manager
- B. **Litigation - CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION** - Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of California Government Code [Section 54956.9](#): (one case - for which the City have received a claim pursuant to the Government Claims Act, a copy of which is available for review upon request at the City Clerk's Office.)
- C. **Real Property**
- D. **Labor Negotiations** - Pursuant to G.C. Section 54957.6: Conference with Labor Negotiator - Agency Designated Representatives: City Council and City Manager Performance/Compensation Subcommittee Members Susan M. Landry and Anne Bybee
Unrepresented Employee: City Manager

The City Council met in Executive Session to discuss items A, B and D. City Manager Brian Loventhal was in attendance via teleconference. City Attorney Bill Seligmann, Police Chief Garg Berg, and Finance Director Will Fuentes were in attendance via teleconference for item B. Executive session adjourned at 7:22 p.m.

REGULAR MEETING OF THE CAMPBELL CITY COUNCIL

Tuesday, May 19, 2020 7:30 p.m.
City Hall – 70 N. First Street

This City Council meeting was conducted pursuant to the Governor's Executive Order N-29-20.

This meeting was recorded and can be viewed in its entirety at www.cityofcampbell.com/agendacenter.

CALL TO ORDER

The City Council of the City of Campbell convened on the regularly scheduled day of

May 19, 2020, via telecommunication.

Mayor Landry stated that the City Council meeting was conducted pursuant to provisions of the Brown Act and an Executive Order issued by the Governor to facilitate teleconferencing to reduce the risk of COVID-19 transmission at public meetings.

Mayor Landry explained the process to provide public comment, stating that it will be accepted via email at ClerksOffice@campbellca.gov during the meeting, before the close of public comment on an item.

ROLL CALL

Attendee Name	Title	Status
Susan M. Landry	Mayor	Remote
Elizabeth 'Liz' Gibbons	Vice Mayor	Remote
Rich Waterman	Councilmember	Remote
Anne Bybee	Councilmember	Remote
Paul Resnikoff	Councilmember	Remote

PLEDGE OF ALLEGIANCE

Mayor Landry led the Pledge of Allegiance.

SPECIAL PRESENTATIONS AND PROCLAMATIONS

There were no special presentations and proclamations.

COMMUNICATIONS AND PETITIONS

There were no communications and petitions.

ORAL REQUESTS

Deputy City Clerk Sanders read an email submitted by Roberta Phillips stating concerns with the homeless.

**All emails received were posted with the agenda as part of the public record.

COUNCIL ANNOUNCEMENTS

The City of Campbell continues to work closely with our partnering agencies to monitor how the coronavirus is impacting our communities. We are actively monitoring the information provided by the U.S. Centers for Disease Control and reviewing guidance provided by the County's Public Health Department. We continue to take proactive steps to prioritize the health and safety of our employees and community members. Our focus is to maintain essential services and keep you informed. On Monday, Dr. Sara Cody, announced a new update of our shelter-in-place order that allows non-

essential retail businesses in Santa Clara County to open for curbside pickup beginning on Friday. Also, the supply chain for those businesses, companies that manufacture the products they sell, will be allowed to reopen provided they comply with social distancing guidelines. The updated order also permits car parades to take place, and outdoor museums, historical sites, and publicly accessible gardens can reopen.

In connection with the State, the County of Santa Clara is working with Motel 6 operators to help those without homes. It has been reported that placements at Motel 6 have begun. Thus far, the County has made 15 placements per day since Sunday and has filled 45 out of the 50 rooms available for this program. Statewide, 600 households have been placed in motels and FEMA trailers. Since March 13, 495 people are currently in shelters. The police department was provided the emergency hotline number for those in need to call.

The Safe Park program is to provide individuals a safe place to sleep at night that are unhoused. This program rotates between several churches within the City and surrounding cities. Please email Campbellministerialassociation@gmail.com.

If you need assistance finding food, paying household bills, seeking available resources or other essential services, please visit www.211.org dial 2-1-1 from your phone. 211 is completely confidential and is accessible 24 hours a day, 7 days a week.

The County of Santa Clara directly provides free COVID-19 testing through the Public Health Department and through Valley Medical Center hospitals and clinics, as well as, through several drive-through testing locations throughout the County. To find a clinic or community testing site closest to you, and make an appointment today, please visit www.Sccgov.org/cv19testing.

Thousands of Americans could soon join the ranks of disease detectives in one of the most important battles against Coronavirus. Contact tracing has helped slow or stop previous epidemics, such as the SARS and Ebola outbreaks. Santa Clara County is looking for case investigators with appropriate language abilities to reach out to the community. To request more information, please email www.ContactTracing@EOC.sccgov.org.

California is expanding "Friendship Line California" to support lonely and isolated older Californians across the state. "Friendship Line California" provides emotional support to older Californians facing loneliness, isolation and anxiety. "Friendship Line California" is a toll-free number 1-888-670-1360.

CalFresh applications are being accepted over the phone for residents who need help buying food. Contact Second Harvest Food Bank Connection Hotline at 1-800-984-3663.

The Santa Clara County Library District has resources for students and families while distance learning. There are many online resources for students including, homework

help, tutoring, test preparation, research tools, not to mention academic videos, articles, eBooks and so much more. Please visit their website at www.scclid.org.

The City of Campbell will be closed on Monday, May 25, in observance of Memorial Day. Limited essential services to the public will reopen on Tuesday, May 26. The Campbell Police Department, along with other critical City services, will continue to provide emergency and essential services to the community.

Please continue to visit the city's website at www.campbellca.gov for up to date information on COVID-19, adjusted City services, cancelled events, Police Department services, the Campbell Community Center, and Business Resources.

CONSENT CALENDAR

Mayor Landry asked if any Councilmember, staff member, or anyone from the public wished to remove any item from the Consent Calendar.

Vice Mayor Gibbons pulled items five and six from the consent calendar.

Mayor Landry pulled item eight.

Mayor Landry recused herself from item seven due to a potential conflict of interest.

Councilmember Resnikoff himself recused from item eight due to the proximity of the project to his residence.

The consent calendar was considered as follows:

1. **Minutes of City Council Study Session Meeting of April 28, 2020**
Recommended Action: Approve the study session meeting minutes of April 28, 2020.

This action approves the study session meeting minutes of April 28, 2020 including the follow up items that were provided to City Manager Loventhal.
2. **Minutes of City Council Special Meeting of April 30, 2020**
Recommended Action: Approve the special meeting minutes of April 30, 2020.

This action approves the special meeting minutes of April 30, 2020 including the desk item.
3. **Minutes of City Council Regular Meeting of May 5, 2020**
Recommended Action: Approve the regular meeting minutes of May 5, 2020

This action approves the regular meeting minutes of May 5, 2020.
4. **Approving Bills and Claims**

Recommended Action: Approve the bills and claims in the amount of \$1,383,386.74.

This action approves the bills and claims in the amount of \$1,383,386.74 as follows: payroll checks dated April 16, 2020, in the amount of \$34,771.86; bills and claims checks dated April 20, 2020, in the amount of \$216,138.20; and bills and claims checks dated April 27, 2020, in the amount of \$1,132,476.68.

M/S: Gibbons/Resnikoff – that the City Council approve the consent calendar with the exception of items five, six, seven and eight. The motion was adopted by the following roll call vote:

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gibbons
SECONDER:	Resnikoff
AYES:	Landry, Gibbons, Waterman, Bybee, Resnikoff

ITEMS PULLED FROM CONSENT

5. Local Early Action Planning (LEAP) Grant Application

Recommended Action: That the City Council adopt a Resolution, authorizing the City Manager to submit to the Department of Housing and Community Development (HCD) a Local Early Action Planning (LEAP) Grant application for approval of, and receipt of funding for, preparation of an updated Housing Element and other actions required to comply with the sixth-cycle of the Regional Housing Need Assessment (RHNA).

Vice Mayor Gibbons commented on the allocation of the grant funding.

M/S: Gibbons/Resnikoff - That the City Council adopt Resolution 12584, authorizing the City Manager to submit to the Department of Housing and Community Development (HCD) a Local Early Action Planning (LEAP) Grant application for approval of, and receipt of funding for, preparation of an updated Housing Element and other actions required to comply with the sixth-cycle of the Regional Housing Need Assessment (RHNA). The motion was adopted by the following roll call vote:

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gibbons
SECONDER:	Resnikoff
AYES:	Landry, Gibbons, Waterman, Bybee, Resnikoff

6. Approval of Transportation Development Act (TDA) Article 3 Grant Application for Fiscal Year 20/21 (Resolution/Roll Call Vote)

Recommended Action: That the City Council adopt a resolution authorizing the Public Works Director to submit a grant application to the Santa Clara Valley Transportation Authority (VTA) for \$43,874 in Transportation Development Act

Minutes Acceptance: Minutes of May 19, 2020 7:30 PM (CONSENT CALENDAR)

(TDA) Article 3 Guarantee Funds for the Campbell Bicycle and Pedestrian Project Fiscal Year (FY) 20/21.

Vice Mayor Gibbons commented on traffic issues at the Civic Center Drive and Second Street and stated that staff will return with potential solutions at the appropriate time.

M/S: Gibbons/Resnikoff - That the City Council adopt Resolution 12585 authorizing the Public Works Director to submit a grant application to the Santa Clara Valley Transportation Authority (VTA) for \$43,874 in Transportation Development Act (TDA) Article 3 Guarantee Funds for the Campbell Bicycle and Pedestrian Project Fiscal Year (FY) 20/21. The motion was adopted by the following roll call vote:

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gibbons
SECONDER:	Resnikoff
AYES:	Landry, Gibbons, Waterman, Bybee, Resnikoff

- 7. **Resolution to Authorize the City Manager to Execute the First Amendment to the Contract with the County of Santa Clara to Approve Funding for Additional Emergency Meals in FY 2019-20 and Provide a Senior Nutrition Program for FY 2020-21 and Approve a Corresponding Budget Amendment in FY 2019-20. (Resolution/Roll Call Vote)**

Recommended Action: It is recommended that the City Council adopt a resolution authorizing the City Manager to execute the First Amendment to the Contract with the County of Santa Clara to approve funding for additional emergency meals in FY 2019-20 and provide a Senior Nutrition Program for FY 2020-21 and approve a corresponding budget amendment in FY 2019-20; increasing expenditure account 101.525.7432 and revenue account by \$10,569 each.

Mayor Landry recused herself from this item due to a potential conflict of interest and asked that Vice Mayor Gibbons chair the discussion for item 7.

M/S: Resnikoff/Bybee - That the City Council adopt Resolution 12586 authorizing the City Manager to execute the First Amendment to the Contract with the County of Santa Clara to approve funding for additional emergency meals in FY 2019-20 and provide a Senior Nutrition Program for FY 2020-21 and approve a corresponding budget amendment in FY 2019-20; increasing expenditure account 101.525.7432 and revenue account by \$10,569 each. The motion was adopted by the following roll call vote: (Mayor Landry recused)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Resnikoff
SECONDER:	Bybee

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AYES:	Gibbons, Waterman, Bybee, Resnikoff
RECUSED:	Landry

8. **Authorize the Issuance of a Request for Proposals for the Measure O – Civic Center Improvements Environmental Services, and Authorize the City Manager to Negotiate and Execute a Consultant Services Agreement (Resolution/Roll Call Vote)**

Recommended Action: That the City Council adopt a resolution to authorize staff to issue a Request for Proposals (RFP) for environmental consultant services for the Measure O - Civic Center Improvements, and authorize the City Manager to negotiate and execute a consultant services agreement.

Councilmember Resnikoff recused himself from this item due to the proximity of the project to his residence.

Mayor Landry requested that this item be pulled from the agenda at this time and brought back at a future date.

Public Works Director Capurso provided clarification.

Vice Mayor Gibbons made a motion that the City Council authorize staff to return this item to a Council agenda in the July/August time frame. Motion failed due to lack of a second.

M/S: Bybee/Waterman - That the City Council adopt a resolution to authorize staff to issue a Request for Proposals (RFP) for environmental consultant services for the Measure O - Civic Center Improvements, and authorize the City Manager to negotiate and execute a consultant services agreement. The motion failed by the following roll call vote: (Councilmember Resnikoff recused)

RESULT:	FAILED [2 TO 2]
MOVER:	Bybee
SECONDER:	Waterman
AYES:	Waterman, Bybee
NAYS:	Landry, Gibbons
RECUSED:	Resnikoff

UNFINISHED BUSINESS

9. **Approval of John D. Morgan Park (Budd Avenue) Improvement Project Final Conceptual Design (Resolution/Roll Call Vote)**

Recommended Action: That the City Council adopt a resolution to approve the Final Conceptual Design for the John D. Morgan Park (Budd Avenue) Improvement Project 18-PP.

City Engineer Olay presented a staff report dated May 19, 2020.

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After discussion, **M/S: Bybee/Resnikoff - That the City Council adopt resolution 12587 to approve the Final Conceptual Design for the John D. Morgan Park (Budd Avenue) Improvement Project 18-PP. Motion was adopted by the following roll call vote:**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Bybee
SECONDER:	Resnikoff
AYES:	Landry, Gibbons, Waterman, Bybee, Resnikoff

- 10. **Award the Measure O – New Police Operations Building Design Services Contract to LPA, Inc., Authorize the City Manager to Execute a Consultant Services Agreement in a Contract Amount Not to Exceed \$980,835, and Approve a Corresponding Budget Amendment in Fiscal Year (FY) 2019-2020. (Resolution/Roll Call Vote)**

Recommended Action: That the City Council adopt a resolution to award the Measure O - New Police Operations Building Design Services contract to LPA, Inc., authorize the City Manager to execute a consultant services agreement in a contract amount not to exceed \$980,835, and approve a corresponding budget amendment in account 448.518.7430 in Fiscal Year (FY) 2019-2020.

Councilmember Resnikoff recused himself from this item due to the proximity of his house to the project site, muted his microphone and turned off his video.

Project Manager Kim presented a staff report dated May 19, 2020.

Project Manager Kim introduced Jeremy Hart, Director LPA who provided additional information.

Deputy City Clerk Sanders read an email submitted by Sergeant Ian White on behalf of the Campbell Police Officers Association regarding the Measure O police building.

Deputy City Clerk Sanders read an email submitted by Jeff Cristina regarding the Measure O police building.

Vice Mayor Gibbons commented on project scheduling.

Mayor Landry clarified that the City Council members are synonymous with the decisionmakers referenced in the Scope of Services, Task A1.

Vice Mayor Gibbons made a motion that the Measure O - New Police Operations Building Design Services contract to LPA, Inc., authorize the City Manager to execute a consultant services agreement in a contract amount not to exceed \$980,835, and approve a corresponding budget amendment in account 448.518.7430 in Fiscal Year (FY) 2019-2020 with the additional language that

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staff provide a master schedule for all components of the Measure O project from inception to move in including projected staffing, council decision points, temporary relocations, financial obligations, bond schedule and public hearings.

Public Works Director Capurso stated that staff will provide a master calendar.

Motion failed due to lack of a second.

After discussion, **M/S: Waterman/Bybee - That the City Council adopt resolution 12588 to award the Measure O - New Police Operations Building Design Services contract to LPA, Inc., authorize the City Manager to execute a consultant services agreement in a contract amount not to exceed \$980,835, and approve a corresponding budget amendment in account 448.518.7430 in Fiscal Year (FY) 2019-2020. Motion was adopted by the following roll call vote: (Councilmember Resnikoff recused)**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Waterman
SECONDER:	Bybee
AYES:	Landry, Gibbons, Waterman, Bybee
RECUSED:	Resnikoff

Councilmember Resnikoff returned to the meeting.

- 11. **Award the Measure O – Campbell Library Improvements Design Services Contract to Jayson Architecture, Authorize the City Manager to Execute a Consultant Services Agreement in a Contract Amount Not to Exceed \$1,704,210, and Approve a Corresponding Budget Amendment in Fiscal Year (FY) 2019-2020. (Resolution/Roll Call Vote)**

Recommended Action: That the City Council adopt a resolution to award the Measure O - Campbell Library Improvements Design Services contract to Jayson Architecture, authorize the City Manager to execute a consultant services agreement in a contract amount not to exceed \$1,704,210, and approve a corresponding budget amendment in account 448.518.7430 in Fiscal Year (FY) 2019-2020.

Project Manager Kim presented a staff report dated May 19, 2020.

Project Manager Kim introduced Principal Architect Abraham Jayson of Jayson Architecture who introduced his consultant team and spoke about their role in the project.

M/S: Gibbons/Bybee - That the City Council adopt resolution 12589 to award the Measure O - Campbell Library Improvements Design Services contract to Jayson Architecture, authorize the City Manager to execute a consultant services agreement in a contract amount not to exceed \$1,704,210, and approve a corresponding budget amendment in account

448.518.7430 in Fiscal Year (FY) 2019-2020. Motion was adopted by the following roll call vote:

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gibbons
SECONDER:	Bybee
AYES:	Landry, Gibbons, Waterman, Bybee, Resnikoff

NEW BUSINESS

12. **Designation of Newspaper to Publish Required Legal Advertising in the City of Campbell (Resolution/Roll Call Vote)**

Recommended Action: To adopt a resolution designating the “Metro News” as a newspaper of general circulation for use by the City of Campbell.

City Manager Loventhal presented a staff report dated May 19, 2020.

Council discussed identifying the three public places for posting legal notices in place of a newspaper publishing when appropriate to do so.

M/S: Resnikoff/Waterman - adopt resolution 12590 designating the “Metro News” as a newspaper of general circulation for use by the City of Campbell and also identifying the three other sites to post in lieu of the newspaper when allowed by the appropriate stature.

Mayor Landry made a friendly amendment to include language in the resolution identifying City Hall, the Campbell Library and the Community Center as the three public places to post legal notices.

Councilmember accepted the friendly amendment and added “ and future areas we find to be appropriate.” Motion was adopted by the following roll call vote:

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Resnikoff
SECONDER:	Waterman
AYES:	Landry, Gibbons, Waterman, Bybee, Resnikoff

City Attorney Seligmann reported on Executive Session item B stating Council voted to deny the claim and authorize retention of outside counsel by a unanimous vote.

COUNCIL COMMITTEE REPORTS

13. **Council Committee Reports**

Recommended Action: Report on committee assignments and general comments.

--Councilmember Bybee attended the Valley Transportation Authority Policy Advisory Committee.

--Councilmember Resnikoff attended the West Valley Clean Water JPA meeting; attended the West Valley Solid Waste Authority JPA meeting; attended the West Valley Sanitation District meeting; and attended the Cities Association of Santa Clara County meeting.

--Vice Mayor Gibbons spoke about Silicon Valley Clean Energy and its COVID-19 relief programs; and the Association of Bay Area Governments (ABAG).

--Mayor Landry spoke about the U.S. Conference of Mayors surveys; attended the Santa Clara County Emergency Operations Center (EOC) briefing for Elected Officials; participated in the San Tomas Aquino Neighborhood Association Tele-Town meeting; and spoke about the Campbell Chamber of Commerce.

ADJOURN

Mayor Landry, adjourned the meeting at 10:02 p.m.

APPROVED:

ATTEST:

Susan M. Landry, Mayor

Andrea Sanders, Deputy City Clerk

Minutes Acceptance: Minutes of May 19, 2020 7:30 PM (CONSENT CALENDAR)



*City
Council
Report*

Item: 3
Category: CONSENT CALENDAR
Meeting Date: June 2, 2020

TITLE: Approving Bills and Claims

RECOMMENDED ACTION

Approve the bills and claims in the amount of \$631,411.93

DISCUSSION

The bills and claims that have been audited and approved by staff for payments made as noted below:

<u>Type</u>	<u>Check Date</u>	<u>Amount</u>
Bills & Claims	April 29, 2020	\$86,882.42
Payroll	April 30, 2020	\$73,734.85
Bills & Claims	May 4, 2020	\$91,842.10
Bills & Claims	May 11, 2020	\$378,952.56
Total		\$631,411.93

FISCAL IMPACT

Adequate funding was available to cover all expenses as listed.

Prepared by:

Roberto Garcia-Acosta, Accounting Clerk
II

Reviewed by:

Norite Vong, Finance Manager

Approved by:



Brian Loventhal, City Manager



*City
Council
Report*

Item: 4
Category: CONSENT CALENDAR
Meeting Date: June 2, 2020

TITLE: Preliminary Approval of Engineer's Report and Adoption of Resolution of Intention, Lighting and Landscaping District LLA-1, Fiscal Year 2020-21 and Set Time and Place for Public Hearing (Resolutions/Roll Call Vote)

RECOMMENDED ACTION

Adopt resolutions preliminarily approving the Engineer's Report for the annual levy and collection of assessments for City of Campbell Lighting and Landscaping District LLA-1 for Fiscal Year (FY) 2020-21; and declaring Council's intention to levy and collect assessments within the City of Campbell Lighting and Landscaping District LLA-1 for FY 2020-21 and setting forth the time and place for required Public Hearing. (Resolutions/Roll Call Vote)

BACKGROUND

The City of Campbell provides a range of services which are eligible for funding through the annual Lighting and Landscaping District (LLA-1). These services include the installation, operation, and maintenance of public lighting, including traffic signals, landscaping, parks and recreational improvements, including play equipment and public restrooms, appurtenances for maintenance of the above, including curb, gutters, sidewalks, irrigation, and drainage improvements.

DISCUSSION

On April 7, 2020, Council ordered preparation of the annual LLA-1 Engineer's Report. The FY 2020-21 Preliminary Engineer's Report has been prepared and filed with the City Clerk's Office. The report identifies total expenditures of approximately \$3,993,000 for LLA-1 eligible activities for FY 2020-21 based on the FY 2020-21 Preliminary Operating Budget. This figure represents the Public Works Park Maintenance and Signals and Lighting operating budgets for FY 2020-21 and also the FY 2020-21 Capital Improvement Program projects for sidewalk maintenance and accessibility ramp installation. The level of LLA assessments are not proposed to be increased over those from past fiscal years. It is anticipated that approximately \$1,210,000 will be collected based on the current LLA-1 assessments. A combined contribution of approximately \$2,783,000 will be derived from other revenue sources including the General Fund, the Campbell Municipal Lighting District, and Capital Improvement Program Reserves.

The proposed schedule of Council actions following preliminary approval of the Engineer's Report for the annual LLA-1 assessment is as follows:

- | | |
|----------------|--|
| June 2, 2020 | City Council grants preliminary approval of Engineer's Report and adopts Resolution of Intention. Time and place for the Public Hearing are set. |
| July 1, 2020 | Resolution of Intention published in in a local newspaper of general circulation. |
| July 8, 2020 | Resolution of Intention published in in a local newspaper of general circulation. |
| July 21, 2020 | Public Hearing is held at the regular City Council meeting. City Council considers adoption of a Resolution Overruling Protests, if any, ordering the improvements and confirming the diagram and assessments for Fiscal Year 2020-21. |
| August 1, 2020 | Diagram and assessment filed with County Auditor no later than August 1, 2020. |

To proceed with the assessment process for FY 2020-21, it is necessary for City Council to grant preliminary approval of the Engineer's Report. After preliminary approval of the Engineer's Report, notices will be published notifying Campbell residents of the upcoming Public Hearing scheduled for July 21, 2020.

FISCAL IMPACT

Although there is no direct fiscal impact associated with this action, failure to preliminarily approve the Engineer's Report and set the Public Hearing date would jeopardize the ability of the City to levy the annual Lighting and Landscaping District assessment, which provides approximately \$1.21 million to the City for needed services.

ALTERNATIVES

Do not proceed with the annual Lighting and Landscaping District assessment process and designate alternative funding sources for staff to use to replace the LLA revenue or direct staff to reduce or suspend services historically funded by LLA revenue.

Prepared by:



Roger Storz, Senior Civil Engineer

Reviewed by:


Todd Capurso, Director of Public Works

Approved by:


Brian Loventhal, City Manager

Attachment:

- a. Resolution FY 20-21 LLA
- b. FY 20-21 LLA - LLA-1 Rules
- c. FY 20-21 LLA Resolution of Intention
- d. FY 20-21 LLA Description of Work

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAMPBELL
PRELIMINARILY APPROVING THE ENGINEER'S REPORT FOR THE ANNUAL
LEVY AND COLLECTION OF ASSESSMENTS FOR
CITY OF CAMPBELL LIGHTING DISTRICT
LLA-1 FOR FISCAL YEAR 2020-21**

BE IT RESOLVED, by the City Council of the City of Campbell as follows:

1. On April 7, 2020, the City Council adopted Resolution No. 12575, initiating proceedings and directing the City Engineer to prepare a report in accordance with Division 15, Part 2, Chapter 1, Article 4 of the California Streets & Highways Code (Sections 22565 et seq.) for the purpose of the annual levy and collection of assessments for the City of Campbell Lighting District LLA-1 for Fiscal Year 2020-21;

2. The report has been filed with the City Clerk;

3. The City Council finds that the report adequately sets forth the following information:

a) Plans and specifications for proposed new improvements, if any, to be made within the Assessment District;

b) An estimate of the costs of said proposed new improvements, if any, to be made and the costs of maintenance or operation, or both, thereof, and an estimate of the costs for maintenance and operation of any existing improvements, together with the incidental expenses in connection therewith;

c) A diagram showing the exterior boundaries of the Assessment District and the lines and dimensions of each parcel of land within the District as such parcel of land is shown on the County Assessor's map for Fiscal Year 2020-21; each of which parcels shall be identified by a distinctive number or letter on said diagram; and

d) A proposed assessment, consisting of the total amount of the estimated costs and expenses of the proposed new improvements in accordance with Section 22569 of the California Streets and Highways Code, including the installation, if any, and the maintenance and/or operation thereof, and of any existing improvements, to be assessed upon the parcels in said District in proportion to the estimated benefits to be received by such parcels respectively from said improvements, including the maintenance or servicing, or both, therefore, and of the expenses incidental thereto, as provided in the Rules for Spreading Assessments, which is attached hereto as Exhibit 1 and hereby adopted.

NOW, THEREFORE, the City Council hereby preliminarily approves the Engineer's

Report as presently submitted.

I hereby certify that the foregoing is a full, true and correct copy of a Resolution duly passed and adopted by the City Council of the City of Campbell, California, at a meeting thereof held on the _____ of _____, 2020, by the following vote of the members thereof:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

APPROVED:

Susan M. Landry, Mayor

ATTEST:

Andrea Sanders, Deputy City Clerk

Attachment: Resolution FY 20-21 LLA (Preliminary Approval of Engineer's Report & Adoption of Resolution of Intention LLA-1)

EXHIBIT 1

LLA-1 RULES FOR SPREADING ASSESSMENTS

1. District is to be assessed for all costs of forming the District and maintaining the street landscaping and the lighting systems located within the boundaries of the District.
2. The City Council is hereby authorized to annually increase the assessment by not more than ten percent (10%) per year to cover increased costs.
3. Total costs shall be apportioned to all parcels within the district boundary in accordance with the benefit received. Parcels without curbs, gutters or sidewalks pay no assessment for sidewalk repair.
4. The benefit for each parcel has been determined to be proportional to the land area of that parcel.
5. The area for condominium and townhouse developments shall be determined by assigning to each unit in the development an area equal to that unit's proportionate share of the total land area in the development.
6. Parcels zoned single-family residence or agriculture are assessed up to a maximum of 10,000 square feet.
7. Three categories of benefits have been established:
 - A. All parcels having existing zoning of R-1, R-D, R-M-S, R-2-S, R-3-S, P-F or PD (Residential).
 - B. All parcels having existing zoning of C-1-S, C-2-S, C-3-S, P-O, or PD (commercial or professional).
 - C. All parcels having existing zoning of M-1-S, M-2-S, or C-M-B.
8. Assessment for lighting and curbs, gutters and sidewalks shall be apportioned as follows:

All parcels in Category B have been determined to receive benefit on an area basis in the amount of 1.25 times the amount of benefit to an equal area in Category A or C. This additional benefit is attributed to wider sidewalks and to increased lighting intensity which provide additional security and advertisement for those types of land uses.
9. Assessments for arterial street landscaping shall be apportioned among the parcels in Category B and C of Paragraph 7 above. Residential street landscaping shall be apportioned among the parcels in Category A of Paragraph 7 above.
10. In the event that any provision of these rules is held void or unenforceable by a court of competent jurisdiction, such rule shall be deemed severable from the remaining rules, and the remaining rules shall remain in full force and effect.

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAMPBELL
DECLARING ITS INTENTION TO LEVY AND COLLECT
ASSESSMENTS WITHIN THE CITY OF CAMPBELL LIGHTING
DISTRICT LLA-1 FOR FISCAL YEAR 2020-21**

WHEREAS, the City Council, pursuant to the provisions of the Landscaping and Lighting Act of 1972, Part 2, Division 15 of the Streets and Highways Code of the State of California, conducted proceedings for the formation of the City of Campbell Lighting District LLA-1 and for the levy and collection of Assessments for Fiscal Year 1980-1981, and on June 23, 1980, pursuant to proceedings duly had, adopted Resolution 5831, Overruling Protests and Ordering the Formation of an Assessment District, Improvements, and Confirming the Diagram and Assessment; and

WHEREAS, the public interest, convenience and necessity require, and it is the intention of said Council to undertake proceedings for the levy and collection of assessments upon the parcels of land in said District, for the installation of improvements, including the maintenance or operation, or both, thereof for the Fiscal Year 2020-21, and

WHEREAS, the City Council has given preliminary approval to the Engineer's Report which is on file with the City Clerk.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The City Council declares its intention to levy and collect assessments within the boundaries of City of Campbell Lighting District LLA-1 for Fiscal Year 2020-21, except that such assessments shall not be imposed upon a Federal, State, or local agency or upon a public utility or other special government district.
2. The existing and proposed improvements are generally described in Exhibit A attached to this Resolution, along with any substantial changes proposed to be made in existing improvements.
3. The Assessment District, distinctly referred to as City of Campbell Lighting District LLA-1, is located within all the area of the City Limits of the City of Campbell.
4. The Engineer's Report setting forth a full and detailed description of the improvements, the boundaries of the Assessment District, and the proposed assessments upon assessable parcels of land within the District, is on file with the City Clerk and available for viewing by the public.
6. The City Council shall conduct a Public Hearing on the levy of the proposed assessment at the regular Council meeting on July 21, 2020 at 7:30 p.m., or as soon thereafter as the matter may be heard, in the Council Chambers at Campbell City Hall, 70

North First Street, Campbell, California 95008.

I hereby certify that the foregoing is a full, true and correct copy of a Resolution duly passed and adopted by the City Council of the City of Campbell, California, at a meeting thereof held on the _____ day of _____, 2020, by the following vote of the members thereof:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

APPROVED:

Susan M. Landry, Mayor

ATTEST:

Andrea Sanders, Deputy City Clerk

Attachment: FY 20-21 LLA Resolution of Intention (Preliminary Approval of Engineer's Report & Adoption of Resolution of Intention LLA-1)

Exhibit A

City of Campbell
Lighting District LLA-1**Description of Work**

The installation, maintenance and operation of public light and traffic signal facilities including standards, luminaires, poles, conduits, wires, transformers, attachments and appurtenances, the furnishing of electric energy, and any expenses incidental thereto.

The maintaining and servicing of trees, shrubs, grass, other ornamental vegetation, irrigation and appurtenances, including repair, removal and replacement of all or any part thereof, providing for the life, growth, health and beauty of landscaping, including cultivation, trimming, spraying, fertilizing, treating for disease or injury, the removal of trimmings, rubbish, debris and other solid waste, water for irrigation and any expenses incidental thereto.

The installation and maintenance of curbs, gutters and sidewalks, park and recreational improvements, including play equipment and public restrooms.



*City
Council
Report*

Item: 5
Category: CONSENT CALENDAR
Meeting Date: June 2, 2020

TITLE: Agreement Between the County of Santa Clara and the City of Campbell for Communications Equipment Maintenance and Technical Services (Resolution/Roll Call Vote)

RECOMMENDED ACTION

That the City Council adopt a resolution authorizing the City Manager to enter into an agreement with the County of Santa Clara to provide communications equipment maintenance and technical services for the City of Campbell.

BACKGROUND

The City of Campbell currently utilizes Santa Clara County Communications and an independent contractor for radio maintenance and emergency repair. The County of Santa Clara presented the City of Campbell with a maintenance contract to memorialize the agreement that is already in place and to provide the City of Campbell ongoing mandatory yearly maintenance for our new digital radio system. The contractor we currently use lacks the equipment necessary to provide the support needed for the new radio system. County Communications technicians are already familiar with our radio equipment, technical needs, and they maintain the countywide technology that we will be using once we move onto the digital system.

DISCUSSION

Campbell Police Department is preparing to transition its radio communications from an analog system to the regional interoperable communications network known as Silicon Valley Regional Communications System (SVRCS). SVRCS is a digital 700 MHz radio system designed for all agencies in Santa Clara County. As part of this project, new digital radio equipment was purchased from Motorola Solutions. This specialized equipment must be programmed and maintained by parties authorized by the Silicon Valley Regional Interoperability Authority (SVRIA).

Currently, the Campbell Police department uses Santa Clara County Communications technical services in conjunction with an independent contractor for existing radio maintenance and technical support. The independent contractor lacks the equipment necessary to conduct maintenance and technical repair to the new digital radio equipment.

Under the proposed contract, County Communication would provide specially trained and competent technicians to assist in the design, licensing, procurement, implementation, maintenance, repair, and future upgrades to the digital radio system. The City will pay County Communications in lieu of paying SVRIA yearly for field services and maintenance of the dispatch consoles that are connected to the SVRCS and the microwave network. SVRIA contracts with Motorola solutions for console and yearly radio maintenance. Based on County Communications' familiarity with our system and for better continuity, the police department would like to use County Communications for all our maintenance needs. Fees for FY 19/20 and 20/21 will be \$5,044 per year. These were funds already allocated in the Police Department's budget for maintenance of the system in FY 19/20 and will be programmed into the proposed budget for FY 20/21.

As part of the proposed contract, County Communications shall provide the City with the engineering and technician support required to maintain and repair City-owned equipment based on published hourly rates. The hourly rates for FY 19/20 are as follows:

Technician Rate	\$129
Engineering Services	\$164

The above rates apply to regular business hours. Regular hours are Monday-Friday 7:00 am to 3:30 pm. The after-hours response is billed at 1.5 times the regular rate with a 4-hour minimum call back.

Part of the maintenance County Communications will provide includes a mandatory yearly software update to all our portable and mobile radio units. The estimated cost for this service is \$15,000 to \$18,000 per year. That amount is based on the number of radios owned by the City and has already been budgeted for.

The contract will be a 5-year contract to begin July 1, 2020 and terminate June 30, 2025. The contract can be terminated by either party with a 90-day written notice. The City Manager has the authority to, by written amendment, extend this agreement for an additional 5-year term.

FISCAL IMPACT

The contract would cost approximately \$20,044 - \$23,044 in FY 20/21 and would be programmed into the proposed operating budget for FY 20/21.

Below are the anticipated rate increases for technicians and engineers in the upcoming years.

	Engineer Rate	Increase Estimate	Technician Rate	Increase Estimate
FY 2024-25 Estimate	\$ 214	5.50%	\$ 149	3.00%
FY 2023-24 Estimate	\$ 203	5.50%	\$ 144	3.00%
FY 2022-23 Estimate	\$ 193	5.50%	\$ 140	3.00%
FY 2021-22 Estimate	\$ 183	5.50%	\$ 136	3.00%
FY 2020-21 Rates	\$ 173		\$ 132	

ALTERNATIVES

1. Attempt to identify an independent contractor, with the appropriate technical expertise and equipment, to provide technical services on a per diem basis.
2. Provide other direction to staff.

Prepared by: 
 Andrea Atkinson, Support Services Manager

Reviewed by: 
 Gary Berg, Police Chief

Approved by: 
 Brian Loventhal, City Manager

Attachment:
 a. County Comm Resolution

- b. City Of Campbell Technical Services Agreement 7.1.20-6.30.25

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE COUNTY OF SANTA CLARA TO PROVIDE COMMUNICATION EQUIPMENT MAINTENANCE AND TECHNICAL SERVICES FOR THE CITY OF CAMPBELL, AND AUTHORIZE THE CITY MANAGER TO EXECUTE FUTURE AMENDMENTS AND/OR AGREEMENTS

WHEREAS, Santa Clara County Communications has provided radio maintenance and repair services without a formal agreement for many years; and

WHEREAS, the Campbell Police Department will be transitioning to the regional interoperable communications network known as Silicon Valley Regional Communications System (SVRCS); and

WHEREAS, SVRCS requires licensing, implementation, maintenance, repair and mandatory programming utilizing specialized equipment; and

WHEREAS, the Campbell Police Department received a proposed agreement from Santa Clara County Communications that formalizes the existing practice of providing communication equipment maintenance, repair, and technical services; and

WHEREAS, the term of the agreement shall commence on July 1, 2020 and shall terminate on June 30, 2025, unless terminated sooner by either party, or extended for an additional five-year term.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Campbell hereby authorizes the City Manager to execute an agreement regarding services provided by Santa Clara Communications related to the maintenance and technical services of the Police Department’s communication system, and authorizes the City Manager to execute future amendments and/or agreements.

PASSED AND ADOPTED this 2nd day of June, 2020, by the following roll call vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:
ABSTAIN: COUNCILMEMBERS

APPROVED:

Susan M. Landry, Mayor

Attachment: County Comm Resolution (Agreement for Radio Maintenance with Santa Clara County)

ATTEST:

Andrea Sanders, Deputy City Clerk

**AGREEMENT BETWEEN THE COUNTY OF SANTA CLARA AND
THE CITY OF CAMPBELL
FOR COMMUNICATIONS SERVICES**

BACKGROUND

This Agreement between the County of Santa Clara (“COUNTY”) and the City of Campbell (“CITY”) for communications technical services (“Agreement”) outlines the terms and conditions by which the COUNTY shall provide effective, timely and efficient services for the CITY.

THE AGREEMENT

Article 1. Nature of Services

1.1 Scope of Services

The service obligations of the parties are described in Exhibit A, which is attached and incorporated into this Agreement.

Article 2. Compensation

2.1 Amount of Payment

The CITY shall compensate the COUNTY for the services provided under this Agreement in accordance with the cost methodology and service rates set forth in Exhibit B. The costs set forth in the Agreement Exhibit B is inclusive of all costs incurred in providing the services and the COUNTY will not charge the CITY general overhead in accordance with Government Code 51350.

2.2 Payment Terms

The CITY shall pay the COUNTY within thirty (30) days of receipt of monthly billing for communications services.

Article 3. Term and Termination

3.1 Term of Agreement

- (a) This Agreement is effective beginning on July 1, 2020 and ending on June 30, 2025 unless terminated earlier in accordance with Section 3.2.
- (b) Exhibits A and B are living documents and may be updated as required during the life of this Agreement.

- (c) The CITY and COUNTY may, by written amendment to this Agreement, extend this Agreement for an additional FIVE YEAR term.

3.2 Termination

(a) Termination for Cause

Either party may terminate this Agreement for cause upon written notice to the other in accordance with Section 6.1. For purposes of this Agreement, cause includes, but is not limited to, a material breach of this Agreement or a violation of any applicable laws. Such notice will specify the reason for termination and will indicate the effective date of the termination.

(b) Opportunity to Cure

- (1) The non-breaching party will give written notice of a material breach to the breaching party, specifying the breach.
- (2) The breaching party will not be deemed in default of this Agreement and the nonbreaching party will not institute proceedings or exercise any remedies against the breaching party unless the breach has not been cured, corrected or remedied within:
 - (A) 15 days after notice of the breach is provided; or
 - (B) upon mutual agreement of the parties, within a longer period as may be reasonably required to cure, correct or remedy the breach, provided the breaching party has commenced to cure, correct or remedy the breach within 15 days after notice is provided and diligently and continuously pursues such cure, correction or remedy.

(c) Termination for Convenience

Either party may terminate this Agreement without cause by giving the other party ninety (90) days written notice.

(d) Compensation in the Event of Termination

In the event of termination, the COUNTY shall be entitled to compensation for services performed prior to the effective date of the termination as provided herein.

Article 4. Liabilities and Indemnification

4.1 Mutual Indemnification

In lieu of and notwithstanding the pro rata risk allocation which might otherwise be imposed between the parties pursuant to Government Code Section 895.6, the parties agree that all losses or liabilities incurred by a party shall not be shared pro rata but instead the COUNTY and the CITY agree that pursuant to Government Code Section 895.4, each of the parties hereto shall fully indemnify, defend with counsel acceptable to the non-indemnifying party, whose approval shall not be unreasonably withheld, and hold each of the other parties, their officers, board members, employees and agents, harmless from any claim, expense or cost, damage or liability imposed for injury (as defined by Government Code Section 810.8) occurring by reason of the negligent acts or omissions or willful misconduct of the indemnifying party, its officers, board members, employees or agents, under or in connection with or arising out of any work, authority or jurisdiction delegated to such party under this Agreement. No party, nor any officer, board member, employee or agent thereof shall be responsible for any damage or liability occurring wholly by reason of the negligent acts or omissions or willful misconduct of the other party hereto, its officers, board members, employees or agents, under or in connection with or arising out of any work, authority or jurisdiction delegated to such other party under this Agreement.

Article 5. Dispute Resolution

In the event of any dispute between the parties arising from or relating to this Agreement, the parties will attempt to resolve the dispute initially by informal means. Upon the request of either party, the contract administrators of each party will meet to discuss the dispute, will exchange any information that they mutually agree is relevant to the issues in dispute, and will use all reasonable efforts to resolve the dispute without the need for further proceedings.

Article 6. Miscellaneous

6.1 Notice

All notices required by this Agreement will be deemed given when in writing and delivered personally, electronically via email, or deposited in the United States mail, postage prepaid, return receipt requested, addressed to the other party at the address set forth below or at such other address as the party may designate in writing:

To the CITY:

Attn: Chief of Police
Campbell Police Department
70 N. First Street
Campbell, CA 95008

To the COUNTY:

Attn: Director of Communications

County of Santa Clara
 Communications Department
 2700 Carol Drive
 San Jose, CA 95125

6.2 Compliance and Nondiscrimination

The parties will comply with all applicable Federal, State, and local laws and regulations. Such laws include but are not limited to the following: Title VII of the Civil Rights Act of 1964 as amended, the Americans with Disabilities Act of 1990, the Rehabilitation Act of 1973 (Sections 503 and 504), the California Fair Employment and Housing Act (Government Code sections 12900 et seq.), and California Labor Code sections 1101 and 1102. The parties will not discriminate against any subcontractor, employee, or applicant for employment because of age, race, color, national origin, ancestry, religion, sex/gender, sexual orientation, mental disability, physical disability, medical condition, political beliefs, organizational affiliations, or marital status in the recruitment, selection for training including apprenticeship, hiring, employment, utilization, promotion, layoff, rates of pay or other forms of compensation. Nor will the parties discriminate in the provision of services provided under this Agreement because of age, race, color, national origin, ancestry, religion, sex/gender, sexual orientation, mental disability, physical disability, medical condition, political beliefs, organizational affiliations, or marital status.

6.3 Relationship of Parties; Independent Contractor

COUNTY will perform all work and services described in this Agreement as an independent contractor and not as an officer, agent, servant or employee of CITY. None of the provisions of this Agreement is intended to create, nor shall be deemed or construed to create, any relationship between the parties other than that of independent parties contracting with each other for purpose of effecting the provisions of this Agreement. The parties are not and will not be construed to be in a relationship of joint venture, partnership or employer-employee. Neither party has the authority to make any statements, representations or commitments of any kind on behalf of the other party, or to use the name of the other party in any publications or advertisements, except with the written consent of the other party or as is explicitly provided in this Agreement.

6.4 Governing Law

This Agreement has been executed and delivered in, and will be construed and enforced in accordance with, the laws of the State of California.

6.5 Assignment

The parties may not assign this Agreement or the rights and obligations hereunder without the specific written consent of the other.

6.6 Entire Agreement

This document represents the entire Agreement between the parties with respect to the subject matter hereof. All prior negotiations and written and/or oral agreements between the parties with respect to the subject matter of this Agreement are merged into this Agreement.

6.7 Amendments

The parties may amend this Agreement only by a writing signed by all the parties.

6.8 Counterparts

This Agreement may be executed in one or more counterparts, each of which shall be deemed to be an original, but all of which together shall constitute one and the same instrument.

6.9 Severability

If any provision of this Agreement is found by a court of competent jurisdiction to be void, invalid or unenforceable, the same will either be reformed to comply with applicable law or stricken if not so conformable, so as not to affect the validity or enforceability of this Agreement.

6.10 Waiver

No delay or failure to require performance of any provision of this Agreement shall constitute a waiver of that provision as to that or any other instance. Any waiver granted by a party must be in writing and shall apply to the specific instance expressly stated.

6.11 Survival

All provisions of this Agreement allocating liability between the CITY and the COUNTY, payment obligations, and the duty to defend, indemnify and hold harmless shall survive the termination of this Agreement.

6.12 Integration and Order of Precedence

This Agreement, including all Exhibits, represents the entire and integrated contract between the CITY and the COUNTY and supersedes all prior negotiations, representations, or agreements, either written or oral. In the event of a conflict between the provisions of the main body of the Agreement and its Exhibits, the provisions of the main body shall control. In the event of a conflict between Exhibits A and B, the provisions of Exhibit A shall control.

6.13 Time of the Essence

The parties acknowledge that time is of the essence of this Agreement. Either party’s failure to complete any of the obligations outlined herein during the term of the Agreement shall be deemed a breach of the Agreement.

6.14 Contract Execution

Unless otherwise prohibited by law or COUNTY policy, the parties agree that an electronic copy of a signed contract, or an electronically signed contract, has the same force and legal effect as a contract executed with an original ink signature. The term “electronic copy of a signed contract” refers to a transmission by facsimile, electronic mail, or other electronic means of a copy of an original signed contract in a portable document format. The term “electronically signed contract” means a contract that is executed by applying an electronic signature using technology approved by the County.

IN WITNESS WHEREOF, the COUNTY and CITY have caused this Agreement to be executed by their duly authorized representatives as of the day and year written above.

Signed:

COUNTY OF SANTA CLARA

CITY OF CAMPBELL

by _____
Procurement Department Date

by _____
Brian Loventhal, City Manager Date

Attest:

Andrea Sanders, City Clerk

Approved as to Form and Legality:

Approved as to Form and Legality:

Nancy Clark, Deputy County Counsel

William Seligmann, City Attorney

Exhibits to this Agreement:

- Exhibit A – Communications Technical Services Scope of Work
- Exhibit B – Technical Services Compensation

EXHIBIT A

COMMUNICATIONS TECHNICAL SERVICES SCOPE OF WORK

The City of Campbell (CITY) two-way radio communications system (hereinafter “Radio System”) is currently comprised of legacy UHF T-band repeater/receiver system(s) and a stand-alone 800 analog repeater, 3- 7500e and 1 – 7500 Motorola console positions.

The CITY has requested the County of Santa Clara Communications Department (COUNTY) to provide professional engineering and technical support services as required to assist in the design, licensing, procurement, implementation, maintenance, repair and future upgrades to the Radio System, based on the Communications Department’s proven performance, experience, specially trained and competent workforce that will perform the special services as required by this Agreement.

Under this Agreement, the COUNTY shall provide the CITY the following services:

1. Design and Procurement:

COUNTY will assist CITY with future Radio System design, upgrades and procurement of equipment and services compatible with other similar radio systems currently maintained and operated by the COUNTY.

The CITY is responsible for the cost of and contracting for system procurement. The CITY may use COUNTY’s competitively bid contracts for procurement of Radio System goods and related services. The COUNTY will verify, in writing, that proposals from vendors and suppliers are priced at COUNTY’s current competitive pricing.

NOTE: Due to the age of the CITY’s communications infrastructure, the COUNTY will repair and maintain the equipment until parts are no longer supported by the manufacturer. CITY is responsible for contracting and procurement of all Professional Engineering drawings and permitting.

2. FCC Licensing:

COUNTY will be responsible for obtaining FCC microwave licenses and will assist the CITY with other Radio System FCC licensing requirements as required.

3. Installation, Programming and System Optimization:

COUNTY will provide the CITY installation, programming and system optimization services necessary to implement upgrades and/or enhancements to CITY’s existing Radio System.

Quotations for design, engineering, initial implementation, and future upgrade services will be presented to CITY in writing for approval prior to initiation of work. Cost estimates for COUNTY services, including any sub-contractor work if required, will be

included in each quotation for the CITY'S approval prior to initiation of work as described in Exhibit B.

4. Maintenance, Repair, Enhancements and Modifications to Radio System:
COUNTY will provide maintenance, repairs, modifications, and enhancements to CITY owned Radio System infrastructure equipment charged on a time and material (T&M) cost recovery basis as defined in Exhibit B. Radio System modifications and enhancements will be provided by the COUNTY upon written request and quotation approval from CITY.
5. Annual System-wide Maintenance:
COUNTY will perform system-wide performance maintenance (PM) of the CITY's pre-existing (legacy) and Radio System infrastructure equipment on an annual (approximate 12-month interval) basis. PM work will include, but not be limited to, alignment of the two-way radio, and power plant infrastructure equipment. Fees for PM Service will be charged on a time and material cost recovery basis as defined in Exhibit B and shall include a maximum not-to-exceed cost recovery cap of 40 hours annually. Any identified repair work will be additional and billed separately.
6. Technical Support Services:
COUNTY will provide CITY full-time (24 hours a day, 7 days a week) technical support services for emergency repairs charged on a time and material cost recovery basis as defined in Exhibit B.

CITY may also request repairs or service during the COUNTY'S normal business hours of 7:00 am to 3:30 pm by calling the COUNTY Technical Services Division at (408) 977-3222. Repair or service requests made after normal business hours, on weekends and on holidays shall be submitted to the COUNTY Watch Commander in Dispatch Operations by calling (408) 294-4424. Depending on the nature and location of the requested repair or service, COUNTY technical support staff shall acknowledge receipt of the service request within 30 minutes, and initial field response will occur within 60 minutes of notification. Actual arrival times on scene will vary based on the location and required travel time.

Current COUNTY performance standards require that public safety radio systems operate 99% of the time without major system problems and 95% of the time without minor systems problems. This standard shall be applied to CITY's Radio System.

7. Subscribers:
COUNTY will provide programing, optimization and repair of CITY's APX pack sets and Mobile radios. These repairs and programing will be during normal operating hours.
8. Inspection of Work: COUNTY shall provide opportunities for CITY, or CITY's designee, to inspect work performed to ensure quality assurance, and quality control, are maintained to CITY's standards and to the COUNTY performance standards set out in this Agreement.

EXHIBIT B

COMMUNICATIONS TECHNICAL SERVICES COMPENSATION

The City of Campbell (CITY) shall compensate the County of Santa Clara Communications Department (COUNTY) for goods and services provided in accordance with the payment terms, conditions and rates set forth in this Exhibit B.

County Communications' Technical services are billed on a time and materials basis as follows:

1. Quotations and Approval:

COUNTY shall prepare quotations and shall only perform major system installation work, such as the proposed Radio System, and any future system enhancements following CITY's written approval. Quotations will be based on a not-to-exceed amount, with final charges being billed at actual costs, whichever is the lesser amount, barring any unforeseen issues that must be addressed to complete the project. Any increase to the original not-to-exceed amount, caused by unforeseen issues, must be agreed to in writing by both parties.

2. System-wide Maintenance:

The CITY will pay the COUNTY for the field services and maintenance of dispatch consoles that are connected to the Silicon Valley Regional Communications System (SVRCS). These costs will be paid to COUNTY in lieu of a portion of the Operations and Maintenance bill paid to the Silicon Valley Regional Interoperability Authority (SVRIA). The cost for this service for FY 19/20 is \$5044.00 and \$5044.00 for FY20/21.

3. Engineering and Technical Support:

COUNTY shall provide CITY engineering and technician support as required to maintain and repair CITY owned equipment as identified through this Agreement based on fiscal year published rates. Regular hours are Monday-Friday from 7:00 a.m. through 3:30 p.m. Non-business overtime for after-hour emergency call-out repair services shall be assessed from 3:31 p.m. to 6:59 a.m. on weekdays, and all day on weekends and holidays.

All non-regular business hour work will be billed at overtime (1.5 x regular hours) rates with a 4-hour minimum charge of \$774 (\$193.5 hourly x 4) for Technician support, if not contiguous with normal business hours. If contiguous with normal business hours (i.e., work begins less than four hours prior to normal business hours or work is initiated before close of normal business hours), then the 4-hour minimum charge does not apply, and only actual hours worked (regular/overtime) will be billed to the CITY based on when the work is performed.

4. Communications Technical Services Rates:

The rates for engineering and technical support are updated each fiscal year. Effective July 1, 2019, rates for Communications Technical Services for Fiscal Year 2019-20 are set as follows:

	<u>Regular Hours</u>	<u>After-hours Rate</u>
○ Technician Rate	\$129.00	\$193.50
○ Engineering Services	\$164.00	\$246.00

5. Billing for Services

The CITY will be billed by the COUNTY on a monthly basis.

The CITY:

Campbell Police Department
70 N. First Street
Campbell, CA 95008

Unless otherwise agreed to by both parties, all payments will be made to the COUNTY within 30 calendar days of date invoiced to:

The COUNTY:

Attn: Accounts Payable
County of Santa Clara
Communications Department
2700 Carol Drive
San Jose, CA 95125

Monthly billings will include the total amount billed for the month and year-to-date total, and as documentation will provide all invoices for work requested and performed during the billing period, including at minimum an itemized description of services provided by the COUNTY (e.g., breakdown of all services rendered, hours worked and travel time by service location, labor type, and a breakdown of all goods provided/billed by the County).

The COUNTY shall maintain documentation of all services requested by the CITY and work performed by the COUNTY under this Agreement as detailed in “Exhibit A – Technical Services Scope of Work and services provided by County Communications to CITY. Documentation will include, but not be limited to, Radio System related engineering designs, quotations, FCC licensing, installation, preventative maintenance, and repair services.

The CITY has the right to inspect COUNTY documentation upon request. Billing questions may be directed to Accounts Payable at Accounts.Payable@911.sccgov.org.



*City
Council
Report*

Item: 6
Category: NEW BUSINESS
Meeting Date: June 2, 2020

TITLE: Discussion of Outdoor Dining on Public Property as Part of the City's Efforts to Support the Business Community and Initiation of Zoning Text Amendments to Implement Such Allowances

RECOMMENDED ACTION

Initiate the preparation of zoning text amendments to establish development standards and permit processes that will provide greater opportunities for businesses to conduct operations on public property as part of the City's recovery efforts in response to the COVID-19 pandemic.

BACKGROUND

The COVID-19 pandemic resulted in the establishment of County Public Health Officer Orders that required all Santa Clara County public to shelter-in-place to curb the spread of the virus. Except for businesses that were considered "essential" to support the County's population, all other businesses were either required to close or drastically alter their operations.

A resulting consequence of this emergency response has negatively affected numerous Campbell businesses and as the County Orders begins to loosen its requirements, many businesses are being allowed to reopen with certain restrictions. One such restriction requires the use of face masks while inside a business and other restrictions requires customers to social distance. While such requirements can work for businesses that offer retail shopping experiences, the requirements remain challenging for restaurants which operate inside a building and within confined spaces. As a result, the City is receiving numerous requests to allow restaurants to expand into the public right-of-way, within public streets, and into public parking lots.

There are various approaches to address this issue and staff would like to have a conversation with the City Council to understand their opinion on how best to find alternative solutions. Staff has identified some ideas which will help stimulate the conversation and which would require amendments to the Campbell Municipal Code to effectuate change.

DISCUSSION

Specific development standards within the Campbell Municipal Code allows restaurants to conduct outdoor dining on private property (within the C-1, C-2 and P-D zone districts) and within the public right-of-way (within the C-3 zone district). Despite the fact that there are standards and permit processes in place to respond to outdoor dining requests, they too have limitations. Below is a brief discussion differentiating between the two standards with some ideas on how to provide improved flexibility.

Private Property

Campbell Municipal Code Section 21.36.150 (Outdoor Seating) provides standards for the provision of outdoor seating/dining on private property when located within a C-1, C-2 or P-D zone district. If the outdoor seating is 12 or fewer, the Community Development Director may approve the request ministerially through the issuance of a zoning clearance. However, seating greater than 12 requires the issuance of a Conditional Use Permit by the Planning Commission.

There are specific development standards that must be met including buffers, noise considerations, litter control, location of seating, furniture quality, and use of umbrellas.

Public Property

Campbell Municipal Code Section 21.10.060 (Central Business District – C-3) permits outdoor dining within public rights-of-way and specifically on public sidewalks when factoring in the City's locational requirements. For example, seating and dining areas are currently required to be located "directly in front of the permit holder's tenant space" and they shall "not be placed in the street, or on the sidewalk within two feet of the face of curb."

There are specific development standards that pertain to pedestrian accessibility, removal of tables/chairs when the business is not in operation, securing the fixtures, attractiveness, and the placement of umbrellas.

Zoning Ordinance Amendments

The City Council has the ability to amend the Zoning Ordinance to permit the temporary expansion of dining areas within both private and public owned properties. For example, the Council could expand upon on the following provisions:

- Allow dining to expand beyond the occupied tenant space.
- Allow dining to be located within parking stalls so long as the area is protected.
- Ensure that pedestrian accessibility and vehicle circulation are not conflicted.
- Provide the Community Development Director to be the decision-maker for expediency purposes assuming the proposed dining area satisfies specific criteria.

Campbell Municipal Code Amendments

Another opportunity is to expand upon the City's "Special Events Permit" process as established in Chapter 5.50 of the Campbell Municipal Code. This section falls outside the permissions established within the Zoning Ordinance and was created to provide the City Council decision-making authority to permit temporary events primarily on public property. These activities involve uses such as festivals, parades, or footraces.

Because these activities are mainly conducted on public property, there remains a strong likelihood that they may impact the existing primary use's operation if extended over a longer period. For example, if the City were to permit its public street or parking lots as temporary outdoor dining areas for an extended duration, parking options and vehicle circulation could be negatively affected. However, because such public infrastructure resources are viewed critically important, the City Council could continue to be the decision-making authority for these types of activities similar to how they've decided upon other special events.

Moving Forward

Staff requests the City Council discuss these ideas and consider how to address the restaurant business community requests to expand their operations beyond what has been entitled.

FISCAL IMPACT

The fiscal impact would consist of staff time necessary to prepare and process the Municipal Code text amendments.

Prepared by:



Paul Kermoyan, Community Development
Director

Approved by:



Brian Loventhal, City Manager



*City
Council
Report*

Item: 7
Category: COUNCIL COMMITTEE REPORTS
Meeting Date: June 2, 2020

TITLE: Council Committee Reports

RECOMMENDED ACTION

Report on committee assignments and general comments.

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 LANDRY:

City Atty. Performance/Comp. Subcommittee
 City Clerk Performance/Comp. Subcommittee
 City Mgr. Performance/Comp. Subcommittee
 Economic Development Subcommittee
 Recycling and Waste Reduction Commission of SCC**
 Santa Clara Valley Water District: County Water Commission
 State Route (SR) 85 Corridor Policy Advisory Board
 West Valley Mayors and Managers

Cities Association of Santa Clara County Representative, (Alt.)
 Cities Association Selection Committee & Legislative Action Committee (Alt.)
 Friends of the Heritage Theater Liaison (Alt.)
 SCC CDBG Program Committee** (Alt.)
 Silicon Valley Clean Energy JPA (Alt.)
 Valley Transportation Authority Policy Advisory Committee (Alt.)
 West Valley Clean Water JPA (Alt.)
 West Valley Sanitation District Board (Alt.)
 West Valley Solid Waste Authority JPA (Alt.)

VICE MAYOR GIBBONS:

Association of Bay Area Governments
 Association of Bay Area Governments Executive Committee**
 Campbell Historical Museum & Ainsley House Foundation Liaison
 Cities Association Selection Committee & Legislative Action Committee
 Comprehensive County Expressway Planning Study Policy Advisory Board**
 Education Subcommittee

Legislative Subcommittee

Silicon Valley Clean Energy JPA (SVCEC)

SVCEC Executive Committee**

SVCEC Finance and Audit Subcommittee**

SCC CDBG Program Committee**

County Library District JPA Board of Directors (Alt.)

SCC Emergency Operations Commission (Alt.)**

West Valley Mayors and Managers (Alt.)

COUNCILMEMBER BYBEE

City Atty. Performance/Comp. Subcommittee

City Clerk Performance/Comp. Subcommittee

City Mgr. Performance/Comp. Subcommittee

Downtown Subcommittee

Finance Subcommittee

Friends of the Heritage Theater Liaison

Legislative Subcommittee

Valley Transportation Authority Policy Advisory Committee

Association of Bay Area Governments (Alt.)

Campbell Historical Museum & Ainsley House Foundation Liaison (Alt.)

Comprehensive County Expressway Planning Study Policy Advisory Board**(Alt.)

Santa Clara Valley Water District: County Water Commission (Alt.)

State Route (SR) 85 Corridor Policy Advisory (Alt.)

COUNCILMEMBER RESNIKOFF

Advisory Commissioner Appointment Interview Subcommittee

Cities Association of Santa Clara County Representative,

Education Subcommittee

West Valley Clean Water JPA

West Valley Sanitation District

West Valley Solid Waste Authority JPA

Downtown Subcommittee (Alt.)

Recycling and Waste Reduction Commission of SCC** (Alt.)

Silicon Valley Animal Control Authority Board (SVACA)(Alt.)

COUNCILMEMBER WATERMAN:

Advisory Commissioner Appointment Interview Subcommittee

County Library District JPA Board of Directors

Economic Development Subcommittee

Finance Subcommittee

Silicon Valley Animal Control Authority Board (SVACA)

****appointed by other agencies**

Prepared by:

Andrea Sanders

Andrea Sanders, Deputy City Clerk

MEMORANDUM



City of Campbell

City Clerk's Office

To: Honorable Mayor and City Council

Date: June 2, 2020

From: Andrea Sanders, Deputy City Clerk

Via: Brian Loventhal, City Manager

Subject: Desk Item – Oral Request

Attached is an email received for public comment under Oral Requests.

Andrea Sanders

To: Susan OBrien; Clerks Office
Subject: RE: FOR ORAL REQUEST - June 2, 2020 City Council Meeting

From: Susan OBrien
Sent: Tuesday, June 2, 2020 9:14 AM
To: Clerks Office <clerksoffice@campbellca.gov>
Subject: FOR ORAL REQUEST - June 2, 2020 City Council Meeting

WARNING: This email originated from an external sender!

The Campbell Farmers Market has been closed since the initial shelter in place order on March 16, 2020. The Urban Village Farmers' Market Association (UVFM) website shows: "We expect Campbell to reopen as soon as the shelter in place order (SIP) is lifted. STAY TUNED...". The Campbell Farmers Market is the only UVFM that remains closed. With Dr. Sara Cody's fluctuating milestones for lifting the SIP order, it seems unreasonable to allow Dr. Cody and the County of Santa Clara the ability to cause such undue financial hardship on our local farmers and vendors. City Council has stated that the reason the farmers market has been closed is because the typical farmers market space on Campbell Avenue in the downtown is insufficient to provide proper physical/social distancing to meet the County's regulations. However, the UVFM is able to meet the strict regional guidelines at five other local farmers markets. Why is the City of Campbell the only jurisdiction where the farmers market has been unable to open? Perhaps the City should consider temporarily relocating the Farmers Market to the Campbell Community Center Parking lot, which would provide ample space for physical/social distancing, adequate parking, support for our local farmers and vendors, and most importantly and safe outdoor shopping experience for our residents. This could be a temporary solution that would be beneficial to the community, and when (or if ever) the SIP is lifted, then the farmers market can return to the downtown and provide the much needed support to our local brick-and-mortar businesses.

Thank you for your consideration,
Susan and Mike O'Brien
Queens Court
Campbell, CA

MEMORANDUM



City of Campbell

City Clerk's Office

To: Honorable Mayor and City Council **Date:** May 29, 2020
From: Andrea Sanders, Deputy City Clerk
Via: Brian Loventhal, City Manager
Subject: Desk Item 6 – Public Comment from S. Dunne

Attached is an email received from Shelly Dunne for public comment on item 6.

Andrea Sanders

To: Susan M. Landry
Subject: RE: City Council Opening Plans

From: Shelly Dunne
Sent: Friday, May 29, 2020 11:26 AM
To: Susan M. Landry <susanl@campbellca.gov>
Subject: City Council Opening Plans

Hello,

I was told to send my questions here:

1.) why isn't outdoor lap swimming reopening? San Mateo county has done it safely, I have been and they have taken great measures to enforce social distancing and sanitation. Bay Club Los Gatos can do the same.

2.) Churches re open for sacraments? My son has been waiting four months to get baptized at the Catholic Church. We're not asking for a full mass or even his godparents there. Just dad, me son and the priest wearing face masks. My son's soul is essential and if he dies suddenly without being baptized he will be stuck in limbo forever.

I get being safe, I support it. However, now is the time to start opening things up in a safe measure and exploring safe options. I am a new mom whose son's almost whole life has been in quarantine. I haven't been able to work out or save his soul from original sin according to my religion. At some point mental health and religious health suffers greatly.

Best,
Michelle

Sent from my iPhone

MEMORANDUM



City of Campbell

City Clerk's Office

To: Honorable Mayor and City Council

Date: June 1, 2020

From: Andrea Sanders, Deputy City Clerk

Via: Brian Loventhal, City Manager

Subject: Desk Item 6 – Public Comment Emails

Attached are emails received from Annette Grinager, Carol Pouya and Luciano Saccani for public comment on item 6.

Andrea Sanders

To: Luciano Saccani
Subject: RE: FOR PUBLIC COMMENT: Item #6

-----Original Message-----

From: Luciano Saccani
Sent: Friday, May 29, 2020 4:59 PM
To: Clerks Office <clerksoffice@campbellca.gov>
Subject: FOR PUBLIC COMMENT: Item #6

WARNING: This email originated from an external sender!

This is Luciano Saccani, owner of "La Pizzeria" restaurant.
You may already have received or thought something similar to this comment.
To allow restaurants to deploy more outside tables I propose to close East Campbell Avenue to traffic and use it as additional "patio like" space for restaurants.
Traffic on East Campbell Avenue through downtown Campbell can easily be diverted on the two parallel one-way streets: Civic Center Drive and Orchard City Drive.

Best Regards

Luciano Saccani
La Pizzeria

Andrea Sanders

To: Carol Pouya
Subject: RE: FOR PUBLIC COMMENT: ITEM No. 6

From: Carol Pouya
Sent: Saturday, May 30, 2020 11:20 AM
To: Clerks Office <clerksoffice@campbellca.gov>
Subject: FOR PUBLIC COMMENT: ITEM No. 6

WARNING: This email originated from an external sender!



I am Carol Pouya, owner of Tessoro's Barra di Vino on Campbell Ave in downtown Campbell.

As a restaurant and Wine Bar owner, I am in favor of the possibility of street closure on Campbell Ave on certain days and hours for the use of outdoor dining to serve customers for food and drinks.

My feeling is that this would be a good start to help to restore the vibrancy to downtown Campbell and to help the economy.

In my opinion, this would be unlike any other event that has closed Campbell Ave in the past as those events have traditionally brought in tents that have blocked business storefronts and visibility to businesses. This would serve as an open air mall for walking, strolling, shopping, eating and drinking. I see this as a win-win for all!

Thank you for considering my opinion in this matter.

Campbell does care!

Carol Pouya

Andrea Sanders

To: Annette Grinager
Subject: RE: FOR PUBLIC COMMENT: Item number 6 for 2 June 2020 meeting

From: Annette Grinager
Sent: Sunday, May 31, 2020 2:19 PM
To: Clerks Office <clerksoffice@campbellca.gov>
Subject: FOR PUBLIC COMMENT: Item number 6 for 2 June 2020 meeting

WARNING: This email originated from an external sender!

Dear Campbell City Council, I am a Campbell resident and homeowner. I believe that the council is looking at ideas for how to safely start to reopen some businesses.

I have always thought that it would be nice close off the east- to west-bound area of E. Campbell Avenue in downtown and leave the north to south streets open to traffic and parking, then allow the restaurants to extend their seating into the whole sidewalk and possibly part of the street. Of course there would need to be a pedestrian path through the middle of the street.

This is similar to what is done on Lincoln Avenue in Miami Beach and could allow for restaurants to have more outdoor seating that allows distance between tables.

Thank you for hearing my idea. I hope you will consider it.
Annette Grinager

MEMORANDUM



City of Campbell
City Clerk's Office

To: Honorable Mayor and City Council **Date:** June 2, 2020
From: Andrea Sanders, Deputy City Clerk
Via: Brian Loventhal, City Manager
Subject: Desk Item 6 – Public Comment Emails (2)

Attached are emails received for public comment on item 6.

Andrea Sanders

To: Edmond Zencirci
Subject: RE: A Bellagio Restaurant Plea, City council Meeting

From: Edmond Zencirci
Sent: Tuesday, June 2, 2020 11:11 AM
To: Clerks Office <clerksoffice@campbellca.gov>
Subject: A Bellagio Restaurant Plea, City council Meeting

WARNING: This email originated from an external sender!

My name is Melissa Zencirci, I have been an owner in the restaurant industry for 21 years, and never has the restaurant industry been in such a dire situation. A Bellagio restaurant is in need of your help and we need it now. As social distancing will be a term that will take us into the next year, our restaurant will be forced to cut capacity in half. In an industry where profit margins are small and getting smaller, our survival is all but impossible in this manner. This is where we need you. We would like you to expedite the processes that would allow us to use the parking lot spaces in the front of our restaurant to create an outdoor dining experience that will entice people to come and spend in a safe and spread out environment. We need to have this up and ready so our community knows we were diligent and prepared for the shelter in place lift this Friday. If they see there are no safe options downtown, they will take their money elsewhere. Now more than ever, social media is an instant way for our neighbors to talk, if they come downtown, we want the chatter to be positive, excited, proud that Campbell was on top of this, making swift decisions to create a downtown experience the best it can be in these unusual and temporary times. We would like to use beautiful planters or fencing to cordon off the parking spaces directly in front of our storefront, increasing our footprint, adding tables and umbrellas. Simple, fast, and effective. These "parklets" have been already built in the downtowns of San Carlos, Redwood City, and Menlo Park. Carmel, Ca. has allowed their restaurants to take the entire main parking lot in their downtown. They were safely spread out, but completely full this past weekend with people grateful the town created

such an experience for them. People love to dine outside, but now, it's a means of health and safety unlike ever before. Please consider allowing us to get this done now, work with us, make this a priority so Campbell is ready. The parking spaces serve no purpose if they continue to sit empty. We will take as many as you're willing to give us, so we can start preparing, hire back staff, order food, and be ready. Let's give our residents what they will be in search for, a safe, spread out means outdoors to be with friends and family, to return to some kind of normalcy. Luckily, we are in a season that will allow for this outside experience. This is a temporary solution that our very existence will be hinged on. If residents come to eat, they will stay to spend in town. Take the unprecedented measure to get this approved and make residents and visitors proud to stay, eat, and shop downtown Campbell. May your families and loved ones stay safe and well.

Thank you for your consideration.

Melissa Zencirci,
Owner of A Bellagio Restaurant

Sent from AT&T Yahoo Mail for iPhone

Andrea Sanders

To: Cindy Hardgrave
Subject: RE: Downtown Campbell

-----Original Message-----

From: Cindy Hardgrave
Sent: Tuesday, June 2, 2020 10:50 AM
To: Clerks Office <clerksoffice@campbellca.gov>
Subject: Downtown Campbell

WARNING: This email originated from an external sender!

No way do I want to close downtown Campbell. To much traffic and no parking!

Cindy Hardgrave

Sent from my iPhone

Andrea Sanders

To:
Subject: RE: Closing down Campbell Ave- NO WAY!

Sent: Monday, June 1, 2020 5:11 PM
To: Clerks Office <clerksoffice@campbellca.gov>
Subject: Closing down Campbell Ave- NO WAY!

WARNING: This email originated from an external sender!

Hello Council!

(I do not want my name, address or email revealed please)

Next Door told everyone to email you before the meeting tomorrow night. Some guy is trying to get the Campbell Ave completely shut down. As a 16 year resident on Civic Center/Harrison and for the residents along the whole border of downtown, we would be more slammed with loud motorcycles, muscle cars and general overcrowded parking issues than we already are. People who don't live downtown don't understand the concept of mitigating and diffusing as much of the noise as possible just to try to stay sane. I understand that businesses need to survive but residents need to be considered simultaneously! Please be thoughtful as to how this would affect hundreds of homes lining the downtown area. It's not right to force us out of our town we love. Hopefully we can come up with a win/win situation! But diverting all traffic to the one way and residential streets where there's already no parking and traffic is a crowded mess would be a nightmare. Thank you for reading :)

Andrea Sanders

To: Angela Pace
Subject: RE: FOR ORAL REQUEST: Outdoor dining

From: Angela Pace
Sent: Monday, June 1, 2020 6:21 PM
To: Clerks Office <clerksoffice@campbellca.gov>
Subject: FOR ORAL REQUEST: Outdoor dining

WARNING: This email originated from an external sender!

Hello,

We understand there's been different ideas about making outdoor space more easily accessible for restaurants so we wanted to point out a few things for your consideration.

1. Currently, because all dining rooms are closed, 100% of restaurant revenue is being generated through takeout, curbside pickup and delivery. Of these sales, the high majority comes from **no-contact** services, specifically, curbside pickup and delivery.
2. Closing E. Campbell Ave effectively eliminates curbside pickup and creates a barrier to those who want takeout (i.e., they would have to find a parking space somewhere farther away, walk to the store while possibly coming into contact with others). Closing this street will not help restaurants or retailers and we are opposed to any action that materially impacts the only revenue stream which has been consistent through this crisis.
3. Advocates of closing E. Campbell will contend that closing the street will provide restaurants with additional seating outside, thus making up for some of the inside seating that is "lost" due to social distancing requirements. However, the frontage of most restaurants will only allow for 2-4 tables while still maintaining social distances. This is a far cry from making up for lost seats inside and will actually cause restaurants to incur additional costs in order to service those few outside tables.

The bottom line is that we do not believe it's prudent to close the main downtown thoroughfare and jeopardize our current sales by effectively eliminating curbside business and creating a barrier for takeout.

The effort of adjusting our operations for dine-in (whether inside or out), which includes incurring additional labor and other expenses, so we can adhere to new re-opening requirements will likely further erode our already slim margins. Simply, we believe that closing the streets will exacerbate matters and we are opposed to it.

Under "normal" circumstances, we understand there may be benefits of a walking downtown; however, things are currently far from "normal" and closing the street will not yield the same results. Historical data points of walking downtowns are not applicable during a pandemic.

With so much at stake, we ask that the City consider the results of other cities/towns - how has re-opening dining rooms and outdoor patios been for restaurants? From our understanding, in those areas which have re-opened, restaurants are not seeing additional sales coming from their dine-in (inside or outside) operations. Rather, they

are seeing dine-in sales cannibalizing their takeout business so closing the main downtown thoroughfare would be even more detrimental to our small businesses.

With this said, allowing restaurants to utilize the sidewalks in front of their stores for outdoor dining, which would include food and alcohol consumption, is reasonable and a safe act that we hope you will consider.

There is a broad range of views regarding this crisis and the prevention of further spread of the virus. We understand that there is no easy answer but we hope that you consider all perspectives - to reiterate, we are in support of allowing outdoor dining on the sidewalks but are opposed to closing E. Campbell Ave which would immediately negatively impact access to the only revenue source that all restaurants have (i.e., takeout/curbside).

Thanks for your consideration on this matter.

Regards,

Angela Pace
Owner
Blue Line Pizza

Fan us at www.facebook.com/BlueLinePizza

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Andrea Sanders

To: Abhi Kris
Subject: RE: FOR PUBLIC COMMENT - Dining on public property

From: Abhi Kris
Sent: Monday, June 1, 2020 7:19 PM
To: Clerks Office <clerksoffice@campbellca.gov>
Subject: FOR PUBLIC COMMENT - Dining on public property

WARNING: This email originated from an external sender!

Hi,

This is in support of the new business agenda item on the agenda for June 2nd 2020.

This is a great idea that hopefully can allow restaurants to open and operate as well as other businesses equitably. It would be lovely to figure out a way for all residents to participate on a regular basis even when the farmers market is not on and definitely would allow us residents to stretch our legs more as well as the kids. I'm sure lots of people have ideas along the lines of "Sunday Streets" in San Francisco which is such a great community event.

People can maintain social distance while feeling like part of the community and be safe.

Abhi.

Andrea Sanders

To: Danielle Cohen
Subject: RE: City Council comments

-----Original Message-----

From: Danielle Cohen
Sent: Monday, June 1, 2020 8:07 PM
To: Clerks Office <clerksoffice@campbellca.gov>
Subject: City Council comments

WARNING: This email originated from an external sender!

My understanding is that the council will be discussing a shut down of Campbell Ave through downtown as a way to help businesses have the space to support social distancing while recovering from the weeks of closure.

I understand parking may be a concern, but the city handles this already during the farmers' market on Sundays and a slight inconvenience is worth the extra support to downtown businesses.

Our downtown is so nicely set up for this type of closure with the one way streets on each side of the town. And no decision needs to be permanent, I hope you will consider giving this closure a try on a temporary basis, summertime?, and then evaluate the set up for the future.

I look forward to walking down the middle of our downtown soon.

Danielle Cohen

Campbell

Andrea Sanders

To: Tom Nickson
Subject: RE: Support for outdoor dining and bars on Campbell Avenue and pruneyard

-----Original Message-----

From: Tom Nickson
Sent: Monday, June 1, 2020 9:37 PM
To: Clerks Office <clerksoffice@campbellca.gov>; Susan M. Landry <susanl@campbellca.gov>
Subject: Support for outdoor dining and bars on Campbell Avenue and pruneyard

WARNING: This email originated from an external sender!

Just voicing my support for the proposal to let Campbell restaurants open up again! Other towns have pedestrianised the main street and have outdoor seating and it's very safe and pleasant. Can we also do something like this at the pruneyard?

Cheers,
Tom (ridgeley drive)

Andrea Sanders

To: Dorian Lemarchand
Subject: RE: City of Campbell reopening / Campbell ave in downtown

From: Dorian Lemarchand
Sent: Monday, June 1, 2020 9:45 PM
To: Clerks Office <clerksoffice@campbellca.gov>
Subject: Fwd: City of Campbell reopening / Campbell ave in downtown

WARNING: This email originated from an external sender!

----- Forwarded message -----

De : Dorian Lemarchand
Date: lun. 1 juin 2020 à 19:30
Subject: City of Campbell reopening / Campbell ave in downtown
To: <susanl@campbellca.gov>

Hello Mayor Landry,

I am a resident of campbell and I would like to voice my support for finally opening campbell avenue in downtown.. to bikes and pedestrians. Deliveries are more suited to the north/south streets given that they are perpendicular to the axis of traffic flow (and thus out of the way of conflicts). Parking capacity is plentiful at business lots+public parking garages, and there are exactly zero handicapped spots along campbell avenue.

Please consider pedestrianizing the main street in downtown as currently, outdoor seating is not pleasant, and some people intentionally drive loud vehicles down the street. It is a nuisance, and there is too much of a missed opportunity here.

Thanks,
Dorian

Andrea Sanders

To: Susan OBrien
Subject: RE: FOR PUBLIC COMMENT ITEM#6 - June 2, 2020 - City Council Meeting

From: Susan OBrien
Sent: Tuesday, June 2, 2020 9:21 AM
To: Clerks Office <clerksoffice@campbellca.gov>
Subject: FOR PUBLIC COMMENT ITEM#6 - June 2, 2020 - City Council Meeting

WARNING: This email originated from an external sender!

Please use this (I inadvertently omitted our information at the bottom of the public comment on my previous email. Please discard the previous email. Thank you.):

We applaud the City Council's efforts to help support our local restaurants and businesses by discussing various options to permit additional outdoor dining due to the COVID-19 pandemic. We support and encourage the City Council to adopt a streamlined process to help facilitate the placement of outdoor dining on public property. This is definitely a good start to helping our local restaurants and businesses – both those in the downtown and those throughout the City – with options to help facilitate their economic recovery. But our City can and should do more! In order to help revitalize our downtown businesses and restaurants, the City should consider temporarily closing Campbell Avenue (from 3rd Street to Railway Ave.) to vehicular traffic on weekends (Friday late afternoon until Sunday evening). A temporary special event permit could be created that would enable our local businesses to use the public street and sidewalk to conduct business. This temporary permit could apply to every weekend, or every other weekend, or one weekend a month. It would authorize local retailers to display and sell their merchandise outdoors and local restaurants to provide outdoor dining areas that could provide proper physical/social distancing. This temporary permit should include requirements for COVID-19 safety compliance, ADA accessibility, and penalties for non-compliance. This global pandemic has wreaked enough havoc on our small businesses and it is time to help facilitate our local economic recovery. With proper safety measures in place, we can help revitalize our local economy and rebuild our much needed sense of community.

Thank you for your consideration.
Susan and Mike O'Brien
Queens Court
Campbell, CA

Andrea Sanders

To: Alana Lemarchand
Subject: RE: In support of closing Campbell Ave to open the City

From: Alana Lemarchand
Sent: Monday, June 1, 2020 9:50 PM
To: Clerks Office <clerksoffice@campbellca.gov>; Susan M. Landry <susanl@campbellca.gov>
Subject: In support of closing Campbell Ave to open the City

WARNING: This email originated from an external sender!

Dear Mayor Landry and Campbell City Council Members,

Our family moved to Campbell a few years ago, drawn to the vibrant downtown life and community. We see Campbell as a leader and uniquely positioned at the crossroads of transit, bike path, thriving downtown, etc. While we support longer term pedestrian friendly development, we are now facing a unique opportunity to make quick, modest changes that can have huge positive impacts on our businesses and community. One of the silver linings of the COVID-19 pandemic is to see people out and about, walking or biking, and helping us imagine what Campbell could look like. In the very short term though, our businesses are in desperate need of access to more patrons all the while cautiously and safely reopening following County guidance.

We are writing to express enthusiastic support for closing down Campbell Ave from 3rd St to Railway Ave to create socially distanced space to enable our community and businesses to reopen in a responsible, safe way.

This could be done partially or fully, either of which would help our community, though we strongly support the full closure option:

-
- Partial
- option: Close parking only for conversion to parklets / outdoor retail space
-
-
- Full
- option: Close street parking and through traffic, except to service / emergency vehicles
- and possibly to buses or a community shuttle for accessibility
-

Why should we do this?

-
- Keep
- our community safe by making better community use of outdoor spaces. As I'm sure you are aware studies show that COVID-19 transmission is slower / lower outdoors so we should make the most of the space.
-
-
- Expand
- usability of outdoor space and allow restaurants and businesses to serve more patrons (these

- business operate on very low margins during normal times and many will not be able to survive with the low occupancy implied by 6 ft social distancing)
-
-
- Take
- the opportunity to trial and learn about the pedestrian and bike friendly downtown Campbell
- says is a long term goal
-
-
- Follow
- the lead of progressive cities, from Palo Alto to Paris:
- -
 - Specific to COVID-19
 - -
 - <https://www.paloaltoonline.com/news/2020/05/30/university-california-avenues-could-close-to-traffic-as-soon-as-june-4-providing-relief-to-restaurants>
 - (note that a majority of surveyed businesses on California Ave support the plan)
 -
 -
 - <https://www.france24.com/en/20200531-the-soul-of-our-city-paris-restaurants-and-cafes-to-reopen-for-terrace-only-service>
 -
 -
 - In general: Santana Row, Market Street
 - in San Francisco, the plan to close Castro St in Mountain View, etc
 -
-
- Can
- be done at low cost such as the moveable planters on Santana Row or something similar
-

We understand that in normal times our city may not have been ready for this change though we have long heard local interest in this. However, these are not normal times. We would rather test out reducing parking downtown so businesses can serve more patrons and more people can enjoy downtown Campbell again, rather than a business as usual approach where social distancing, though absolutely necessary for public health, is likely to suffocate our businesses and our community. Think of it as another way to “make space”.

Respectfully,
 Alana & Rom Lemarchand
 Campbell

Andrea Sanders

To: jennifer.verner; Clerks Office
Subject: RE: FOR PUBLIC COMMENT: ITEM No. 6

From: jennifer.verner
Sent: Tuesday, June 2, 2020 8:42 AM
To: Clerks Office <clerksoffice@campbellca.gov>
Subject: FOR PUBLIC COMMENT: ITEM No. 6

WARNING: This email originated from an external sender!

“We would like to put forth our public comment, that Opa!, Mo’s and Willard Hicks Campbell would like the opportunity to utilize public property for outdoor dining in order to allow us to do business in the City of Campbell in the most impactful way possible during these difficult times.”

Thank you.

--
Jennifer Verner
Office Manager
Opa! Management Group

PRUNEYARD CINEMAS

EAT · DRINK · FILM

June 1, 2020

City of Campbell
70 N. First St.
Campbell, CA 95008

Re: Agenda Item 6, June 2, 2020

Dear Mayor Susan M. Landry & Members of the City Council:

Please allow this letter to serve as our request for your consideration and support of preparing amendments to the City of Campbell's rules and regulations, that will expand the opportunities for restaurants and bars to serve outdoors and on public property.

Doing so will go a long way to alleviating the hurt being inflicted on these businesses, and those they employ, during these Covid-19 times.

Thank you,

Dan Orloff

Thank you,



Dan Orloff
Managing Member

Andrea Sanders

To: Berna Ertem; Clerks Office
Subject: RE: Closing downtown Campbell Avenue

From: Berna Ertem
Sent: Monday, June 1, 2020 11:56 PM
To: Clerks Office <clerksoffice@campbellca.gov>
Subject: Closing downtown Campbell Avenue

WARNING: This email originated from an external sender!

Let's close the downtown Campbell avenue so pedestrian can walk, eat, restaurants can have outside tables. This is California! Best weather around the world. How our restaurants still not having outside siting? It will bring joy! Believe me, I spend my whole life in European countries, it's more fun, people love it. Compe di Campbell!!!



Thanks,

Berna Ertem

Andrea Sanders

To: Stefano Scalia; Clerks Office
Subject: Closing Downtown Campbell to Traffic + Expanding Outdoor Dining

From: Stefano Scalia
Sent: Tuesday, June 2, 2020 12:03 AM
To: Clerks Office <clerksoffice@campbellca.gov>
Subject: Closing Downtown Campbell to Traffic + Expanding Outdoor Dining

WARNING: This email originated from an external sender!

Hello,

I strongly urge the city council to implement plans to close Campbell Ave between North 3rd street, and the terminus of downtown at the lite rail tracks.

We have the opportunity to create a unique outdoor downtown experience, reinvigorating our local economy - ensuring our local businesses that add so much value to living here can stay business.

Oh, and not to mention - SAFETY FROM THE CORONAVIRUS!

It is commonly known that the coronavirus does not travel easily in the air outside - especially with sunlight. With the additional space, you can have socially distanced tables and still have a great feeling of "ambiance" rather than an empty dining room.

I propose closing the street to traffic, and allowing construction of "terraces" -temporary wood seating areas directly on the street, or placement of tables on the full sidewalk and street, allowing for sidewalk and street "walkways" - similar to the farmers market - just replaced with tables.

A CRITICAL POINT - I believe the downtown area should be off limits to all normal traffic (police, etc excluded) - this is to open the space up to foot traffic, allow dog walking, etc - and allowing restaurants to expand potentially into the street, to allow social distancing - while remaining profitable with a similar number of "seats" as inside.

The city could string cafe-lights zig-zag through the street, providing safety light and adding an incredible ambiance.

I am sure that considerations like emergency access, handicap parking, etc can be addressed. Appreciate your consideration of this!

Best,

- Stefano
In/FB/IG/TWTR/Snap: @stefanoscalia

"I would like to have seen Montana."

Andrea Sanders

Subject: RE: Online Form Submittal: Contact Us (Dropdown)

From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Monday, June 1, 2020 4:28 PM
To: Campbell City Managers Office <cmoffice@campbellca.gov>
Subject: Online Form Submittal: Contact Us (Dropdown)

WARNING: This email originated from an external sender!

Contact Us (Dropdown)

First Name	Christopher
Last Name	Yamashita
Address1	
Address2	<i>Field not completed.</i>
City	Campbell
State	CA
Zip	95008
Phone Number	
Email Address	
Whom would you like to contact?	City Council
Question / Comment	<p>Dear Honorable Council Members,</p> <p>Thank you for taking into consideration the livelihood of our Campbell businesses during the current Shelter-in-Place. I shared some ideas with Ken Johnson of the Campbell Chamber of Commerce this morning and was pleased to hear from other restaurant operators. I appreciate that the City Council is considering changing the use of public roads and sidewalks. I think this could help restaurant businesses while we do not have revenue from our regular indoor dining areas.</p> <p>One thought that I appreciate from our conversation was that there will likely not be a blanket solution to aid all of the businesses equally. I think it is important to maintain some easy accessibility to conduct business for take out orders.</p>

Likewise, I hope there is a solution that would promote customers to patronize our retail neighbors and not inhibit their access.

Brown Chicken Brown Cow does not have close access to East Campbell Avenue, and the initial idea of using space in our alley raises safety concerns with cars driving through the alley. I would appreciate consideration of allowing the use of other adjacent private space to be used for our restaurant use.

I look forward to hearing Council's discussion on this topic. Thank you for your time and consideration.

Chris Yamashita
Brown Chicken Brown Cow

Email not displaying correctly? [View it in your browser.](#)

MEMORANDUM



City of Campbell

City Clerk's Office

To: Honorable Mayor and City Council

Date: June 2, 2020

From: Andrea Sanders, Deputy City Clerk

Via: Brian Loventhal, City Manager

Subject: Desk Item – Public Comment (3)

Attached are emails received for public comment under item 6.

Andrea Sanders

To:
Subject: RE: Proposal to close Campbell Avenue

From: David Blinn
Sent: Tuesday, June 2, 2020 1:02 PM
To: Clerks Office <clerksoffice@campbellca.gov>
Subject: Proposal to close Campbell Avenue

WARNING: This email originated from an external sender!

I live downtown at 3rd and Orchard City Drive, and have seen the push of people who want to close downtown to car traffic. I think this is a bad idea and will negatively impact traffic, parking and noise for those of us who live in the neighborhoods just off Campbell Avenue, and will make it harder to frequent the non-eatery downtown merchants.

David Blinn

Sent from my Samsung Galaxy smartphone

Andrea Sanders

To: Gisela Foster
Subject: RE: Closing Downtown Campbell to traffic

From: Gisela Foster
Sent: Tuesday, June 2, 2020 12:22 PM
To: Clerks Office <clerksoffice@campbellca.gov>
Subject: Closing Downtown Campbell to traffic

WARNING: This email originated from an external sender!

Per conversation on Next Door

I think that closing the street to cars can't be that difficult on Campbell Avenue; we have Orchard City and Civic Center Drive to go around this area. Parking might be a problem, but what if nobody comes downtown anyway, because we are conditioned to staying home. Wouldn't it be better to concentrate on solving the parking issue rather than declining the request just because parking is an issue? Handicap parking could be on the side streets.

Perfect. I love Orchard City Paris already.
"Un café américain, s'il vous plaît."

By the way, I am 81 and use a walker to get downtown Campbell. It is close to a mile through Campbell Park. I would love to go back to Orchard City Coffee Roasting Company for my afternoon coffee and sweet roll. Outdoors! 



Joseph Russo

Assign Conversation ▾



Move to Done

12:48 PM

To Andrea Sanders

We are residents of Downtown Campbell on South second Street.



We are opposed to closing Campbell Ave to traffic.

The residents of the street have the right to park their cars in front of their respective homes. If Campbell Ave was closed to parking, all of those cars would overflow into our streets. If this is a serious consideration, the need for a next level on the first street parking garage with visible signage is necessary to accommodate.



The loss of 40 spaces that was approved for Willard Hicks last year will already have an impact on our street.

Thank You,



Joe and Mary Ann Russo



Thank you for your comment. It has been forwarded to Andrea Sanders and it will be forwarded to the City Council and read aloud during the public comment period for item 6. Additional public comments should be directed to ClerksOffice@campbellca.gov. Please indicate in the subject line "FOR PUBLIC COMMENT" and list the item number(s) you wish to comment on. Comments will be read during the comment period for the item and will be subject to the two-minute time limitation (approximately 250 words). Written comments received by 5:00 p.m. on the day of the meeting will be posted on the website and distributed to the Council before the meeting.

Sent by Letysia Moresco [?]

Andrea Sanders

To: Sherry Russo
Subject: RE: Closing Campbell Ave.

-----Original Message-----

From: Sherry Russo
Sent: Tuesday, June 2, 2020 1:10 PM
To: Web Distribution City Clerk <WebDistributionCityClerk@campbellca.gov>
Subject: Closing Campbell Ave.

WARNING: This email originated from an external sender!

We are residents of South Second Street in Campbell.
We are definitely opposed to closing Campbell Ave.
The closing of Campbell Ave would only worsen the parking on our street.
The parking would severely impact our street and parking for its residents.
The approval of Willared Hicks last year already deleted 40 city owned parking spaces due to their expansion.
Many people who work downtown use our street already for their parking due to a shortage of parking garages

The parking garage at First Street could use another level if this proposal goes through with bright signage.
Thank You,
Joe and Mary Ann Russo

MEMORANDUM



City of Campbell
City Clerk's Office

To: Honorable Mayor and City Council
From: Andrea Sanders, Deputy City Clerk
Via: Brian Loventhal, City Manager
Subject: **Desk Item 6 – Public Comment (4)**

Date: June 2, 2020

Attached are emails received for public comment under item 6.



267 EAST CAMPBELL AVENUE, SUITE C
CAMPBELL, CALIFORNIA 95008

408 378-6252 O
408 378-0192 F

WWW.CAMPBELLCHAMBER.NET

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CARL SAN MIGUEL
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MICHAEL PUTNAM
Encore Marketing Services

DALE YOSHIHARA
Kyoto Palace

June 2, 2020

Madam Mayor and members of the City Council:

Thank you for considering alternatives for our local restaurants which may just make it possible for them to survive this very difficult time. With the new County Health directive allowing outside seating at restaurants starting Friday, time is of the essence. I had the opportunity to host a virtual call on Monday with 15 local restaurant owners from all over Campbell. What is clear is that many are just hanging on, and with tight margins, the quicker a more expansive safe opening can happen, the better.

I would say there was consensus on several items we discussed. First, whatever the City does needs to remain flexible and adaptable as restaurants determine what works and what does not. Along with the flexibility needs to clear guidelines that can be updated as changes take place. Second, providing information on how to best work with Alcoholic Beverage Control and the City to allow expanded locations for alcohol consumption is critical.

There was mixed reaction regarding closing East Campbell Avenue, but what was clear is that infringing on any restaurant's current curbside or take-out business would be detrimental.

There was support for creating a representative group of restaurant owners to provide feedback and ideas to the City staff as quickly as possible. If the Chamber can help facilitate that in any way, we are pleased to help.

Sincerely,

Kenneth R. Johnson
Executive Director

Andrea Sanders

To: Daraius Sorabji
Subject: RE: Letter regarding making outdoor dining available on agenda item for tonights meeting.

From: Daraius Sorabji
Sent: Tuesday, June 2, 2020 4:33 PM
To: Web Distribution City Clerk <WebDistributionCityClerk@campbellca.gov>
Subject: Letter regarding making outdoor dining available on agenda item for tonights meeting.

WARNING: This email originated from an external sender!

Dear Mayor and Council members,

I am writing to you to about item 6 on tonight's agenda (Discussion of Outdoor Dining on Public Property)

I am all for us coming up with a solution to support our businesses. Enhance and support the citizens who are about to emerge from a very difficult time in a very difficult time. What we stand to lose by inaction is the livelihoods of a lot of our businesses, their employees and the life savings of so many of the business owners.

There will never be a perfect solution, but chasing perfection is not always the answer, sometimes we have to make compromises. We may not be able to come up with a solution that works for everyone but please give it a try. Don't go into your own corners, try to find some common ground.

Things that are important to the community.

Parking:

Yes we will lose some parking on some streets. For Campbell Ave, consider closing it and maybe have a shuttle or Valet option where cars can be parked at the community center.

For the handicapped, turn the parking on the side streets to handicap only.

Provide safe pathways for those on the sidewalks...

Provide safe Emergency vehicle access as we do for the farmers markets and other events.

Act now and you can save these businesses... don't get stuck on the what if's... maybe do a trial through the fall. Then revisit it and use lessons learned to fine tune whatever you decide.

Acting now is of the utmost importance for us to continue to have a vibrant down town.

Just do something, give something a try.

We are all watching the meetings online but in these times not having a Voice at a meeting make this the only option we have. I hope you read this message and it makes it into the record.

-Daraius Sorabji
Campbell Resident

Andrea Sanders

To: Liz Gibbons
Subject: RE: Closing Campbell Ave/Parking

From: Liz Gibbons <lizg@campbellca.gov>
Sent: Tuesday, June 2, 2020 4:32 PM
To: Andrea Sanders <asanders@campbellca.gov>
Subject: Fwd: Closing Campbell Ave/Parking

Begin forwarded message:

From: Geri Ledvina
Date: June 2, 2020 at 4:07:03 PM PDT
To: Liz Gibbons <lizg@campbellca.gov>, Rich Waterman <RichW@campbellca.gov>, Paul Resnikoff <paulr@campbellca.gov>, "paulr@campbellcal.gov" <paulr@campbellcal.gov>, "annb@cityofcampbell.com" <annb@cityofcampbell.com>, "andreas@cityofcampbell.com" <andreas@cityofcampbell.com>, "Susan M. Landry" <susanl@campbellca.gov>
Subject: Closing Campbell Ave/Parking

Hello Mayor Landry and City Council Members,

Thank you for your leadership especially during these difficult times.

We would like to comment of the proposal being considered to close Campbell Avenue through downtown. We are in support of looking at options for getting the downtown restaurants through these difficult times. We would ask that all impacts be considered as well on neighboring residents that will be affected with the following health and safety factors:

- Many people in the neighborhood have limited or no off street parking leaving them to compete for parking near their homes creating an undo hardship particularly for those who are elderly or have mobility issues (already the norm on busy weekend nights, Farmers Market and Festivals)
- For those that are fortunate enough to have a driveway, many are narrow single lane driveways. When the neighborhood is heavily parked with cars it is difficult and dangerous to pull in and out of the driveway with cars parked closely to the end of the driveway entry. This impedes visibility of oncoming traffic, cyclists, and pedestrians
- There is discussion on social media, Next Door, suggesting that we set up downtown Campbell similar to Los Gatos. What is not mentioned however is that there is a residential permit parking program in place and enforced to protect the downtown residents. We would ask Campbell to do the same if they take this direction

Thank you for your consideration.

Deb and Geri
South 2nd Street

Andrea Sanders

To: Jens Koerner; Clerks Office
Subject: RE: Traffic free downtown Campbell

From: Jens Koerner
Sent: Tuesday, June 2, 2020 3:59 PM
To: Clerks Office <clerksoffice@campbellca.gov>
Subject: Traffic free downtown Campbell

WARNING: This email originated from an external sender!

To whom it may concern,

I became aware that the city council will discuss opening plans, and therefore I would like to recommend the conversion of the downtown part of Campbell Ave (3rd Ave to Railway) into a pedestrian zone.

Not only will this allow for more outdoor seating space for restaurants - allowing for social distancing - but a traffic free downtown makes Campbell safer and more attractive.

Traffic can easily flow around downtown via the 2 service drives.

Hopefully, this is valuable input to the meeting.

Thank you,

--
Jens Koerner

Campbell, CA 95008

Andrea Sanders

To: Dominic Boitano
Subject: RE: FOR PUBLIC COMMENT - Item 6: Discussion of Outdoor Dining

From: Dominic Boitano
Sent: Tuesday, June 2, 2020 3:39 PM
To: Clerks Office <clerksoffice@campbellca.gov>
Subject: FOR PUBLIC COMMENT - Item 6: Discussion of Outdoor Dining

WARNING: This email originated from an external sender!

Dear Mayor Landry, Vice Mayor Gibbons, and Council Members Resnikoff, Bybee, and Waterman,

This letter is written as public comment to tonight's agenda item regarding outdoor dining. Thank you for the opportunity to submit comments.

To start, we would like to applaud Staff's efforts to bring this matter to the forefront quickly. Santa Clara County is allowing outdoor dining starting on Friday, and our local restaurants have been closed or operating in an extremely limited fashion since March. If our local restaurants are to survive, they need to re-open quickly and they are going to need a little extra room. Our first suggestion, if at all possible, would be for Council to consider voting tonight on a process that will allow at least some restaurants to open with expanded outdoor operations by as early as this Friday.

We do not have any specific comment related to dining on public property, but with respect to dining on private property, one significant issue is the existing code requirement requiring planning commission approval for outdoor dining with more than 12 people. We see this as a significant bottleneck in a process that every restaurant needs to happen faster than Planning Commission can accommodate. We would encourage council to consider giving the Community Development Director temporary discretion to approve expanded outdoor dining on private property.

At Alvin's Corner, we have a central plaza area with lots of room and the issues are simple. We could easily accommodate outdoor dining without the loss of any parking spaces and there would be no changes to traffic patterns, no impact to pedestrian flow, and no increase in seat count. While some situations will be more complicated, there will be many others that are equally as simple, and we are hopeful the City of Campbell can institute a process to allow restaurants to utilize expanded outdoor seating as quickly as possible.

Respectfully,

Dominic Boitano
Alvin's Corner at Penny Lane LLC

Andrea Sanders

To: Tim Soennichsen
Subject: RE: Closing Campbell Ave indefinitely

From: Tim Soennichsen
Sent: Tuesday, June 2, 2020 3:17 PM
To: Clerks Office <clerksoffice@campbellca.gov>
Subject: Closing Campbell Ave indefinitely

WARNING: This email originated from an external sender!

To whom it may concern,

As I became aware that the city council will discuss opening plans, I would like to recommend to close the downtown part of Campbell Ave (3rd Ave to Railway) indefinitely to traffic.

This would allow restaurants to place tables on walkways, increase seating capacity in a safely manner. This would also allow guests to arrive and move around in a much more comfortable way, especially while keeping distance to each other.

Campbell Ave has been close so many times for special events and these closings are part of what makes downtown Campbell so special.

At the same time I'm sure that any concerns regarding handicapped parking options or access for emergency crews can be solved, especially as numerous other cities are doing the same.

It would mean a lot to me if you'd consider my opinion for the decisions to be made. I'm sure a lot of residents share the same opinion.

Thank you,
Tim Soennichsen

Andrea Sanders

To: Randy Musterer
Subject: RE: FOR PUBLIC COMMENT - Item 6 - Campbell City Council Discussion of Outdoor Dining on Public Property

From: Randy Musterer
Sent: Tuesday, June 2, 2020 2:43 PM
To: Clerks Office <clerksoffice@campbellca.gov>; Randy Musterer
Subject: FOR PUBLIC COMMENT - Item 6 - Campbell City Council Discussion of Outdoor Dining on Public Property

WARNING: This email originated from an external sender!

Thank you Mayor Landry and Campbell City Councilmembers:

As a Campbell resident for 18 years and a small business owner in downtown Campbell for 8 years, I am proud to call Campbell home.

Tonight, you will hear a number of suggestions from Campbell residents and business owners. Of course, some suggestions will work for some businesses, but not for all. Some suggestions may benefit all, or none. What entices one resident to spend money, might not entice the next, and so forth. As such, it may be very difficult to come up with a blanket plan that would help all businesses. What works for our business, may not work for the next.

So, with this in mind, my hope is that you will be able to help facilitate a flexible approach for any decisions you make. What is critical, is speed in the decisions moving forward, and willingness to adjust on the fly. Don't focus on the negative "what ifs", we can fix them. Just don't limit the ability for each unique business to come up with suggestions that will insure their own success. Rather than a one-size-fits-all top down solution, what if we took an all-working-to-help-each-business approach to reopen and re-emerge successfully? While we may be able to find solutions that will address all businesses needs, such as reducing regulatory, licensing and other burdens, even if temporary, it is critical to see each business as unique and needing individual support.

Finally, we all need to survive and we are counting on the City Council to support us in a unique way, in this unique situation, to make that happen. To achieve this goal, I recommend that staff meet with business owners in Campbell to help develop a detailed and flexible plan moving forward. It sounds difficult, but all business owners are in dire need of relief, support from the community, and support from the City Council to survive through this unprecedented time.

Thank you!

--



Randy Musterer
Founder | CEO at Sushi Confidential

M 408-761-7341 **E** randy@sushiconfidential.com
W www.sushiconfidential.com

Andrea Sanders

To: Robert Berry
Subject: RE: Closing downtown Campbell

From: Robert Berry
Sent: Tuesday, June 2, 2020 5:15 PM
To: Andrea Sanders <asanders@campbellca.gov>
Subject: Closing downtown Campbell

WARNING: This email originated from an external sender!

My name is Robert Berry. I own 6 properties right downtown 1 block off Campbell ave.

There is no way that closing Campbell Ave. downtown will improve things for

- 1) small businesses
- 2) residential traffic problems
- 3) street parking
- 4) general flow and entertainment of downtown.

It will hurt us all, make our surrounding neighborhoods hard to manage, and generally bring down the downtown vibe. If you have sat at the corner of Starbucks and watched the old cars drive by, or enjoyed the easy access to restaurants during the shut down then you know how vital it is to keep it unchanged.

Vote against closing downtown Campbell Ave.

Robert Berry

Andrea Sanders

To: Sophie Zimmer
Subject: RE: Campbell avenue closed for restaurants

-----Original Message-----

From: Sophie Zimmer
Sent: Tuesday, June 2, 2020 6:04 PM
To: Web Distribution City Clerk <WebDistributionCityClerk@campbellca.gov>
Subject: Campbell avenue closed for restaurants

WARNING: This email originated from an external sender!

Good evening. I m leaving downtown campbell and I think that closing Campbell Avenue to authorize the restaurant to put table outdoor is a really good idea. They are going to do it in a lot of other cities and they are doing that in france.

For the people complaining about parking spots, just a reminder that there are 2 huge parking lots downtown. It will be for few months so maybe people can adapt and walk a little bit.

Thanks, best, Sophie Riss

Andrea Sanders

To: Lindsay Plantholt
Subject: RE: Support of Downtown Campbell Street Closures for dining

From: Lindsay Plantholt
Sent: Tuesday, June 2, 2020 5:44 PM
To: Web Distribution City Clerk <WebDistributionCityClerk@campbellca.gov>
Subject: Support of Downtown Campbell Street Closures for dining

WARNING: This email originated from an external sender!

Hello, I'm writing to express my SUPPORT of transforming downtown Campbell this summer into a closed street, and allowing businesses including restaurants and retail shops to operate outside, similar to the Campbell Farmer's Market on a more permanent basis (the summer months). Due to the COVID-19 pandemic, our small business community has been hit hard - they need the ability to service many patrons safely, and the best way to do that is outside - where transmission is rare, and social distancing can take place. Our California weather and downtown layout make for a great outdoor experience. Imaging allowing bistro tables, outdoor performers, families, small tables set up in front of businesees to sell - a wonderful sight. While I'm sure there's details to be worked out, including handicapped parking and emergency access - which are extremely important - I want to express my support for this initiative in Campbell! Sincerely,
Lindsay Plantholt
Campbell homeowner near downtown

Sent from my iPhone

Andrea Sanders

To: Heidi Koerner
Subject: RE: Downtown Campbell Reopening

From: Heidi Koerner
Sent: Tuesday, June 2, 2020 8:10 PM
To: Clerks Office <clerksoffice@campbellca.gov>
Subject: Downtown Campbell Reopening

WARNING: This email originated from an external sender!

To Whom It May Concern,

I heard there will soon be discussions regarding reopening downtown Campbell. I think a great idea to assist our small businesses to stick around is to create a pedestrian zone with no traffic on Campbell Ave. Having outdoor seating extend further into Campbell Ave. without having to worry about traffic would be a great way to disperse the crowds. It would allow for better social distancing and would most likely attract apprehensive visitors who would feel more comfortable dining outdoors than enclosed spaces which are more risky for spreading infection.

This could help save our downtown and would also make it more attractive and unique to outside visitors in the future.

I hope you consider this. The setup is ideal as there are already the service drives surrounding downtown to assist with the flow of traffic.

Thank you,

Heidi Koerner

Andrea Sanders

To: Steven T
Subject: RE: Outdoor Dining on Public Property

-----Original Message-----

From: Steven T
Sent: Tuesday, June 2, 2020 5:35 PM
To: Clerks Office <clerksoffice@campbellca.gov>
Subject: Outdoor Dining on Public Property

WARNING: This email originated from an external sender!

Dear Council members,

I'm in support of making Downtown Campbell strip a pedestrian only street allowing businesses including restaurants and retail shops to operate outside. This idea works in many other cities so I hope this will transform the Downtown area to be an even more vibrant community.

Thank you for your consideration.

Steven



Office of The Mayor

June 2, 2020

As a community and as a nation, we have been enduring incredibly challenging times. Over the past 4 months, the COVID-19 virus has had detrimental impacts on every aspect of our lives. It required everyone to come together by following the guidance to 'Stay at Home'. While not yet over and as difficult as this has been, collectively, we have been successful to help minimize the spread of COVID-19 by flattening the curve.

Now, after enduring these months of unsettling times, we are facing even more challenges related to the recent tragic death of George Floyd. It is important to recognize that this incident has caused pain for many people. As we listen to people's peaceful expressions voiced by protesting and hear their messages, it has created an inflection point. This is a call to action, for each of us to become part of the solution. I believe we have a responsibility to work together.

Now the task at hand: how do we move forward? I do not have all the answers, but I can say, that Campbell residents have the ability to create solutions.

Later in our Agenda, we will be discussing the re-opening of our businesses and our community. To do this effectively, it is important that we make sure that all voices are heard. As such, I encourage people to have a voice and participate. The City Council and staff provided a venue for your voice. Ideas have been shared, and the community has come together. It is an honor to highlight the large volume of input we have received with suggestions on how to re-open our wonderful city, to provide opportunities for businesses to be successful. This is a great example of how to bring our community together towards a common cause. Thank you, everyone.

Tonight, by working together, implementable solutions will be developed that will be beneficial to the entire Campbell community. As your mayor, along with the City Council and Staff, I thank you.

I will share a quote, that is very timely: "Together is how we move forward. Together is how we make change."

Sincerely,

Susan M. Landry, Mayor, City of Campbell