



# *City Council Agenda*

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

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**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](http://www.campbellca.gov).

This Study 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 Study Session/Regular City Council meeting on June 16, 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](mailto:ClerksOffice@campbellca.gov) prior to the start of the meeting. Written comments will be posted on the website and distributed to the Council. If you choose to email your comments, please indicate in the subject line "FOR PUBLIC COMMENT" and indicate the item number.

Those members of the public wishing to participate are asked to register in advance at: [https://us02web.zoom.us/webinar/register/WN\\_Kw1ioQigRHKCIYx7IVxXzQ](https://us02web.zoom.us/webinar/register/WN_Kw1ioQigRHKCIYx7IVxXzQ)

After registering, you will receive a confirmation email containing information about joining the meeting.

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## **CAMPBELL CITY COUNCIL STUDY SESSION**

**Tuesday, June 16, 2020 – 6:30 p.m.**

**City Hall – 70 N. First Street**

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

## **CALL TO ORDER, ROLL CALL**

### **PUBLIC COMMENT**

Those members of the public wishing to participate are asked to register in advance at: [https://us02web.zoom.us/webinar/register/WN\\_Kw1ioQjgRHKCIYx7IVxXzQ](https://us02web.zoom.us/webinar/register/WN_Kw1ioQjgRHKCIYx7IVxXzQ). After registering, you will receive a confirmation email containing information about joining the meeting. Speakers may be allotted up to two (2) minutes.

### **AGENDA ITEMS**

1. **Vehicle Miles Traveled (VMT) for CEQA Review**  
Recommended Action: Discuss Senate Bill 743 and its requirement of using Vehicle Miles Traveled (VMT) for analyzing transportation impacts under the California Environmental Quality Act (CEQA) beginning July 1, 2020.

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## **REGULAR MEETING OF THE CAMPBELL CITY COUNCIL**

Tuesday, June 16, 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. Those members of the public wishing to participate are asked to register in advance at: [https://us02web.zoom.us/webinar/register/WN\\_Kw1ioQjgRHKCIYx7IVxXzQ](https://us02web.zoom.us/webinar/register/WN_Kw1ioQjgRHKCIYx7IVxXzQ). After registering, you will receive a confirmation email containing information about joining the meeting. Speakers may be allotted up to two (2) minutes. The law generally prohibits the Council from discussion or taking action on such items. However, the Council may instruct staff accordingly regarding Oral Requests.

### **COUNCIL ANNOUNCEMENTS**

### **CONSENT CALENDAR**

1. **Minutes of City Council Study Session Meeting of May 22, 2020**  
Recommended Action: Approve the study session meeting minutes of May 22, 2020.

2. **Minutes of City Council Regular Meeting of June 2, 2020**  
Recommended Action: Approve the regular meeting minutes of June 2, 2020.
3. **Approving Bills and Claims**  
Recommended Action: Approve the bills and claims in the amount of \$2,381,888.87.
4. **Excess Workers' Compensation Coverage Renewal**  
Recommended Action: That the City Council approve the Excess Workers' Compensation Insurance coverage provided by Midwest Employers Casualty Company for the period from July 1, 2020 to June 30, 2021.
5. **Calling the General Municipal Election for District 1 and District 2; and Requesting Consolidation of Election in Accordance with California Elections Code Section 10418 (Resolution/Roll Call Vote)**  
Recommended Action: That the City Council adopt a Resolution calling the General Municipal Election for November 3, 2020 to elect one Councilmember from District 1 and one Councilmember from District 2; and requesting consolidation of election with the Registrar of Voters in accordance with California Elections Code 10418, and levying a fee to each candidate for their Candidate Statement.
6. **Resolution Approving the Revised Job Specifications for City Clerk and Authorizing Issuance of a Request for Proposals for Executive Search Services (Resolution/Roll Call Vote)**  
Recommended Action: That the City Council adopt a resolution approving the revised job specification for City Clerk and authorizing issuance of a Request for Proposals for executive search services.

#### **PUBLIC HEARINGS AND INTRODUCTION OF ORDINANCES**

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

7. **An Ordinance of the City of Campbell Chapter 6.12 to the City of Campbell Municipal Code Amending the Diversion Rate of Construction and Demolition Debris (Ordinance/Roll Call Vote)**  
Recommended Action: That Council approve an ordinance amending Chapter 6.12 of the Municipal Code, updating the required diversion rate of construction and demolition debris.
8. **Authorization to Proceed with an Application to Amend the General Plan (PRE2019-005) to Create a New Land Use Designation ("Major Corridor Mixed-Use") and Change the Land Use Designation of Property Located at 2029, 2045-2063 S. Bascom Avenue, 980 E. Campbell Avenue, and 951 Michael Drive from General Commercial and High Density Residential to**

**Major Corridor Mixed-Use to Allow a Future Proposal for a Mixed-Use Development (Resolution/Roll Call)**

Recommended Action: Adopt a resolution denying the requested Authorization to Proceed with an Application to Amend the General Plan and directing the applicant to propose a project consistent with the General Plan.

**NEW BUSINESS**

9. **Resolution Amending Agreement for City Manager Services (Resolution/Roll Call Vote)**

Recommended Action: That the City Council adopt a Resolution amending the Agreement for City Manager services.

**COUNCIL COMMITTEE REPORTS**

10. **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](mailto: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



## STUDY SESSION MEETING OF THE CAMPBELL CITY COUNCIL

Friday, May 22, 2020 10:00 a.m.

City Hall – 70 N. First Street

**NOTE:** This City Council Study Session meeting was conducted pursuant to the Governor's Executive Order N-29-20.

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

This meeting was recorded and can be viewed in its entirety at <https://www.youtube.com/user/CityofCampbell>.

### CALL TO ORDER

The City Council of the City of Campbell convened in the Special meeting place, this day of May 22, 2020, via telecommunication.

Mayor Landry explained the process to provide public comment, stating that it will be accepted via email at [ClerksOffice@campbellca.gov](mailto: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

### Staff Present:

Brian Loventhal, City Manager; Andrea Sanders, Deputy City Clerk; Bill Seligmann, City Attorney; Will Fuentes, Finance Director; Norite Vong, Finance Manager; Lauren Merriman, Recreation Specialist; Todd Capurso, Public Works Director; Gary Berg, Police Chief; Jill Lopez, Human Resources Manager; Cecil Lawson, Information Technology Manager; Paul Kermoyan, Community Development Director.

## **PUBLIC COMMENT**

There was no public comment.

## **NEW BUSINESS**

1. **Update on Fiscal Year (FY) 2019-20 Year-End Projections for General Fund Revenues and Expenditures and Discussion of FY 2020-21 Strategic Priorities and Work Plans**

Recommended Action: Receive a status update of FY 2019-20 year-end projections for General Fund revenues and expenditure and provide direction to regarding FY 2020-21 strategic priorities and work plans.

Finance Director Fuentes gave a presentation on FY 19-20 strategies with emphasis on economic impacts of COVID-19.

Council took a five-minute recess and reconvened at 11:10 a.m.

Council asked questions and discussed work plans, reducing expenditures, reserve funds and provided general feedback.

Council further discussed Strategic Priorities for FY 2020-21 to include Comprehensive Long-Term Land Use Planning consisting of a General Plan Update and Plan Bay Area 2050, keeping the Council and community informed of State legislation; continued Measure O Implementation; fiscal stability; financial recovery consisting of long term financial planning, helping business recovery, and future COVID-19 planning and Open Space consisting of parks, such as the completion of the John D. Morgan project, playgrounds and trails.

## **ADJOURN**

Mayor Landry, adjourned the meeting at 12:25 p.m.

APPROVED:

ATTEST:

\_\_\_\_\_  
Susan M. Landry, Mayor

\_\_\_\_\_  
Andrea Sanders, Deputy City Clerk

# CITY COUNCIL MINUTES

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



## 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

Due to teleconference technical issues the City Council did not meet in Executive Session.

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## REGULAR MEETING OF THE CAMPBELL CITY COUNCIL

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

City Hall Council Chamber – 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](http://www.cityofcampbell.com/agendacenter).

### CALL TO ORDER

The City Council of the City of Campbell convened on the regularly scheduled day of June 2, 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.

Minutes Acceptance: Minutes of Jun 2, 2020 7:30 PM (CONSENT CALENDAR)

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

### **ROLL CALL**

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>
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 Susan O'Brien stating concerns with the closure of the Farmers Market.

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

### **COUNCIL ANNOUNCEMENTS**

Mayor Landry provided the following statement: 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."

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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 US 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.

Santa Clara County Health Officer Dr. Sara Cody announced a further easing of the shelter-in-place order. Outdoor dining at restaurants, in-store retail shopping, recreational activities that do not include physical contact, such as swimming, and outdoor gatherings of up to 25 people for religious services or cultural ceremonies will be allowed starting on Friday, June 5. Full details of what is allowed under the modified order can be found on the Public Health Department's COVID-19 page at [www.SCCgov.org](http://www.SCCgov.org).

If you need assistance finding food, paying household bills, seeking available resources or other essential services, please visit [www.211.org](http://www.211.org) or 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 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](http://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](mailto:www.ContactTracing@EOC.sccgov.org).

Beginning last week, U.S. Census Bureau workers began visiting neighborhoods with P.O. boxes that do not receive mail at a physical address to verify addresses and deliver 2020 Census paper questionnaires on doorsteps. Census Bureau workers will have a valid ID badge with their photograph, not ring doorbells or knock on doors, ask to be allowed inside homes, or request personal information. For questions about this operation or to verify the identity of a Census worker, please contact the U.S. Census Bureau at 213-314-6500. For local Census 2020 information, visit the Santa Clara County Office of the Census website at [www.sccgov.org](http://www.sccgov.org).

We are excited to announce that the Santa Clara County Library District will offer curbside services at all eight library locations beginning mid-June. Patrons will be able to return items and book an appointment to pickup material placed on hold from 1:00 p.m. – 5:00 p.m. Monday through Saturday. For more information about this service, please visit their website at [www.sccld.org](http://www.sccld.org).

Please continue to visit the city's website at [www.campbellca.gov](http://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.

City Manager Loventhal provided an update on City services currently being provided by each department. He also discussed what processes are being implemented to ensure the health and safety of the public once City facilities reopen.

### **CONSENT CALENDAR**

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

The consent calendar was considered as follows:

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

This action approves the executive session 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.

This action approves 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.

This action approves the bills and claims in the amount of \$631,411.93 as follows: bills and claims checks dated April 29, 2020, in the amount of \$86,882.42; payroll checks dated April 30, 2020, in the amount of \$73,734.85; bills and claims checks dated May 4, 2020 in the amount of \$91,842.10; and bills and claims checks dated May 11, 2020, in the amount of \$378,952.56.

**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 (Resolution/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.

Resolution 12591 preliminarily approves 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.

Resolution 12592 declares Council’s intention to levy and collect assessments within the City of Campbell Lighting and Landscaping District LLA-1 for FY 2020-21 and sets 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.

Adopt resolution 12593 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.

**M/S: Gibbons/Resnikoff – that the City Council approve the consent calendar. The motion was adopted by the following roll call vote:**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Gibbons
<b>SECONDER:</b>	Resnikoff
<b>AYES:</b>	Landry, Gibbons, Waterman, Bybee, Resnikoff

**PUBLIC HEARINGS AND INTRODUCTION OF ORDINANCES**

Minutes Acceptance: Minutes of Jun 2, 2020 7:30 PM (CONSENT CALENDAR)

There were no agenda items.

## **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.

Community Development Director Kermoyan presented a staff report dated June 2, 2020.

Shelly Dunne, Campbell resident, submitted an email stating concerns with certain activities not resuming.

Luciano Saccani submitted an email in support of closing the downtown street to vehicle traffic.

Carol Pouya submitted an email in support of closing the downtown street to vehicle traffic.

Annette Grinager, Campbell resident, submitted an email in support of closing the downtown street to vehicle traffic.

Melissa Zencirci submitted an email in support of parklets and utilizing parking spaces for outdoor dining options.

Cindy Hardgrave submitted an email against closing the downtown streets.

Campbell resident submitted an email against closing the downtown streets.

Angela Pace submitted an email against closing the downtown streets.

Abhi Kris submitted an email in support of closing the downtown street to vehicle traffic.

Danielle Cohen, Campbell resident, submitted an email in support of closing the downtown street to vehicle traffic.

Tom Nickson, Campbell resident, submitted an email in support of closing the downtown street to vehicle traffic.

Dorian Lemarchand, Campbell resident, submitted an email in support of closing

the downtown street to vehicle traffic.

Susan O'Brien, Campbell resident, submitted an email in support of closing the downtown street to vehicle traffic.

Alana Lemarchand, Campbell resident, submitted an email in support of closing the downtown street to vehicle traffic.

Jennifer Verner submitted an email in support of utilizing public property for outdoor dining.

Dan Orloff submitted an email in support of utilizing public property for outdoor dining.

Berna Ertem submitted an email in support of closing the downtown street to vehicle traffic.

Stefano Scalia submitted an email in support of closing the downtown street to vehicle traffic.

Christopher Yamashita submitted an email in support of utilizing public property for outdoor dining.

David Blinn, Campbell resident, submitted an email against closing the downtown streets.

Gisela Foster submitted an email in support of closing the downtown street to vehicle traffic.

Joe Russo, Campbell resident, submitted an email against closing the downtown streets.

Mary Ann Russo, Campbell resident, submitted an email against closing the downtown streets.

Ken Johnson of the Campbell Chamber of Commerce submitted an email discussing the general needs of downtown restaurant owners.

Daraius Sorabji, Campbell resident, submitted an email discussing options for supporting Campbell business owners.

Geri Ledvina, Campbell resident, submitted an email requesting the Council to consider the residential neighborhoods when discussing the closure of downtown Campbell streets to vehicle traffic.

Jens Koerner, Campbell resident submitted an email in support of closing the downtown street to vehicle traffic.

Dominic Boitano submitted an email in support of allowing outdoor dining tables on private property and waiving the required approvals.

Tim Soennichesen submitted an email in support of closing the downtown street to vehicle traffic.

Randy Musterer, Campbell resident, submitted an email discussing the general needs of downtown business owners.

Robert Berry submitted an email against closing the downtown streets.

Sophie Riss submitted an email in support of closing the downtown street to vehicle traffic.

Lindsay Plantholt submitted an email in support of closing the downtown street to vehicle traffic.

Heidi Koerner submitted an email in support of closing the downtown street to vehicle traffic.

Steven T. submitted an email in support of closing the downtown street to vehicle traffic.

Council discussed the possibility of closing the downtown streets and/or creating parklets. They also discussed granting temporary allowances for businesses to expand into their parking lots and sidewalks.

After discussion, Council directed staff to return on June 9, with resolutions detailing guidelines for businesses to expand operations outdoors on private and public property.

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

## **COUNCIL COMMITTEE REPORTS**

### **7. Council Committee Reports**

Recommended Action: Report on committee assignments and general comments.

Due to the late hour, this item was continued.

## **ADJOURN**

Mayor Susan Landry, adjourned the meeting at 10:14 PM

APPROVED:

ATTEST:

\_\_\_\_\_  
Andrea Sanders, Deputy City Clerk

\_\_\_\_\_  
Susan M. Landry, Mayor

Minutes Acceptance: Minutes of Jun 2, 2020 7:30 PM (CONSENT CALENDAR)



*City  
Council  
Report*

Item: 3  
Category: CONSENT CALENDAR  
Meeting Date: June 16, 2020

**TITLE: Approving Bills and Claims**

**RECOMMENDED ACTION**

Approve the bills and claims in the amount of \$2,381,888.87.

**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>
Payroll	May 14, 2020	\$29,687.23
Bills & Claims	May 18, 2020	\$2,078,915.87
Bills & Claims	May 25, 2020	\$273,285.77
	<b>Total</b>	<b>\$2,381,888.87</b>

**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 16, 2020

**TITLE:** Excess Workers' Compensation Coverage Renewal

**RECOMMENDED ACTION**

That the City Council approve the Excess Workers' Compensation Insurance coverage provided by Midwest Employers Casualty Company for the period from July 1, 2020 to June 30, 2021.

**DISCUSSION**

Leavitt Group, the City's excess workers' compensation insurance broker, has solicited proposals for excess workers' compensation insurance coverage to provide the best value available. Leavitt Group considers brokered insurance quotes to select the most competitive rates for the City of Campbell. This year we received quotes from Leavitt with rates based on the same coverage and retention that we purchased last year. However, due to the Workers' Compensation market and the uncertainty of how COVID 19 will impact the workplace, the market is hardening. The City's broker was not able to get any quotes for a two-year policy renewal. Part of the reason for this is due to the City's loss data analysis, which reflects large losses involving public safety personnel.

Based on the information received and the advice of our insurance broker, staff recommends approving coverage provided by Midwest Employers Casualty Company. Midwest is the only carrier offering a negotiate rate policy rate increase above our current rate of 7.5%. The average rate increase among municipalities is 10%. The City has not had in rate increase since 2016.

**FISCAL IMPACT**

The quote provided has a one-year premium of \$78,454 with a Self-Insured Retention (SIR) of \$1,000,000 and a \$25,000,000 limit of liability. This is the equivalent to the existing coverage we have. The annual premium shown has already been fully programmed into the current Proposed Budget for FY 2021 in the Worker's Compensation Fund (690) and there are sufficient fund balances to support this expenditure.

**ALTERNATIVES**

1. Do not approve staff recommendation.
2. Request additional quotes for coverage.

Prepared by:



Jill Lopez, HR Manager

Approved by:



Brian Loventhal, City Manager



*City  
Council  
Report*

**Item:** 5  
**Category:** CONSENT CALENDAR  
**Meeting Date:** June 16, 2020

**TITLE:** Calling General Municipal Election for District 1 and District 2; and Requesting Consolidation of Election in Accordance with California Elections Code Section 10418 (Resolution/Roll Call Vote)

**RECOMMENDED ACTION**

That the City Council adopt a Resolution calling the General Municipal Election for November 3, 2020 to elect one Councilmember from District 1 and one Councilmember from District 2; and requesting consolidation of election with the Registrar of Voters in accordance with California Elections Code 10418, and levying a fee to each candidate for their Candidate Statement.

**BACKGROUND**

At the July 2, 2019 regular City Council meeting, Ordinance 2248 was adopted establishing a by-district election process and election sequence for five council districts pursuant to California Government Code section 34886 and 34871(a). Campbell Municipal Code section 2.04.180 states except as otherwise required by California Government Code Section 26512, Councilmembers from Districts 1 and 2 shall be elected beginning at the General Municipal Election in November 2020, and every four years thereafter. Councilmembers from Council Districts three, four and five shall be elected at the General Municipal Election in November 2022, and every year thereafter.

For the November, 2020 Election, only voters in District 1 and District 2 will vote for the City Council seats up for election in their specific district. All five current Councilmembers will serve at-large until the end of their current terms. Each of the current Councilmembers resides in their district. At the end of their terms, the Councilmembers that have not met their term limits can run for re-election by district.

A General Municipal Election will be held on November 3, 2020 for District 1 and District 2 to elect one City Councilmember per district to serve a four-year term. Councilmembers Susan M. Landry (District 1) and Rich Waterman (District 2) are up for election in November 2020. Consistent with term limits, Councilmembers Landry and Waterman will be completing their first four-year term in November and are eligible to run for an additional term in their respective district.

This resolution begins the process to prepare for said election by calling the General Municipal Election and requesting consolidation of election with the Registrar of Voters and determining to levy the cost of Candidate's Statement.

## **DISCUSSION**

The nomination period for the November 3, 2020 General Municipal Election begins on Monday, July 13 and ends Friday, August 7, 2020. Nomination papers will be available through the City Clerk's Office during the filing period. Candidates must obtain Nomination paper signatures from registered voters within their own district.

Due to COVID-19, the Secretary of State, Elections Division has issued the attached memorandum providing guidance and options for candidates and elections officials to maintain health and safety during the candidate filing process. Elections officials may issue candidate documents in person during available business hours or by appointment, via mail or email. To meet the requirements of Elections Code section 8028(b), the candidate must provide a written request to receive the documents via mail or email. Candidates may electronically submit their completed documents to begin the review of the verification process. However, it should be noted, to be a qualified candidate for the office they seek, the completed documents with original signatures must be received in the City Clerk's office by 5:00 p.m. on August 7, 2020 before the close of the nomination period. Information regarding these processes will be available on the City's website Election page and to any candidate which requests candidate documents.

Each candidate has an option to include a Candidates' Statement in the sample ballot. The cost estimate received from the Registrar of Voters for the November 2020 election is \$2,410 per Candidate Statement for District 1 and \$2,420 per Candidate Statement for District 2. Since this cost could impact a candidate's ability to include a statement in the sample ballot, the City Council approved a flat charge of \$300 per candidate which was first implemented in the November 2004 election. This action was consistent with FPPC Advice Letter A-00-271 which stated that the City can absorb the cost of the Candidate's Ballot Statement. However, the City Council may choose to charge a higher amount if a greater cost recovery is desired.

## **FISCAL IMPACT**

The estimated cost of the 2020 election is \$36,804 (\$16,872 for District 1 and \$19,932 for District 2) plus the cost of any Candidate Statements. These amounts are estimates only based on the current fee schedule and available data from the Registrar of Voters Office and are subject to change upon final billing. These expenditures have already been programmed into the current Proposed Budget for FY 2021 under the General Fund (101) at \$110,000. Election costs are determined by several factors including administrative costs, number of registered voters and printing of sample ballots, and will be billed by the Registrar of Voters Office following the election. Based on initial estimates shown above, the City should stay well under the current Proposed Budget

for FY 2021. However, should additional Candidate Statements be necessary or other measures be placed on the November 2020 ballot, estimated costs could increase up to the current allocation in the Proposed Budget for FY 2021. Nevertheless, staff will continue to evaluate the Proposed Budget for FY 2021 and determine whether the amount allocated for election expenses should be modified.

**ALTERNATIVES:**

1. Waive the entire fee for Candidate Statement.
2. Assess an amount other than \$300 for the Candidate Statement.
3. Require the candidate to pay full cost of Candidate Statement.

Prepared by:



Andrea Sanders, Deputy City Clerk

Approved by:



Brian Loventhal, City Manager

**Attachment:**

- a. Resolution
- b. Secretary of State Filing Memo
- c. Districts Map

## RESOLUTION NO. \_\_\_\_\_

**BEING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAMPBELL CALLING THE GENERAL MUNICIPAL ELECTION TO BE HELD IN THE CITY OF CAMPBELL ON NOVEMBER 3, 2020 BY-DISTRICT FOR DISTRICT 1 AND DISTRICT 2; AND REQUESTING SERVICES OF THE REGISTRAR OF VOTERS; REQUESTING CONSOLIDATION WITH THE STATEWIDE GENERAL ELECTION IN ACCORD WITH CALIFORNIA ELECTIONS CODE §10418 AND SPECIFYING CERTAIN PROCEDURES FOR THE CONSOLIDATED ELECTION; AND DETERMINING TO LEVY COST OF CANDIDATE'S STATEMENT**

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

**Section 1.** A General Municipal Election is scheduled to be held in the City of Campbell on the 3rd day of November, 2020 for District 1 and District 2 to elect one (1) City Councilmember, each to a full term of four years, for each district.

**Section 2.** The General Municipal Election hereby called for the date hereinbefore specified shall be and is hereby ordered consolidated with the Statewide General Election and all elections to be held in said jurisdiction and in the City of Campbell on such date, and within the territory affected by the consolidation, and the precincts, polling places and officers of election shall be the same as those established and designated for said election by the Board of Supervisors of the County of Santa Clara.

**Section 3.** The consolidated election will be held and conducted in the manner prescribed by California Elections Code §10418.

**Section 4.** Pursuant to Section 10002 of the Elections Code, the City Council hereby requests the Board of Supervisors of the County of Santa Clara to make available the services of the Registrar of Voters for the purpose of performing the usual services in the conduct of the Consolidated Election, including the provision of election supplies and voters' pamphlets. The Board of Supervisors of the County of Santa Clara is hereby authorized to canvass the returns of said election, and said election shall be held in all respects as if there were only one election, and only one form of ballot shall be used.

**Section 5.** The Acting City Clerk is hereby directed to file with the Board of Supervisors and the Registrar of Voters of the County of Santa Clara certified copies of this Resolution at least eighty-eight (88) days prior to the herein referenced General Municipal Election.

**Section 6.** The Acting City Clerk shall publish Notice of said Election as required by Section 12112 of the Elections Code.

**Section 7.** In accord with Section 13307 of the Elections Code, the City Council hereby

determines to levy against each candidate availing himself or herself of the service including a Candidate's Statement not to exceed two hundred (200) words in length in the voter's pamphlet, a charge of \$300 for printing and handling the Candidate's statement. The Acting City Clerk shall provide written notice to such effect with each set of nomination papers issued. Candidates shall not be permitted to submit materials other than the Candidate's Statement with the sample ballot and voters' pamphlets.

**Section 8.** The polls for said election shall be opened at 7:00 a.m. of the day of said election, and shall remain open continuously from said time until 8:00 p.m. of the same day, when said polls shall be closed, except as provided in Section 14401 of the Elections Code of the State of California.

PASSED AND ADOPTED this 16<sup>th</sup> day of June, 2020, by the following roll call vote:

AYES : Councilmembers:

NOES : Councilmembers:

ABSENT: Councilmembers:

APPROVED:

\_\_\_\_\_  
Susan M. Landry, Mayor

ATTEST:

\_\_\_\_\_  
Andrea Sanders, Deputy City Clerk

Attachment: Resolution (Calling the General Municipal Election and Requesting Consolidation)



**ALEX PADILLA** | SECRETARY OF STATE | STATE OF CALIFORNIA  
ELECTIONS DIVISION

1500 11<sup>th</sup> Street, 5<sup>th</sup> Floor, Sacramento, CA 95814 | Tel 916.657.2166 | Fax 916.653.3214 | www.sos.ca.gov

May 5, 2020

County Clerk/Registrar of Voters (CC/ROV) Memorandum #20085

TO: All County Clerks/Registrars of Voters

FROM: /s/ Jana M. Lean  
Chief, Elections Division

RE: Presidential General: County Local/Candidate Filing

In light of COVID-19 and the stay at home order issued by the Governor, several counties have inquired about county and local candidate filing that will take place during the summer for the November 2020 election. The purpose of this CCROV is to provide guidance and options for candidates and county elections officials to maintain health and safety during the candidate filing process.

### Issuing Candidate Documents

Elections officials may issue candidate documents in person during available business hours or by appointment, via mail, via email, or via a website using an encrypted internet security protocol. If a candidate elects to receive the candidate documents via mail, email, or a website using an encrypted internet security protocol, to meet the requirements of Elections Code section 8028(b), the candidate must provide a written request to receive the documents in that manner.

Prior to issuing candidate documents, elections officials shall follow normal procedures and guidelines, such as verification of eligibility for the office sought and collecting the appropriate filing fee. The elections official shall determine the available method(s) for the candidate to submit the applicable filing fee for the office sought.

County and local election officials should provide information regarding these processes on their website and to any candidate which requests candidate documents.

### Execution of Candidate Documents

Any documents that require an oath by the candidate may be executed in the presence of a notary, or in the alternative, in the office of the elections official

Attachment: Secretary of State Filing Memo (Calling the General Municipal Election and Requesting Consolidation)

CC/ROV #20085  
May 5, 2020  
Page 2

during available business hours, by appointment, or via an online video conferencing service.

### **Receipt of Candidate Documents and Filing Deadlines**

A candidate may electronically submit their completed documents to the elections official so that the elections official may begin the review and verification process as soon as is practicable. However, in order to be a qualified candidate for the office in which they seek, **the completed documents with original signatures must be received by the elections official by the close of the nomination period for that particular office.**

To submit the original documents, the candidate may submit those documents to the office of the elections official during available business hours, by appointment, in a drop box provided by the elections official, or via mail or other delivery service.

### **Reminder to Candidates**

Elections officials must provide clear written guidance to candidates regarding the requirement of submitting the candidate documents with original signatures to the elections official by the official close of the nomination period. The candidate must acknowledge receipt of the written guidance in the manner provided by the elections official. A candidate who has elected to submit their candidate documents electronically, so the candidate filing process may begin, must be made aware that they must submit the original documents to the elections official in a manner that will ensure that those original documents are in the possession of the elections official prior to the close of the nomination period. Any candidate who fails to timely submit the candidate documents with original signatures by the close of the nomination period will not be included on the ballot for that office.

The Secretary of State's office will send a survey to county elections officials prior to the opening of candidate filing to learn what process each county will follow.

If you have any questions, please contact Robbie Anderson at [aanderso@sos.ca.gov](mailto:aanderso@sos.ca.gov).





*City  
Council  
Report*

Item: 6  
Category: CONSENT CALENDAR  
Meeting Date: June 16, 2020

**TITLE: Resolution Approving the Revised Job Specifications for City Clerk and Authorizing Issuance of a Request for Proposals for Executive Search Services (Resolution/Roll Call Vote)**

**RECOMMENDED ACTION**

That the City Council adopt a resolution approving the revised job specification for City Clerk and authorizing issuance of a Request for Proposals for executive search services.

**BACKGROUND**

The City Clerk position has been vacant since April 21. The Deputy City Clerk has been serving as the Acting City Clerk since that time. In the coming months staff anticipates a heavy workload in the Clerk's office due to election filings, commission vacancy recruitments and other administrative tasks. On May 11, the City Clerk Performance/Compensation Subcommittee met to discuss the job specification and the potential recruitment process.

**DISCUSSION**

Staff is seeking Council direction to proceed with the City Clerk recruitment process. The City Clerk Performance/Compensation Subcommittee met on May 11 and recommended that the City Council approve an amendment to the City Clerk job specification and authorize the use of an executive search firm to conduct the recruitment.

The job specification has been modified to include language regarding the City Clerk's duties related to the City's bidding procedure. The proposed job specification is included as Attachment B.

Services of an executive search firm are needed to conduct a recruitment for the position of City Clerk. If approved by the City Council, Request for Proposals (RFP's) will be sent out to the attached list of executive search firms for these services (Attachment C). The services to be performed as well as estimated timelines are included in Attachment D. Since the estimated cost of these services are within the

signatory authority of the City Manager staff is not seeking authority to execute the agreement.

Executive search firm interviews will be conducted by City Council with qualified firms. Following interviews, Council will consider proposals and make a selection.

### **FISCAL IMPACT**

Range of costs for this service is from \$25,000 - \$40,000. The costs for these services will be included in the proposed Fiscal Year 2020-21 operating budget.

### **ALTERNATIVES**

1. Do not authorize the job specification and recruitment process; or
2. Conduct an in-house recruitment.

Prepared by:



Jill Lopez, HR Manager

Approved by:



Brian Loventhal, City Manager

### **Attachment:**

- a. Resolution Approving Job Specification and Issuance of RFP
- b. Proposed City Clerk Job Specification
- c. Executive Search Firms
- d. Executive Search Process

RESOLUTION NO. \_\_\_\_\_

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAMPBELL APPROVING THE REVISED JOB SPECIFICATION FOR CITY CLERK AND AUTHORIZING ISSUANCE OF A REQUEST FOR PROPOSALS FOR EXECUTIVE SEARCH FIRM SERVICES (Resolution/Roll Call Vote)**

**WHEREAS**, the City of Campbell intends to conduct a recruitment for the position of City Clerk; and

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

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

**WHEREAS**, the City Council desires to use the services of an executive search firm for recruitment services;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Campbell does hereby approve the revised class specification of City Clerk as outlined in the Council Report dated June 16, 2020 (Attachment B).

**BE IT FURTHER RESOLVED** that the City Council authorizes the issuance of a Request for Proposals for an executive search firm to provide recruitment services.

**PASSED AND ADOPTED** this 16th day of June 2020 by the following roll call vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

APPROVED:

\_\_\_\_\_  
Susan M. Landry, Mayor

ATTEST:

Attachment: Resolution Approving Job Specification and Issuance of RFP (Approve City Clerk Job Spec and RFP for Executive Search

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Andrea Sanders, Acting City Clerk

## CITY OF CAMPBELL

## DRAFT-CITY CLERK

DEFINITION

Under administrative direction of the City Council, plan, direct, supervise and coordinate all activities of the City Clerk's Office; to provide information and maintain official City records; to conduct municipal elections as required; and other supplemental duties and related work as required.

TYPICAL DUTIES

Serve as Clerk to the City Council; serve as a member of the Executive Team; prepare City Council documents, postings and agendas, ensuring compliance with the Brown Act, Political Reform Act, and all federal, state and local laws pertaining to clerk operations and records; record and certify all ordinances and resolutions; conduct municipal elections in cooperation with the County of Santa Clara; serve as a filing officer for Economic Interest and Campaign Disclosure statements; serve as custodian of the official City records; plan and direct the maintenance, filing and safekeeping of all official municipal documents and maintain custody of the City seal; supervise the preparation, organization, printing and distribution of the agenda for City Council meetings; manage annual recruitment of various City boards and commissions; attend and take minutes at all Council meetings; accept and process subpoenas, Appeals, and Claims; publish legal notices as required by government and municipal codes; Oversees the City's bidding process by ensuring compliance with bidding procedures, scheduling bid openings, processing bids that have been submitted, opening bids, and notifying successful bidders of awarded contracts; administer requirements of AB1234 and Campbell's Statement of Values; develop and implement office systems and procedures; provide notary service for City related documents; administer Oaths of Office to elected and appointed City officials, department heads, and City employees; prepare and administer the Clerk division budget; participate on special committees and assignments as required; perform administrative research analysis and report writing; review Council reports and work procedures and recommend changes; assist the public and City staff by providing information and research assistance; maintain the City's Municipal Code; build and maintain positive working relationships with the public and other City employees using principles of exceptional customer service, and perform other related duties as assigned.

EMPLOYMENT STANDARDS

Education and Experience: Equivalent to completion of a Bachelor's Degree from an accredited college or university with major course work in public or business administration or closely related field, plus three years increasingly responsible experience in relevant and complex office administration, (Possession of an AA degree plus six years experience may be substituted for a Bachelor's Degree and three years experience)

Knowledge of:	Applicable federal, state, and municipal laws and procedures; election laws and procedures; political reform requirements; business English, spelling and arithmetic; budget principles; modern office practices, procedures, and equipment; principles of supervision, training and performance evaluation.
Ability to:	Provide information and organize material in compliance with laws, regulations and policies; interpret and apply rules, laws and policies and procedures and effectively apply them; meet the public to understand their questions and provide information; gather and analyze data and maintain records; communicate effectively, both orally and in writing; maintain effective working relationships with those contacted in the course of work; work independently and use good judgment when dealing with sensitive issues; select, supervise, train and evaluate assigned staff; operate standard office equipment, including a personal computer; work in a standard office environment with some ability to sit for long periods of time, with prolonged exposure to a computer screen and extensive public contact; attend meetings outside normal work hours; and travel to various locations within and outside the City of Campbell.
Possession of:	Certification as a Municipal Clerk; a notary Public Commission and a Valid California Driver's License.

Est. 6/10  
Rev. 3/15

**Search Firms for City Clerk Recruitment  
2020**

<u>Search Firm</u>	<u>Search Fee</u>	<u>Additional Expenses</u>	<u>Total Cost</u>	<u>Timeline</u>	<u>Contact</u>	<u>Location</u>
<b>Avery and Associates</b>	\$25,000-40,000	*	TBD	90-120 days to recommend finalists	Bill Avery	Los Gatos
<b>Bob Murray and Associates</b>	\$25,000-40,000	*	TBD	Up to 90 - 120 days to recommend finalists	Valerie Phillips	Roseville
<b>CPS HR Consulting</b>	\$25,000-40,000	*	TBD	Up to 90 - 120 days to recommend finalists	Melissa Asher	Sacramento
<b>Peckham and McKenney</b>	\$25,000-40,000	*	TBD	90-120 days to recommend finalists	Bobbi Peckham	Roseville
<b>Teri Black and Company</b>	\$25,000-40,000	*	TBD	90-120 days to recommend finalists	Teri Black	Torrance

\* Other costs include postage, printing, photocopying and telephone charges

Attachment: Executive Search Firms (Approve City Clerk Job Spec and RFP for Executive Search

### Recruitment Process for City Clerk

(May – June) Select an Executive Search Firm – some options are provided in the attached, although it is suggested to do a Request for Proposal (RFP). The RFP process will take approximately 3 to 4 weeks.

(June – July) Once a firm is selected, the recruiter will meet with the Mayor and members of the City Council to identify and discuss the issues and desired background and experience in a candidate. Also, to be discussed are expected parameters of the search, the timeline, and meeting dates.

(July - September) The recruitment phase with focus on direct recruitment efforts and marketing. As resumes are received, supplemental questionnaires are typically sent to candidates with the most applicable profiles. Following the filing deadline and thorough review of resumes, the top 12-15 candidates will have preliminary reference checks and a written recommendation of finalists will be provided to the Mayor and City Council.

(September – October) The leading 5-8 finalists will be interviewed by the City Council. The recruiter will provide advice and facilitation assistance during this phase. Once the top 2-3 candidates are identified, a confidential process that includes City staff will occur to conduct interview panels that will provide input and feedback to the recruiter. The recruiter will then provide an update to the Mayor and City Council.

(October - November) Once the final candidate is selected by the Council, the recruiter will conduct a comprehensive background check, including references, educational history, criminal, credit, etc. The recruiter will typically assist in negotiating an offer.



*City  
Council  
Report*

Item: 7  
 Category: PUBLIC HEARINGS AND  
 INTRODUCTION OF  
 ORDINANCES  
 Meeting Date: June 16, 2020

**TITLE:** An Ordinance of the City of Campbell Chapter 6.12 to the City of Campbell Municipal Code Amending the Diversion Rate of Construction and Demolition Debris (Ordinance/Roll Call Vote)

**RECOMMENDED ACTION**

That Council approve an ordinance amending Chapter 6.12 of the Municipal Code, updating the required diversion rate of construction and demolition debris.

**BACKGROUND**

Construction and demolition (C&D) debris are a significant source of litter and water pollution in local communities and contribute to the expansion of landfills. Common C&D materials include lumber, drywall, metals, masonry (brick, concrete, etc.), carpet, plastic, pipe, rocks, dirt, paper, cardboard, or green waste related to land development. Many of these materials can be reused or recycled, thus prolonging our supply of natural resources and potentially saving money in the process.

California's Green Building Standards Code (CALGreen) previously required a fifty percent recycle diversion rate for all C&D debris. Starting January 1, 2020, CalGreen began requiring a diversion rate of sixty-five percent.

**DISCUSSION**

City of Campbell Municipal Code Chapter 6.12 currently references the previous requirement of a fifty percent diversion rate. Starting January 1, 2020, CalGreen began requiring a diversion rate of sixty-five percent.

The proposed ordinance amends sections 6.12.030, 6.12.040, and 6.12.060 of the City's Municipal Code to comply with the required diversion rate set by CALGreen.

Adoption and implementation of the ordinance is expected to reduce waste, aid in contractor state and local compliance, and further reduce staff changes to the additional diversion rate requirements.

**FISCAL IMPACT**

No initial costs are required to adopt the ordinance. The impact would be limited to contractors and their project's Waste Management Plan. The City's support would consist of waste receipt and tag reviews to ensure compliance.

## Peri Newby

Prepared by:

\_\_\_\_\_  
Peri Newby,

Reviewed by:

  
\_\_\_\_\_  
Todd Capurso, Director of Public Works

Approved by:

  
\_\_\_\_\_  
Brian Loventhal, City Manager

**Attachment:**

- a. Chapter 6.12 Ordinance

**ORDINANCE NO.**

**AN ORDINANCE OF THE CITY COUNCIL OF  
THE CITY OF CAMPBELL AMENDING  
CHAPTER 6.12 OF THE CAMPBELL  
MUNICIPAL CODE REGARDING  
RECYCLING AND SALVAGING OF  
CONSTRUCTION AND DEMOLITION  
DEBRIS**

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

SECTION 1. Section 6.12.030 of the Campbell Municipal Code is hereby amended to read as follows with strikethroughs (~~strikethroughs~~) indicating deleted text, and underlying (underlining) indicating added text:

**6.12.030 – Diversion requirements.**

~~At least fifty percent of the~~ Construction and demolition debris tonnage from all covered projects shall be diverted from landfills by using recycling, reuse, salvage and other diversion programs, at the required rate set by California's Green Building Standards Code.

SECTION 2. Section 6.12.040 of the Campbell Municipal Code is hereby amended to read as follows with strikethroughs (~~strikethroughs~~) indicating deleted text, and underlying (underlining) indicating added text:

**6.12.040 – Declaration of intent.**

Applicants for building, demolition or other development permits for projects under this chapter shall execute a declaration of intent to recycle ~~a minimum of fifty percent of~~ construction and demolition debris for a covered project at the required rate set by California's Green Building Standards Code.

SECTION 3. Section 6.12.060 of the Campbell Municipal Code is hereby amended to read as follows with strikethroughs (~~strikethroughs~~) indicating deleted text, and underlying (underlining) indicating added text:

**6.12.060 – Reporting.**

- (a) No later than thirty days following the completion of a demolition project or construction project, the contractor shall, as a condition of final approval and for issuance of any certificate of occupancy, certify ~~that a minimum of fifty percent of the~~ construction and demolition debris was recycled at the diversion rate set by California's Green Building Standard Code and submit documentation to department of public works that demonstrates compliance with the requirements of this chapter.
- (b) The documentation shall consist of photocopies of receipts and weight tags or other records of measurement or equivalent documentation from recycling companies, deconstruction contractors, and landfill and disposal companies.

- (c) Progress reports during construction may be required.
- (d) All documentation submitted pursuant to this section is subject to verification by city.
- (e) It is unlawful for any person to submit documentation to city under this section which that person knows to contain any false statements, including but not limited to false statements regarding tonnage of materials recycled or diverted, or to submit any false or fraudulent receipt of weight tags or other record of measurement.

SECTION 4. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision or decisions shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

SECTION 5. This ordinance shall become effective thirty (30) days following its passage, and shall be published one time within fifteen (15) days upon passage and adoption in the Campbell Express, a newspaper of general circulation in the City of Campbell, County of Santa Clara.

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

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

APPROVED:

ATTEST:

\_\_\_\_\_  
 Susan M. Landry, Mayor

\_\_\_\_\_  
 Andrea Sanders, Deputy City Clerk



*City  
Council  
Report*

**Item:** 8  
**Category:** PUBLIC HEARINGS AND  
 INTRODUCTION OF  
 ORDINANCES  
**Meeting Date:** June 16, 2020

**TITLE:** Authorization to Proceed with an Application to Amend the General Plan (PRE2019-005) to Create a New Land Use Designation (“Major Corridor Mixed-Use”) and Change the Land Use Designation of Property Located at 2029, 2045-2063 S. Bascom Avenue, 980 E. Campbell Avenue, and 951 Michael Drive from General Commercial and High Density Residential to Major Corridor Mixed-Use to Allow a Future Proposal for a Mixed-Use Development (Resolution/Roll Call)

### **RECOMMENDED ACTION**

Adopt a resolution denying the requested Authorization to Proceed with an Application to Amend the General Plan and directing the applicant to propose a project consistent with the General Plan.

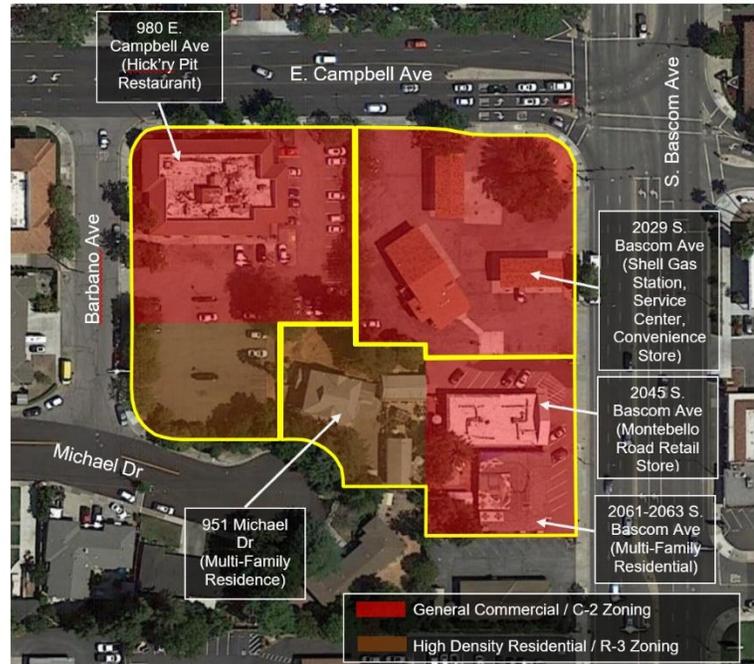
### **ENVIRONMENTAL DETERMINATION**

This action is not subject to the California Environmental Quality Act (CEQA) in that authorization to proceed with an application for a General Plan Amendment is not a “project” as defined by Public Resources Code §21065. A formal development application, however, would minimally include preparation of an Initial Study to analyze potential environmental impacts (e.g., air quality, noise, etc.)

### **BACKGROUND**

Administrative Procedure: The Campbell Municipal Code (Sect. 21.60.020.A) specifies that only the City Council can “initiate” an amendment to the General Plan. Procedurally, the City’s administrative practice for applicant-proposed General Plan Amendments is to require submittal of a preliminary application requesting that the City Council authorize consideration of a request to amend the General Plan. The Council’s authorization to proceed does not guarantee that a formal application will be approved, only that the request may warrant further review and analysis as part of a formal application. As such, the authorization request process provides the City Council an early opportunity to evaluate a request at face value in consideration of applicable General Plan policies. If the City Council authorizes the applicant to proceed, a Pre-Application would then be required, following by applications for a General Plan Amendment, Zone Change, Planned Development Permit, and Parking Modification Permit.

**Project Site:** The project site is comprised of three parcels which, when combined, is approximately 2.4 acres in net lot area (including the adjacent right-of-way, the site is approximately 3.6 acre in gross lot size). The aerial to the right depicts the General Plan land use designations and zoning districts of the parcels, two of which include two separate land uses – commercial along E. Campbell and S. Bascom Avenues and high density residential along Barbano Avenue and Michael Drive.



## DISCUSSION

**Proposal:** The applicant's request is to amend the General Plan Land Use Map to change the properties' land use designations from *General Commercial* and *High Density Residential* to mixed-use. The current General Plan does not provide a land use designation with a density range that would allow the applicant's proposed development. Therefore, the applicant is also proposing a new General Plan land use designation that they have named "Major Corridor Mixed-Use" (reference **Attachment B**). To facilitate the Council's discussion, the applicant has prepared a written description (reference **Attachment C**) and preliminary plans (reference **Attachment D**) to conceptually demonstrate their proposal for developing the property, as also shown to the right.

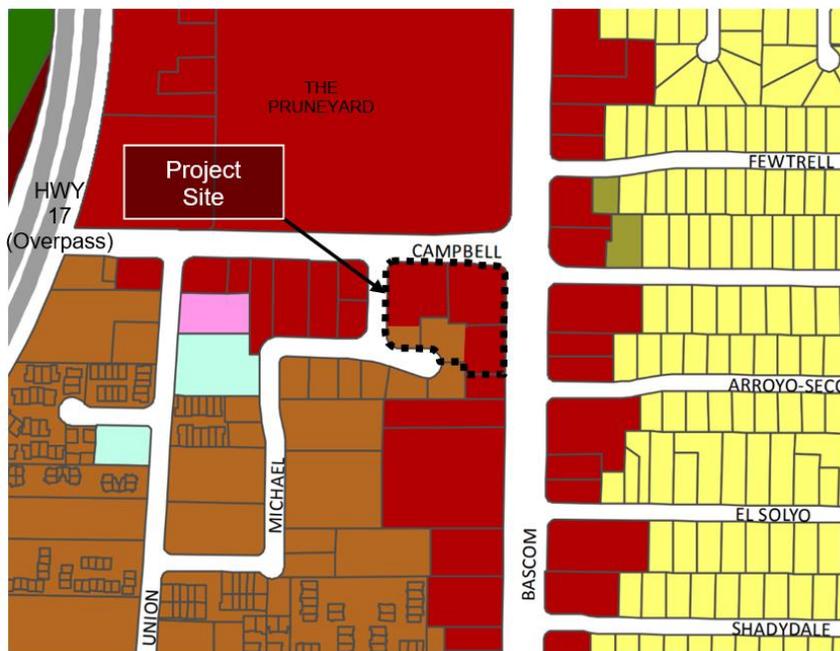


CORNER VIEW @ BASCOM AVE/CAMPBELL AVE

The preliminary plans indicate the proposed development would include 211 apartment units. The applicant's current proposal would result in nearly 60 units per gross acre for the project, though the new land use designation proposes up to 250 units per gross acre.

In addition to the residential component, the project would include a 170-room hotel with 7,290 square feet of meeting and amenity space, as well as 6,910 square feet of combined restaurant space within the two buildings. The development would provide 525 parking spaces and the applicant has included a parking analysis within the preliminary plans.

**Land Use Context:** As shown below, the properties fronting E. Campbell Avenue and S. Bascom Avenue are designated *General Commercial*. The *General Commercial* land use designation extends along both sides of S. Bascom Avenue in both directions and both sides of E. Campbell Avenue westward to the Highway 17 overpass. Except for the Pruneyard shopping center located north of the subject site, the nearby commercial development consists mainly of small one- and two-story buildings, some with multiple businesses. Nearby properties without frontage along S. Bascom Avenue or E. Campbell Avenue are mainly designated *High Density Residential*. The properties closest to the subject site are developed with one-story duplexes and further down Michael Drive are two-story apartment buildings.



**Existing General Plan Designations:** The General Plan describes the properties' existing land use designations as follows:

*General Commercial:* This category permits commercial uses that need exposure to high volumes of automobile traffic or access to transit corridors. Most of the land in Campbell that is designated for General Commercial is located along both sides of Bascom and Hamilton Avenues and parts of Winchester Boulevard. Commercial development in these areas is highly visible, hence the placement and scale of buildings is especially important to the community image.

*High Density Residential:* The high density residential category permits from 21 to 27 units per gross acre. Developments at this density consist generally of apartments and condominiums, and similar types of residential uses. The allowable density of 21 to 27 units per acre results in a population of approximately 52 to 67 persons per acre.

The most intensive mixed-use land use designations in the current General Plan (allowing up to 27 units per gross acre) are described as follows:

*Medium to High Density Residential and/or Commercial:* This Land Use Designation occurs near Downtown, in the South of Campbell Avenue Area (SOCA). These parcels primarily front Railway Avenue, Dillon Avenue and Gilman Avenue and are

zoned higher densities purposefully near the Light Rail to encourage residents to get out of their cars and use public transit. The General Plan identifies these parcels for commercial or a mix of uses, promoting commercial on the ground floor and residential above, similar to the uses along Campbell Avenue in Downtown Campbell. The SOCA plan identifies maximum floor area ratios and minimum lot sizes for this area.

*Residential / Commercial / Professional Office:* There are several areas within the City with this designation including the NOCA area, several parcels on Hamilton Avenue west of San Tomas Expressway and areas along the Vasona Light Rail line. The Residential / Commercial / Professional Office Designation is intended to provide a residential component to traditional commercial and/or professional office uses. The intent of this designation is to maintain the commercial and office uses on the ground floor, with residential on the upper floors. Development standards will be created for these areas regarding minimum lot coverage and floor ratio requirements. The Development standards will also ensure quality site design (e.g. encouraging building placement toward the street edge and parking in the rear or underneath).

Development of the subject site with a hotel and apartments could be achieved by maintaining the current land use designations or by amending the land use designation to a mixed-use designation already in the General Plan (*Residential / Commercial / Professional Office*). The table below illustrates how these options would compare to the applicant's proposed Major Corridor Mixed Use designation.

	Major Corridor Mixed Use	<i>Residential / Commercial / Prof. Office</i>	<i>General Commercial &amp; High Density Residential (No Change)</i>
Number of Residential Units	211 units (up to 887 units)	95 units	19 units
Residential Density	60 units/gross acre (up to 250 unit/gross acre)	27 units/gross acre	27 units/gross acre
Residential Building Area	245,730 SF	Upper Floors Only; No SF limit	13,650 SF
Commercial Building Area	109,370 SF	Ground Floor; No SF limit	81,558 SF

General Plan Amendments: Guidance is provided within the Campbell General Plan and begins with a discussion on page I-4. One of the General Plan's intentions is to guide decisions regarding physical growth and development. The General Plan sets a vision for the City and includes broad objectives such as "quality of life" and "community character." Although General Plans last 20 years, they are subject to more site-specific and comprehensive amendments over time.

The City has historically amended its General Plan land use designations over the years and has done so for two reasons: to allow future development opportunities that are more successful as compared to the existing and to allow future development that can achieve improved consistencies with land uses in the immediate area. One such example is a property on Gale Drive, next to San Tomas Expressway (see image on the following page) where the property was designated Professional Office and was

changed to Low Medium Density Residential due to the property's inability to attract viable office uses.

The resulting housing development transformed the otherwise unsuccessful office site into a successful residential community. What is important to recognize is that the newly established land use designation had already existed in the adjacent neighborhood. Therefore, changing the property's land use to one that pre-existed in the area achieved some form of development consistency thereby supporting the General Plan's goal of respecting "community character."

Another example involves a property located at the corner San Tomas Aquino Road and Bucknall Road (see image to the right). The original land use designation was Neighborhood Commercial, which supported auto-related uses adjacent to a residential neighborhood. It was later changed to Low-Medium Density Residential to be more compatible with the adjacent neighborhood thereby respecting the "community character."

Decisions to alter land use designations is guided by General Plan goals, policies, and strategies as directed in the following:

- Policy LUT-5.1: Neighborhood Integrity: Recognize that the City is composed of residential, industrial and commercial neighborhoods, each with its own individual character; and allow change consistent with reinforcing positive neighborhood values, while protecting the integrity of the city's neighborhoods.
- Strategy LUT-5.2a: Neighborhood Compatibility: Promote new residential development and substantial additions that are designed to maintain and support the existing character and development pattern of the surrounding neighborhood, especially in historic neighborhoods and neighborhoods with consistent design characteristics.
- Goal LUT-9: A compatible land use pattern citywide.
- Policy LUT-9.1: Land Use Pattern: Establish a compatible land use pattern citywide.
- Strategy LUT-9.1a: Land Use Conflict Minimization: Amend the General Plan and Zoning map to minimize conflicts between land uses when identified.



Strategy LUT-9.1b: Land Use Review: Review the types of land uses allowed in the City's zoning districts and revise, where appropriate, to assure greater compatibility.

The above guidance all supports the goal of achieving greater compatibility than what exists. What the applicant is requesting is to alter the land use designations to ones that do not exist and that would presumably result in a development which may be inconsistent with the surroundings.

Applicant's Proposal: The applicant has provided a letter describing the ways in which the City would benefit from the project (reference **Attachment E**). The applicant's justification to allow the General Plan land use modification includes fiscal and community benefits. While the General Plan provides guidance as to why a land use change is warranted, it also recognizes the need to have a strong and stable source of City revenue as provided below:

Goal LUT-13: Strong and stable sources of City revenues while promoting an appropriate balance of land uses and a high quality of life in the City.

Policy LUT-13.1: Variety of Uses: Attract and maintain a variety of uses that create an economic balance within the City while maintaining a balance with other community land use needs, such as housing and open space, and while providing high quality services to the community.

Strategy LUT-13.2d: Large Retailers on Hamilton Avenue: Encourage large retailers to locate along Hamilton Avenue and Bascom Avenue by maintaining large parcels, encouraging lot consolidation, and discouraging parcel adjustments that reduce lot sizes.

Understanding the need to improve City revenues, the City Council could view the proposed land use change as an opportunity to improve the site and establish tax generating businesses that could produce greater revenues than what presently exists. Not only could the applicant's request improve City revenue, it could also provide much needed housing opportunities.

Policy H-4.2: Mixed-Use Development: Promote mixed-use development where housing is located near jobs, services, shopping, schools, and public transportation.

Strategy LUT-1.5d: Higher Floor Area Ratios (FARs): Develop provisions for allowing higher FARs in new projects that provide a mix of uses, maintain a jobs/housing balance or are located within proximity to Light Rail.

The General Plan does provide guidance on the need to consider mixed use developments near jobs and shopping as well as the need to consider higher floor area ratios. The Council may find these as reasons to justify a land use change.

Neighborhood Reaction to Intensification: Staff remains fully aware of the public's opinion of increased development intensification, especially in light of recent fast-food proposals on Hamilton and Bascom Avenues. Because a General Plan is a reflection of a community's vision of what defines an ideal community environment, the applicant's proposal has the potential to generate impacts and inconsistencies with the existing neighborhood far greater than what was documented in the prior two fast-food restaurant proposals. Despite the fact that such a land use change could improve the City's revenue, staff is unable to ignore the public's preference to preserve Campbell's small town ambiance that encourages development to be in harmony with that vision. For these reasons, staff is unable to recommend that the City Council authorize the applicant to submit a General Plan Amendment.

## PUBLIC NOTIFICATION

After receiving the initial application staff mailed a Courtesy Notice on November 12, 2019 to all property owners and occupants within 300 feet of the project site. Staff responded to inquiries from three neighbors and received one letter as of the writing of this report (reference **Attachment F** – Public Comments). This public hearing was noticed in the *Metro News* newspaper, on the City's website, and by mail to property owners and occupants within 300 feet of the project site.

## FISCAL IMPACT

If authorization is granted for this request and the subsequent required development applications are approved, the project would generate development application fees, building permit application fees, and park impact fees. In addition, the project would generate sales tax, a readjusted property tax, and Transient Occupancy Tax (TOT) from the hotel.

Prepared by:



Naz Pouya, Assistant Planner

Reviewed by:



Paul Kermoyan, Community  
Development Director

Approved by:



Brian Loventhal, City Manager

**Attachment:**

- a. Draft City Council Resolution
- b. Proposed Major Corridor Mixed-Use Land Use Designation
- c. Written Description
- d. Preliminary Plans
- e. Letter from the Applicant
- f. Public Comments



**EXHIBIT A**  
**PROPOSED ADDITION TO GENERAL PLAN**

**Title:** Major Corridor Mixed-Use

**Requirements:** This General Plan designation provides for both vertical and horizontal mixed-use developments with complementary uses, including high-density residential up to 250 units/acre, commercial uses including hotel, lodging, public assembly, retail and/or professional office which shall not be less than 20% of the total project area, all located along major arterial roadways within the City, including, E. Hamilton Avenue, S. Bascom Avenue and E. Campbell Avenue, or other specified primary roadways. Uses on particularized parcels with the designation Major Corridor Mixed Use may contain a vertical mix of uses or be a stand-alone mixture of residential or commercial uses. In no case shall Major Corridor Mixed-Use be located directly adjoining single family home neighborhoods and shall additionally be developed in a manner that integrates and preserves the adjoining neighborhood and shall in no event exceed 75 feet in height except for artistic or mechanical elements related to facilitate rooftop gardens and amenities and/or handicap access and there shall be a 1 acre minimum parcel requirement. In certain locations, ground floor retail or other active ground floor uses are required for a portion of the building frontage in order to create a pedestrian oriented environment. Parking fronting the main street shall be prohibited and shall be located primarily under and/or behind the proposed development facade. As appropriate, parks, plazas and open space are located and designated to foster active and comfortable social gathering spaces.



ACQUITY  
REALTY, INC.

DENNIS L. RANDALL, JR.  
PRESIDENT

DATE: November 6, 2019

TO: Planning Staff, City of Campbell, CA.

RE: Written Description for Cannery Place  
(SE Corner of E. Campbell and S. Bascom)

Cannery Place is a mixed-use project comprised of a 4 Star hotel, amenity rich apartments and interactive commercial space anchored around a central common or “art plaza” featuring world class public art to activate the commons and to take advantage of Campbell’s superlative climate. The project will take advantage of its gateway location to downtown Campbell and walkability to light rail and shopping at The Pruneyard and Downtown.

The contemplated architectural design for Cannery Place aims to honor and reflect upon Campbell’s historic past as well as imagine its bright future as the hidden jewel of Silicon Valley. Cannery Place aims to be “art centric” and “community centric” with an artistic homage to its past with a 135’ (+-) tall watertower that seeks to connect with the historic watertower in downtown Campbell and thereby expand the domain of historic downtown eastward through “The Portals” to include The Pruneyard and Cannery Place.

Cannery Place seeks anchor and expand the “Downtown Village” for the benefit of all. Because it seeks to be pedestrian and bike friendly; the majority of its plentiful parking is either fully enclosed or below grade.

The following are the project features:

Hotel: 170 Room upper scale hotel with a 4 Star level of quality. It will have approximately 5,000 square feet of meeting or banquet space, a pool, restaurant and bars with room service. The hotel will comply with Campbell height limits. The hotel will compete indirectly with best hotels in San Jose, Hotel Valencia and The Fairmont.

Apartments: 211 amenity rich apartments with a pool, gym and two elevated gardens, one of which will be a roof deck with views of the mountains and the valley and will comply with City Height Limits.

Art Plaza: The public plaza at Cannery Place is designed as a unique gateway with high quality California outdoor patio landscape, a comfortable connection place for residents and guests who will dine frequently at the Pruneyard and Downtown.

Attachment: Written Description (CC Report - 2029, 2045-2063 S. Bascom Ave, 980 E. Campbell Ave, 951 Michael Dr)

Portals: In coordination with "The Portals" that connect pedestrian traffic under Hwy 17, Cannery Place features "portal" or covered sidewalks along its frontage on W. Campbell Ave.

Parking: Cannery Place has ample parking of 335 self-park stalls. However, parking can be expanded if needed by the use mechanical and/or valet parking service.

Should you have any questions please feel free to contact us at 408.359.4452.

Kindest regards,

Acquity Realty, Inc.



Dennis L. Randall, Jr.  
President



# CANNERY PLACE

RESUBMITTAL IN RESPONSE TO CITY COMMENTS    MARCH 6, 2020

Attachment: Preliminary Plans (CC Report - 2029, 2045-2063 S. Bascom Ave, 980 E. Campbell Ave, 951

**PRELIMINARY UNIT MIX\***

LEVEL	STUDIO 30'x18' typ. 540 GSF typ.	1 BED 30'x24' typ. 720 GSF typ.	2 BED 30'x35' typ. 1050 GSF typ.	3 BED 30'x46' typ. 1380 GSF typ.	UNIT
7	1	13	10	1	25
6	2	18	16	1	37
5	2	19	16	1	38
4	2	19	16	1	38
3	2	18	15	1	36
2	2	16	14	2	34
1			2	1	3
<b>TOTAL</b>	<b>11</b>	<b>103</b>	<b>89</b>	<b>8</b>	<b>211</b>
%	5%	49%	42%	4%	100%
<b>AVERAGE UNIT SIZE**</b>					870

\* Unit and Key GSF includes exterior, corridor and party walls  
 \*\* Calculated using Preliminary Residential and Hotel Area Tabulation

**PRELIMINARY RESIDENTIAL AREA TABULATIONS**

Level	Residential Net Rentable GSF*	Residential Amenity GSF**	Residential Core GSF**	Residential Retail GSF***	Residential Total GSF
7	21,960	1,260			29,220
6	32,030				39,160
5	32,700				39,830
4	32,700				39,830
3	30,810				37,940
2	31,150	3,350			41,630
1	3,830	6,890		3,310	21,430
<b>Total</b>	<b>185,180</b>	<b>11,500</b>	<b>49,050</b>	<b>3,310</b>	<b>249,040</b>

**NOTES:**  
 \* Residential Net Rentable SF calculation includes exterior walls, corridor walls, and party walls  
 \*\* Residential Amenity SF includes entry lobby, leasing office, club room, fitness room, etc.  
 \*\*\* Residential Core SF includes back of house, elevators, stairs, corridors, etc.  
 \*\*\*\* Amenity / Food and Beverage Commercial

**RESIDENTIAL**



SITE AREA: 2.445 ACRES

**RESIDENTIAL BLDG.**  
 FLOORS: 7  
 HEIGHT: 75'  
 UNITS: 211

**HOTEL BLDG.**  
 FLOORS: 7  
 HEIGHT: 75'  
 KEYS: 170

**PARKING**  
 TOTAL: 525  
 (SEE PARKING DATA, PG. 3)

**PRELIMINARY KEY MIX\***

LEVEL	KEY 15x27.5' typ. 412.5 GSF typ.
7	31
6	31
5	32
4	32
3	24
2	20
1	
<b>TOTAL</b>	<b>170</b>
%	100%
<b>AVG KEY SIZE**</b>	421

**PRELIMINARY HOTEL AREA TABULATIONS**

Level	Hotel Rooms GSF*	Hotel Amenity GSF**	Hotel Meeting GSF	Hotel Core GSF**	Hotel Retail GSF***	Hotel Total GSF
7	13,010			3,090		16,100
6	13,010			3,090		16,100
5	13,420			3,090		16,510
4	13,420			3,090		16,510
3	9,900			3,090		12,990
2	8,220	1,200	3,540	3,090		16,050
1		2,520		5,680	3,600	11,800
<b>Total</b>	<b>70,980</b>	<b>3,720</b>		<b>24,220</b>	<b>3,600</b>	<b>106,060</b>

**NOTES:**  
 \* Hotel Rooms calculation includes exterior walls, corridor walls, and party walls  
 \*\* Hotel Amenity SF includes entry lobby and amenity spaces  
 \*\*\* Hotel Core SF includes back of house, elevators, stairs, corridors etc.  
 \*\*\*\* Meeting space / Amenity / Food and Beverage Commercial

**HOTEL**

**PARKING TABULATION**

ON-SITE STALL DISTRIBUTION				
Level	PARKING STALLS			Total
	Shared - Standard 9' x 20' MIN.	Shared - Stacker	Residential - Stacker	
1	88	0	0	88
B	74	110	253	437
<b>Total</b>	<b>162</b>	<b>110</b>	<b>253</b>	<b>525</b>

\* Meeting space / Amenity / Food and Beverage Commercial

**PARKING**

**PROJECT | TA**

# PARKING

PER HEXAGON TRANSPORTATION CONSULTANTS, INC. PARKING ANALYSIS

STANDARD STALL: 9' X20'  
 PARALLEL STALL: 8.5' X22'

## DEMAND

RESTAURANT	154
HOTEL	94
RESIDENTIAL	253
<b>TOTAL</b>	<b>489 + 5%</b>
<b>TOTAL</b>	<b>513</b>

## PROVIDED

SHARED PARKING - STANDARD (SELF PARK) (HOTEL, RESTAURANT, RESIDENTIAL VISITOR PARKING)	162
SHARED PARKING - STACKER (VALET) (HOTEL, RESTAURANT, RESIDENTIAL VISITOR PARKING)	110
RESIDENTIAL - STACKER (SELF PARK)	253
<b>TOTAL</b>	<b>525</b>



### Memorandum

**Date:** February 27, 2020  
**To:** Dennis L. Randall, Acquity Realty, Inc.  
**From:** Gary Black  
 Jocelyn Lee  
**Subject:** Parking Analysis for the Proposed Mixed-Use Development in Campbell, CA

Hexagon Transportation Consultants, Inc. has completed a parking analysis for your proposed mixed-use development at the southwest corner of Bascom Avenue and Campbell Avenue in Campbell, California. The project involves demolishing a gas station, restaurant store, and restaurant and constructing 211 residential units, 170 hotel rooms, and up to 10,000 square feet of restaurant space.

The purpose of this parking analysis memo is to identify the estimated parking demand for the proposed project, and to develop parking strategies to ensure the parking supply is adequate to serve the hotel, residential, and restaurant components of the project.

### City Code Parking Requirements

The off-street parking requirements for the project based on the City of Campbell parking code (Campbell Municipal Code Section 21.28.030) are as follows:

For hotels:

- 1 space for each unit, plus 1 space for each employee

For multiple residential dwellings:

- 2 spaces per studio or one-bedroom unit
- 2.5 spaces per two-or more bedroom unit
- 0.5 space for guests per unit

For restaurant uses:

- 1 space per 3 seats plus 1 space per 200 s.f. of non-dining floor area

The project is proposing 170 hotel rooms with 40 employees, 114 studio/one-bedroom units or more-bedroom units, and up to 10,000 s.f. of ground floor restaurant space with 162 seats. Based on this breakdown, the project is required to provide a total of 858 parking spaces: 162 spaces to serve the hotel, 577 spaces to serve the residential use (471 residential spaces guest spaces) and 71 spaces to serve the restaurant use.

Since the project is a mixed-use development, 50 percent of the guest parking spaces required for the residential component may be counted towards satisfying the parking requirement for the restaurant component as shared parking. Therefore, the requirement could be reduced to 210 spaces for the hotel, 577 spaces for residential use, and 18 spaces for the restaurant.

4 North Second Street, Suite 400 • San Jose, California 95113 • phone 408.971.6100 • fax 408.971.6102 • www.hexagontransportation.com

Attachment: Preliminary Plans (CC Report - 2029, 2045-2063 S. Bascom Ave, 980 E. Campbell Ave, 95113)

restaurant). The project would be required to submit a Parking Management Plan, and the parking must be located in a manner that is accessible to both the residential and restaurant uses with posted signs stating the shared uses.

**Parking Supply**

The project is proposing to provide a total of 335 parking spaces (85 spaces for the hotel, 230 spaces for residential use, and 20 spaces for the restaurant), which is 523 parking spaces fewer than the City's requirement. A shared parking analysis was conducted using parking ratios from other sources to determine an adequate number of parking spaces required for the development.

**Parking Analysis**

The parking demand associated with the proposed mixed-use development was evaluated based on ITE Parking Generation rates and local surveys (see Appendix A). Local surveys were conducted at similar Bay Area apartments and hotels between 2011 and 2019. Parking rates for residential uses were determined based on an average of parking spaces per bedroom. Parking rates for hotels were determined based on an average of parking spaces per occupied room. The recommended parking ratios before shared parking are based on the local surveys for the hotel and residential uses and ITE parking rates for the restaurant. The analysis reflects a worst-case scenario in that it assumes 100 percent occupancy of all hotel rooms. The parking demand without shared parking would be 500 spaces (See Table 1).

**Table 1  
Parking Analysis**

Land Use	Size	ITE Parking Rate <sup>1</sup>	Local Parking Surveys	Number of Spaces Required
Restaurant	10,000 sf	15.35	--	154
Residential	316 rooms	--	0.80	253
Hotel	170 rooms	--	0.55	94
<b>Total Number of Parking Spaces</b>				<b>500</b>

Source: ITE *Parking Generation Manual, 5th Edition, 2019.*  
 1. 85th Percentile ITE parking rates for Quality Restaurant (Land Use 931) on a weekday are used.

Shared parking is the use of a parking space to serve two or more individual land uses due to variations in parking demand by hour among differing land uses. Summing the parking demand generated by each use at every hour generally results in an overall peak parking demand for a mixed-use site that is less than the sum of the peak parking demands for each individual use. Thus, the application of the principal of shared parking may reduce the total parking demand for mixed-use developments.

The shared parking analysis presented in this memorandum is based on time of day factors obtained from the Urban Land Institute (ULI) *Shared Parking, 2nd Edition*, the ITE *Parking Generation Manual, 5th Edition*. Table 2 shows the hourly parking demand for each use and the

site's total parking demand with shared parking. With shared parking, the maximum parking demand would be 489 spaces.

The peak parking demand is expected to occur at 10 PM on weekdays. Shared parking will result in a minimal reduction in parking (2%) because all three uses experience their peak demand in the evening.

**Table 2  
Shared Parking Analysis**

Hour of Day	Restaurant Wkdy	Residential Wkdy	Hotel Wkdy	Total Demand Wkdy
<b>Parking Demand by Hour:</b>				
6 a.m.	0	253	89	342
7 a.m.	5	228	84	316
8 a.m.	12	215	77	304
9 a.m.	17	202	69	288
10 a.m.	40	190	64	293
11 a.m.	74	177	64	314
Noon	119	164	61	344
1 p.m.	119	177	60	355
2 p.m.	106	177	60	343
3 p.m.	69	177	64	310
4 p.m.	83	190	64	336
5 p.m.	122	215	65	402
6 p.m.	148	228	70	445
7 p.m.	154	245	70	469
8 p.m.	154	248	75	477
9 p.m.	154	250	79	484
10 p.m.	148	253	89	489
11 p.m.	119	253	94	465
Midnight	42	253	94	388
<b>Parking Requirement<sup>1</sup></b>				<b>Max. Demand</b>
154				253
94				489

**Time of Day Source:** Urban Land Institute (ULI) *Shared Parking, 2nd Edition, 2005.*  
**Notes:**  
 1. Parking requirements for the residential and hotel uses are based on previous surveys. Parking requirement for the restaurant use is based on the ITE *Parking Generation Manual, 5th Edition*.

**Conclusion**

With shared parking, the estimated peak parking demand for the project is 489 spaces. The project proposes to provide 335 parking spaces, which is insufficient. In order to meet the demand, the project should provide 489 parking spaces plus a cushion of about 5% to ensure that vacant spaces can easily be found. This equals a total recommended parking supply of 513 spaces.

Attachment: Preliminary Plans (CC Report - 2029, 2045-2063 S. Bascom Ave, 980 E. Campbell Ave, 951

Appendix A  
Local Parking Surveys

	All Sites Average	San Jose										Mountain View				Sunnyvale	
		River-view North Park		The Shadows Apartments	Central Park Apartments	Park Place Apartments	North Park Apartments	Avalon Mountain View	Avalon Towers on the Peninsula	Madera Apartments	Spruce Apartments		Weekday	Weekend	Weekday	Weekend	
		2/28/2018	3/1/2018	2/14/2012	2/14/2012	2/16/2012	2/16-17/2012	2/23/2012	3/6/2012	6/25-26/2013	10/3/2016	9/29/2018					
Count Date		2/28/2018	3/1/2018	2/14/2012	2/14/2012	2/16/2012	2/16-17/2012	2/23/2012	3/6/2012	6/25-26/2013	10/3/2016	9/29/2018					
1 bedroom units		814	1340	92	65	181	98	117	90	116	550	550					
2 bedroom units		494	1301	64	204	195	90	75	115	87	216	216					
3 bedroom units		0	121	24	82	6	0	56	6	0	0	0					
4 bedroom units		0	0	0	0	0	0	0	0	0	0	0					
<b>Total Apartment Units</b>	<b>13,615</b>	<b>1988</b>	<b>2762</b>	<b>180</b>	<b>354</b>	<b>373</b>	<b>188</b>	<b>248</b>	<b>211</b>	<b>203</b>	<b>766</b>	<b>766</b>					
Total Bedrooms	20,766	1,802	4,305	292	722	571	278	435	338	290	982	982					
Bedrooms to units ratio	1.53	1.38	1.56	1.62	2.04	1.53	1.48	1.75	1.60	1.43	1.28	1.28					
Occupied Parking Spaces	16,681	1,570	3,265	219	490	339	215	301	247	206	882	868					
<b>Total Parking Spaces</b>	<b>17433</b>	<b>1605</b>	<b>3530</b>	<b>341</b>	<b>696</b>	<b>511</b>	<b>324</b>	<b>426</b>	<b>529</b>	<b>313</b>	<b>1167</b>	<b>1167</b>					
Percent Occupied		87%	92%	64%	70%	66%	66%	71%	47%	66%	76%	75%					
Occupied spaces to units ratio	1.23	1.20	1.18	1.22	1.38	0.91	1.14	1.21	1.17	1.01	1.16	1.13					
Parking Supply per Unit	1.60	1.38	1.28	1.89	1.97	1.37	1.72	1.72	2.51	1.54	1.51	1.51					
Parking Supply per Bedroom	1.03	1.00	0.82	1.17	0.96	0.89	1.17	0.98	1.57	1.08	1.18	1.18					
Occupied spaces to bedrooms ratio	0.89	0.87	0.76	0.75	0.68	0.59	0.77	0.69	0.73	0.71	0.90	0.88					

	Cupertino					San Mateo			Township, Redwood City			Colonnade, Los Altos	
	Markham Apartments	Siena Apartments	Ariso Apartments	Archstone Cupertino	Biltmore Apartments	Verandas	The Metropolitan	Altair Apartments	The Plaza, Foster City	Township, Redwood City	Colonnade, Los Altos	Thurs.	Sat.
	10/22/2011	10/22/2011	10/27/2011	2/16/2012	2/16/2012	12/3/2018-12/9/2018	7/27/2011 & 7/27/2011		3/7/2017-3/9/2017			4/30/2015	5/2/2015
Count Date	10/22/2011	10/22/2011	10/27/2011	2/16/2012	2/16/2012	12/3/2018-12/9/2018	7/27/2011 & 7/27/2011		3/7/2017-3/9/2017			4/30/2015	5/2/2015
1 bedroom units	259	36	91	145	78		115	5	150	71	100		
2 bedroom units	245	92	120	152	93		91	2	138	58	67		
3 bedroom units	0	0	0	14	8		12	63	19	3	0		
4 bedroom units	0	0	0	0	0		0	33	0	0	0		
<b>Total Apartment Units</b>	<b>504</b>	<b>128</b>	<b>201</b>	<b>311</b>	<b>179</b>	<b>120</b>	<b>218</b>	<b>103</b>	<b>307</b>	<b>132</b>	<b>167</b>		
Total Bedrooms	749	220	321	491	288	240	333	330	483	196	234		
Bedrooms to units ratio	1.49	1.72	1.60	1.58	1.61	2.00	1.53	3.20	1.57	1.48	1.40		
Occupied Parking Spaces	575	182	275	385	276	188	305	194	442	140	191		
<b>Total Parking Spaces</b>				<b>529</b>	<b>353</b>	<b>229</b>			<b>693</b>	<b>169</b>	<b>321</b>		
Percent Occupied				73%	78%	82%			64%	93%	60%		
Occupied spaces to units ratio	1.14	1.42	1.37	1.24	1.54	1.57	1.40	1.88	1.44	1.06	1.14		
Parking Supply per Unit	1.60	1.38	1.28	1.89	1.97	1.91	2.26	2.28	1.28	1.92	1.92		
Parking Supply per Bedroom	1.06	1.06	0.82	1.14	1.14	1.37	1.43	1.32	1.06	1.37	1.37		
Occupied spaces to bedrooms ratio	0.77	0.83	0.86	0.78	0.96	0.78	0.92	0.59	0.92	0.71	0.82		

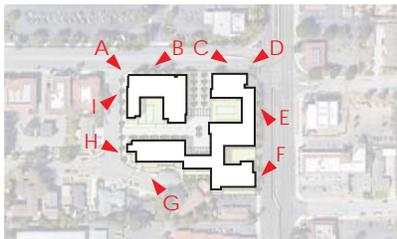
	Santa Clara											
	Hearth North			Hearth South			Cobalt		Park Central		Mansion Grove	
	Weekday	Weekend										
Count Date	9/12/17-9/14/2017	9/16/17-9/17/17	9/12/17-9/14/2017	9/16/17-9/17/17	9/12/17-9/14/2017	9/15/17-9/17/17	9/12/17-9/14/2017	9/15/17-9/17/17	9/12/17-9/14/2017	9/16/17-9/17/17	9/12/17-9/14/2017	9/16/17-9/17/17
1 bedroom units	129	114	129	114	118	118	85	85	502	502	1000	1000
2 bedroom units	160	160	145	145	104	104	88	88	494	494	94	94
3 bedroom units	0	0	0	0	0	0	0	0	0	0	0	0
4 bedroom units	0	0	0	0	0	0	0	0	0	0	0	0
<b>Total Apartment Units</b>	<b>289</b>	<b>289</b>	<b>259</b>	<b>259</b>	<b>222</b>	<b>222</b>	<b>173</b>	<b>173</b>	<b>1000</b>	<b>1000</b>	<b>1000</b>	<b>1000</b>
Total Bedrooms	449	449	404	404	325	325	261	261	1502	1502	1502	1502
Bedrooms to units ratio	1.55	1.55	1.56	1.56	1.47	1.47	1.51	1.51	1.50	1.50	1.50	1.50
Occupied Parking Spaces	353	364	317	314	274	271	212	211	1,317	1,285	1,317	1,285
Bedrooms to units ratio	1.474	1.474	1.462	1.462	1.376	1.376	1.345	1.345	1.317	1.317	1.317	1.317
Percent Occupied	74%	77%	69%	68%	72%	72%	61%	63%	79%	77%	77%	77%
Occupied spaces to units ratio	1.22	1.26	1.21	1.21	1.23	1.22	1.23	1.27	1.32	1.29	1.32	1.29
Parking Supply per Unit	1.64	1.64	1.78	1.78	1.70	1.70	1.99	1.99	1.67	1.67	1.67	1.67
Parking Supply per Bedroom	1.06	1.06	1.14	1.14	1.16	1.16	1.32	1.32	1.11	1.11	1.11	1.11
Occupied spaces to bedrooms ratio	0.79	0.81	0.78	0.78	0.84	0.83	0.81	0.84	0.88	0.88	0.88	0.88

	Average Weekday	Holiday Inn Belmont		Fairfield Inn & Suites San Carlos		Los Prados San Mat	
		Wed. 3/30/2016	Sat. 4/2/2016	Thurs. 4/7/2016	Sat. 4/9/2016	Tues. 3/7/2017	Wed. 3/8/2017
		Total Rooms	--	82	82	120	120
Occupied Rooms	--	65	68	82	69	107	110
Total Parking Spaces	--	77	77	112	112	n/a	n/a
Occupied Parking Spaces	--	39	55	66	88	55	52
Parking Demand Ratio (spaces/occupied room)	0.55	0.60	0.81	0.80	1.28	0.51	0.47
Parking Demand Ratio (spaces/room)	0.48	0.48	0.67	0.55	0.73	0.47	0.45

	Bay Landing San Mateo			Hilton Garden Inn San Mateo			Hilton Garden Inn Sunnyvale
	Tues. 5/16/2017	Wed. 5/16/2017	Thurs. 5/18/2017	Tues. 5/16/2017	Wed. 5/16/2017	Thurs. 5/18/2017	Tues. 5/16/2017
	Total Rooms	130	130	130	157	157	157
Occupied Rooms	124	125	124	156	154	155	124
Total Parking Spaces	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Occupied Parking Spaces	76	72	78	64	68	67	46
Parking Demand Ratio (spaces/occupied room)	0.61	0.58	0.63	0.41	0.44	0.43	0.37
Parking Demand Ratio (spaces/room)	0.58	0.55	0.60	0.41	0.43	0.43	0.35

	Hilton Garden Inn Mountain View		Sheraton Inn Sunnyvale		Courtyard Marriott Sunnyvale	
	Thurs. 4/30/2015	Sat. 5/2/2015	Thurs. 4/30/2015	Sat. 5/2/2015	Thurs. 4/30/2015	Sat. 5/2/2015
	Total Rooms	160	160	173	173	145
Occupied Rooms	155	156	125	164	82	144
Total Parking Spaces	153	153	283	283	127	127
Occupied Parking Spaces	115	125	88	146	55	107
Parking Demand Ratio (spaces/occupied room)	0.74	0.80	0.70	0.89	0.67	0.74
Parking Demand Ratio (spaces/room)	0.72	0.78	0.51	0.84	0.38	0.74

	Aloft Hotel Cupertino		Hotel Vue Mountain View		TownePlace Suites Redwood City	
	Wed. 6/11/2014	Sat. 6/14/2014	Wed. 1/9/2019	Wed. 11/6/2019	Thurs. 11/7/2019	Thurs. 11/7/2019
	Total Rooms	123	123	56	94	94
Occupied Rooms	123	121	48	95	91	91
Total Parking Spaces	n/a	n/a	56	n/a	n/a	n/a
Occupied Parking Spaces	76	67	20	63	56	56
Parking Demand Ratio (spaces/occupied room)	0.62	0.55	0.42	0.66	0.62	0.62
Parking Demand Ratio (spaces/room)	0.62	0.54	0.36	0.67	0.60	0.60



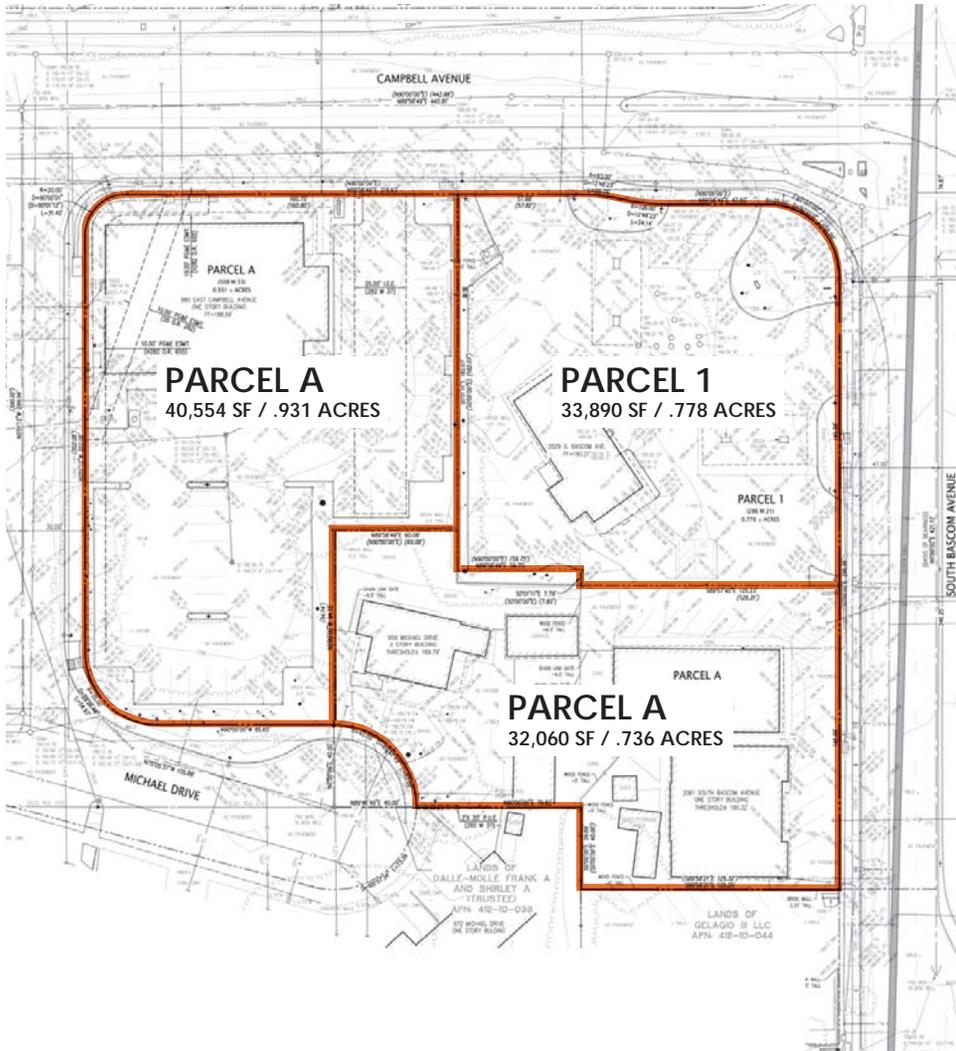
CANNERY PLACE

SITE PHOTOS

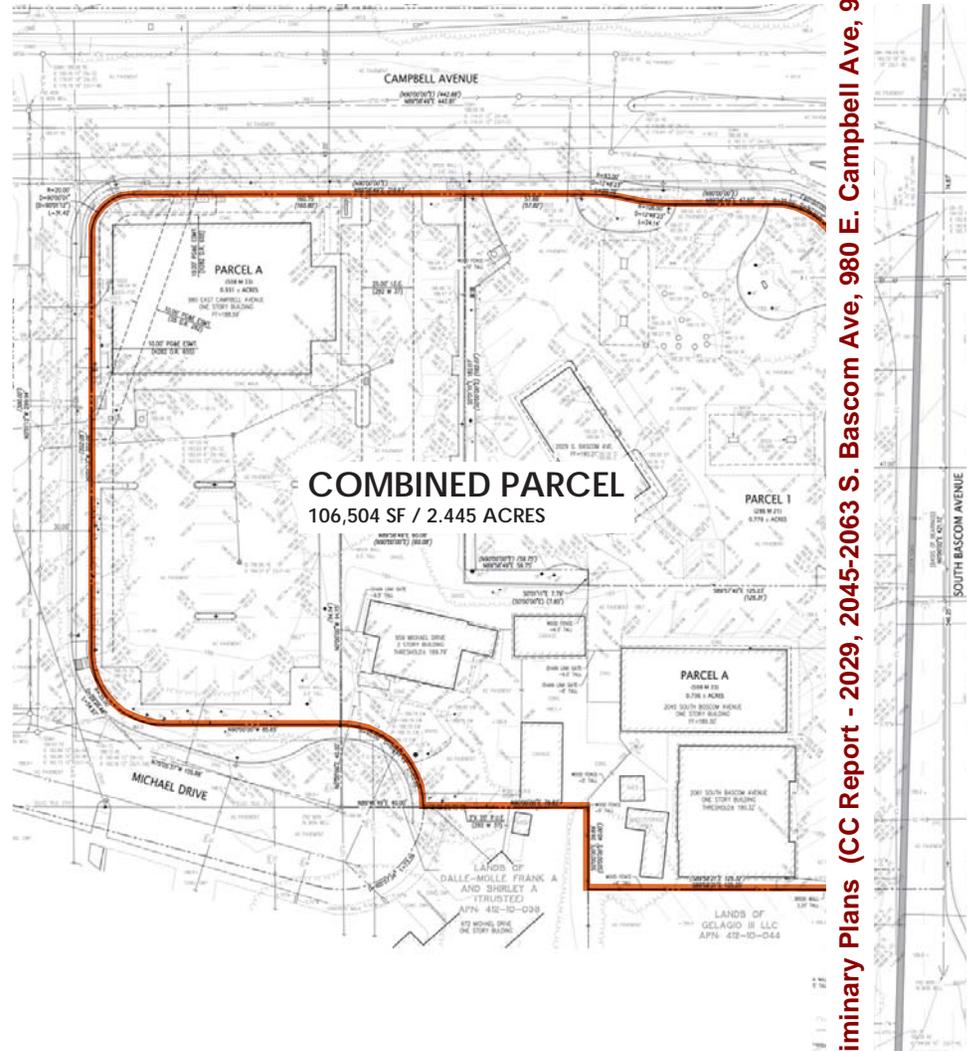
March 6, 2020

ACQUITY REALTY, INC. | rhaa | BJA architects 6

Attachment: Preliminary Plans (CC Report - 2029, 2045-2063 S. Bascom Ave, 980 E. Campbell Ave, 951

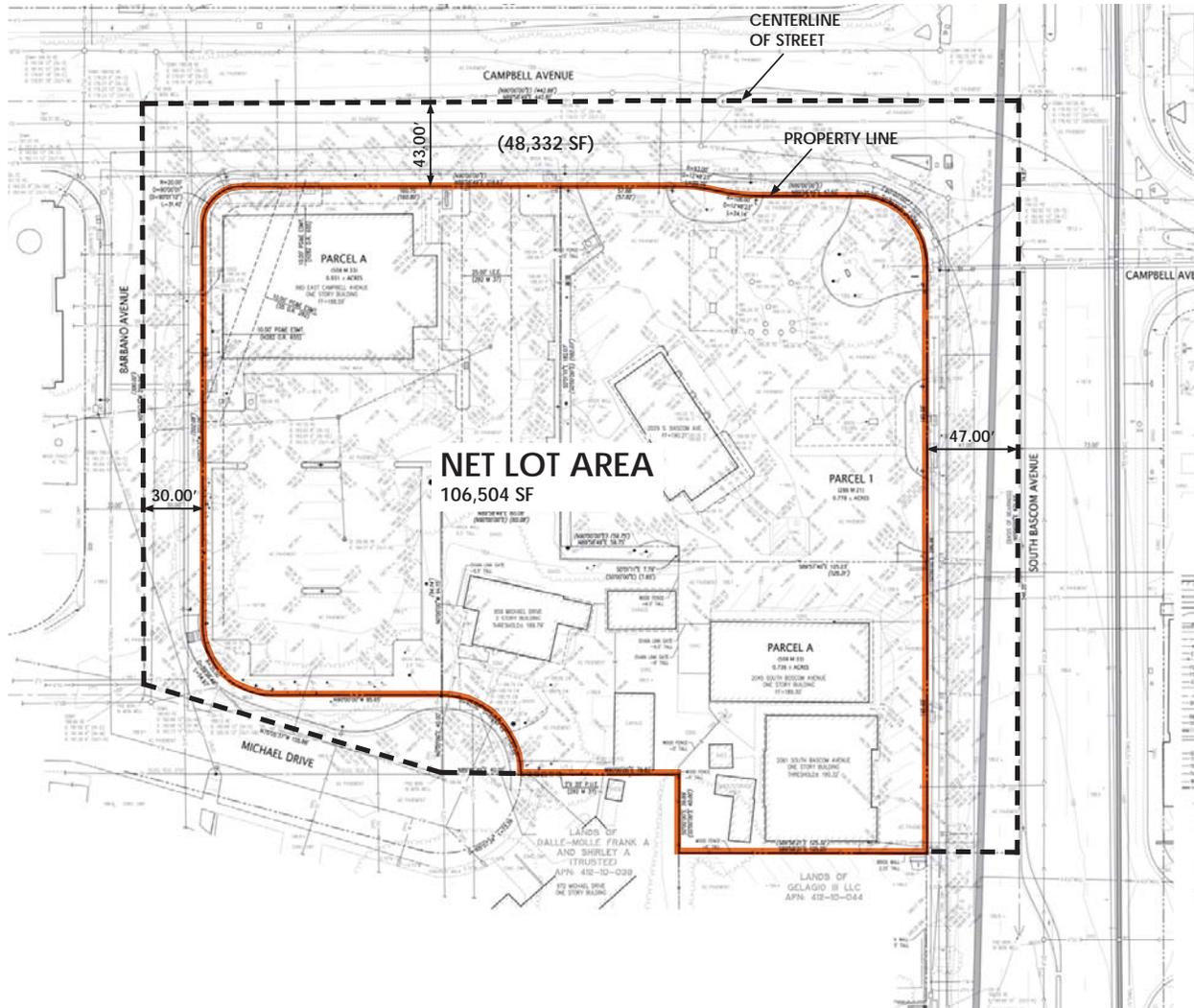


EXISTING PARCEL LINES



PROPOSED PARCEL LINES





**NET LOT AREA**

TOTAL AREA WITHIN LOT LINE

106,504 SF

**GROSS LOT AREA**

TOTAL AREA WITHIN LOT LINE  
AREA BETWEEN THE CENTERLINE OF  
ADJACENT PUBLIC STREETS / THE  
PROPERTY LINES

106,504 SF + 48,332 SF =

154,836 SF

**SITE INFORMATION**





- Ground Level Landscape**
- 1 Street-level garden with outdoor dining seating
  - 2 Vehicular access parking
  - 3 Hotel drop-off and parking
  - 4 Sculpture

ILLUSTRATIVE GROUND FLOOR PLAN



Attachment: Preliminary Plans (CC Report - 2029, 2045-2063 S. Bascom Ave, 980 E. Campbell Ave, 951

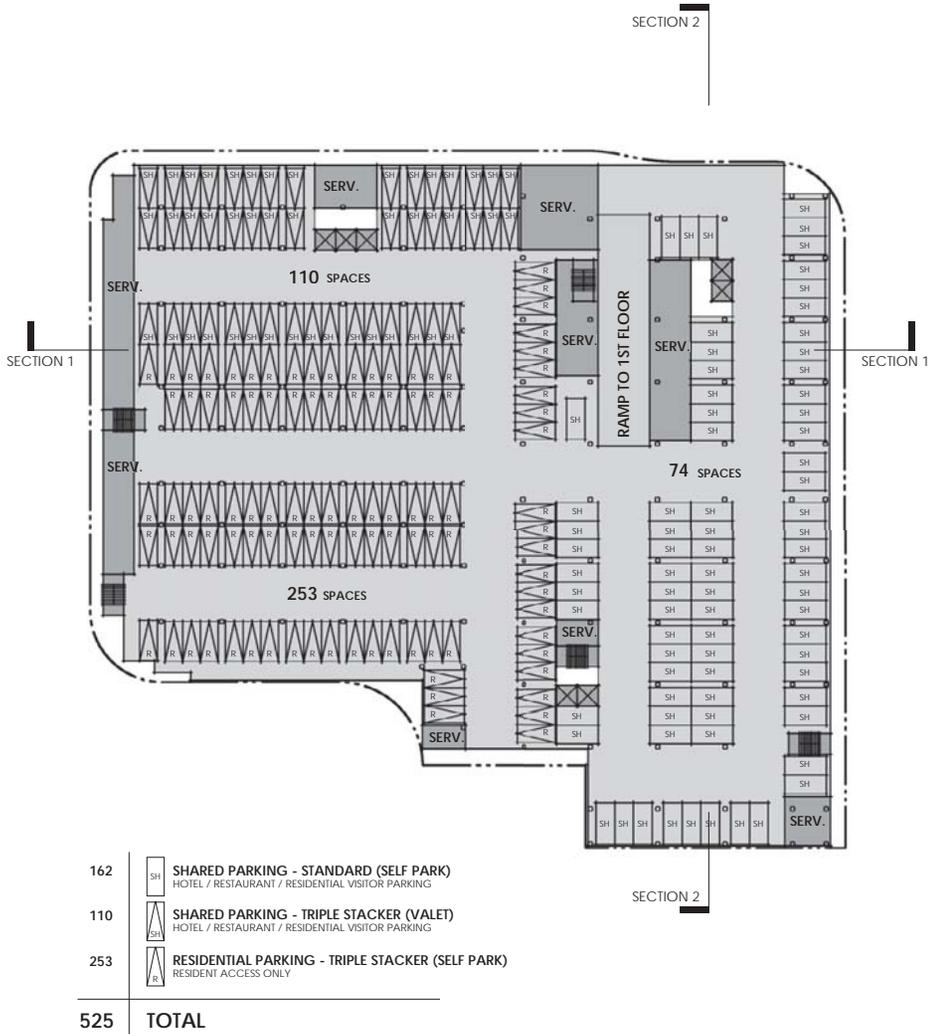


**Courtyards & Rooftops**

- 1 Hotel lounge and pool deck
- 2 Residential lounge & pool deck
- 3 Residential garden courtyard
- 4 Rooftop amenity area w/ lounge areas, lawn community garden and dog run.

ILLUSTRATIVE SITE PLAN

Attachment: Preliminary Plans (CC Report - 2029, 2045-2063 S. Bascom Ave, 980 E. Campbell Ave, 951



BASEMENT FLOOR PLAN



GROUND FLOOR PLAN





2ND FLOOR PLAN



3RD FLOOR PLAN



Attachment: Preliminary Plans (CC Report - 2029, 2045-2063 S. Bascom Ave, 980 E. Campbell Ave, 951



4TH-5TH FLOOR PLAN (TYP.)



6TH FLOOR PLAN

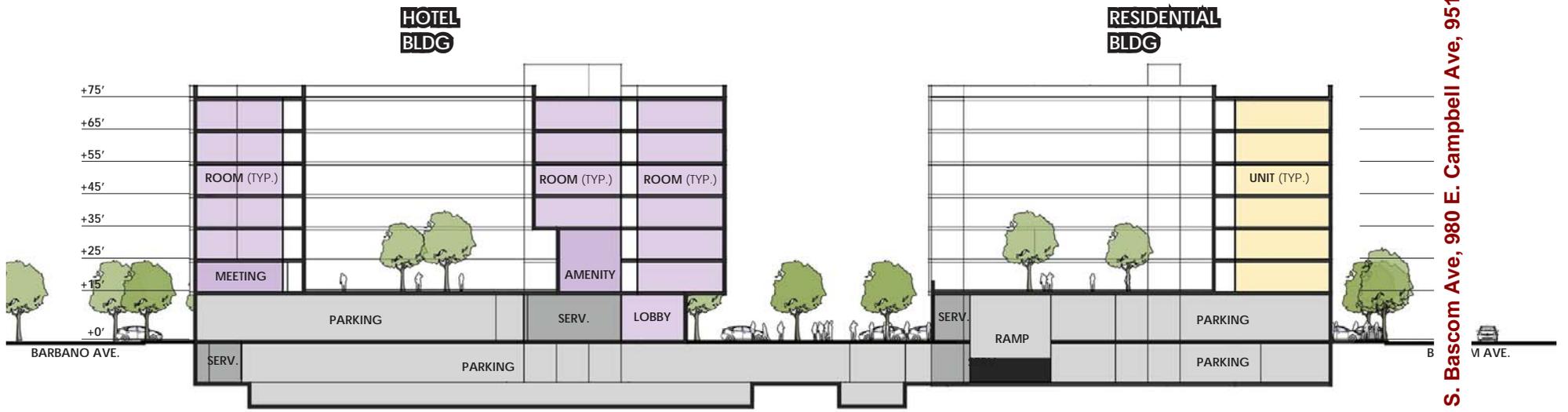




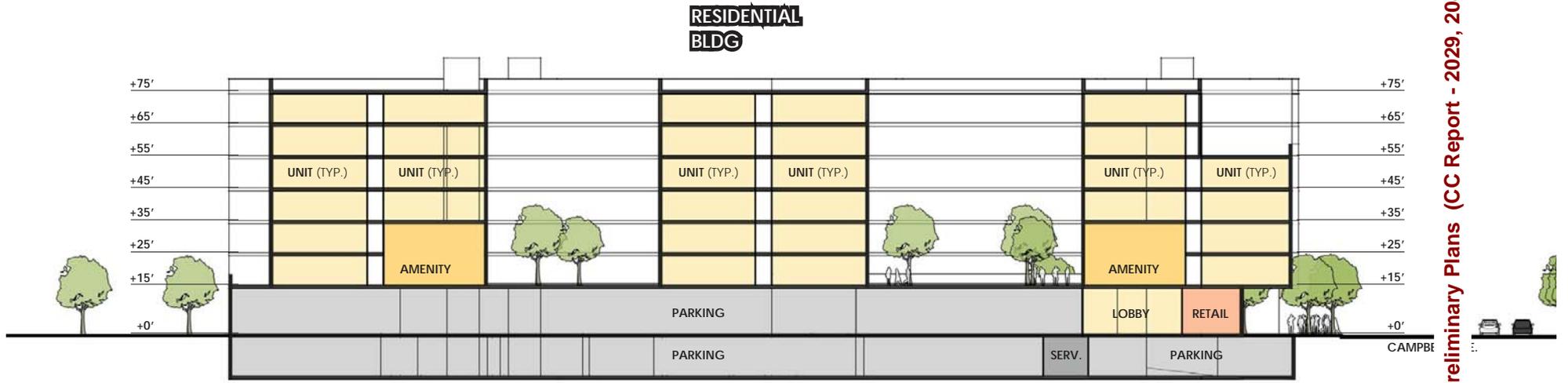
7TH FLOOR PLAN



Attachment: Preliminary Plans (CC Report - 2029, 2045-2063 S. Bascom Ave, 980 E. Campbell Ave, 951



SECTION 1 0 15 30



SECTION 2 0 15 30



CORNER VIEW @ BASCOM AVE/CAMPBELL AVE

CANNERY PLACE

March 6, 2020

ACQUITY REALTY, INC. | rhaa | BJA

rchitects 16

Attachment: Preliminary Plans (CC Report - 2029, 2045-2063 S. Bascom Ave, 980 E. Campbell Ave, 951



Attachment: Preliminary Plans (CC Report - 2029, 2045-2063 S. Bascom Ave, 980 E. Campbell Ave, 951

VIEW FROM CAMPBELL AVE

CANNERY PLACE

March 6, 2020

ACQUITY REALTY, INC. | rhaa | BJA

rchitects 17



Attachment: Preliminary Plans (CC Report - 2029, 2045-2063 S. Bascom Ave, 980 E. Campbell Ave, 951

CANNERY PLACE

PLAZA VIEW

March 6, 2020

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Attachment: Preliminary Plans (CC Report - 2029, 2045-2063 S. Bascom Ave, 980 E. Campbell Ave, 951

CANNERY PLACE

PLAZA VIEW

March 6, 2020

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Attachment: Preliminary Plans (CC Report - 2029, 2045-2063 S. Bascom Ave, 980 E. Campbell Ave, 951

CANNERY PLACE

ROOF DECK VIEW

March 6, 2020

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ACQUITY  
REALTY, INC.

March 6, 2020

Via Personal Delivery

Ms. Naz Pouya Healy, RLA  
Assistant Planner  
Community Development Department  
City of Campbell  
70 N. First Street  
Campbell, CA 95008

**RE: Cannery Place // Requested Parking // Community Benefits // General Plan Addition**

Dear Ms. Healy,

Thank you for the input helping us to improve the proposed Cannery Place plan. I am happy to report that we have incorporated all of your suggestions and into the updated plan. Listed below are the individual improvements grouped together by category. Please note that we continue to conduct public outreach and will do so until our plan is approved.

**Property Improvements**

- **Setback** - The requested setback along S. Bascom has been incorporated and will provide additional buffers between traffic and the Cannery Place.
- **Increased Parking** – We have made significant increases to the project’s parking. The new plan nearly doubles the number of parking spaces of our original plan. The increase in parking has been defined by a highly respected consultant, Hexagon Transportation, who reviewed the initial plans and recommended a parking plan optimized to service Cannery Place’s mixed use plan. Hexagon’s parking analysis has been incorporated into our updated submittal. We will continue to refine this plan going forward.

**New General Plan Category**

Per your request, we instructed our land use attorney to review the City of Campbell’s General Plan and promulgate a new General Plan category that will permit the plan and scope of what is envisioned at Cannery Place. We have titled this new category “**Major Corridor Mixed Use**” and is attached hereto as Exhibit A.

## Benefits

The project generates variety of benefits to the City, its residents, its employers and visitors. Listed below are benefits that we believe Cannery Place provides the community as a whole:

### Fiscal Benefits

**1 - Increased Tax Revenues – Hotel** -The inclusion of a luxury hotel within the Cannery Place plan is projected to generate \$1,500,000 in additional tax revenue per year. The hotel remains the original benefit to the project’s vision and we continue to believe the hotel will generate a multitude of community benefits: supporting visiting guests, serving as a new social gathering hub and acting as a prime local venue to host community events for the City’s schools, businesses and non-profits.

**2 - Increased Property Tax Revenues.** With a construction budget estimated to be in excess of \$225,000,000; Cannery Place should generate, depending on the City’s defined share with the County, an additional \$250,000 per year in property tax revenue.

Please note: The above taxes should surpass \$1.75 million per year in the first year of operation and that we would expect these revenues to increase annually thereafter. Please also note that communities with densities above 50 units an acre are significantly less expensive to provide public services such police and fire and schools.

### Community Benefits

**1 – Reduced Traffic Impact:** The inclusion of a hotel and residential units is the least traffic intensive plan we could offer for this site. Medical Office, Technology Office or high impact retail concepts would generate significantly higher traffic counts at peak periods. Our plan provides a well-balanced plan that impose very light traffic impacts.

**2 – Artistic Public Space:** Cannery Place’s design concept is centered around a public “art plaza” activated by public services such as restaurants and cafés set back safely away from streets and traffic. The art plaza will provide a common gathering space to enjoyed by the public. Included within the updated plan is an artistic Water Tower intended to create a “sense of place” and a shared iconic community identity for both the art plaza and Cannery Place.

**3 - Public Art:** We do not believe it is possible to create an “art plaza” without actual public art so our plan will create a schedule of rotating installations that will co-exist with permanent landscape features and artwork.

**4 - Significant Public Parking:** The improved parking plan allows for significant public parking that can serve both on-site and off-site parking needs.

**5 - Shared Automobiles:** We see the adoption of significant new transportation trends as private car ownership migrates to a shared, rent on demand model enabled by new companies such as Zipcar, Maven, Getaround, and SilverCar. Even traditional manufacturers such as BMW and Ford recognize this trend and now offer shared automobiles services. It is our intent to

incorporate these shared services into the Cannery Place project to help reduce the reliance on auto ownership and transportation.

**6 - Shared Bikes and/or Scooters:** We believe standardized and nearly ubiquitous services such as Bird, Scoot, Lime and Lyft will increase “auto-less access” to the VTA Light Rail Station, Downtown, The Pruneyard and nearby restaurants, stores and markets. It is our intent to incorporate these shared services into the Cannery Place project.

**7- Private Bike Storage and Parking:** Bicycles serve a primary mode of transportation for commuters and therefore providing dedicated parking for owned bicycles we believe is essential. It is our intent to incorporate these shared services into the Cannery Place project.

Ms. Healy, thank you again for your help and consideration. We sincerely believe that Cannery Place offers the City of Campbell a road map on how it can address the housing crisis while also generating critical additional tax revenues, building quality community spaces and leveraging shared economy transportation models all while creating community benefits that improve the experience and access to all of Campbell’s residents.

If our Application to Amend the General Plan is approved, we look forward to working with the City to and the community to produce a truly exceptional experience and become the keystone to activating “The Portals” to Downtown from S. Bascom and The Pruneyard that has been envisioned by City leaders for decades.

Kindest regards,



Dennis L. Randall, Jr.  
President

cc: Paul Kermoyan, City of Campbell  
John Pringle, Acquity Realty Inc.

Attachments:

Revised Application  
Exhibit A – Proposed Addition to General Plan - Major Corridor Mixed Use

**EXHIBIT A**  
**PROPOSED ADDITION TO GENERAL PLAN**

**Title:** Major Corridor Mixed-Use

**Requirements:** This General Plan designation provides for both vertical and horizontal mixed-use developments with complementary uses, including high-density residential up to 250 units/acre, commercial uses including hotel, lodging, public assembly, retail and/or professional office which shall not be less than 20% of the total project area, all located along major arterial roadways within the City, including, E. Hamilton Avenue, S. Bascom Avenue and E. Campbell Avenue, or other specified primary roadways. Uses on particularized parcels with the designation Major Corridor Mixed Use may contain a vertical mix of uses or be a stand-alone mixture of residential or commercial uses. In no case shall Major Corridor Mixed-Use be located directly adjoining single family home neighborhoods and shall additionally be developed in a manner that integrates and preserves the adjoining neighborhood and shall in no event exceed 75 feet in height except for artistic or mechanical elements related to facilitate rooftop gardens and amenities and/or handicap access and there shall be a 1 acre minimum parcel requirement. In certain locations, ground floor retail or other active ground floor uses are required for a portion of the building frontage in order to create a pedestrian oriented environment. Parking fronting the main street shall be prohibited and shall be located primarily under and/or behind the proposed development facade. As appropriate, parks, plazas and open space are located and designated to foster active and comfortable social gathering spaces.

1596 Cherry Glen Way  
 San Jose, CA 95125  
 December 4, 2019

Ms. Naz Pouya Healy  
 City of Campbell  
 Planning Department  
 70 N. First Street  
 Campbell, CA 95008

File No. PRE2019-05

RECEIVED  
 DEC 10 2019  
 CITY OF CAMPBELL  
 PLANNING DEPT.

Dear Ms. Healy,

My wife and I are owners of two duplexes located at 960-962 and 970-972 Michael Drive. The properties are adjacent to the proposed development project located at 2029-2045 S. Bascom Avenue and 980 E. Campbell Avenue.

I had the opportunity to review the project plans and have several concerns. I am concerned about the height of the proposed hotel and residential building (seven stories); and the ratio of units ((381 units) to parking spaces (335 spaces). The ratio of units to parking spaces is approximately 1 : 0.88. This ratio is a recipe for turning the cul de sac from a cul de sac into a congested parking lot impacting the quality of life of our tenants.

Access to good bus/rail transportation, specifically to the northern part of the county where many of the jobs are located, is somewhat limited. Therefore two cars per residential unit is, in my opinion, a more reasonable ratio. If the height of the hotel and residential building was reduced to four stories, the ratio of units (186 units) to parking spaces (335 spaces), a ratio of approximately 1 : 1.80, would be more realistic versus the proposed ratio of 1: 0.88.

I am available to discuss this in more detail with you .

Regards,



Frank Dalle-Molle

Contact Information:

Email: [REDACTED]

Mobile: [REDACTED]

Attachment: Public Comments (CC Report - 2029, 2045-2063 S. Bascom Ave, 980 E. Campbell Ave, 951 Michael Dr)



*City  
Council  
Report*

Item: 9  
Category: NEW BUSINESS  
Meeting Date: June 16, 2020

**TITLE: Resolution Amending Agreement for City Manager Services  
(Resolution/Roll Call Vote)**

**RECOMMENDED ACTION**

That the City Council adopt a Resolution amending the Agreement for City Manager services.

**DISCUSSION**

The City of Campbell entered into an employment service agreement with Brian Loventhal in December 2016. Per the terms of the agreement, the City Council is authorized to make amendments to the compensation of the Manager. The attached Resolution authorizes an amendment to the salary provisions of the Agreement for City Manager Services, consistent with City Council direction.

**FISCAL IMPACT**

The attached agreement includes retroactive pay valued at \$123,548; payable in four (4) equal payments of \$30,886.90 plus interest at the Local Agency Investment Fund (LAIF) quarterly investment rate for the period immediately prior to each payment. The full value of the retroactive payments will be recorded against FY 2020 General Fund (101) as a payable. Additionally, total annual compensation when all impacted benefits are included, will increase by approximately \$90,000 in FY 2021 and will be added to the Proposed Budget for FY 2021.

**ALTERNATIVES**

1. Do not approve the attached resolution.
2. Provide direction on different changes to the City Manager's Agreement.

Prepared by:

Jill Lopez, HR Manager

Reviewed by:



---

Will Fuentes, Finance Director

**Attachment:**

- a. Resolution
- b. Employment Contract Amendment

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAMPBELL  
AUTHORIZING THE CITY COUNCIL TO EXECUTE AN AMENDMENT OF THE  
AGREEMENT WITH BRIAN LOVENTHAL FOR HIS EMPLOYMENT AS CITY  
MANAGER**

**WHEREAS**, the City Council has appointed Brian Loventhal as City Manager, effective December 5, 2016; and

**WHEREAS**, Section 2.16.020 of the Campbell Municipal Code provides that compensation for all appointed officers and employees of the City shall be fixed by Resolution; and

**WHEREAS**, the City Council desires to have an employment agreement establishing the salary, benefits and working conditions of the City Manager for the duties and responsibilities of that position as set forth by the Campbell Municipal Code, Section 2.12, and provides that the salary may be adjusted at any time by Resolution of the City Council; and

**WHEREAS**, the City Council desires to amend the employment agreement with Brian Loventhal;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Campbell that the City Council hereby approves and authorizes the Mayor to execute an amendment to the employment agreement with Brian Loventhal, City Manager, a copy of which is attached hereto.

**PASSED AND ADOPTED** this 16th day of June 2020, by the following roll call vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

APPROVED:

\_\_\_\_\_  
Susan M. Landry  
Mayor

ATTEST:

\_\_\_\_\_  
Andrea Sanders, Acting City Clerk

Attachment: Resolution (Resolution Amending Agreement for City Manager Services)

**AMENDED AGREEMENT FOR CITY MANAGER SERVICES**

WHEREAS, on or about November 2, 2016, the CITY OF CAMPBELL (hereinafter referred to as "City") and BRIAN LOVENTHAL (hereinafter referred to as "City Manager") entered into an Agreement, appointing Employee as City Manager;

WHEREAS, City desires to continue to employ the services of City Manager;

WHEREAS, City Manager desires to accept continued employment as city manager for the City; and

WHEREAS, the City desires to provide certain benefits, establish certain conditions of employment, and to set working conditions of City Manager.

NOW, THEREFORE, for and in consideration of each others' mutual promises, the undersigned parties agree as follows:

1. City Manager agrees to continue to perform the functions and duties of the City Manager of City as set forth in applicable State or local laws, ordinances, resolutions and policies, as well as such instructions and assignments as may be given to him by the Campbell City Council, until terminated as provided by this Agreement.
2. City shall pay City Manager for lost compensation from the date of City Manager's initial employment of November 2, 2016 to Present of one hundred twenty three thousand five hundred forty eight dollars (\$123,548) ("Lost Compensation"), plus interest at the California Local Agency Investment Fund quarterly rate of return (LAIF) for each period immediately prior to the payment dates shown below. City shall pay City Manager the Lost Compensation in four equal installments as follows:

December 16, 2020	\$30,886.90 + LAIF
March 16, 2021	\$30,886.90 + LAIF
June 16, 2021	\$30,886.90 + LAIF
September 16, 2021	\$30,886.90 + LAIF

The parties agree that the Lost Compensation shall fully compensate City Manager for any salary owed before the date of this Agreement. In exchange for this Lost Compensation, City Manager hereby provides a full and final release of all compensation owed to City Manager from City, now or in the future, arising from City Manager's employment with City before the date of this Agreement. City Manager hereby understands and agrees that City's agreement to pay the Lost Compensation shall not bind, obligate, or inure City to consider such a retrospective payment of lost compensation in the future.

3. During his employment, City Manager shall receive the following salary and benefits:
  - a. The City Manager shall earn an annual salary of \$282,339 per year commencing on June 29, 2020. This salary may be adjusted at any time by

Resolution of the City Council. The City Council shall review the City Manager's Compensation annually, at such time as the City Council reviews the City Manager's performance pursuant to section 4 of this Agreement. The City Council shall not be obligated to make any adjustment to the City Manager's compensation, and the decision of whether or not to make such adjustments shall be left to the sole discretion of the City Council;

b. In addition to the foregoing salary, the City Manager shall receive an automobile allowance of \$225 per month to compensate him for the use of his personal vehicle for City business. In addition, the City Manager shall accrue vacation at the rate of 5.85 hours per pay period; shall accrue sick leave in accordance with the sick leave accrual schedule for executive employees; and shall receive all other benefits normally and usually provided to City Department Heads as of June 29, 2020 unless specified herein or modified by resolution of the City Council; provided, however that the City shall pay the full premium for any medical insurance coverage afforded for the City Manager and his family members;

c. In addition to the foregoing salary, the City will make, in equal proportionate amounts each pay period, an annual contribution of \$5,000 into an account for the City Manager in the City approved Section 457 Deferred Compensation Plan. Such contribution is in addition to the City contribution made on behalf of all management employees;

d. The City Manager shall also be entitled to a monthly allowance of \$40 to be used for a cellular phone service;

e. The City Manager shall also be entitled to such benefits as approved by Resolution of the City Council.

4. The City Council shall review and evaluate the City Manager upon the completion of every twelve months of service, and at any other times the City Council deems necessary and appropriate.
5. This Agreement shall remain in effect from year to year until terminated.
6. Notwithstanding section 5 of this Agreement, because an intimate and confidential relationship is necessary between the City Manager and the City, the City Manager understands and agrees that City Manager serves at the pleasure of City, and may be terminated at the will of City at any time and without prior notice, and without statement of reasons or grounds therefor. However, the City Manager shall not be removed during the sixty (60) day period following any change in membership of the Council except upon a vote of at least four/fifths of the City Council.
7. In the event that the City Manager voluntarily chooses to resign his employment, he shall give the City Council at least thirty (30) days' advance written notice of his decision, so that the City Council may undertake a reasonable effort to find a successor.

8. Notwithstanding anything contained in paragraph 5 of this Agreement, in the event that the City Manager is terminated by City while the City Manager is willing and able to perform his duties under this Agreement, then he shall be entitled to continue to receive the salary set forth in paragraph 3a of this Agreement, for a period of six (6) months following his termination, provided that:
  - a. City Manager shall make himself reasonably available to City during said six (6) month period to consult on City business; and
  - b. City Manager's termination is not due to an act of moral turpitude, a fraud against City, a conviction of any illegal act involving personal gain to him, or any other act or omission on the part of the City Manager wholly inconsistent with his position or responsibilities.

Nothing contained in this section shall apply in the event of a voluntary resignation of the City Manager. Additionally, the compensation afforded under this section shall be the exclusive and sole remedy of City Manager for any termination of his employment. This section provides for a full and final release of all known and unknown and unanticipated claims, injuries, damages, losses, demands, costs, liabilities, actions and causes of action that the City Manager may have against the City, now or in the future, arising out of his termination; and the City Manager waives all rights or benefits that the City Manager now has or in the future may have under the terms of Section 1542 of the Civil Code of the State of California, which section reads as follows:

A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS THAT THE CREDITOR OR RELEASING PARTY DOES NOT KNOW OR SUSPECT TO EXIST IN HIS OR HER FAVOR AT THE TIME OF EXECUTING THE RELEASE AND THAT, IF KNOWN BY HIM OR HER, WOULD HAVE MATERIALLY AFFECTED HIS OR HER SETTLEMENT WITH THE DEBTOR OR RELEASED PARTY.

9. City's waiver of any term, condition, or covenant, or breach of any term, condition, or covenant shall not be construed as the waiver of any term, condition, or covenant or waiver of the breach of any other term, condition, or covenant.
10. This Agreement contains the entire Agreement between City and City Manager relating to the matters contained herein. Any prior agreements, promises, negotiations, or representations not expressly set forth in this Agreement are of no force or effect. Subsequent modifications to this Agreement shall be in writing and signed by both City and City Manager.
11. If any term, condition, or covenant of this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions of this Agreement shall be valid and binding on City and City Manager.
12. This Agreement shall be governed and construed in accordance with the laws of the State of California.

- 12. This Agreement may be executed in counterparts and will be binding as so executed on the date last executed.

The undersigned parties having read and understood the foregoing terms and conditions of this Agreement hereby agree to be bound thereby.

EMPLOYER  
CITY OF CAMPBELL

Dated: \_\_\_\_\_

\_\_\_\_\_  
Susan M. Landry  
Mayor

EMPLOYEE

Dated: \_\_\_\_\_

\_\_\_\_\_  
Brian Loventhal

Attachment: Employment Contract Amendment (Resolution Amending Agreement for City Manager Services)



*City  
Council  
Report*

**Item:** 10  
**Category:** COUNCIL COMMITTEE REPORTS  
**Meeting Date:** June 16, 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 &amp; 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**

*Andrea Sanders*

Prepared by:

Andrea Sanders, Deputy City Clerk

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 5 – Revised Resolutions

**Date:** June 15, 2020

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The purpose of this desk item is to submit two new resolutions for the City Council's consideration.

The Santa Clara County Registrar of Voters requires that the resolution calling the election and requesting consolidation of the election contain information specifying the procedure in the event of a tie.

Resolution A Section 9 declares that the City Council will have a tie resolved by lot, which is essentially a randomized selection. Resolution B Section 9 declares that the Council will have a runoff election to resolve the tie.

The Council will need to adopt either Resolution A or Resolution B in order to approve this item. The resolutions have been attached for your reference.

RESOLUTION NO. \_\_\_\_\_

**BEING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAMPBELL CALLING THE GENERAL MUNICIPAL ELECTION TO BE HELD IN THE CITY OF CAMPBELL ON NOVEMBER 3, 2020 BY-DISTRICT FOR DISTRICT 1 AND DISTRICT 2; AND REQUESTING SERVICES OF THE REGISTRAR OF VOTERS; REQUESTING CONSOLIDATION WITH THE STATEWIDE GENERAL ELECTION IN ACCORD WITH CALIFORNIA ELECTIONS CODE §10418 AND SPECIFYING CERTAIN PROCEDURES FOR THE CONSOLIDATED ELECTION; AND DETERMINING TO LEVY COST OF CANDIDATE'S STATEMENT**

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

**Section 1.** A General Municipal Election is scheduled to be held in the City of Campbell on the 3rd day of November, 2020 for District 1 and District 2 to elect one (1) City Councilmember, each to a full term of four years, for each district.

**Section 2.** The General Municipal Election hereby called for the date hereinbefore specified shall be and is hereby ordered consolidated with the Statewide General Election and all elections to be held in said jurisdiction and in the City of Campbell on such date, and within the territory affected by the consolidation, and the precincts, polling places and officers of election shall be the same as those established and designated for said election by the Board of Supervisors of the County of Santa Clara.

**Section 3.** The consolidated election will be held and conducted in the manner prescribed by California Elections Code §10418.

**Section 4.** Pursuant to Section 10002 of the Elections Code, the City Council hereby requests the Board of Supervisors of the County of Santa Clara to make available the services of the Registrar of Voters for the purpose of performing the usual services in the conduct of the Consolidated Election, including the provision of election supplies and voters' pamphlets. The Board of Supervisors of the County of Santa Clara is hereby authorized to canvass the returns of said election, and said election shall be held in all respects as if there were only one election, and only one form of ballot shall be used.

**Section 5.** The Acting City Clerk is hereby directed to file with the Board of Supervisors and the Registrar of Voters of the County of Santa Clara certified copies of this Resolution at least eighty-eight (88) days prior to the herein referenced General Municipal Election.

**Section 6.** The Acting City Clerk shall publish Notice of said Election as required by Section 12112 of the Elections Code.

**Section 7.** In accord with Section 13307 of the Elections Code, the City Council hereby determines to levy against each candidate availing himself or herself of the service including a Candidate's Statement not to exceed two hundred (200) words in length in the

voter's pamphlet, a charge of \$300 for printing and handling the Candidate's statement. The Acting City Clerk shall provide written notice to such effect with each set of nomination papers issued. Candidates shall not be permitted to submit materials other than the Candidate's Statement with the sample ballot and voters' pamphlets.

**Section 8.** The polls for said election shall be opened at 7:00 a.m. of the day of said election, and shall remain open continuously from said time until 8:00 p.m. of the same day, when said polls shall be closed, except as provided in Section 14401 of the Elections Code of the State of California.

**Section 9.** That in the event of a tie vote (if any two or more persons receive an equal and highest number of votes for an office) as certified by the County of Santa Clara Registrar of Voters Office, the tie shall be resolved by lot in accordance with the applicable provisions of the California Elections Code Section 15651(a).

PASSED AND ADOPTED this 16<sup>th</sup> day of June, 2020, by the following roll call vote:

AYES : Councilmembers:

NOES : Councilmembers:

ABSENT: Councilmembers:

APPROVED:

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Susan M. Landry, Mayor

ATTEST:

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Andrea Sanders, Deputy City Clerk

## RESOLUTION NO. \_\_\_\_\_

**BEING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAMPBELL CALLING THE GENERAL MUNICIPAL ELECTION TO BE HELD IN THE CITY OF CAMPBELL ON NOVEMBER 3, 2020 BY-DISTRICT FOR DISTRICT 1 AND DISTRICT 2; AND REQUESTING SERVICES OF THE REGISTRAR OF VOTERS; REQUESTING CONSOLIDATION WITH THE STATEWIDE GENERAL ELECTION IN ACCORD WITH CALIFORNIA ELECTIONS CODE §10418 AND SPECIFYING CERTAIN PROCEDURES FOR THE CONSOLIDATED ELECTION; AND DETERMINING TO LEVY COST OF CANDIDATE'S STATEMENT**

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**Section 6.** The Acting City Clerk shall publish Notice of said Election as required by Section 12112 of the Elections Code.

**Section 7.** In accord with Section 13307 of the Elections Code, the City Council hereby determines to levy against each candidate availing himself or herself of the service including a Candidate's Statement not to exceed two hundred (200) words in length in the

voter's pamphlet, a charge of \$300 for printing and handling the Candidate's statement. The Acting City Clerk shall provide written notice to such effect with each set of nomination papers issued. Candidates shall not be permitted to submit materials other than the Candidate's Statement with the sample ballot and voters' pamphlets.

**Section 8.** The polls for said election shall be opened at 7:00 a.m. of the day of said election, and shall remain open continuously from said time until 8:00 p.m. of the same day, when said polls shall be closed, except as provided in Section 14401 of the Elections Code of the State of California.

**Section 9.** That in the event of a tie vote (if any two or more persons receive an equal and highest number of votes for an office) as certified by the County of Santa Clara Registrar of Voters Office, and in accordance with California Elections Code Section 15651(b), the tie shall be resolved by a special runoff election to be held on a Tuesday not less than 40 nor more than 125 days after the administrative or judicial certification of the election that resulted in a tie vote; and if a regular election is to be held throughout the jurisdiction within that time period, the special runoff election shall be held on the same day as, and consolidated with, the regular election.

PASSED AND ADOPTED this 16<sup>th</sup> day of June, 2020, by the following roll call vote:

AYES : Councilmembers:

NOES : Councilmembers:

ABSENT: Councilmembers:

APPROVED:

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Susan M. Landry, Mayor

ATTEST:

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Andrea Sanders, Deputy City Clerk

MEMORANDUM



City of Campbell

City Clerk's Office

**To:** Honorable Mayor and City Council

**Date:** June 15, 2020

**From:** Andrea Sanders, Deputy City Clerk

**Via:** Brian Loventhal, City Manager

**Subject:** Desk Item 8 – Email Correspondence

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Attached are public comment emails related to item 6 of the 6/16/20 Regular meeting.

## Andrea Sanders

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**To:** Dave Pogue  
**Subject:** RE: Campbell City Council Meeting, June 16,2020. Agenda item #8 For public comment

**From:** Dave Pogue  
**Sent:** Tuesday, June 16, 2020 7:17 AM  
**To:** Clerks Office <clerksoffice@campbellca.gov>  
**Subject:** Campbell City Council Meeting, June 16,2020. Agenda item #8 For public comment

WARNING: This email originated from an external sender!

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I am a 42 year long Campbell resident, and I am writing in support of Aquity Realty's Cannery Place project, proposed for the corner of Campbell Avenue and Bascom. I was also part of the group in opposition to the recently proposed Chick-fil-A drive-thru on Bascom. During that process we raised a number of concerns about that project, including traffic impact, neighborhood disruption, unimaginative "corporate architecture", unfair competition with locally owned and operated small businesses, and all of this done with very limited financial benefit to the city of Campbell. Cannery Place successfully addresses each of those concerns while also providing a sophisticated, properly scaled and designed project appropriate for this important keystone site, acting as a gateway connection to downtown Campbell and the Community Center, the heart of Campbell. The significant positive financial impact can also not be understated, especially in today's environment.

I and a number of other Campbell residents have met with the development team and were impressed with the project. More importantly we were impressed with their willingness to address questions and concerns raised by the group. There are many small, and some large, issues and questions that need further study and they assured us this is the beginning of the planning process. We intend to stay active in that process and encourage you to support this application to allow that to happen. Thank you.

Dave Pogue

**Andrea Sanders**

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**To:** |  
**Subject:** RE: For Public Comment Item 8

**From:** I  
**Sent:** Monday, June 15, 2020 5:08 PM  
**To:** Clerks Office <clerksoffice@campbellca.gov>  
**Subject:** For Public Comment Item 8

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The project as presented must be denied.

The city and its citizens have spent a great deal of time and compromise to establish the General Plan and any acceptance of this project as it stands, would not be in the best interests of Campbell nor its citizens.

The concept is a good fit but it is not within the scope of our General Plan.

Harry Greenwood



## San Tomas Area Community Coalition

1509 Walnut Dr.  
Campbell, CA 95008

408.410.6528 phone  
info@staccna.org  
<http://staccna.org>

City of Campbell  
70 N. First Street  
Campbell CA 95008

June 14, 2020

**Attn:** City Council Members  
Paul Kermoyan, Director Community Development Department  
Planning Commission Members  
Naz Pouya Healy, Assistant Planner

**Subject:** Authorization to Proceed with an Application to Amend the General Plan (PRE2019-005) to Create a New Land Use Designation ("Major Corridor Mixed-Use") and Change the Land Use Designation of Property Located at 2029, 2045-2063 S. Bascom Avenue, 980 E. Campbell Avenue, and 951 Michael Drive from General Commercial and High Density Residential to Major Corridor Mixed Use to Allow a Future Proposal for a Mixed Use Development

**Dear City Council Members, Planning Commission Members and Staff:**

STACC members have reviewed PRE2019-005, a request by Acquity Realty, Inc. to create a new General Plan Category for the City of Campbell which can be applied to a future project consisting of a Hotel and Apartment Complex at the intersection of Bascom and Campbell Avenue, where the current Hickory Pit Restaurant and other businesses are located.

STACC Board members met with Dennis Randall of Acquity Realty, Inc. on June 10th and reviewed the proposed project. We do not believe this project, as currently proposed, fits in to the City of Campbell philosophy of conservative growth that maintains the atmosphere of a small town. We are in agreement with the City of Campbell staff report that this request should be denied. That being said, we would like to discuss our findings regarding the project concept;

**Zoning:** This project would require an entirely new General Plan Designation with zoning for Major Corridor Mixed-Use be created to allow it to be built. The question becomes should the city of Campbell create an entirely new classification of zoning just to accommodate a specific project? Changes to the General plan, particularly this type of

sweeping change should be done through the GPAC (General Plan Advisory Committee) and the process of General Plan review and change currently under-weigh.

We find ourselves in agreement with the staff report which provides an alternative suggestion. Redesign the project to fit within the parameters of our existing General Plan options, and make the required changes to the land use with designations already in the General Plan. This would allow the same project to proceed on a smaller scale which would be a much better fit for the City of Campbell overall.

**Design Concepts:** We all liked a number of the aspects of the site design which we felt were well done. These include:

- Layout of the buildings on the property. We all felt that the layout was well done, worked well, and made for a very usable and accessible site.
- Use of rooftops for recreational activities such as pools, green space, shared BBQ and social gathering area.
- Ground level courtyard with retail and restaurants primarily designed for pedestrian access with only a few parking spaces and reduced automobile traffic.
- Underground “stacked” parking. We were told that some of the parking would be open to the public as well as apartment and hotel occupants.

**Project Design Challenges:** We felt that the design of the actual buildings had problems. While we understand the concept of pairing the “old” farming brick factory elements with the more “modern” steel and concrete of many office buildings, this design failed to make either element work.

- We felt the buildings were a mash-up of cold concrete and glass, a design we’ve seen all too often, with a brick facade on one side. Nothing really fit together as a cohesive whole, nor did the structures seem at all welcoming.
- We were divided on the incorporation of the “can” on the top of the apartment complex. Most of us didn’t care for it, particularly as it increased the height of the building. Although we understand the developer was attempting a unifying concept of a “cannery” at one end of the street and the existing water tower at the other, we find it would compete with the skyline and the current symbol for Campbell of the old water tower. There is no need for this type of addition. We think something better can be developed. Perhaps using clear barriers on the street side of the rooftop with a small orchard on top of the roof that is visible from the street as a nod to our farming past.
- Affordable housing, particularly near transit areas, is key to the continued health of our city, allowing residents of all incomes to live and work. While the developer has not considered providing this, we believe that a development of this scope should follow the requirements for inclusion of affordable units, perhaps in partnership with the cities existing below market rate offerings.

- Along with the proposed revolving art display, we would like to see some type of pocket park or park like area that the public can use. We currently lack park and open space in our city and this project could be an opportunity to add some much needed recreational space.

**Live/Work Space:** A project of this scope is an opportunity to create living spaces that will take us into the future. We have learned from the current Corona Virus crises that many more companies now support work from home employees. Our living spaces should therefore be designed for this need. New housing can be made that incorporates a home office, and to provide services such as onsite childcare, pet care, and conference room space.

**Meeting Space:** The developer has offered to provide meeting rooms that can be used by the community, mentioning churches, community groups and associations. Since the Hickory Pit formerly served this purpose, providing no cost meeting space for groups within the community is greatly appreciated.

Since the developer has offered to provide this service to the community, the Council should formalize this as a condition of approval that a certain amount of free conference room use be dedicated to the use of community groups each month.

**Financial Benefits:** Should the developer choose to pursue a scaled down project on this site, we believe the benefits of both additional housing and income from the Transient occupancy tax, property tax and sales tax would be a benefit to the City of Campbell.

In conclusion, we want to express our appreciation to Dennis Randall and the Acquity Realty, Inc. group for reaching out to us. While we cannot support the project as it is currently conceived, we believe it is possible to come to an agreement with a modified design which will benefit both the developer and the City of Campbell.

Best regards,



Audrey Kiehtreiber  
President

## Andrea Sanders

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**To:** Naz Healy  
**Subject:** RE: Cannery Place

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

From: Vikki Essert  
Sent: Friday, June 12, 2020 11:25 AM  
To: Susan M. Landry <susanl@campbellca.gov>; Anne Bybee <anneb@campbellca.gov>; Liz Gibbons <lizg@campbellca.gov>; Rich Waterman <RichW@campbellca.gov>; Paul Kermoyan <paulk@campbellca.gov>  
Cc: Paul Kermoyan <paulk@campbellca.gov>  
Subject: Cannery Place

Good morning Mayor and council Members,

I am writing today in support of pursuing the Cannery Place development proposed by Acquity Realty. I understand that it is taller and more dense than many developments in Campbell, but I find this particular location able to accommodate this project with minimal negative impact to the surrounding neighborhoods, and could even enhance our area aesthetically and with public spaces. Acquity has expressed their desire to provide pedestrian friendly public space within the project and to complement, not compete with the Pruneyard. With the existing and proposed office towers at the Pruneyard of the same height a this project, it will not be out of place on this busy corner and could increase the foot traffic in the Pruneyard and Downtown. During the opposition to Chik Fil A, it was stated that Campbell residents are anti business and we repeatedly explain that we would support an appropriate project. Cannery Place is one such project that deserves support. Please consider approving the necessary amendments to the General Plan to allow this project to move forward.  
Vikki

## Andrea Sanders

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**To:** Nancy Da Silva  
**Subject:** RE: Survey

**From:** Nancy Da Silva  
**Sent:** Monday, June 15, 2020 2:51 PM  
**To:** Paul Kermoyan <paulk@campbellca.gov>; Web Distribution City Clerk <WebDistributionCityClerk@campbellca.gov>  
**Cc:** Vickki Essert-Offsite <vikkiessert@gmail.com>  
**Subject:** Fwd: Survey

WARNING: This email originated from an external sender!

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Dear Paul and Deputy City Clerk Sanders,

I volunteered to create a quick survey to gauge residents interest in the proposed Cannery project on the corner of E. Campbell and S. Bascom. I sent the survey and results to the developers and Vikki suggested that you would be interested in seeing the responses as well. Vikki and Mark had a dropbox link to the full proposal which I directed the respondents to review. So I'm attaching a pdf of the survey I sent and a report of the responses we received. Hope this is helpful.

Cheers,  
Nancy

# Default Report

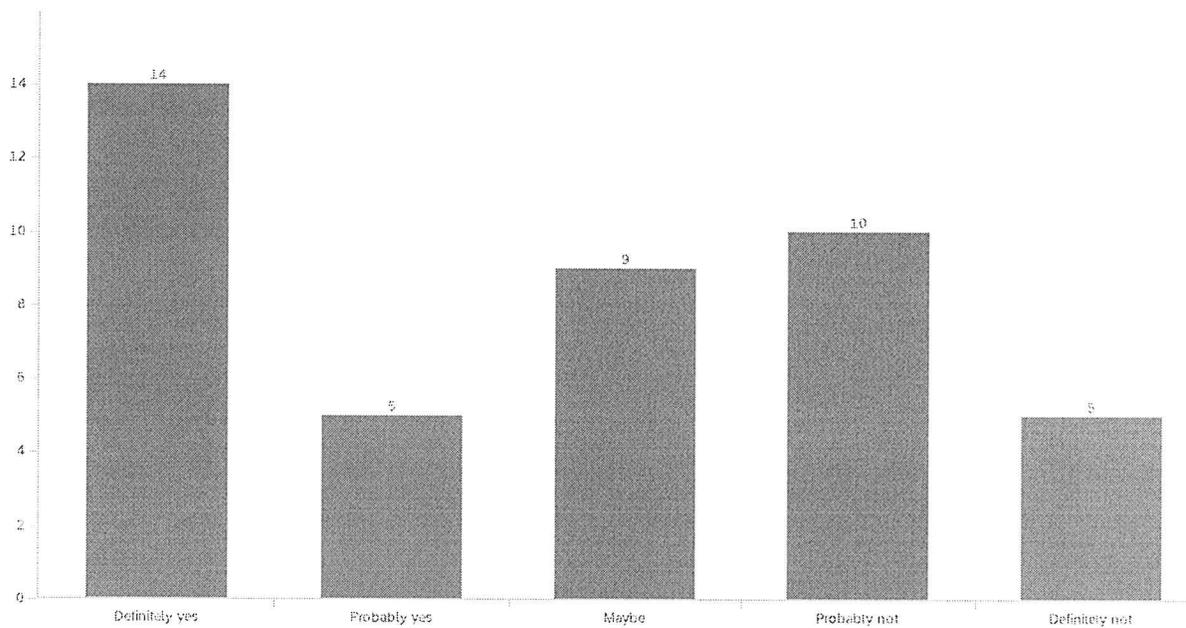
*Cannery Project Survey*

June 15, 2020 2:24 PM PDT

## Neighborhood responses to online survey regarding proposed Cannery Project

The link to the survey was emailed to members of Pruneyard Dry Creek Nextdoor site on June 13. Responses were collected until June 15. Forty three residents completed the survey within those 2 days.

# Q1 - Would you like the city council to assess the viability of this project?



#	Field	Choice	Count
1	Definitely yes	32.56%	14
2	Probably yes	11.63%	5
3	Maybe	20.93%	9
4	Probably not	23.26%	10
5	Definitely not	11.63%	5
			43

Showing rows 1 - 6 of 6

Q2 - What do you like about the project? (this question only appeared for respondents who responded "definitely yes" or "probably yes" in the previous question)

What do you like about the project?

I like the design and the open space between the buildings. However, rather than a traditional large restaurant for the hotel I would love to see a marketplace style eatery (like San Pedro Square) with local restaurant owners showcasing all the diversity of foods we have in the Bay Area. It's a great way to support local business and show visitors to the area all the great food options in the Bay Area. I think it would also attract residents in the area. It's also a novel feature for a hotel.

I actually don't like it. The gas station is convenient for the neighborhood and we to go out to dinner periodically and with this we are losing a good at down restaurant.

High end hotel

I like the idea of using the space for housing and a hotel. We live nearby and frequently use local hotel's for family visitors. Plus having another venue in Campbell for use of facilities for meetings and events would be a plus.

The open courtyard and a nod to Campbell history.

I think it is a good start and would be complementary look to the corner and the Pruneyard. But I am also concerned about the parking and this is always an issue that the developer will try and downplay. A suggestion of cutting back the 7th floor to half as many apartments, maybe making them larger in size but not in bedrooms. I look forward to the next presentation.

This design is an improvement over the existing use of the space. It is aesthetically appealing (a bit too high) in design and will improve the walk-ability of Campbell Ave. west of Bascom. I also think a hotel is a plus. The plaza with art is also nice.

It's a better use of the space and good revenue for the city. Currently that corner is tricky for pedestrians, but this plan seems to improve the walkability, and improves the flow of foot traffic from the Dry Creek neighborhood, past the Pruneyard, to Downtown Campbell.

The emphasis on public art and public spaces; huge revenue for the City; possibility of increased business for the Pruneyard and Downtown.

Q3 - What are your concerns about the project? (this question only appeared for respondents who responded "definitely no" or "probably no" in the previous question)

What are your concerns about the project?

WEARE LOSING THE SMALL TOWN FEELING THAT HAS BROUGHT MANY OF OUR RESIDENTS TO PREFER TO LIVE IN CAMPBELL. WHY CONTINUE TO ADD INSULT TO INJURY. WE HAVE ENOUGH UGLY HIGH RISES, UGLY IN STRUCTURE, UGLY IN PAINT COLOR. THEY SHOULD ALL BE REPAINTED A FRIENDLY EARTH TONE.

Traffic and congestion

Traffic

Too big for the area and more traffic for neighborhood streets.

Overdevelopment

Over crowding in an already over crowded town/area. Parking and traffic at Pruneyard is already horrific and this is right across the street.

MUCH too much of a "Big City" vibe!!! Campbell has remained "quaint" in spite of larger Hotels, etc. being placed just outside the Downtown scope of things. This is near the "entrance" to downtown, and screams "COLD" and unapproachable. Much too large a scope, in my opinion, and too boxy and "glitzy" for what Campbell is and was once. I have lived here all of my 65 years, and have seen many changes. Not opposed to change and progress, but feel you can do a better job making this fit into the friendly vibe of Campbell...after all, this is why people come here! An ugly, boxy, mass of steel and glass doesn't fit in...especially in that prominent location! Please go back to the drawing board!

Lack of parking, eye sore, too many people creating traffic.

It seems a bit too tall for the location. It should also accommodate more retail/restaurant space.

Infrastructure...such as sewer, water, roadways! Traffic! THE HEIGHT... visual obstruction to the surrounding hills caused by the proposed height. As well the sounds that already echo off the Pruneyard towers and the Courtyard Hotel, 8x8 building..900 Hamilton. The further bouncing of sound off 3 7 story structures in such close proximity to a residential community. Too much development in a small corner.

Increased traffic is a big concerns for neighbors! Also, we do not want high rise buildings in our residential neighborhood.

Construction delays, traffic problems d/t more apartments, etc Traffic; will be a problem no matter how they try to sell this development

A massive development like that changes the landscape and makes Campbell feel like a big city. When coming home down Bascom, after I pass The Pruneyard I start to feel like I'm in my quaint little Campbell neighborhood. Having a massive complex takes that small town feel away.

## Q4 - What questions do you have for Acquity Realty regarding their proposal?

What questions do you have for Acquity Realty regarding their proposal?

The only issue I have is with the height of the buildings. I don't think any of the new developments in this area are that tall (e.g., apartment complex across from Whole Foods or above Chipotle that are both on Bascom nearby). Second, I really like the art installation. I am wondering if the outdoor space could be used occasionally to hold small live concerts/live poetry reading/art exhibits. I just think it's a great space to support local artists which is something Pruneyard and downtown Campbell don't really do so it would be another selling point to the city and the local community. It would also draw local residents to the shops and restaurant if you have some events in the space.

There will be a traffic impact, even if you think this project will be a low traffic impact. It would be helpful to know how cars will be funneled into this complex. Based on the siteplans, it does not look like any entrance or exits are on Bascom. I would prefer that you keep it that way.

Can it be smaller so not to have traffic impact for the area.

What is your goal??? Is it to cram the most use space onto one plot of land, or is it to add something beautiful and positive to Campbell? This design does not do both, unfortunately! Curious...

Making the project so tall to begin with makes it a non-starter for me.

Don't increase traffic in surrounding residential neighborhoods

Do you expect those shopping at the Pruneyard will walk over to this area? How much parking will there be for hotel guests? I would not like additional cars parking in the neighborhood who don't live here causing increased traffic on city streets.

I don't believe there will be enough parking for the residences and hotel both. There are 211 apartments and only 230 spaces. Many of the apartments are 2 and 3 bedrooms and could house 2-6 people. These won't be families living with children taking up the rooms but more than likely all adults that drive. I think you are dreaming if you think all these people are going to jump on a scooter or bike to the light rail and take public transportation to work everyday. If people do take public transportation to work that doesn't mean they don't have a car for evening and weekend use. What I foresee is many cars being parked down the neighboring residential streets because your plan doesn't provide for enough on site parking. I live a couple blocks down off Bascom and we already have a parking problem on Shady Dale Ave. There are apartments down Bascom and on Apricot that don't provide enough spaces so people are parking down our street. I've counted 12-14 cars on any given day at the end of my street and the numbers are growing. What you are proposing would bring even more onto the residential streets. Let's be realistic some people have given up their cars but not many and you are assuming a lot to think that there will only be 1.09 cars per apartment. Unless you provide closer to 2 parking spaces per unit there won't be enough and this will push the cars onto our streets and I couldn't support this project.

I question if this design syncs well with the design of the Pruneyard across the street. I am not a design expert, but this seems to somewhat clash with the style of the Pruneyard. Would it not look better esthetically for the city if there were more synergies with the Pruneyard look and feel? This seems like a very tall structure for the corner. I could probably be OK with the Hotel's height as is it not on the corner, but the height of the residential building would tower over that corner and look out of place.

Campbell use to have a restaurant called Sebastian's on the top floor of the Pruneyard tower. This is sorely missed by countless Campbell residents now. The views were amazing during dining. I suggest altering your design to include a restaurant or at the very least a bar, on the roof of the hotel. This would be a true nod to Campbell history.

Can the height be reduced? What steps will you be taking to minimize the debris during construction? Is there a different icon you could use for the top? Campbell already has an iconic water tower; best not to compete with that. Maybe an image of a fruit can?

What is the percentage of affordable housing? How will you work with the general contractor to ensure that dust/cement particulates are carefully considered and mitigated? This was a major problem with the Payne / Winchester development. I would prefer in the design that a new icon be established v. the redundancy of the water tower.

I am concerned about the number of parking spaces for 230 residential units. I don't think it is enough parking. Also, 7 stories seems pretty severe.

What questions do you have for Acquity Realty regarding their proposal?

Can the design be revisioned to: 1) reduce height (buildings being built on Campbell Ave leading to the downtown area already create a tunnel that amplifies and ricochets noise, 2) blend architectural style with the Pruneyard; 3) put the courtyard or an additional one on the Campbell Avenue side such that the entire development doesn't overwhelm the village entry? Also, I'm thinking the developers have already looked into this, but have they done occupancy studies of surrounding hotels? Just wondering about the advisability of yet another hotel when four are already within a 3-mile radius. I'm not inclined to make us a downtown San Jose knock-off. It destroys the modern village ambience and implies transient life style.

Why so tall out of place, take down a story.

NONE REALLY, EXCEPT FOR THEM TO STOP SOFT PEDALING THE EFFECTS ON OUR TOWN. IT WILL NOT BE ALL ENVIRONMENTALLY ACCEPTABLE.

Adequate parking. No overflow parking on to the surrounding residential streets.

The plan feels a little big, or close to the sidewalk on the Bascom Avenue side. Are the strategies to explore for making it feel like a more natural transition from walking space to the tall residential/hotel buildings?

More offices, housing... another Hotel...seriously? This project needs to be scaled back. In this covid 19 era and for years to follow not sure office space or hotels are going to be in high demand. So the occupancy tax as revenue to the city is a weak point in my opinion. High density housing as well...are we not witnessing how impactful high density is to the spread of a pandemic from other places...NY, NJ, Europe. Covid 19 may be the first but it won't be the last pandemic the experts are warning us.

I'm sure you didn't acquire the property to leave as-is, or to put up a park, so I imagine you'll be looking to put up "something"... but with Pruneyard and downtown already over crowded it seems the easiest things to get put up would be things that benefit local community more than a hotel. There's no good answer that will be warmly and universally welcomed, but high density housing and hotels are probably the worst from a community perspective, whereas non-revenue generating things like parks, open space, community venues, etc. would be more welcome, but probably not economically feasible. Tough spot to be in, so perhaps you can donate the land back to Campbell :-)

How many very low and low income units can be included?

**End of Report**

## Cannery Project Survey

iQ Score: **Great**

 Published

▾ Default Question Block

Block Options ▾

Q1

### PROPOSED NEIGHBORHOOD DEVELOPMENT



#### CANNERY PLACE

##### Neighborhood Survey

Acquity Realty, Inc. has submitted a proposal to develop the corner of S. Bascom and E. Campbell where we currently have Montebello Rd, Shell, and Hickory Pit. The project would include high density residential up to 250 apartments, a hotel, retail and office space and outdoor courtyard. Acquity Realty would like to know if neighborhood residents are supportive of this project before presenting to the city council.

Please review the files in the Dropbox link for specifics on the proposed development.

Page Break

Q3

Photo of proposed development with an ode to the water tower in downtown Campbell.



Q7

#### Some of the Benefits of the Project According to Acquity Realty



1. Increased tax revenues from the hotel - projected to generate \$1,500,000 in additional tax revenue per year
2. Additional \$250,000 per year in property tax revenue
3. Reduced traffic impact compared to other potential projects in that space (e.g., medical office, technology park)
4. Artistic public space
5. Significant public parking

Q4 Outdoor plaza in between the residential units and the hotel.



Q6 Would you like the city council to assess the viability of this project?



Definitely yes



Probably yes

Maybe

Probably not

Definitely not

**Display This Question:**

If Would you like the city council to assess the viability of this project? Definitely yes Is Selected  
Or Would you like the city council to assess the viability of this project? Probably yes Is Selected



Q12 What do you like about the project?



**Display This Question:**

If Would you like the city council to assess the viability of this project? Probably not Is Selected  
Or Would you like the city council to assess the viability of this project? Definitely not Is Selected



Q11 What are your concerns about the project?



Q8 What questions do you have for Acquity Realty regarding their proposal?



Empty text input area for survey responses.

[Add Block](#)



End of Survey

[Survey Termination Options...](#)

MEMORANDUM



City of Campbell  
City Clerk's Office

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**To:** Honorable Mayor and City Council **Date:** June 15, 2020  
**From:** Andrea Sanders, Deputy City Clerk  
**Via:** Brian Loventhal, City Manager  
**Subject:** Desk Item 9 – Supplemental Information

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The purpose of this desk item is to provide additional clarification to the staff report related to the amended agreement for City Manager services.

Total Compensation for the Campbell City Manager was set in December 2016. The position has not received a cost of living adjustment or other salary adjustment since that time.

While the salary for the City Manager has remained at the 2016 level, City department heads have continued to receive cost of living adjustments and in some cases, merit increases when appropriate. This has resulted in compensation compaction issues between the department heads and the City Manager.

The City of Campbell Personnel Rules and Regulations for Management states, "Department Heads should be in a salary range which is a minimum of 10 percent above the top step of the range of the highest salaried assistant or division head." (Rules and Regs., Sec/ 4/3C.). The proposed increase to the agreement will bring the City Manager salary into compliance with this policy.