



# City Council Agenda

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

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

This City Council Special meeting will be conducted in person as well as telecommunication and is compliant with provisions of the Brown Act.

The City Council meeting will be live-streamed on Channel 26, the City's website and on YouTube <https://www.youtube.com/user/CityofCampbell> for those who only wish to view the meeting.

Those members of the public wishing to provide public comment virtually are asked to register in advance at: <https://www.campbellca.gov/signup>. After registering, you will receive a confirmation email containing information about joining the meeting. Members of the public may attend the meeting in person at Campbell City Hall - Council Chambers. If attending in person, face coverings and physical distancing will be required until further notice.

Public comment will also 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.

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

Tuesday, December 21, 2021 6:00 p.m.

City Hall Council Chamber – 70 N. First Street

### **CALL TO ORDER**

### **ROLL CALL**

### **PUBLIC COMMENT**

NOTE: This portion of the meeting is reserved for persons wishing to address the City Council on any matter not on the agenda. Persons wishing to address the Council are requested, but not required to complete a Speaker's Card. Speakers are limited to two (2) minutes. The law generally prohibits the Council from discussion or taking action on such items. However, the Council may instruct staff accordingly regarding Oral Requests.

### **UNFINISHED BUSINESS**

1. **Consider extension of Downtown Campbell Parklet Program.  
(Resolution/Roll Call Vote)**

Recommended Action: That the City Council consider adoption of a Resolution extending the Downtown Campbell Parklet Program for outdoor restaurant dining and business operations in parklets.

## **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.

In compliance with the Americans with Disabilities Act, listening assistive devices are available for all meetings held in the City Council Chambers. If you require accommodation, please contact the City Clerk's Office, (408) 866-2117, at least one week in advance of the meeting.

MEMORANDUM



City of Campbell

City Clerk's Office

**To:** Honorable Mayor and City Council

**Date:** December 21, 2021

**From:** Dusty Christopherson, City Clerk

**Via:** Brian Loventhal, City Manager

**Subject:** Desk Item 1 – Consideration of Extension of Downtown Parklet Program

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Enclosed please find Desk Item 1 relating to the consideration of the extension of the Downtown Parklet Program. This Desk Item includes a draft resolution to extend the program (end date to be decided by Council) as well as correspondence received by the City Clerk's Office. This Desk Item is being included in the public agenda packet online. Any further public comments received will be included in the public agenda packet online following the meeting.

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAMPBELL EXTENDING THE DOWNTOWN CAMPBELL PARKLET PROGRAM AND SETTING A NEW DATE TO CONCLUDE TEMPORARILY EXPANDED OUTDOOR DINING AND BUSINESS OPERATIONS TO \_\_\_\_\_, 2022, AND FULLY RESTORE ON-STREET PUBLIC PARKING ON EAST CAMPBELL AVENUE IN THE DOWNTOWN AREA.**

**WHEREAS**, the Campbell City Council proclaimed a state of emergency on March 17, 2020 in response to COVID-19 following the World Health Organization's escalation of COVID-19 to a pandemic, and following declarations of states of emergency made at the County, State, and Federal levels to slow the spread of COVID-19; and

**WHEREAS**, the local state of emergency has been extended in 60-day increments subject to Council review until conditions warrant termination per Government Code 8603 (c) and is in effect through September 30, 2021 per Council-adopted Resolution 12744 on August 3, 2021; and

**WHEREAS**, on September 1, 2020, the Campbell City Council adopted Resolution 12634 authorizing establishment of the Downtown Campbell Parklet Program allowing expansion of outdoor business and dining operations in parklets located in on-street parking stalls on East Campbell Avenue from the light rail tracks to just past Third Street consistent with State and County Health Orders, City Flexible Business Operational Guidelines and the Encroachment Permit process; and

**WHEREAS**, traffic lanes on East Campbell Avenue in the Downtown Area remain open to vehicle traffic and provide on-street parking stalls not converted to parklets as public parking for business customers; and

**WHEREAS**, once the parklets are established, they shall remain in place until such time as the City Council determines the configuration needs to be altered or discontinued; and

**WHEREAS**, on December 1, 2020, the Campbell City Council adopted Resolution 12663 extending the Downtown Campbell Park Program until April 30, 2021 with the option to extend the program through June 30, 2021 if State and County Health Orders remain in effect; and

**WHEREAS**, on April 30, 2021, the City exercised the extension option continuing the program through June 30, 2021; and

**WHEREAS**, on June 1, 2021, the Campbell City Council adopted Resolution 12721 extending the Downtown Campbell Park Program until September 30, 2021 with the option to extend the program as determined by the City; and

**WHEREAS**, on September 7, 2021, the Campbell City Council adopted Resolution 12758 extending the Downtown Campbell Parklet Program until January 3, 2022 upon which date the program would terminate; and

**WHEREAS**, the Omicron variant of COVID-19 is rapidly spreading throughout the world including recently reported cases in Santa Clara County; and

**WHEREAS**, although the program was previously determined to end January 3, extending the existing parklet program allows for expanded capacity for businesses and outdoor alternatives to consumers downtown.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Campbell that the Downtown Campbell Parklet Program be extended until \_\_\_\_\_, 2022 subject to the following:

1. Temporarily expanded outdoor dining and business operations beyond the width of restaurant storefronts in on-street parking stalls and City-owned parking lots shall continue until \_\_\_\_\_, 2022; and
2. Staff shall return to the City Council with an outline of a permanent parklet program in January 2022; and
3. Following \_\_\_\_\_, 2022 Staff shall remove safety barriers and potted trees to restore on-street parking stalls to provide public parking; and
4. Traffic lanes on East Campbell Avenue in the Downtown Area shall remain open to vehicle traffic.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of December 2021, by the following roll call vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

APPROVED

\_\_\_\_\_  
Elizabeth "Liz" Gibbons, Mayor

ATTEST:

\_\_\_\_\_  
Dusty Christopherson, City Clerk

**From:** [Brian Loventhal](#)  
**To:** [Dusty Christopherson](#)  
**Subject:** FW: Extension of park let program through January  
**Date:** Tuesday, December 21, 2021 8:31:34 AM

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**From:** Lauren Santiago <lauren.santiago@oparestaurantgroup.com>  
**Sent:** Monday, December 20, 2021 5:06 PM  
**To:** Brian Loventhal <brianl@campbellca.gov>  
**Subject:** Extension of park let program through January

Hello,

My name is Lauren and we are in favor of extending the parklet program throughout January. It has helped provide our restaurant with growth during this pandemic.

Thanks

**Lauren Santiago**  
**Senior General Manager**  
**Hero Adams Inc. &**  
**Opa! Restaurant Group**  
**(408) 866-4570**

**From:** [Brian Loventhal](#)  
**To:** [Dusty Christopherson](#)  
**Subject:** FW: Extension of parklet program through end of January  
**Date:** Tuesday, December 21, 2021 8:32:32 AM

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**From:** Thomas Kildunne <thomas@oparestaurantgroup.com>  
**Sent:** Monday, December 20, 2021 5:41 PM  
**To:** Brian Loventhal <brianl@campbellca.gov>  
**Cc:** Lauren Santiago <lauren.santiago@oparestaurantgroup.com>; Ante Marcelic <ante@willardhicksgrill.com>  
**Subject:** Extension of parklet program through end of January

Hi Brian,

As the GM of OPA Campbell, I would like to endorse keeping the Parklet Program going as long as possible.

Thomas Kildunne  
General Manager Opa Campbell  
276 east Campbell Ave.  
Campbell Ca 95008

**From:** [Liz Gibbons](#)  
**To:** [Brian Loventhal](#); [Dusty Christopherson](#); [Rob Eastwood](#)  
**Subject:** Fwd: Agenda Item for Tuesday - Extend our parklet program  
**Date:** Monday, December 20, 2021 8:15:41 PM

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Elizabeth "Liz" Gibbons, AIA, LEED AP  
Mayor, City of Campbell  
Past AIA Strategic Counselor, At-Large

Sent from my iPhone

Begin forwarded message:

**From:** Randy Musterer <[sushirandy@gmail.com](mailto:sushirandy@gmail.com)>  
**Date:** December 20, 2021 at 6:11:24 PM PST  
**To:** Liz Gibbons <[lizg@campbellca.gov](mailto:lizg@campbellca.gov)>, Randy Musterer <[sushirandy@gmail.com](mailto:sushirandy@gmail.com)>  
**Subject:** Agenda Item for Tuesday - Extend our parklet program

To Mayor Liz Gibbons

I am in full support to extend our parklet program another 30-60-90 days.

We, at Sushi Confidential, want to do our part in keeping the community safe while keeping our businesses alive!

Being on the front lines and hearing what our community continually states, and especially now with the new Omicron variant, is that they appreciate the option to sit outside in the parklets. Our customers want to support the local businesses but they want to do it in a safe and smart way.

I understand the need and the desire to remove the parklets to help aid in other community events such as farmers market in the Campbell Chamber of Commerce summer events. However, removing the Parklets now, especially during the winter time when we know the flu season and the Covid season is much more dramatic and can more easily infect our staff and guests.

Removing the parklets right now could have a devastating effect to the Campbell business community as well as our residence potentially contracting the new variant. We have seen in the news that vaccines are helping prevent serious complications and death, however, those that are vaccinated are still able to contract the virus and potentially spread the virus and we want to do everything in our ability to eliminate those situations.

It is my recommendation to reverse your previous decision and allow the parklets to stay for the next 1 to 3 months like many other downtown areas have done

throughout the bay area and the state.

From a business perspective it would be an ideal situation, if permanent parklets are going to be approved, getting that process finalized so when we remove our temporary Parklets, we can immediately build out our permanent parklets.

Thank you

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photo



**Randy Musterer**

Founder | CEO at Sushi Confidential

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**M** 408-761-7341 **E** [randy@sushiconfidential.com](mailto:randy@sushiconfidential.com)

**W** [www.sushiconfidential.com](http://www.sushiconfidential.com)



**From:** [Liz Gibbons](#)  
**To:** [Brian Loventhal](#)  
**Cc:** [Rob Eastwood](#); [Dusty Christopherson](#)  
**Subject:** Fwd: Don't remove the parklets  
**Date:** Monday, December 20, 2021 10:06:19 PM

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Elizabeth "Liz" Gibbons, AIA, LEED AP  
Mayor, City of Campbell  
Past AIA Strategic Counselor, At-Large

Sent from my iPhone

Begin forwarded message:

**From:** madeline@thechiavettas.com  
**Date:** December 20, 2021 at 9:34:47 PM PST  
**To:** Paul Resnikoff <paulr@campbellca.gov>, Sergio Lopez  
<sergiol@campbellca.gov>  
**Cc:** Liz Gibbons <lizg@campbellca.gov>, Anne Bybee  
<anneb@campbellca.gov>, "Susan M. Landry" <susanl@campbellca.gov>  
**Subject:** Don't remove the parklets

Please help support our merchants and let us live our  
lives. Don't remove the parklets  
We love being able to  
socialize and eat safely in downtown campbell. This world is falling apart  
and the depression from lock down is overwhelming It appears it's going  
to happen again This its not the best timing to remove the parklets.

## Madeline Chiavetta

The Chiavettas  
Let our Family Help Yours  
Luxury Property Specialist  
International President's Premier  
Top 1% Society of Excellence  
#10 Small Team in the USA

[Madeline@thechiavettas.com](mailto:Madeline@thechiavettas.com)  
408-506-5393

**From:** [Liz Gibbons](#)  
**To:** [Brian Loventhal](#); [Rob Eastwood](#); [Dusty Christopherson](#)  
**Subject:** Fwd: DT Campbell Parklett program  
**Date:** Tuesday, December 21, 2021 10:36:40 AM

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Elizabeth "Liz" Gibbons, AIA, LEED AP  
Mayor, City of Campbell  
Past AIA Strategic Counselor, At-Large

Sent from my iPhone

Begin forwarded message:

**From:** Carol Pouya <tessorasbarradivino@yahoo.com>  
**Date:** December 21, 2021 at 9:28:11 AM PST  
**To:** Liz Gibbons <lizg@campbellca.gov>, Paul Resnikoff <paulr@campbellca.gov>, Anne Bybee <anneb@campbellca.gov>, "Susan M. Landry" <susanl@campbellca.gov>, Sergio Lopez <sergiol@campbellca.gov>  
**Subject:** DT Campbell Parklett program

Morning Council members :

My understanding is that there is to be a City Council meeting this evening in regards to the temporary parklett program and the extension for the possibility of 30, 60, 90 days from the end of the year/timeframe that the temporary parklett program is ending.

I am not able to attend tonight, thus sending out this email to each of you.

I have talked to Michael Thomas about this program and given him my thoughts on it numerous times. Michael understands that I do have a concern in regards to the continuation of this program . Please understand that I realize I don't know all of the ins and outs of the temporary program, but would still like to extend my thoughts so you all know where I stand with the parklett program.

First and foremost I think it is a fabulous idea for outside dining for Downtown Campbell. I'm sure you've all seen and witnessed over the course of the last two years how successful the program is and how much people love being outside. As a business owner for Campbell's only Wine Bar, it has proven to be very successful for my business and has helped keep my doors keep open when people are still not wanting to go inside and dine and drink!

A get a lot of compliments on my structure and feel that from the sidewalk View, it's one of the nicest looking structures that we have downtown.

I would very much like to see the program extend into a permanent program. I believe our downtown would continue to flourish with outside dining and a permanent program in place.

With that said, I understand that the temporary barriers need to come down at some point and a permanent program be put in place to hopefully, have a uniform look on all of the parkletts that are decided upon on Campbell Avenue. I also understand that there's going to be fees and decisions that need to be set in place to continue a permanent program. If the city Council decides to vote on this as a

permanent program, I'm all for it and understand then that the temporary ones need to come down and also understand that the best time for this is probably right now when the weathers chilly and it is more difficult for people to want to sit outside .

What I'm not sure about, and would like to cast my opinion on the thought of why doesn't the City Council decide to keep the temporary program up and running until a permanent program is in place and ready to execute? Last winter in the midst of 2020 when no one was allowed to sit inside, the outside structures definitely kept business going! Now that a new variant with Omicron is threading us and we do not know yet what will happen in SC county, maybe even more reason to keep the temporary structures up until City Council has hopefully decided on a permanent program?

Thank you so much for your services and listening to my thoughts!

Carol Pouya

Tessoras Barra di Vino

Sent from my iPhone

**From:** [Liz Gibbons](#)  
**To:** [Brian Loventhal](#); [Rob Eastwood](#); [Dusty Christopherson](#)  
**Subject:** Fwd: Extending Parklet Timeframe in Campbell  
**Date:** Monday, December 20, 2021 8:13:53 PM

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Elizabeth "Liz" Gibbons, AIA, LEED AP  
Mayor, City of Campbell  
Past AIA Strategic Counselor, At-Large

Sent from my iPhone

Begin forwarded message:

**From:** Sean Spanek [REDACTED]  
**Date:** December 20, 2021 at 7:08:15 PM PST  
**To:** Liz Gibbons <[lizg@campbellca.gov](mailto:lizg@campbellca.gov)>, Paul Resnikoff <[paulr@campbellca.gov](mailto:paulr@campbellca.gov)>, Anne Bybee <[anneb@campbellca.gov](mailto:anneb@campbellca.gov)>, "Susan M. Landry" <[susanl@campbellca.gov](mailto:susanl@campbellca.gov)>, Sergio Lopez <[sergiol@campbellca.gov](mailto:sergiol@campbellca.gov)>  
**Subject: Extending Parklet Timeframe in Campbell**

Hello All,

I was made aware that the parklets in Campbell will be removed as of Jan 3rd, 2022.

As a regular patron of Campbell for 20 plus years now I sincerely appreciated the addition of the parklets to keep people and families safe through Covid. I honestly think it adds charm to the downtown environments as well.

I understand parklets can't stay forever but removing them during the holidays during the winter cold (as in flu) season especially with the Omicron variant upon us would be very poor timing and definitely not in the best of interest of the public's health for those out enjoying breakfast/lunch/dinner etc. The parklets have brought an additional comfort level to those who might have considered staying home by motivating them to go out because they feel safer in an open environment.

I'd like to humbly ask that you consider leaving the parklets for at least the next 30 plus days so businesses and the general public can work in a comfortable environment through the holidays.

If I was going to personally pick a date on a calendar to remove them it would make much more sense to do it after the Super Bowl.

Thanks for your consideration and Happy Holidays to all of you!!

Sean Spanek

Sent from my iPhone

**From:** [Liz Gibbons](#)  
**To:** [Brian Loventhal](#); [Rob Eastwood](#); [Dusty Christopherson](#)  
**Subject:** Fwd: Parklets  
**Date:** Monday, December 20, 2021 10:27:05 PM

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Elizabeth "Liz" Gibbons, AIA, LEED AP  
Mayor, City of Campbell  
Past AIA Strategic Counselor, At-Large

Sent from my iPhone

Begin forwarded message:

**From:** Alex Hult <[alex@flightsrestaurants.com](mailto:alex@flightsrestaurants.com)>  
**Date:** December 20, 2021 at 10:14:02 PM PST  
**To:** Liz Gibbons <[lizg@campbellca.gov](mailto:lizg@campbellca.gov)>, Paul Resnikoff <[paulr@campbellca.gov](mailto:paulr@campbellca.gov)>, Anne Bybee <[anneb@campbellca.gov](mailto:anneb@campbellca.gov)>, "Susan M. Landry" <[susanl@campbellca.gov](mailto:susanl@campbellca.gov)>, Sergio Lopez <[sergiol@campbellca.gov](mailto:sergiol@campbellca.gov)>  
**Subject:** Parklets

Dear Council,

I just wanted to ask a simple question, what is the rush to remove the parklets? If you are considering allowing permanent structures I dont understand the rationale in rushing to get them removed when Omicron is raging and people are realizing that the vaccines are not stopping them from getting infected with covid but just keeping them out of the hospital and dying. It would make sense to me to extend parklets as ugly and mismatched as it may look and provide those folks still very cautious a proven safer choice in eating outdoors.

7-8 years ago I was standing in the Los Gatos Chamber telling them "look at what campbell is doing, they are doing everything right and Los Gatos will fall behind if you dont adjust"

Here I am today saying that you should look at what Los Gatos is doing and if you dont adjust, Campbell will lose the lead they have now.

Please consider giving us more time

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Alex Hult  
FLIGHTS Restaurant Group - Founder  
Mountain View - Campbell - Las Vegas - Campbell - Burlingame  
[alex@flightsrestaurants.com](mailto:alex@flightsrestaurants.com)  
408-477-4632