

# CITY COUNCIL MINUTES

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



## REGULAR MEETING OF THE CAMPBELL CITY COUNCIL

Tuesday, May 4, 2021 – 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: <https://campbellca.gov/agendacenter> and <https://www.youtube.com/user/CityofCampbell>.

### CALL TO ORDER

The City Council of the City of Campbell convened on the regularly scheduled day of May 4, 2021, via telecommunication.

Mayor Gibbons stated that this 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.

### ROLL CALL

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

### PLEDGE OF ALLEGIANCE

Mayor Gibbons led the Pledge of Allegiance.

### SPECIAL PRESENTATIONS AND PROCLAMATIONS

There were no special presentations or proclamations.

### COMMUNICATIONS AND PETITIONS

There were no communications or petitions.

### ORAL REQUESTS

There were no oral requests.

## **COUNCIL ANNOUNCEMENTS**

May is dedicated to National Preservation Month. Also known as Historic Preservation Month, the month celebrates our nation's heritage through historic places. Learn more about some of Campbell's historic places through a free App "Discover Historic Campbell," available for both Android and Apple mobile applications.

Campbell Museum presents: History of Moffett Field on Friday, May 21 from 6:00 – 7:00 p.m. via ZOOM. \$10 registration. To register, please visit [www.campbellmuseums.com](http://www.campbellmuseums.com).

"Communities of Strength." A virtual Celebration May 6-27, 2021. Bay Area citizens across three counties, will join our nation in observance of "Older American's Month". To kick off this month-long celebration, a special presentation by Doug McConnel, host of "Open Road" and legendary "Bay Area Backroads" will highlight the power of "Time in Nature." Join us for this wonderful, month-long array of virtual programs. For the calendar of events and to register, please visit <http://tinyurl.com/2021-oam>.

The Campbell Youth Commission is accepting applications for the 2021-2022 school year. The Youth Commission acts as an advisory capacity to the City Council on matters relating to youth and teens. Youth Commissioners are Campbell residents during the 2021-2022 school year and are enrolled in grades 7 through 12. This is a one-year term from September through May. Visit [www.campbellteens.com](http://www.campbellteens.com) to find out what the Youth Commission is up to. For more information about the Youth Commission, please contact Julie Pieracci, at [Juliep@campbellca.gov](mailto:Juliep@campbellca.gov). Applications are due 5:00 p.m. on Monday, May 17, 2021.

The Santa Clara County Library District is proud to announce the Distinguished Author Series, bringing together great authors who spark new thoughts, ideas, and deep discussion. On Saturday, May 8 at 3:00 p.m. join award winning novelist Joyce Carol Oates for a virtual intimate conversation, Q&A session. This event is free, held online and open to the public. For more information, please visit [www.scclld.org](http://www.scclld.org).

Spend summer in Campbell. Campbell Recreation Summer Camp registration is open. Ages 4-15. There are in person & virtual camp opportunities. For more information, please visit [www.campbellca.gov](http://www.campbellca.gov).

## **CONSENT CALENDAR**

Mayor Gibbons asked if there was anyone who wished to pull an item off the Consent Calendar.

Item six was pulled from the consent calendar.

The Consent Calendar was considered as follows:

1. **Minutes of City Council Study Session Meeting of April 20, 2021**  
Recommended Action: Approve the study session meeting minutes of April 20,

2021.

This action approves the study session meeting minutes of April 20, 2021.

2. **Minutes of City Council Regular Meeting of April 20, 2021**

Recommended Action: Approve the regular meeting minutes of April 20, 2021.

This action approves the regular meeting minutes of April 20, 2021.

3. **Approving Bills and Claims**

Recommended Action: Approve the bills and claims in the amount of \$2,640,928.60.

This action approves the bills and claims in the amount of \$2,640,928.60 as follows: payroll checks dated April 1, 2021, in the amount of \$40,453.69; bills and claims checks dated April 5, 2021, in the amount of \$1,081,588.26; and bills and claims checks dated April 12, 2021, in the amount of \$1,518,886.65.

4. **Investment Report - Quarter Ending March 2021**

Recommended Action: That the Investment Report for the quarter ending March 2021 be noted and filed.

This action notes and files the Investment Report for the quarter ending March 2021.

5. **2020 Fire Marshal Inspection Report (Resolution/Roll Call Vote)**

Recommended Action: That the City Council adopt a resolution acknowledging receipt of the 2020 Fire Marshal, State Mandated Inspection Report for the City of Campbell.

Resolution 12704 acknowledges receipt of the 2020 Fire Marshal, State Mandated Inspection Report for the City of Campbell.

**M/S: Landry/Bybee – That the City Council approve the consent calendar with the exception of item six. The motion was adopted by the following roll call vote:**

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

**ITEMS CONSIDERED SEPARATE FROM CONSENT**

6. **Commending Communications Supervisor Paula Gallagher for Over 33 Years of Service to the City of Campbell (Resolution/Roll Call Vote)**

Recommended Action: Adopt a Resolution commending Communications Supervisor Paula Gallagher upon her retirement after over 33 years of outstanding service with the City of Campbell Police Department.

The Council gave congratulatory comments to Paula Gallagher upon her retirement and thanked her for her service as Police Department Communications Supervisor.

**M/S: Bybee/Landry – That the City Council adopt Resolution 12705 commending Communications Supervisor Paula Gallagher upon her retirement after over 33 years of outstanding service with the City of Campbell Police Department. The motion was adopted by the following roll call vote:**

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

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

- 7. Public Hearing to Consider the Application (PLN-2020-54) of Pruneyard Office Investors LLC for an Amendment to the Pruneyard Master Use Permit for Consideration of (1) a Revised Phasing Plan to Allow the Approved Office Building and a Partial Expansion of the Existing Parking Structure to be Constructed as Phase 3 Ahead of the Approved Retail Buildings (As New Phase 4), Further Expansion of the Existing Parking Structure in Phase 4, and a Four-Year Extension of the Permit Deadline for New Phase 4 from December 2022 to December 2026, (2) Minor Architectural Changes, a Nominal Increase in Building Area, and Elimination of the Underground Parking to the Approved Office Building, and Associated Site/Parking Layout Changes, (3) a Revised Design for the Parking Structure Expansion to Incorporate Enhanced Architectural Treatment and Associated Site Layout/Circulation Changes Around the Traffic Circle to Increase Pedestrian Connectivity, (4) a Change to the Land Use Program to Allow Medical Service Clinics as a Permitted Use Within the Office Parcel, and (5) Revise the Parking Management Plan to Allow Exclusive Use of Approximately 60 Parking Stalls for the New Office Building Tenant(S) During Typical Office Hours, (6) Require Implementation of the Valet Parking Program Only at the Completion of Phase 3 (Which is Not Required at the Current Phase) When Certain Occupancy Thresholds Are Met, and (7) Various Non-Material Text Clarifications; and a Tentative Parcel Map to Allow Creation of a Fourth Parcel Created from the Existing Office Parcel, for Property Located at 1875, 1887, 1901, 1919, 1995, & 1999 S. Bascom Avenue and 777 E. Campbell Avenue in the C-2-O (General Commercial / Overlay) Combining Zoning District. (Resolutions / Roll Call Vote)**

**Recommended Action:** The Planning Commission recommends that the City Council take the following actions: (1) Adopt a resolution approving an Amendment to the Pruneyard Master Use Permit (MUP); and (2) Adopt a resolution approving a Tentative Parcel Map.

This is the time and place for a public hearing to consider the application (PLN-2020-54) of Pruneyard Office Investors LLC for an amendment to the Pruneyard Master Use Permit for consideration of (1) a revised Phasing Plan to allow the approved office building and a partial expansion of the existing parking structure to be constructed as Phase 3 ahead of the approved retail buildings (as new Phase 4), further expansion of the existing parking structure in Phase 4, and a four-year extension of the permit deadline for new Phase 4 from December 2022 to December 2026, (2) minor architectural changes, a nominal increase in building area, and elimination of the underground parking to the approved office building, and associated site/parking layout changes, (3) a revised design for the parking structure expansion to incorporate enhanced architectural treatment and associated site layout/circulation changes around the traffic circle to increase pedestrian connectivity, (4) a change to the land use program to allow medical service clinics as a permitted use within the office parcel, and (5) revise the parking management plan to allow exclusive use of approximately 60 parking stalls for the new office building tenant(s) during typical office hours, (6) require implementation of the valet parking program only at the completion of Phase 3 (which is not required at the current phase) when certain occupancy thresholds are met, and (7) various non-material text clarifications; and a tentative parcel map to allow creation of a fourth parcel created from the existing office parcel, for property located at 1875, 1887, 1901, 1919, 1995, & 1999 S. Bascom Avenue and 777 E. Campbell Avenue in the C-2-O (General Commercial / Overlay) combining zoning district.

Councilmember Lopez, Councilmember Landry and Vice Mayor Resnikoff disclosed that they have had prior conversations with the applicant regarding the project.

Senior Planner Fama presented a staff report dated May 4, 2021.

Mayor Gibbons declared the public hearing open and asked if anyone wished to speak.

Dean Rubinson, Director of Development with Ellis Partners gave a presentation on the Pruneyard project and the presented applications.

Ken Johnson, Executive Director of the Campbell Chamber of Commerce commended Ellis Partners and the Pruneyard Association for being good community partners and stated support of this item.

Doug Shaffer, Senior Vice President of Regency Centers stated support of the applications and commented on the benefits it would bring to the Pruneyard.

There being no one else wishing to speak Mayor Gibbons closed the public hearing.

Council discussed permeable paving, location for delivery trucks, ADA parking stall locations, EV charging stations and the trash enclosure areas.

After discussion, **M/S: Landry/Resnikoff – That the City Council adopt**

**Resolution 12706 approving an Amendment to the Pruneyard Master Use Permit (MUP); and Resolution 12707 approving a Tentative Parcel Map. The motion was adopted by the following roll call vote:**

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

8. **Public Hearing to Consider a City-Initiated Text Amendment to the Campbell Municipal Code by Adding Chapter 3.22 to Establish a Standard Procedure for Bid Protests. (Ordinance/Roll Call Vote)**

Recommended Action: That the City Council approve a motion to introduce for first reading the proposed ordinance adding Chapter 3.22 to the Campbell Municipal Code.

This is the time and place for a public hearing to consider a City-Initiated Text Amendment to the Campbell Municipal Code by Adding Chapter 3.22 establishing a standard procedure for Bid Protests.

City Attorney Seligmann presented a staff report dated May 4, 2021.

Mayor Gibbons declared the public hearing open and asked if anyone wished to speak.

There being no one wishing to speak Mayor Gibbons closed the public hearing.

After discussion, **M/S: Landry/Resnikoff – That the City Council approve a motion to introduce for first reading Ordinance 2272 adding Chapter 3.22 to the Campbell Municipal Code. The motion was adopted by the following roll call vote:**

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

Deputy City Clerk read the title of Ordinance 2272.

**M/S: Bybee/Landry - That the City Council waive further reading of Ordinance 2272. The motion was adopted by the following roll call vote:**

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

9. **Introduction of Ordinance Adding Section 3.20.110 to the Campbell Municipal Code to Establish a Standard Procedure for Hearings on**

**Contractor Responsibility (Ordinance/Roll Call Vote)**

Recommended Action: That the City Council introduce for first reading the proposed ordinance adding section 3.20.110 to the Campbell Municipal Code.

This is the time and place for a public hearing to consider adding section 3.20.110 to the Campbell Municipal Code to establish a standard procedure for hearings on contractor responsibility.

City Attorney Seligmann presented a staff report dated May 4, 2021.

Mayor Gibbons declared the public hearing open and asked if anyone wished to speak.

There being no one wishing to speak Mayor Gibbons closed the public hearing.

Council discussed if subcontractors should be included in the proposed Ordinance.

City Attorney Seligmann stated the Ordinance would only need to be revised if the Council wanted to provide a process to disqualify subcontractors.

The Council opted to consider the Ordinance as proposed.

**M/S: Bybee/Landry – That the City Council introduce for first reading Ordinance 2273 adding section 3.20.110 to the Campbell Municipal Code.**

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

Deputy City Clerk read the title of Ordinance 2273.

**M/S: Bybee/Landry - That the City Council waive further reading of Ordinance 2272. The motion was adopted by the following roll call vote:**

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

**NEW BUSINESS**

**10. Resolution Adjusting City Attorney Compensation (Resolution/Roll Call Vote)**

Recommended Action: That the City Council adopt a resolution adjusting the compensation of the City Attorney.

City Manager Loventhal presented a staff report dated May 4, 2021.

After discussion, **M/S: Landry/Bybee - That the City Council adopt Resolution 12708 adjusting the compensation of the City Attorney. The motion was adopted by the following roll call vote:**

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

The City Council took a recess and reconvened at 9:17 p.m.

## **UNFINISHED BUSINESS**

### **11. Campbell Police Operations Building Schematic Design**

Recommended Action: That the City Council receive and provide feedback on the schematic design for the Police Operations Building Project and provide feedback to staff regarding further details to be focused on during the design development phase.

Vice Mayor Resnikoff recused himself due to the proximity of his residence to the project location and disconnected from the meeting.

Management Partners Project Specialist Borden provided an update on the project and introduced the consultant team of LPA.

Jeremy Hart and Rosia Gertler of LPA gave a presentation on the Police Operations Building Schematic Design.

Member of the public, Carol Hoffman thanked LPA for the presentation, spoke of the importance of the project and urged the Council to move the project forward.

Member of the public, Jeff Cristina expressed hope that the project would move forward and abide by the requirements stated in the ballot measure approved by the voters.

The City Council stated some of the following concerns: the existence of only one driveway in the parking lot and desire for a separate driveway, the current building façade and configuration, trash cans in the gravel lot and current cost estimates.

The Council provided direction to add a second driveway to the parking lot; reevaluate the front entrance plaza and stairway; approve the interior building design layout; and consider reevaluating the proposed floorplan of the current Police building.

Council discussed design option preferences with a general consensus for 1b with a stucco base and a potential aluminum composite.



Staff stated that Council's concerns will be addressed via a future informational memorandum.

## **COUNCIL COMMITTEE REPORTS**

### 12. **Council Committee Reports**

Recommended Action: Report on committee assignments and general comments.

Due to the late hour this item was not heard.

## **ADJOURN**

Mayor Gibbons adjourned the meeting at 12:34 a.m.

APPROVED:

ATTEST:

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Elizabeth 'Liz' Gibbons, Mayor

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