

CITY COUNCIL MINUTES

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



REGULAR MEETING OF THE CAMPBELL CITY COUNCIL

Tuesday, June 16, 2020 7:30 p.m.

City Hall– 70 N. First Street

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

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

CALL TO ORDER

The City Council of the City of Campbell convened on the regularly scheduled day of June 16, 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.

ROLL CALL

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

PLEDGE OF ALLEGIANCE

Mayor Landry led the Pledge of Allegiance.

SPECIAL PRESENTATIONS AND PROCLAMATIONS

There were no special presentations and proclamations.

COMMUNICATIONS AND PETITIONS

There were no communications and petitions.

ORAL REQUESTS

Ryan Radjabi, Campbell resident, commented on closing the Downtown streets and allowing outdoor dining.

COUNCIL ANNOUNCEMENTS

The City of Campbell continues to work closely with our partnering agencies to monitor how the coronavirus is impacting our communities. We are actively monitoring the information provided by the U.S. Centers for Disease Control and reviewing guidance provided by the County's Public Health Department. We continue to take proactive steps to prioritize the health and safety of our employees and community members. Our focus is to maintain essential services and keep you informed.

Following the County of Santa Clara's recent amendment to the "Shelter in Place" Order, we are cautiously moving forward to reopen Downtown. Campbell restaurants are open for outdoor dining, takeout and deliveries. Retail stores in Campbell are opening for in-store shopping, subject to County guidelines and curbside pickup. As we progressively move forward, we want to be sure to remind everyone to practice safe social distancing to help reduce the spread of infection.

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

Santa Clara County Library District has contactless curbside services available Monday – Saturday from 1:00-5:00 p.m. at all eight library locations. Patrons can go online to place holds on materials then make an appointment to collect their requested books and movies from the library. For more information about this service, please visit their website at www.scclld.org.

As we approach the summer months, we will begin to experience hot temperatures. Especially during these critical times of "Sheltering in Place," it is important that you take the necessary precautions that include: drinking plenty of water, even if you don't feel thirsty; avoiding physical activity during the hottest time of the day – from 10:00 a.m. to 3:00 p.m.; taking care to not leave people or pets in a closed, parked car; wearing light colored, loose fitting, or lightweight clothing; checking on your furry friends to make sure they have enough water and that they are safe in the heat.

Should temperatures reach 90 degrees, the Campbell Community Center will open its cooling center. Capacity will be limited. Residents will be required to maintain a physical distance of 6 feet from others, wear a face mask, and stay home if they are sick. For the safety of staff and other cooling center visitors, a simple health screen will be performed. For more information about the Campbell Community Center cooling center, please visit www.Campbellca.gov.

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

CONSENT CALENDAR

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

City Manager Loventhal pulled item five from the consent calendar.

Councilmember Resnikoff pulled item six from the consent calendar.

The consent calendar was considered as follows:

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

This action approves 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.

This action approves the regular meeting minutes of June 2, 2020.
3. **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.

This action approves the Excess Workers' Compensation Insurance coverage provided by Midwest Employers Casualty Company for the period from July 1, 2020 to June 30, 2021.
4. **Approving Bills and Claims**
Recommended Action: Approve the bills and claims in the amount of \$2,381,888.87.

This action approves the bills and claims in the amount of \$2,381,888.87 as follows: payroll checks dated May 14, 2020, in the amount of \$29,687.23; bills and claims checks dated May 18, 2020, in the amount of \$2,078,915.87; and bills and claims checks dated May 25, 2020, in the amount of \$273,285.77.

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

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

ITEMS PULLED FROM CONSENT

5. **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.

City Manager Loventhal provided clarification that all Councilmembers could participate in the discussion of this item regardless of being up for election this year.

Deputy City Clerk Sanders stated that the desk item provided to Council was to introduce two new resolutions that included additional language clarifying the procedure in the event of a tie. Resolution A declared that the tie would be resolved by way of lot, and Resolution B determined that the tie would be resolved by a runoff election.

Councilmember Bybee commented on adding the tie-breaker information into the candidate packet to inform the candidate's of how a tie would be resolved.

Council had a general consensus to resolve a tie by way of lot and adopt Resolution A of the desk item.

After discussion, **M/S: Gibbons/Bybee – that the City Council adopt Resolution 12596 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. The motion was adopted by the following roll call vote:**

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

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.

Council discussed the City Clerk recruitment, City Clerk performance measures and that a Request for Qualifications would be more appropriate for obtaining executive search services of a diverse pool of applicants.

M/S: Gibbons/Bybee – that the City Council adopt Resolution 12597 approving the revised job specification for City Clerk and authorizing issuance of a Request for Qualifications for executive search services. The motion was adopted by the following roll call vote:

RESULT:	ADOPTED [3 TO 2]
MOVER:	Gibbons
SECONDER:	Bybee
AYES:	Landry, Gibbons, Bybee
NAYS:	Waterman, Resnikoff

PUBLIC HEARINGS AND INTRODUCTION OF ORDINANCES

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.

This is the time and place for a public hearing to consider approving 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.

Public Works Director provided a staff report dated June 16, 2020.

Mayor Landry declared the public hearing open and asked if there was anyone from the public wishing to be heard.

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

M/S: Gibbons/Resnikoff – that the City Council approve Ordinance 2265 amending Chapter 6.12 of the Municipal Code, updating the required diversion rate of construction and demolition debris. Motion was adopted

by the following roll call vote:

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

Deputy City Clerk Sanders read the title of Ordinance 2265.

M/S: Gibbons/Bybee – that the City Council waive further reading of Ordinance 2265. The motion was adopted by the following roll call vote:

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

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.

This is the time and place for a public hearing to consider the 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.

Assistant Planner Healy presented a staff report dated June 16, 2020.

Applicant Dennis Randall of Acquity Realty, Inc. spoke about the project and requested that the City Council approve the project..

Audrey Kiehtreiber, San Tomas Aquino Community Coalition (STACC) President, spoke in opposition to the current proposed project, but could be more agreeable to it with a modified design.

Applicant Randall addressed Audrey Kiehtreiber’s concerns and the new Land Use Designation.

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

Council discussed the project and the impact of a new General Plan Land Use Designation.

M/S: Gibbons/Bybee – that the City Council adopt Resolution 12598 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. The motion was adopted by the following roll call vote:

RESULT:	ADOPTED [3 TO 2]
MOVER:	Gibbons
SECONDER:	Bybee
AYES:	Landry, Gibbons, Bybee
NAYS:	Waterman, Resnikoff

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.

Human Resources Manager Lopez presented a staff report dated June 16, 2020.

Vice Mayor Gibbons stated that an additional “Whereas” should be added to the amended agreement addressing the compaction issue based on the Personnel Rules and Regulations Section 4.3(c).

M/S: Gibbons/Bybee – that the City Council adopt Resolution 12599 amending the agreement for City Manager services with an additional “Whereas” regarding resolution of the compaction issue. Motion was adopted by the following roll call vote:

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

COUNCIL COMMITTEE REPORTS

10. **Council Committee Reports**

Recommended Action: Report on committee assignments and general comments.

--Councilmember Waterman participated in a Silicon Valley Animal Control Authority Board (SVACA) meeting and a Campbell budget meeting.

--Councilmember Bybee attended a virtual Association of Bay Area Governments (ABAG) meeting on behalf of Vice Mayor Gibbons.

--Councilmember Resnikoff attended a virtual meeting of the West Valley Sanitation District meeting and a Cities Association of Santa Clara County meeting.

--Vice Mayor Gibbons spoke about Silicon Valley Clean Energy; Pride Month and the lighting of the Water Tower; the Ainsley House Foundation; and Cities Association.

--Mayor Landry attended a virtual State Route (SR) 85 Corridor Advisory Committee meeting; participated in Congresswoman Anna Eshoo's weekly Tele-Town Hall meeting; spoke about a conference call with Santa Clara County Board of Supervisors Cindy Chavez; participated in the Silicon Valley Leadership Group Mayors Circle meeting; and spoke about the Campbell Chamber of Commerce.

ADJOURN

Mayor Landry, adjourned the meeting at 9:34 p.m.

APPROVED:

ATTEST:

Susan M. Landry, Mayor

Andrea Sanders, Deputy City Clerk