



City Council Agenda

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

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

This 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 Regular City Council meeting on October 6, 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>).

Those members of the public wishing to participate are asked to register in advance at: https://us02web.zoom.us/webinar/register/WN_dYX0yvqpQSmh1dDB9SxIFQ

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

Public comment for the City Council meetings will be accepted via email at 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.

REGULAR MEETING OF THE CAMPBELL CITY COUNCIL

Tuesday, October 6, 2020 7:30 – p.m.

City Hall – 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. 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.

COUNCIL ANNOUNCEMENTS

CONSENT CALENDAR

NOTE: All matters listed under consent calendar are considered by the City Council to be routine and will be enacted by one motion. There will be no separate discussion of these items unless a request is made by a member of City Council, City staff, or a member of the public. Any person wishing to speak on any item on the consent calendar should ask to have the item removed from the consent calendar prior to the time the Council votes to approve. If removed, the item will be discussed in the order in which it appears.

1. **Minutes of City Council Study Session Meeting of September 1, 2020**
Recommended Action: Approve the study session meeting minutes of September 1, 2020.
2. **Minutes of City Council Regular Meeting of September 15, 2020**
Recommended Action: Approve the regular meeting minutes of September 15, 2020.
3. **Minutes of City Council Special Meeting of September 21, 2020**
Recommended Action: Approve the special meeting minutes of September 21, 2020.
4. **Approving Bills and Claims**
Recommended Action: Approve the bills and claims in the amount of \$3,371,931.73.
5. **Approval of Parcel Map Including Abandonment of Existing Public Easements and Acceptance of Public Service Easements Shown on Said Map – 680 & 700 East McGlincy Lane (Resolution/Roll Call Vote)**
Recommended Action: That the City Council adopt a resolution approving the Parcel Map, abandoning existing public easements, and accepting the public service easements as shown on the map for the property located at 680 & 700 East McGlincy Lane.
6. **Approval of a Used Car Dealer Permit for Brad Clausen Dba the Motor Cafe (Resolution/Roll Call Vote)**
Recommended Action: That the City Council adopt a resolution approving the issuance of a used car dealer permit to sell used cars at 1011 Dell Avenue, Campbell, CA 95008.
7. **Biennial Review of the City of Campbell Conflict of Interest Code (Resolution/Roll Call Vote)**
Recommended Action: That the City Council adopt a Resolution approving the Conflict of Interest Code Appendix A and B.

8. **Approval of Budget Adjustment for Bike/Pedestrian Traffic Safety Improvements Project 19-DD (Resolution/Roll Call Vote)**
Recommended Action: That the City Council adopt a Resolution approving a budget adjustment for the Bike/Pedestrian Traffic Safety Project 19-DD.
9. **Approve the Acceptance of the Community Development Block Grant for the Community Center Track Resurfacing; Authorize the City Manager to Execute the Grant Agreement with the County; and Authorize a Budget Adjustment (Resolution/Roll Call Vote)**
Recommended Action: That the City Council adopt a resolution to approve the acceptance of Community Development Block Grant (CDBG) funds in the amount of \$67,000 from the Santa Clara County Office of Supportive Housing (SCCOSH) for the Campbell Community Center Track Resurfacing (Project); authorize the City Manager to execute the grant agreement with the County to accept the CDBG funds; and, authorize a budget adjustment to allocate \$223,000 of the Parkland Dedication Fund to Fiscal Year (FY) 2021 to supplement the CDBG funds for a total Project budget of \$290,000.
10. **Acceptance of Police Foundation Donations**
Recommended Action: It is recommended that the City Council accept donations in the aggregate amount of \$11,185.17 from the Campbell Police Foundation for equipment and supplies for the Campbell Police Department.
11. **Authorize a Resolution to Amend the Fiscal Year (FY) 2021 Operating Budget Pursuant to the City's Role as Fiscal Agent for the West Valley Solid Waste Management Authority (WVSWMA) Joint Powers Authority (JPA) (Resolution/Roll Call Vote)**
Recommended Action: That the City Council adopt a resolution to amend the Fiscal Year (FY) 2021 operating budget pursuant to the City's role as fiscal agent for the West Valley Solid Waste Management Authority (WVSWMA) Joint Powers Authority (JPA).

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. 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.

NEW BUSINESS

12. **Rosemary Residential Permit Parking Program (Resolution/Roll Call Vote)**
Recommended Action: Adopt a resolution establishing the Rosemary Residential Permit Parking Program as permanent.
13. **Objective Standards – Kick-Off Meeting (Raimi + Associates)**
Recommended Action: That the City Council take the following action: Receive the report and provide general direction to staff on the approach and schedule for preparing Objective Standards.

COUNCIL COMMITTEE REPORTS

14. **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.

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.

CITY COUNCIL MINUTES

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



STUDY SESSION MEETING OF THE CAMPBELL CITY COUNCIL

Tuesday, September 1, 2020 – 5:30 p.m.
City Hall – 70 N. First St., Campbell, California

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 September 1, 2020, via telecommunication.

| 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; Paul Kermoyan, Community Development Director; Cecil Lawson, Information Technology Manager.

General Plan Advisory Committee Members Present:

Sheldon AhSing, Mike Bangs, Chris Bracher, Vickki Essert, Jim Moffett, Navneet Rao, Barry Shilman, Gerry Uenaka.

1. City Council Study Session to Consider the Administrative Draft General Plan

Recommended Action: Conduct the study session.

Mayor Landry asked each member of the General Plan Advisory Committee (GPAC) to offer their respective area of representation as they address the following list of questions provided by Council in advance of this meeting: 1. Does the Plan reflect the input of the GPAC? 2. Is it complete and ready for Council's consideration? If not, what issues remain to be discussed and resolved prior to Council's consideration? 3. Is there any additional information about the Plan you would like to share with the Council?

Mike Bangs, Member of GPAC, resident of the San Tomas Area stated that the work of the GPAC represents perseverance at its finest over several years. The draft General Plan does represent the intent of the GPAC. The consultants have created a coherent document reflecting the thoughts and conclusions of the GPAC discussions. This draft General Plan is now ready for the City Council to consider and reflects a consensus. He added that there are issues that could use further discussion and admitted that the GPAC struggled with where to provide additional housing. The GPAC understands the need for added housing and a lot of thought went into it. Member Bangs advised that the GPAC wanted to make sure that Campbell maintains its small-town environment. He stated that the Plan is intended to maintain having regional leaders do their part to make Campbell and the greater Bay Area better.

Mayor Landry asked Mike Bangs if he had any additional comments.

Mike Bangs added that at times the slow pace of the process was concerning. It could have been done better if it had gone faster and that attrition to the membership of the GPAC occurred and resulted in limiting comprehensive feedback from those who left.

Mayor Landry asked the Councilmembers if they have any questions for Mike Bangs.

Councilmembers Waterman and Bybee did not.

Councilmember Resnikoff had no additional questions and stated that it was good to hear it documented that the draft General Plan document does represent the input of the GPAC members.

Vice Mayor Gibbons thanked Mike Bangs for his commitment and time spent over several years as a member of the GPAC. She stated she was curious about the amount of time it took and pointed out that lots of things have changed during the time this draft was crafted including regulations, demographics and more. Vice Mayor Gibbons questioned whether this draft is work that results from information from three or four years ago rather than current conditions.

Mike Bangs replied no and in fact, it includes consideration of what has changed since COVID. He also stated that during the period of their deliberations, there was just a lack of continuity of meetings over some periods of time.

Vice Mayor Gibbons asked if there was specific concentration on housing.

Mike Bangs replied that there was consideration of identifying opportunity sites for housing in the right locations, adding that it was important for GPAC to honor the surrounding neighborhoods and not adversely impact existing residents. He pointed out that new housing will need to be placed within a built-out community and also advised that there were different expertise amongst the members of the GPAC.

Mayor Landry asked Mike Bangs if he believes that this draft General Plan document is now ready for Council consideration or does GPAC need more meetings.

Mike Bangs replied no, he does not think additional GPAC meetings are required prior to handing off the draft to Council.

Mayor Landry called upon GPAC Member Chris Bracher.

Chris Bracher, GPAC member advised that he is both a commercial and residential property owner in Campbell. His family has properties in all five Campbell voting districts. He stated that the draft does represent the members of the GPAC wholeheartedly. He reported that the consultants helped the GPAC to hash through major issues and into a lot of future environmental and ecological issues as well. He declared that the draft represents all of the members' input and added that although the GPAC group is now smaller than it started with when originally organized, there has been input from the diverse group that was started out with. In regards to whether this document is now ready for Council consideration, he stated he hopes so. Member Bracher admitted that he is curious as to what Council will think of it and pointed out that it seems like some of their ideas have already been adopted. He spoke about the positive impacts to the City. He stated there has been good representation and hopes the Council is impressed and finds the draft to be all-encompassing. It includes new sections and criteria. He also agrees with Mike Bangs regarding the issues of housing and land use and that the next phase is just as critical and important as the preparation of this draft. After the General Plan is adopted, the City will need to look at its Ordinances and update them as needed and suggested consideration by Council for the creation of a follow-up GPAC to assist with that process. He also added that he hopes that task goes well and allows Planning and Building services to be more freed up from standards thereby offering more flexibility to do their jobs and thus allowing Council and staff to do their jobs better.

Mayor Landry asked the Councilmembers if they have any questions for Chris Bracher.

Councilmembers Waterman, Bybee and Resnikoff did not.

Vice Mayor Gibbons stated her agreement with the proposed next steps including land use and changes and asked Chris Bracher if he thought the Land Use Map initiated enough of a discussion on jobs, housing, commercial, office and mixed-use development. She also asked if the balance and mix were discussed in enough detail?

Chris Bracher replied yes there was ample discussion. He cautioned that these issues are moving targets today. What is best today may not be best in 20 years. He opined that the smartest things the GPAC did as a group was to recommend the adoption of area plans and added that Director Paul Kermoyan liked the idea and GPAC voted to recommend that action. He stated that steps like that are necessary as to keep doing/coming up with best uses that would cover as many periods of time as possible.

Councilmember Waterman pointed out that Chris Bracher has a great background and asked him how much discussion was held on the issues such as the expense of providing underground parking and whether there should be allowances for drive-thru restaurants. He suggested that allowing drive-thru restaurant service is currently and likely to be practical into the next five to ten years and was there any discussion on this?

Christ Bracher replied yes and added that GPAC had lofty future discussions including subjects such as parking of autonomous cars, solar walls and more. He also commented that GPAC wants Campbell to be a livable City; the need for Ordinance updates is high and assured that every conversation included a discussion of the practicalities of what we were considering. He advised that GPAC talked a lot about traffic, added that all members understand that traffic will increase and there must be practical concerns on how best to handle that increase, perhaps by installing better timing equipment at busy intersections. His recommendation is to stock the City's "toolbox" with as many tools as possible. There will be a little trial and error.

Mayor Landry asked Chris Bracher if there are any additional things that he wanted GPAC to cover in retrospect. If so, should it/they be added. Such as drive-thru restaurants and changing ways that housing units per acre could be counted stating that it seems that the number of units per acre would go higher if the units themselves are constructed smaller.

Chris Bracher stated that Campbell has got to find new places for housing while maintaining our small-town feel; added that the recommended zoning changes are not all for housing. Housing makes the most sense in areas near transit, Bracher stated. He assured the Council that all these topics were discussed and there is no easy answer.

Mayor Landry asked if there are other potential sites to be rezoned for housing. If so, where?

Mike Bangs replied no, it was more about making sure that new housing be put into the right places, adding that the subject of drive-thru for restaurants was suggested as a case-by-case basis.

Mayor Landry asked whether the idea of increasing units per acre by requiring smaller units was a consensus.

Mike Bangs said he does not specifically recall where they came down on that.

Chris Bracher said that the GPAC was okay increasing density but only in places where it makes sense and that the GPAC was very careful with the Land Use Map to consider just where it made sense to increase density.

Mike Bangs added that discussion got very nuanced.

Mayor Landry called upon GPAC Member Barry Shilman.

Barry Shilman, Member of GPAC said that he is a representative and long-time resident of the Downtown Area. He stated his concurrence with the previous comments by Mike Bangs and Chris Bracher. Also admitting that some of the discussions are hard to recall from way back. He stated that the draft represents the tone that the GPAC had agreed on. During the process of meeting, the GPAC moved along, nodded in agreement when an issue was good enough and/or as good as it was going to get, and then moved on to the next topic/issue. He agreed that it was a tediously slow pace made more difficult as the State was at the same time operating at warp speed making changes that impacted local jurisdictions and added that there is always a threat over our heads regarding our assigned new housing stock supply. The number keeps on getting larger. That is frustrating to him. He reported his frustration when a developer joined the last meeting held on Zoom. He was suddenly placed on the agenda and put forth ideas in a different direction than where GPAC had been going. He opined that the developer's presentation was more of a sales pitch than advising us on what is good for Campbell and admitted that he resented that last-minute sales pitch with no associated GPAC or public input. He stated he still feels the same way today.

Mayor Landry asked Barry Shilman to respond to the written questions including whether he thinks the draft adequately reflects the work of the GPAC; whether more GPAC meetings are needed; and whether the draft is now ready for Council consideration.

Barry Shilman advised that yes, he is happy to bring the Plan to Council; added that no additional GPAC meetings are required; reported that GPAC has done the best it could in these changing times and stated that it is now in the City Council's lap to accept, change or reject this draft General Plan.

Mayor Landry asked Barry Shilman if he supports the concept of a follow-up GPAC group to convene when the Ordinance updates begin. Is he interested in participating?

Barry Shilman replied he was not sure he if he was interested in serving at this time. He said the Council might want to consider appointing a whole new group of members for that next stage.

Mayor Landry asked the Councilmembers if they have any questions for Barry Shilman.

Councilmember Resnikoff asked Barry Shilman if he had done all he could do today. Is he concerned?

Barry Shilman replied that they did what they could with existing information knowing that changes might come. This draft General Plan is based on what we know and not what we fear.

Vice Mayor Gibbons agreed that dealing with the Land Use Map is more of a challenge because of the times we are currently in and reminded all that the next Housing Element Update is due in 2022 and goes into effect in 2023. She advised that catching up on the provision of housing could become much worse and stated the need to consider how best to use existing land. Vice Mayor Gibbons asked Barry Shilman if there was any discussion on how new housing could be created using available land and added that there were not too many Land Use Map changes.

Barry Shilman stated he has no recollection of there being much discussion regarding number of needed housing units and where those units should be built and added that they did specifically discuss placing more dense housing along transit corridors.

Vice Mayor Gibbons reminded all that when the GP format changed to actions, those actions became requirements for the City and listed the steps as policies, actions and goals.

Barry Shilman replied that the GPAC was deferring to the consultant and Director Kermoyan about those. They had set ideas on wording and formatting.

Chris Bracher reported that there was some discussion on the new format. He agreed that the GPAC largely relied on the consultant and staff on format. He said that he/they saw actions as directing day-to-day activities and impacting existing Ordinances. He assured there is nothing in the draft that does not fall in line with their intentions and the discussion as to format was not too in-depth.

Mayor Landry called upon GPAC Member Gerry Uenaka.

Gerry Uenaka, Member of GPAC introduced himself as a property owner and Campbell resident living in the Downtown Residential Neighborhood, of which he is also a representative and added that he is also a life-long Santa Clara Valley resident. He assured that the draft plan does reflect the input of the GPAC membership over these many years. He advised that the GPAC members did their homework long and hard and gave a lot of input throughout the process. He stated that as to whether the draft is now ready for Council, he believes so. It is ready for them to review and dissect and that he expects the draft to be molded by Council. That is a part of the process. Mr. Uenaka advised that this draft is the best we could create over an extremely long period of time. There were starts and stalls to the process. Some members were lost due to that and we are left with about a quarter of the original GPAC still standing at the end. He stated that he is pleased with the outcome. There was a lot of discussion on housing units and size. Those topics were discussed long and hard. Also stating that the GPAC found R-1 (Single Family Residential) Zoning to be the nature of Campbell and that is to be protected. It is part of the small-town feel. He supported more density along the transit corridors stating that it is important that when high density is developed, consideration

must be taken with how it fits in terms of traffic. These transit corridors are where Campbell's housing growth ought to be placed. There were a lot of discussions over the last five meetings. Including Bascom, Hamilton and Highway 17. Mr. Uenaka agreed with Barry Shilman's concern over having a developer at the last meeting. It did come across as a sales pitch and the speaker brought forth ideas which had not been discussed including the costs of underground parking, the value of parcels and more. He admitted that would have been interesting information earlier in the process rather than at the very end and at the last minute. Perhaps even a year sooner stating that the GPAC process was valuable and he hopes the Council finds their draft to be a viable product.

Mayor Landry asked the Councilmembers if they have any questions for Gerry Uenaka.

Councilmember Waterman said that was an interesting comment. He suggested that three-dimensional developer input is helpful including what may or may not be practical in terms of underground parking. He stated that there seems to be a fear of having high-density housing forced upon us versus consideration of existing land not yet developed. He said that it is nice to get financial analysis, and he speaks as an accountant himself. He also clarified that the issue is between what we would like to see versus what is practical.

Gerry Uenaka stated that the GPAC did come to consensus about high density and the numbers were relevant. He reminded the group that high density is centered around the transit corridors. He felt that is where they ought to be placed and concluded that those are the parcels, we (GPAC) discussed.

Councilmember Waterman asked if there was any discussion with developers about high density housing.

Gerry Uenaka replied no and said that the discussion with the developer was between retail and residential; street parking versus going underground. He reiterated that those topics were first discussed at our last meeting and admitted he would have liked more of that but earlier in the process.

Mayor Landry asked if there were questions from the Councilmembers.

Councilmembers Bybee, Resnikoff and Vice Mayor Gibbons had none.

Mayor Landry asked Gerry Uenaka if he feels additional GPAC meetings are needed.

Gerry Uenaka replied no and reiterated that all of us are very pleased with the draft that we forwarded. He said that it is possible there could have been better discussions but the GPAC would likely have come up with a similar document. While the last discussion with the developer was valuable, it was too late into the process to be helpful. He said he would defer to Council to take this draft to the next level.

Mayor Landry introduced GPAC Member Jim Moffett.

Jim Moffett said he represents the Downtown Neighborhood Association and currently is in a lease-option to buy situation for his residence located on Alice Avenue, which is part of the Downtown. He stated that yes, this draft reflects the work of the GPAC. They have worked hard over several years including a large lapse in time when the format changed. He reported that this GPAC group was great to work with. He assured that the draft presented by GPAC is ready for Council and is as good as it's going to get. He stated his agreement with Gerry Uenaka and Barry Shilman regarding the sales pitch provided by a developer at the last GPAC meeting held and wished they could have heard that information earlier when discussing the Bascom Corridor.

Mayor Landry asked the Councilmembers if they have any questions for Jim Moffett.

Councilmembers Waterman, Bybee, Resnikoff and Vice Mayor Gibbons had none.

Mayor Landry asked Jim Moffett if he thinks there is still need for additional discussion of housing and parking by the GPAC.

Jim Moffett replied no and stated that the City Council should now take it forward. He admitted that the last meeting was very confusing due to that last-minute addition of a developer speaking. He also agreed with the suggestion that another Committee be formed to deal with Ordinance Updates that will become necessary with the adoption of a new General Plan.

Mayor Landry introduced GPAC Member, Sheldon AhSing.

Sheldon AhSing said that he is a property owner residing in the Pruneyard/Dry Creek Area. He pointed out that this GPAC started out with a lot more members and added that break-out discussions by neighborhoods were held with more participants. He stated that the draft General Plan is ready for Council at this time. He reminded the group that a lot of time has been spent by the GPAC and reaching this draft. It is at a good point where it is packaged nicely and reiterated that the consultants and staff guided us but did not lead the group to its decisions. He also recounted that he has enjoyed the process.

Mayor Landry asked Sheldon AhSing if he thinks additional housing and parking information is required. Is another GPAC needed?

Sheldon AhSing replied that another GPAC meeting is not required. The document presented is spot on.

Mayor Landry asked the Councilmembers if they have any questions for Sheldon AhSing.

Councilmembers Waterman, Bybee, Resnikoff and Vice Mayor Gibbons had none.

Mayor Landry called upon GPAC Member Navneet Rao.

Navneet Rao, Member of GPAC stated his residence is within the San Tomas West Neighborhood, between Campbell and Hamilton Avenue, west of San Tomas. He is a single-family home property owner and that his home in Campbell is the smallest home within the smallest community amongst his extended family. He said his relatives from other larger communities, when they hear of Campbell's maximum-density as being 27 units per gross acre, they ask him, "What country or city are you living in?"

Mr. Rao reported that the GPAC encompassed honorable intentions, ceding to small town charm and preserving it. He stated that he is really happy with the output the GPAC has produced and assured that this draft General Plan does reflect the work of the GPAC. He advised that the consultant, Ben Ritchie, and staff, Director Paul Kermoyan, did a really good job in keeping the GPAC engaged. He acceded to the Silicon Valley projected growth He also stated that they achieved a lot of things and this draft is now ready for Council. He pointed out that over the five years of work on this GPAC, there have been four mayors in office. He said that there have been enough deliberations on each and every topic and added that lots of homework preparation was done by GPAC members to come forth to meetings prepared to discuss issues together. Mr. Rao reiterated the draft General Plan is ready for Council. Topics/info he would like to share include the suggestion of greatly increasing EVC (Electric Vehicle Charging) stations throughout Campbell. He pointed out that almost every city is known for something. That it is harder to determine with a land-locked city like Campbell and suggested that perhaps Campbell could become the Electric Vehicle Charging (EVC) Station City of Silicon Valley and thought it was feasible. He also pointed out that although Campbell calls itself "The Orchard City," there remain no orchards within Campbell as seen when he bikes with his son throughout Campbell and wished we could change or restart that Orchard City designation. He stated that he would have loved to have had the evening's meeting in person but understand the existing circumstances that prevented it.

Mayor Landry offered to present some certificates to commemorate the GPAC.

Mayor Landry asked the Councilmembers if they have any questions for Navneet Rao.

Councilmembers Waterman, Bybee and Resnikoff had none.

Vice Mayor Gibbons stated that she has great news on the issue of EVC stations and asked Navneet Rao to give her a call to discuss this later.

Mayor Landry gave an overview of Navneet Rao's comments. She said that the suggestion for more EVC stations is a good point and reminded that Charge Point is located in Campbell on Dell Avenue. Mayor Landry added that she likes the observation raised by Navneet Rao that there are no namesake remaining orchards in Campbell. She stated that the draft GP is enhancing policies and asked Navneet Rao if he thinks that more GPAC meetings are needed especially on topics such as transit and e-vehicles.

Navneet Ra replied that no additional meetings were needed and added that there have been enough GPAC meetings held. He admitted that he would be interested in participating with any working group convened to work on needed policies and ordinances following adoption of a new General Plan.

Mayor Landry introduced GPAC Member, Vikki Essert:

Vikki Essert, GPAC Member said that she currently resides in the Pruneyard/Dry Creek Neighborhood and has since 1999. Just prior to that she lived in a condo in the Downtown. She stated that the draft General Plan does represent the input given by the members of the GPAC. Some important goals included the preservation of our historic buildings; maintenance of our Orchard City identity; and preservation of our small-town feel. She advised that the draft is now ready for Council and added that Council needs to take a close look at housing and densities. Ms. Essert suggested that there are different ways of calculating units per gross acre. The old way is to determine density using FAR, setbacks, etc. She pointed out that small housing units are less expensive for buyers to purchase. She reminded that there is a lack of affordable housing in Campbell. Right now, new homebuyers in Campbell tend to be dual-income tech workers. Professionals such as teachers and others can not afford to buy in Campbell today and stated that the need for housing is the most urgent issue for Council to act upon. She referenced the Fry's/Shell/Kohl's/Elephant Bar Area and suggested that before other properties are developed in that area, it would be important to have infrastructure ready. One such need is pedestrian access to the Light Rail from this area. It is currently not practical to walk that direction toward transit and stressed that need is extremely urgent.

She responded to the Mayor that no additional GPAC meetings are required and offered to serve on the Ordinance Update Committee when it is formed.

Mayor Landry asked the Councilmembers if they have any questions for Vikki Essert.

Councilmembers Waterman, Bybee, and Vice Mayor Gibbons had none.

Mayor Landry provided an overview of Vikki Essert's comments stating using "units per acre" is encouraging the construction of larger and expensive luxury units and use of FAR and setbacks equates to a higher number of units albeit smaller, which are affordable to more buyers.

Vikki Essert replied yes, that is her personal belief.

Mayor Landry said it seems that all GPAC members believe the draft document reflects the GPAC; the draft is considered ready by GPAC to be handed off to the Council; and no further GPAC meetings are necessary. She asked if there were any further comments from GPAC?

Chris Bracher clarified that the contents of the draft reflect the intent of the GPAC. He stated that lots of things were discussed with details not incorporated, adding that the consultant (Ben Ritchie) cautioned not to get too detailed. Mr. Bracher agreed that there

are issues to consider about the size of new homes and the provision of new ideas to solve some of our housing issues. He said that the term of “small home” was not listed but also not declined. He suggested there be as much flexibility as possible to meet practicalities.

PUBLIC COMMENT

Mayor Landry asked staff if there are members of the public waiting to speak.

Developer Dennis Randall thanked the Mayor and Council for the opportunity to speak. He admitted that he was the developer that gave the “sales pitch” to the GPAC in July and explained that his appearance before the GPAC was based upon their recently denied General Plan Amendment request by Council. At that time, Council suggested that he contact GPAC. He reported that he has read Campbell’s draft General Plan and thinks it’s a good document. He has no issue with it whatsoever. The objectives are laudable to include open public spaces, commercial space and use of below-grade parking. He stated that the area around The Pruneyard is both a density and pedestrian-oriented area for Campbell and opined that building much needed high-density housing developments is not economically feasible if Campbell’s highest allowed density is not increased from the existing 27 upward to about 45 units per acre. He closed with commending everyone’s effort in this update effort.

John Pringle, Business Partner to Dennis Randall commended the GPAC for their five years of work, adding that he previously served on two different cities’ GPACs. He admitted he is surprised that the housing density was not increased as part of this update. He expressed support for the comments provided by GPAC Member Vikki Essert about housing needs versus what is being built and encouraged the Council to further investigate the true cost of developing housing units. He assured that the City would be able to adopt higher density standard(s) without destroying the City.

Raja Pallela, Campbell resident thanked the GPAC for their work, he was surprised that the lost GPAC members were not replaced with new appointees. He claimed he had tried to attend a GPAC meeting and was denied and had asked Director Kermoyan why the meetings were not open to the public. He pointed out that the GPAC document indicates that their meetings were open to the public. He reported he had attended one GPAC meeting and found that the members were all of the “Baby Boomers” mindset and that they were using current standards while planning for the new General Plan. He pointed out that the City’s San Tomas Area Neighborhood Plan (STANP) impacts one-third of the City of Campbell and that there is only one Area Plan for such a large portion of the community. He said that Dell Avenue is intended for Research & Development and Industrial uses and that the areas around Hwy 17/San Tomas/Hwy 85 are great locations for mixed-use developments.

Mayor Landry reiterated that all members of the GPAC have indicated that they feel this draft is ready now for the Council, adding that none of them feel the need to have additional GPAC meetings at this juncture. She said that the next projected need will be to establish a new appointed Committee to work on the Ordinances that will need to be

updated following the adoption of a new General Plan. It could include some members from this GPAC as well as other new people. Mayor Landry said it seems the highlighted issue is housing. That issue is a moving target with constant new State imposed regulations and reminded that this new draft GP does not have an updated Housing Element. The next new Housing Element is due to be done in 2022 and become effective by 2023. She listed other considerations to be units per acre and updates to the Green Building Code and agreed as indicated by Navneet Rao that there no longer are orchards in Campbell. She stated that there is an urgent need for a Specific Area Plan for the Hamilton/ Salmar/Almarida area. She agreed that looking into allowable units per gross acres is something worthy of further investigation. She said it seems clear that most of the information provided by the developers at the last GPAC meeting would have been better received earlier than at the end of the project. She reiterated that one speaker, Raja Pallela, has claimed failings of process, as he pointed out, on Page 70 of the STANP, it indicates applying to one-third of the City.

Mayor Landry called for final Councilmember comments and direction to staff.

Councilmember Waterman said he would like to see staff present this draft General Plan to some of the larger developers to see if the plan is or is not practical in their estimation. He pointed out that there are seven or eight very large properties that will be redeveloped and change greatly from what is there now. He stressed the importance of getting developer views. He stated that he finds that not allowing drive-thru restaurants does not seem like a good stance and asked why that provision is included.

Mayor Landry said that prohibition of drive-thru restaurants is not included in the draft right now.

Councilmember Bybee said that she appreciates hearing from all members of the GPAC tonight. It had been good to listen and hear their comments and experience serving on the GPAC. She added that she is glad that GPAC says that their draft is now ready for Council and thanked them for their time and effort on this General Plan Update. She said those present from GPAC tonight are the last group standing. However, she also thanks all of the other original GPAC appointees for their service. Councilmember Bybee agreed that it is important to develop Area Plans and that it is often hard to make decisions without having the guidance that an Area Plan provides. She suggested that creation of needed Area Plans be done as soon as is possible and before too much development occurs without such an Area Plan. She concluded that as the draft is now ready to take on by Council, it should be so forwarded and cautioned that Council will need to structure the process.

Councilmember Resnikoff thanked all appointees to the GPAC and most especially the eight members left at the end here tonight. He said that Council did its best with the demographic makeup of the City. He added that the draft GP reflects the GPAC members and they agree that it is ready for Council to take on. He stated that several members have made it clear that while staff guided the GPAC, staff did not direct their decisions. Councilmember Resnikoff said he looks forward to praising this draft publicly, also stating that developing Area Plan(s) versus one project at a time equates to a

better option to help determine what is best for Campbell. As an example, he discussed how the former Vallco Shopping Center in Cupertino was so badly mishandled. He supported moving this draft forward with guidelines. He thanked all involved and said the draft was well done.

Vice Mayor Gibbons thanked all involved as well. She said that during tonight’s joint study session with Council and the GPAC, as well as over five years’ worth of exceptional commitment to the City by the GPAC members, the City has been well served. She also expressed agreement with Councilmembers Bybee and Resnikoff. She stated that the next step is to forward the draft to the City Council. She opined that spot-zoning is not the best option for a City and agreed that it is a priority to identify those locations (areas) needing specific Area Plans. Vice Mayor Gibbons admitted that she is a pessimist about the risk of losing local control of housing for our small-town and added that density and height limits may be imposed by the State. She said she looks forward to Council’s discussion on how best to move forward and suggested that perhaps it might be best to split the General Plan up. She also referenced the need for a Climate Action Plan and added that she is cautious that the General Plan document does not become a work plan for the City. She concluded that there is need for a lot of tweaking that is important to understand.

Mayor Landry summarized the final Councilmember comments. Councilmember Waterman suggested a roundtable with developers be held prior to coming back to the Council. Mayor Landry suggested that staff look into the suggestion for such a roundtable. She added that it seems there is much support for development of Specific Area Plans. She noted that if local jurisdictions continue to lose local control, those issues would have to be integrated with the next Housing Element and Climate Action Plan. She suggested that staff come back to Council with a plan on how to get this draft General Plan forward for final approval.

Mayor Landry commended the eight members of the GPAC present that evening. She applauded the members of the GPAC saying it was a good way to close out their hard work.

ADJOURN

Mayor Landry adjourned the Study Session meeting at 7:15 p.m.

APPROVED:

ATTEST:

Susan M. Landry, Mayor

Andrea Sanders, Deputy City Clerk

Minutes Acceptance: Minutes of Sep 1, 2020 5:30 PM (CONSENT CALENDAR)

CITY COUNCIL MINUTES

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



REGULAR MEETING OF THE CAMPBELL CITY COUNCIL

Tuesday, September 15, 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 September 15, 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

There were no oral requests.

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.

"Be Heard by November 3rd!" Voting is now easier than ever in Santa Clara County. The "Voters Choice Act" emphasizes the convenience for voters. All registered voters will get a ballot mailed to them automatically and can vote by mail by using the prepaid envelope. Completed ballots can also be submitted in any of the conveniently placed ballot boxes. Voters who prefer to vote in person can still do so, at any of the voting centers that will be open throughout Santa Clara County, starting October 31st. Voting centers will offer sanitary, in person options. For more information please visit www.sccvote.org.

The City Clerk's Office is currently accepting applications for an unscheduled vacancy on the Civic Improvement Commission and two vacant positions on the Bicycle and Pedestrian Advisory Committee. To be eligible for appointment on these volunteer advisory commissions, applicants must reside within Campbell City limits and be at least eighteen years of age. For more information about the Civic Improvement Commission and Bicycle and Pedestrian Advisory Committee, please visit our website at www.campbellca.gov. Please contact the City Clerk's office for applicable deadlines and application information at (408) 866-2117 or email clerksoffice@campbellca.gov.

The DMV is providing an automatic one-year extension to Californian's age 70 and older with a noncommercial driver license with an expiration date between March 1 and December 31, 2020. While the new extensions are automatic, drivers will not receive a new card or paper extension in the mail. For more information about this and other DMV services, please visit www.dmv.ca.gov.

The City of Campbell has partnered with the County of Santa Clara to offer COVID-19 testing. Community testing is available at the Community Center's Orchard City Banquet Hall the first and third Thursday of each month through September. Testing sites are not designated to test individuals with symptoms of COVID-19. For more information about testing requirements and testing sites, please visit www.sccfreetest.org.

The Santa Clara County Aging Services Collaborative - Caregiver Team is proud to present the 10th Annual "Caregivers Count" Conference. The annual conference educates and supports families who are caring for elderly loved ones. This will be a

virtual four-part series event from 10:00 a.m. to 12:00 p.m. on Sept.19th, 26th and Oct. 3rd. Topics include: Emotional Well-Being, Paying for Care, Technology Tools, Reducing Stress, and Dealing with Parents and Resistance. Free event registration is available at www.caregiverscount.net.

The Campbell Museum proudly presents “History at Home” and “Tasty Tuesday.” History can be brought to you via ZOOM! Each month “History and Home” will feature a guest speaker who will present a topic, share a slide presentation, and answer questions. We may be at home, but we can certainly taste, talk, and treat ourselves to special servings from local businesses. On the last Tuesday of every month, the Museum will host a “Tasty Tuesday.” Each Month will feature a different business that will include links to pre purchase their available tastings to be sent directly to your home. Then via ZOOM, you will meet, and taste, and talk. There is a nominal fee of \$10 for “History at Home” and “Tasty Tuesday.” Reservations can be purchased at www.campbellmuseums.com/shop.

Currently the USPS United State Postal Service are having problems with lack of mail delivery. If you are having such problems or have concerns about your mail, please email Mayor Landry at SusanL@campbellca.gov with a short description of your issues. We are consolidating citizen complaints and working with Congresswoman Anna Eshoo who has asked for backup information from those in our community to include with her formal complaint to USPS.

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 there was anyone who wished to pull an item off the Consent Calendar.

City Manager Loventhal pulled item nine.

The Consent Calendar was considered as follows:

1. **Minutes of City Council Regular Meeting of September 1, 2020**
Recommended Action: Approve the regular meeting minutes of September 1, 2020.

This action approves the regular meeting minutes of September 1, 2020.

2. **Approving Bills and Claims**
Recommended Action: Approve the bills and claims in the amount of \$739,205.32.

This action approves the bills and claims in the amount of \$739,205.32 as

follows: bills and claims checks dated August 14, 2020, in the amount of \$30,182.13; bills and claims checks dated August 17, 2020, in the amount of \$272,003.95; payroll checks dated August 20, 2020, in the amount of \$33,917.50; bills and claims checks dated August 21, 2020, in the amount of \$159,304.54; and bills and claims checks dated August 24, 2020, in the amount of \$243,797.20.

3. **Second Reading of Ordinance 2267 Amending the Campbell Municipal Code by Adding Chapter 8.42 to Title 8 and Amending Section 6.10.020 (Ordinance/Roll Call Vote)**

Recommended Action: That the City Council approve the second reading and adopt Ordinance 2267 approving an amendment to the Campbell Municipal Code by Adding Chapter 8.42 "Graffiti Abatement" to Title 8 and Amending Section 6.10.020 "Nuisance Abatement."

Ordinance 2267 approves an amendment to the Campbell Municipal Code by Adding Chapter 8.42 "Graffiti Abatement" to Title 8 and Amending Section 6.10.020 "Nuisance Abatement."

4. **Approval of Reappointment to the Bicycle and Pedestrian Advisory Committee (Resolution/Roll Call Vote)**

Recommended Action: That the City Council adopt a resolution reappointing Carmen Lynaugh to the Bicycle and Pedestrian Advisory Committee (BPAC) for a term expiring August, 2024.

Resolution 12635 reappoints Carmen Lynaugh to the Bicycle and Pedestrian Advisory Committee (BPAC) for a term expiring August, 2024.

5. **Resolution Accepting Supplemental Law Enforcement Service Funds (SLESF) Grant Allocation for FY 2020-21 and Approving Related Budget Adjustments (Resolution/Roll Call Vote)**

Recommended Action: That the City Council accept by resolution SLESF grant revenue in the amount of \$100,000 from the State of California for FY 2020-21 and authorize associated budget adjustments.

Resolution 12636 accepts the SLESF grant revenue in the amount of \$100,000 from the State of California for FY 2020-21 and authorizes associated budget adjustments.

6. **Extension of Declaration of a Local Emergency Due to COVID-19 (Resolution/Roll Call Vote)**

Recommended Action: That the City Council adopt a resolution extending the July 24, 2020 City Council proclamation declaring the existence of a local emergency resulting from community spread of COVID-19 in the City of Campbell until November 14, 2020.

Resolution 12637 extends the July 24, 2020 City Council proclamation declaring

the existence of a local emergency resulting from community spread of COVID-19 in the City of Campbell until November 14, 2020.

- 7. **Receive a Post Issuance Summary on 2020 Measure O Bond Sale**
Recommended Action: That the City Council receive a Post Issuance Summary on 2020 Measure O Bond Sale.

Steve Saunders, Campbell resident spoke about Measure O Bond sales and commented on the tax rates.

The City Council received a Post Issuance Summary on 2020 Measure O Bond Sale. (Councilmember Resnikoff recused)

- 8. **Approval and Authorization to Purchase Two (2) New Police Ford Interceptor Utility Vehicles Using a California Statewide Contract (Resolution/Roll Call Vote)**

Recommended Action: That the City Council adopt a resolution authorizing the Public Works Director to execute a purchase agreement for two (2) new 2021 Ford Police Interceptor Utility vehicles, by “piggybacking” on the California eProcurement State Contract (Contract ID 1-18-23-14B), including the purchase and installation of after-market equipment in an amount not to exceed \$143,310.

Resolution 12638 authorizes the Public Works Director to execute a purchase agreement for two (2) new 2021 Ford Police Interceptor Utility vehicles, by “piggybacking” on the California eProcurement State Contract (Contract ID 1-18-23-14B), including the purchase and installation of after-market equipment in an amount not to exceed \$143,310.

M/S: Gibbons/Resnikoff - That the City Council approve the consent calendar with the exception of item nine. The motion was adopted by the following roll call vote:

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gibbons |
| SECONDER: | Resnikoff |
| AYES: | Landry, Gibbons, Waterman, Bybee, Resnikoff |
| RECUSE: | Resnikoff from Item 7 |

ITEMS PULLED FROM CONSENT

- 9. **John D. Morgan Park (Budd Avenue) Improvement Project 18-PP Approval of Plans and Specifications, Authorization to Advertise for Bids, and Other Associated Actions (Resolution/Roll Call Vote)**

Recommended Action: That the City Council adopt a resolution for the John D. Morgan Park (Budd Avenue) Improvement Project 18-PP: approving plans and specifications and authorizing the advertisement of bids; authorizing the City Manager to award and execute a construction contract to the lowest responsive

Minutes Acceptance: Minutes of Sep 15, 2020 7:30 PM (CONSENT CALENDAR)

and responsible bidder and encumber a 10% construction contingency for a total amount of \$1,570,000; authorizing the City Engineer to negotiate and execute contract change orders up to and within the allocated construction contingency; and, authorizing the Public Works Director to reject bids and rebid the project should bids received have unamenable irregularities.

City Manager Loventhal provided clarification on a few technical issues to the plans presented, regarding utilities, elevations, footings and additional language in the specifications regarding claims. Those issues will be finalized prior to bids being solicited to the public.

M/S: Resnikoff/Gibbons – That the City Council adopt resolution 12639 for the John D. Morgan Park (Budd Avenue) Improvement Project 18-PP: approving plans and specifications and authorizing the advertisement of bids; authorizing the City Manager to award and execute a construction contract to the lowest responsive and responsible bidder and encumber a 10% construction contingency for a total amount of \$1,570,000; authorizing the City Engineer to negotiate and execute contract change orders up to and within the allocated construction contingency; and, authorizing the Public Works Director to reject bids and rebid the project should bids received have unamenable irregularities.

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

UNFINISHED BUSINESS

10. Consider Funding Agreement with County of Santa Clara for Isolation and Quarantine Program

Recommended Action: It is recommended that the City Council authorize the City Manager to enter into a funding agreement with the County of Santa Clara for the administration and execution of a countywide isolation and quarantine support program.

Acting Director of Recreation and Community Services Bissell presented a staff report dated September 15, 2020.

Santa Clara County Representative Ky Le spoke about the program and answered questions from the City Council.

Vice Mayor Gibbons made a motion that the City Council authorize the City Manager to enter into a funding agreement with the County of Santa Clara for the administration and execution of a countywide isolation and quarantine support program.

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The motion failed due to lack of a second.

After discussion, Council took no action on this item.

NEW BUSINESS

- 11. **Receive an Update on Unaudited Fiscal Year (FY) 2020 Year-End General Fund Actual Revenues and Expenditures, Approve a Resolution Authorizing the Use of the General Fund Emergency Reserve to Balance Revenues Against Expenditures in FY 2020, and Discuss Long-Term Fiscal Projections and Strategies for Replenishment of General Fund Reserves (Resolution/Roll Call Vote)**

Recommended Action: That the City Council receive an update on unaudited Fiscal Year (FY) 2020 year-end General Fund actual revenues and expenditures, approve a resolution authorizing the use of the General Fund Emergency Reserve to balance revenues against expenditures in FY 2020, and discuss long-term fiscal projections and strategies for replenishment of General Fund reserves

Finance Director Fuentes presented a staff report dated September 15, 2020.

Council discussed the use of reserve funds; reduction of expenditures and review of essential services.

Council had a general consensus to continue to monitor expenditures and review of essential services at the mid-year budget.

M/S: Waterman/Resnikoff - That the City Council receive an update on unaudited Fiscal Year (FY) 2020 year-end General Fund actual revenues and expenditures, approve resolution 12640 authorizing the use of the General Fund Emergency Reserve to balance revenues against expenditures in FY 2020.

Vice Mayor Gibbons made a friendly amendment to add in the amount of 4.4 million with staff to come back with a final accounting.

City Attorney Seligmann clarified that the 4.4 million is already referenced in the resolution.

Vice Mayor Gibbons accepted the clarification.

The motion was adopted by the following roll call vote:

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

Minutes Acceptance: Minutes of Sep 15, 2020 7:30 PM (CONSENT CALENDAR)

12. **Request for City Council Direction Regarding Planning Commission Initiation of a Zoning Code Text Amendment to Adopt Reduced Parking Standards for Properties Located Within Proximity of Public Transportation.**

Recommended Action: Staff recommends that the City Council either authorize or reject the Planning Commission's initiation of a Zoning Code Text Amendment with regard to reduced parking standards.

Senior Planner Fama presented a staff report dated September 15, 2020.

After discussion, Mayor Landry summarized Council's comments, stating they do agree on the importance of discussing this topic but at this time they would rather do this through the General Plan Update process.

M/S: Waterman/Resnikoff – That the City Council have staff follow up with the Commission and communicate with them the Council's opinion as was stated by the Mayor. The motion was adopted by the following roll call vote:

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

COUNCIL COMMITTEE REPORTS

13. **Council Committee Reports**

Recommended Action: Report on committee assignments and general comments.

--Councilmember Bybee attended the Valley Transportation Authority (VTA) Policy Advisory Committee; attended the Downtown Campbell Business Association; and Supervisor Chavez Unhoused Task Force meeting.

--Councilmember Resnikoff attended the West Valley Clean Water JPA; West Valley Solid Waste Authority JPA; Treatment Plant Advisory Committee; and Cities Association of Santa Clara County meeting.

--Vice Mayor Gibbons attended the Association of Bay Area Governments meeting; Cities Association Selection Committee & Legislative Action Committee; and Silicon Valley Clean Energy Board meeting.

ADJOURN

Mayor Landry adjourned the meeting at 9:59 p.m.

APPROVED:

Minutes Acceptance: Minutes of Sep 15, 2020 7:30 PM (CONSENT CALENDAR)

ATTEST:

Susan M. Landry, Mayor

Andrea Sanders, Deputy City Clerk

Minutes Acceptance: Minutes of Sep 15, 2020 7:30 PM (CONSENT CALENDAR)

CITY COUNCIL MINUTES

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



SPECIAL MEETING OF THE CAMPBELL CITY COUNCIL

Monday, September 21, 2020 – 5:00 p.m.

City Hall – 70 N. First Street

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

CALL TO ORDER

The City Council of the City of Campbell convened this day in the special meeting place via telecommunication.

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 |

PUBLIC COMMENT

There were no public comments.

NEW BUSINESS

1. **Planning Commission Interviews**

Recommended Action: That the City Council conduct interviews and appoint two applicants to serve on the Planning Commission, each for a full four-year term expiring August, 2024.

The City Council conducted interviews with the following applicants: Adam Buchbinder, Mohammad Issa Ibrahim, and Alan Zisser. The applicants were asked a series of questions regarding their qualifications and experience.

The City Council discussed and evaluated each applicant's responses to the interview questions, their qualifications and experiences in the community as part of the selection process.

M/S: Bybee/Resnikoff - that the City Council appoint Adam Buchbinder to the Planning Commission for a full four-year term expiring August, 2024.

The motion was adopted by the following roll call vote:

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

M/S: Gibbons/Bybee – that the City Council appoint Alan Zisser to the Planning Commission for a full four-year term expiring August, 2024. 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 |

ADJOURN

Mayor Landry adjourned the meeting at 6:39 p.m.

APPROVED:

ATTEST:

Susan M. Landry, Mayor

Andrea Sanders, Deputy City Clerk

Minutes Acceptance: Minutes of Sep 21, 2020 5:00 PM (CONSENT CALENDAR)



*City
Council
Report*

Item: 4
 Category: CONSENT CALENDAR
 Meeting Date: October 6, 2020

TITLE: Approving Bills and Claims

RECOMMENDED ACTION

Approve the bills and claims in the amount of \$3,371,931.73.

DISCUSSION

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

| <u>Type</u> | <u>Check Date</u> | <u>Amount</u> |
|----------------|--------------------|-----------------------|
| Bills & Claims | August 28, 2020 | \$13,477.61 |
| Bills & Claims | August 31, 2020 | \$180,713.39 |
| Payroll | September 3, 2020 | \$72,325.64 |
| Bills & Claims | September 7, 2020 | \$2,797,733.38 |
| Bills & Claims | September 14, 2020 | \$307,681.71 |
| | Total | \$3,371,931.73 |

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: 5
Category: CONSENT CALENDAR
Meeting Date: October 6, 2020

TITLE: Approval of Parcel Map Including Abandonment of Existing Public Easements and Acceptance of Public Service Easements Shown on Said Map – 680 & 700 East McGlincy Lane (Resolution/Roll Call Vote)

RECOMMENDED ACTION

That the City Council adopt a resolution approving the Parcel Map, abandoning existing public easements, and accepting the public service easements as shown on the map for the property located at 680 & 700 East McGlincy Lane.

DISCUSSION

On December 3, 2019, the City Council adopted Resolution No. 12540 conditionally approving a Vesting Tentative Parcel Map (PLN2018-338) to merge existing parcels, abandon existing public and private easements, and to establish a new parcel with associated public and private easements on property located at 680 and 700 East McGlincy Lane.

The previously approved development for two buildings on the site created several public easements which are now in conflict with the proposed new single building. The abandonment of these easements was reviewed and approved with the Tentative Parcel Map and said abandonment is now being implemented with this Parcel Map. Replacement public easements consistent with the new development are included on this Parcel Map.

Staff has reviewed the map and found it in compliance with the approved Tentative Parcel Map, the Subdivision Map Act, and Title 20 of the Campbell Municipal Code. The attached resolution has been prepared for Council's consideration for approval of the Parcel Map, abandonment of the existing easements and acceptance of the public service easements offered for dedication.

FISCAL IMPACT

There is no fiscal impact associated with this action.

ALTERNATIVES

Determine that the Parcel Map is not consistent with the Tentative Parcel Map or applicable codes, and do not approve the Parcel Map, accept dedications or approve the abandonment.

Prepared by: 

Roger Storz, Senior Civil Engineer

Reviewed by: 

Todd Capurso, Director of Public Works

Approved by: 

Brian Loventhal, City Manager

- Attachment:**
- a. Resolution
 - b. Parcel Map

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAMPBELL APPROVING THE PARCEL MAP, ABANDONING EXISTING PUBLIC EASEMENTS AND ACCEPTING THE PUBLIC SERVICE EASEMENTS OFFERED FOR DEDICATION FOR PROPERTY LOCATED AT 680 & 700 EAST MCGLINCY LANE

WHEREAS, on December 3, 2019, the City Council adopted Resolution No. 12540 conditionally approving a Vesting Tentative Parcel Map (PLN2018-338) to merge existing parcels, abandon existing public and private easements, and to establish a new parcel with associated public and private easements on property located at 680 and 700 East McGlincy Lane; and

WHEREAS, said Tentative Map included approval of the abandonment of existing public easements within the property, said abandonment to be implemented on the Parcel Map; and

WHEREAS, public service easements are necessary to accommodate the approved use of the property and have been offered for dedication on the Parcel Map; and

WHEREAS, the Parcel Map has been prepared, reviewed by staff, and found to be in compliance with the Tentative Parcel Map, the Subdivision Map Act and Title 20 of the Campbell Municipal Code.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Campbell that the Parcel Map is hereby approved and that the existing public easements identified on the Parcel Map are hereby abandoned, and that the Public Service Easements offered for dedication as shown on said map are hereby accepted in conformity with the terms for which they are offered.

PASSED AND ADOPTED this _____ day of _____, 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 (Approval of Parcel Map for 680 & 700 E. McGlincy Lane)

OWNERS' STATEMENT

WE HEREBY STATE THAT WE ARE THE OWNERS OF OR HAVE SOME RIGHT, TITLE, OR INTEREST IN AND TO THE REAL PROPERTY INCLUDED WITHIN THE SUBDIVISION SHOWN ON THE MAP; THAT WE ARE THE ONLY PERSONS WHOSE CONSENT IS NECESSARY TO PASS CLEAR TITLE TO SAID REAL PROPERTY; THAT WE HEREBY CONSENT TO THE MAKING AND RECORDING OF SAID MAP AND SUBDIVISION AS SHOWN WITHIN THE DISTINCTIVE SYMBOL LINE.

WE ALSO HEREBY DEDICATE FOR PUBLIC USE THE FOLLOWING EASEMENTS, TOGETHER WITH THE RIGHTS OF INGRESS AND EGRESS, FOR ANY AND ALL PUBLIC SERVICE FACILITIES INCLUDING POLES, WIRES, CONDUITS STORM SEWERS, SANITARY SEWERS, GAS, WATER, AND ALL PUBLIC UTILITIES AND ANY AND ALL APPURTENANCES TO THE ABOVE, UNDER, UPON OR OVER THOSE CERTAIN PORTIONS OF LAND DELINEATED AND DESIGNATED AS "PSE" (PUBLIC SERVICE EASEMENT). SAID PUBLIC SERVICE EASEMENTS ARE TO BE KEPT OPEN AND FREE FROM BUILDINGS AND STRUCTURES OF ANY KIND EXCEPT PUBLIC SERVICE STRUCTURES, IRRIGATION SYSTEMS AND APPURTENANCES THERETO, LAWFUL FENCES AND ALL LAWFUL UNSUPPORTED ROOF OVERHANDS.

WE ALSO HEREBY DEDICATE FOR PUBLIC PURPOSES EASEMENTS OF INGRESS, EGRESS FOR EMERGENCY VEHICLE ACCESS, UNDER, ON OR OVER THOSE CERTAIN STRIPS OF LAND DELINEATED AND DESIGNATED AS "EVAE" (EMERGENCY VEHICLE ACCESS EASEMENTS). SAID EASEMENT IS TO BE KEPT OPEN AND FREE OF BUILDINGS AND STRUCTURES OF ANY KIND EXCEPT TRAFFIC RATED UNDERGROUND UTILITY COMPANY STRUCTURES.

OWNER: TROJAN STORAGE OF CAMPBELL, LLC, A DELAWARE LIMITED LIABILITY COMPANY.

BY: _____
NAME: _____
TITLE: _____

OWNER'S ACKNOWLEDGMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA }
COUNTY OF _____ }ss.

ON _____, 2020, BEFORE ME, _____, A NOTARY PUBLIC,

PERSONALLY APPEARED _____ WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND.

NOTARY'S SIGNATURE: _____
NAME OF NOTARY (PLEASE PRINT): _____
PRINCIPAL COUNTY OF BUSINESS: _____
MY COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____

TRUSTEE'S STATEMENT

WE, FIRST AMERICAN TITLE INSURANCE COMPANY, AS TRUSTEE UNDER THAT CERTAIN DEED OF TRUST RECORDED DECEMBER 19, 2019 AS DOCUMENT NO. 24084124, OFFICIAL RECORDS OF SANTA CLARA COUNTY, CALIFORNIA, DO HEREBY CONSENT TO THE PREPARATION AND FILING OF THIS MAP, "PARCEL MAP, MCGLINCY", AND JOIN IN ALL DEDICATIONS THEREON.

IN WITNESS WHEREOF, THE UNDERSIGNED HAS EXECUTED THIS STATEMENT ON _____, 2020 BY ITS DULY AUTHORIZED OFFICERS AS TRUSTEE:

FIRST AMERICAN TITLE INSURANCE COMPANY
BY: _____
NAME: _____
ITS: _____

TRUSTEE'S ACKNOWLEDGMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA }
COUNTY OF _____ }ss.

ON _____, 2020, BEFORE ME, _____, A NOTARY PUBLIC,

PERSONALLY APPEARED _____ WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND.

NOTARY'S SIGNATURE: _____
NAME OF NOTARY (PLEASE PRINT): _____
PRINCIPAL COUNTY OF BUSINESS: _____
MY COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____

SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF TROJAN STORAGE OF CAMPBELL, LLC, A DELAWARE LIMITED LIABILITY COMPANY, IN APRIL 2018. I HEREBY STATE THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN; THAT ALL THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED, OR THAT THEY WILL BE SET IN THOSE POSITIONS ON OR BEFORE SEPTEMBER 2022; AND THAT MONUMENTS ARE, OR WILL BE, SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED, AND THAT THIS PARCEL MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP, IF ANY.

BRYAN PIERCE, PLS 8859 DATE _____



SOILS AND GEOLOGICAL REPORT

GEOLOGICAL EVALUATION FOR TROJAN STORAGE FACILITY 680 AND 700 EAST MCGLINCY LANE HAS BEEN PREPARED BY EEI ENGINEERING SOLUTIONS, REPORT DATED AUGUST 24, 2018. REFERENCE EEI PROJECT NO. AAA-72811.4

SIGNATURE OMISSION

THE SIGNATURE OF THE FOLLOWING EASEMENT HOLDER HAS BEEN OMITTED PURSUANT TO SECTION 66436(3)(A)(i) OF THE GOVERNMENT CODE (SUBDIVISION MAP ACT).

THE UNDERGROUND WATER OR RIGHTS THERETO, GRANTED TO SAN JOSE WATER WORKS, A CALIFORNIA CORPORATION, IN THE QUITCLAIM DEED, RECORDED APRIL 7, 1958 IN BOOK 4046, AT PAGE 262, OFFICIAL RECORDS OF SANTA CLARA COUNTY, CALIFORNIA.

CITY ENGINEER'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THIS PARCEL MAP AND THAT THE SUBDIVISION AS SHOWN IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP AND ANY APPROVED ALTERATIONS THEREOF; THAT ALL PROVISIONS OF THE SUBDIVISION MAP ACT, AS AMENDED, AND ANY LOCAL ORDINANCE APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH.

DATE: _____



AMY OLAY,
CITY ENGINEER
CITY OF CAMPBELL, CALIFORNIA
RCE NO 61922

CITY SURVEYOR'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THIS PARCEL MAP, AND THAT I AM SATISFIED THAT SAID MAP IS TECHNICALLY CORRECT.

DATE: _____



ANNE-SOPHIE TRUONG
PLS NO 8998

CITY CLERK'S STATEMENT

I HEREBY STATE THAT THIS MAP, DESIGNATED AS A PARCEL MAP, CONSISTING OF TWO (2) SHEETS, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF CAMPBELL AT A MEETING OF SAID COUNCIL HELD ON THE _____ DAY OF _____, 2020; AND THAT SAID COUNCIL ACCEPTED, SUBJECT TO IMPROVEMENT, ON BEHALF OF THE PUBLIC, THE DEDICATION OF ALL EASEMENTS OFFERED FOR DEDICATION, AS SHOWN ON SAID MAP WITHIN SAID SUBDIVISION, IN CONFORMITY WITH THE TERMS OF THE OFFER OF DEDICATION.

I ALSO HEREBY CERTIFY THAT, PURSUANT TO SECTION 66499.20.2 OF THE SUBDIVISION MAP ACT, THE FILING OF THIS MAP SHALL CONSTITUTE ABANDONMENT OF ALL OF THE "PUBLIC UTILITY EASEMENT (P.U.E.) AND EMERGENCY VEHICLE ACCESS EASEMENT (E.V.A.E.)" OVER "PARCEL 3" AND "PARCEL 4", AS SHOWN THE PARCEL MAP FILED SEPTEMBER 15, 2006 IN BOOK 806 OF MAPS, PAGES 18 AND 19, RECORDS OF SANTA CLARA COUNTY, CALIFORNIA.

DATE: _____

ANDREA SANDERS
DEPUTY CITY CLERK OF THE CITY OF CAMPBELL

RECORDER'S STATEMENT

FILED THIS _____ DAY OF _____ 20____, AT _____ M., IN BOOK _____ OF MAPS AT PAGES _____ AND _____, AT THE REQUEST OF _____.

FILE NO. _____, COUNTY RECORDER
SANTA CLARA COUNTY, CALIFORNIA
FEE: _____, PAID BY _____ DEPUTY

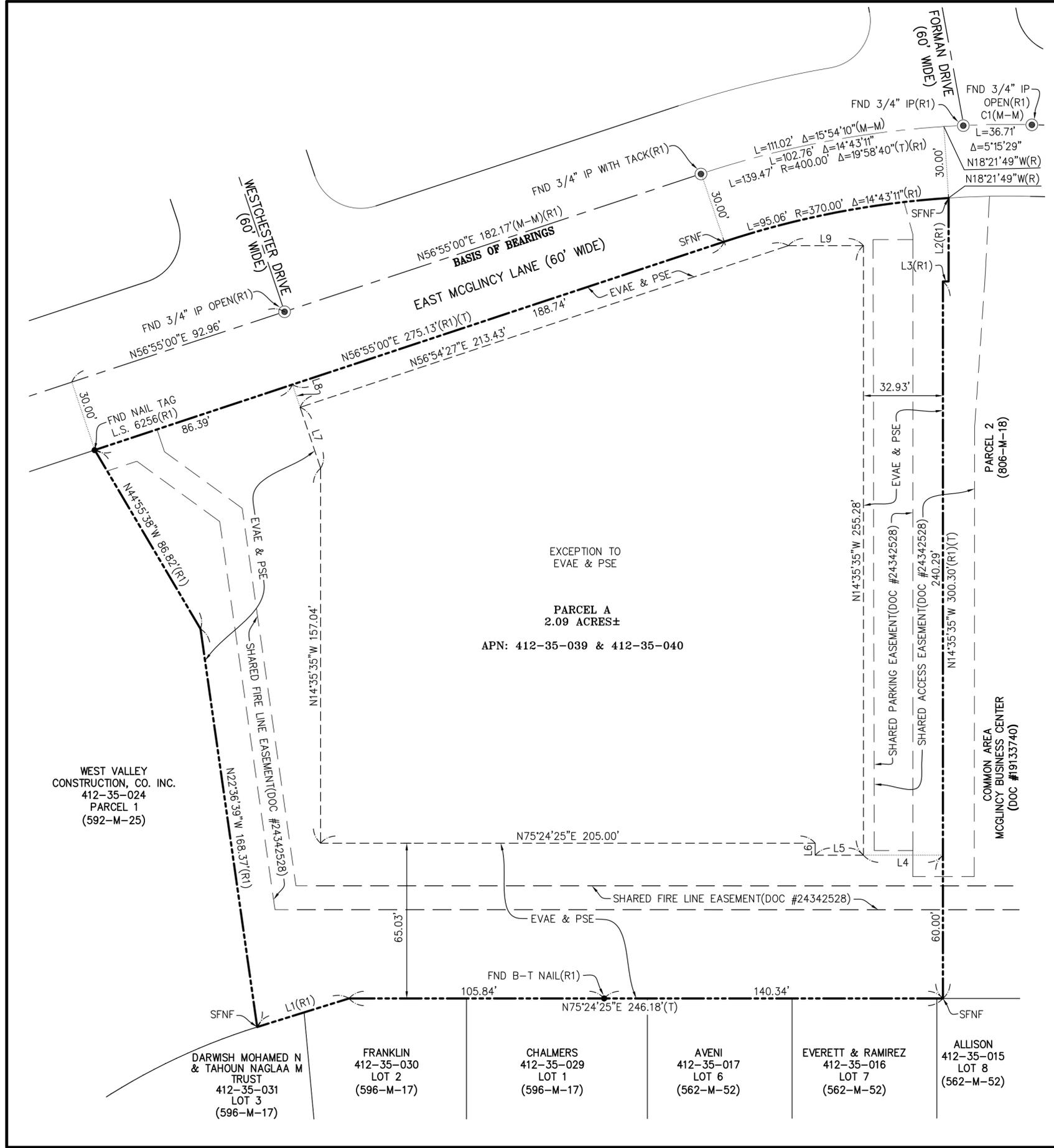
**PARCEL MAP
McGLINCY**

CITY OF CAMPBELL
SANTA CLARA COUNTY, CALIFORNIA

A MERGER OF "PARCEL 3" AND "PARCEL 4", AS SHOWN ON THE PARCEL MAP FILED SEPTEMBER 15, 2006, IN BOOK 806 OF MAPS, AT PAGES 18 AND 19, RECORDS OF SANTA CLARA COUNTY, CALIFORNIA

Prepared By:
RUGGERI-JENSEN-AZAR
8055 Camino Arroyo, Gilroy, CA 95020
SEPTEMBER 2020

Attachment: Parcel Map (Approval of Parcel Map for 680 & 700 E. McGlincy Lane)



LEGEND

- DISTINCTIVE SYMBOL LINE
- EXISTING LOT LINE
- MONUMENT LINE/CENTERLINE
- EXISTING EASEMENT LINE
- NEW EASEMENT LINE
- TIE LINE
- FOUND MONUMENT IN WELL, AS NOTED
- FOUND MONUMENT, AS NOTED
- B-T BRASS TAG
- EVAE EMERGENCY VEHICLE ACCESS EASEMENT
- FND FOUND
- IP IRON PIPE
- PSE PUBLIC SERVICE EASEMENT
- SFNF SEARCH FOR NOT FOUND
- (M-M) MONUMENT TO MONUMENT
- (T) TOTAL DIMENSION
- (R) RADIAL BEARING
- () RECORD DATA

BASIS OF BEARINGS:

THE BEARING N56°55'00"E BETWEEN FOUND MONUMENTS ALONG THE CENTERLINE OF EAST MCGLINCY LANE AS SHOWN ON THE PARCEL MAP FILED SEPTEMBER 15, 2006 IN BOOK 806 OF MAPS, AT PAGES 18 AND 19, RECORDS OF SANTA CLARA COUNTY, CALIFORNIA, WAS USED AS THE BASIS OF BEARINGS SHOWN HEREON.

NOTES:

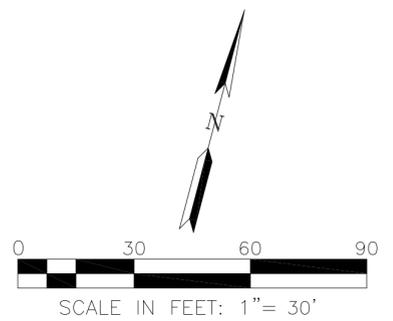
1. THE DISTINCTIVE SYMBOL LINE INDICATES THE BOUNDARY OF THE LAND SUBDIVIDED BY THIS PARCEL MAP.
2. THE AREA WITHIN THE DISTINCTIVE SYMBOL LINE IS 2.09 ACRES, MORE OR LESS.
3. ALL DISTANCES AND DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.
4. TIE LINES ARE 90° OR RADIAL TO MONUMENT LINES UNLESS OTHERWISE NOTED.

REFERENCES:

(R1) PARCEL MAP - 806-M-18

| CURVE TABLE | | | |
|-------------|--------|---------|------------|
| CURVE | LENGTH | RADIUS | DELTA |
| C1 | 28.45' | 400.00' | 004°04'30" |

| LINE TABLE | | |
|------------|-------------|-------|
| LINE | BEARING | DIST |
| L1 | N57°57'17"E | 39.90 |
| L2 | N14°35'35"W | 34.95 |
| L3 | N75°24'25"E | 2.37 |
| L4 | N75°24'25"E | 32.93 |
| L5 | N75°24'25"E | 20.00 |
| L6 | N14°35'35"W | 5.03 |
| L7 | N33°05'33"W | 26.88 |
| L8 | N33°05'00"W | 10.05 |
| L9 | N75°24'25"E | 31.13 |



PARCEL MAP McGLINCY

CITY OF CAMPBELL
SANTA CLARA COUNTY, CALIFORNIA

A MERGER OF "PARCEL 3" AND "PARCEL 4", AS SHOWN ON THE PARCEL MAP FILED SEPTEMBER 15, 2006, IN BOOK 806 OF MAPS, AT PAGES 18 AND 19, RECORDS OF SANTA CLARA COUNTY, CALIFORNIA

Prepared By:
RUGGERI-JENSEN-AZAR
8055 Camino Arroyo, Gilroy, CA 95020
SEPTEMBER 2020

Attachment: Parcel Map (Approval of Parcel Map for 680 & 700 E. McGlincy Lane)



*City
Council
Report*

Item: 6
Category: CONSENT CALENDAR
Meeting Date: October 6, 2020

TITLE: Approval of a Used Car Dealer Permit for Brad Clausen Dba the Motor Cafe (Resolution/Roll Call Vote)

RECOMMENDED ACTION

That the City Council adopt a resolution approving the issuance of a used car dealer permit to sell used cars at 1011 Dell Avenue, Campbell, CA 95008.

BACKGROUND

The following applicant has requested a used car dealer permit:

CL Associates Inc./ Brad Clausen DBA - The Motor Cafe
1011 Dell Avenue
Campbell, CA 95008

On July 23, 2019, The Planning Commission adopted Resolution No. 4519 approving a Conditional Use Permit (CUP) (PLN2019-81) to allow a motor vehicle sales establishment at 1011 Dell Avenue

The applicant who seeks the permit is the owner and President of CL Associates Inc, California Articles of Incorporation Number 918471. This is a family owned business since 1979. The applicant has worked at the family business since 1984 and therefore has a history of business operations.

DISCUSSION

The applicant's business will be located at 1011 Dell Avenue, Campbell, CA. and will include the sales of new and used motorcycles as well as retail parts and a service center. The business will include a new and used motorcycle inventory warehouse, a showroom, a service center area, an office, and a non-service center area. The business will not include, paint, body work, welding or fabrication. The applicant states he will have thirteen (13) employees and seeks the ability to sell the vehicles from 9:00 am to 6:00 pm, Tuesday through Saturday.

A background check on the applicant consisting of fingerprinting was conducted and the Department of Justice responded with no information prohibiting the applicant from operating a used car dealership.

FISCAL IMPACT

The applicant has paid the Campbell Police Department fee of \$257.00 for the used car dealer permit. This is a non-refundable fee no matter what decision is rendered by the City Council. The business is also required to pay the necessary business license fees.

ALTERNATIVES

Do not approve the used car dealer permit

Prepared by:



Ana Spear, Police Permits

Reviewed by:



Gary Berg, Police Chief

Approved by:



Brian Loventhal, City Manager

Attachment:

- a. Resolution 2020
- b. PC Res 4519 (Corrected address)

RESOLUTION NO. ____

BEING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAMPBELL AUTHORIZING THE ISSUANCE OF A USED MOTOR VEHICLE DEALER PERMIT TO CL ASSOCIATES INC. DBA THE MOTOR CAFÉ, LOCATED AT **1011 DELL AVENUE**.

WHEREAS, after notification and public hearing, as specified by law and after presentation by the Police Chief, proponents and opponents, the hearing was closed. After due consideration of all the evidence presented, the City Council does find as follows:

1. **Business:** The proposed business will involve the retail sale of new and used motorcycles as well as retail parts sales to the public and service center.
2. **Location:** The business is operated at one property, located at 1011 Dell Avenue, Campbell, CA 95008.
3. **Zoning:** The locations of the business are within the M-1(Light Industrial) Zoning District. The applicant has secured the necessary land use entitlements for the retail sale of motor vehicles. Specifically, the Planning Commission approved an Administrative Planned Development Permit (PLN2019-81) on July 23, 2019 for 1011 Dell Avenue.
4. **Ownership:** The applicant is the owner of CL Associates, Inc. dba The Motor Café.
5. **Experience:** The applicant has operated the business for over 36 years.
6. **Background Review:** A background check through the Department of Justice revealed that there is no information prohibiting the applicant from operating a used car dealership.

WHEREAS, based on the foregoing findings, the City Council further finds and concludes that, subject to the Conditions of Approval, there is no evidence that the activity applied for or the location thereof will create a public nuisance.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Campbell does hereby grant a Used Motor Vehicle Dealer Permit to CL Associates, Inc. dba The Motor Café, pursuant to Campbell Municipal Code Section 5.08.010(12), subject to the following Conditions of Approval:

1. Approved Permit: Approval is granted for a Used Motor Vehicle Dealer Permit to allow the retail sale of used motor vehicles on property located at 1011 Dell Avenue.

2. Approval Expiration: Approval of the Used Motor Vehicle Dealer Permit is valid in perpetuity, subject to continued compliance with the Conditions of Approval contained herein. A change in business ownership shall require approval of a new Used Motor Vehicle Dealer Permit.
3. Compliance with Conditions: The business at all times shall remain in compliance with the Conditions of Approval imposed by Administrative Planned Development Permit PLN2019-81 (Planning Commission Resolution No. 4519, approved July 23, 2019) except where the Conditions of Approval contained herein provide a more restrictive or specific requirement or limitation.
4. Street Parking: Vehicles for sale or in inventory shall not be parked, displayed, stored, or otherwise placed on the public street.
5. Employees: There will be thirteen (13) employees of CL Associates, Inc. dba The Motor Café.
6. Hours of Operation: The hours of operation for the vehicle sales office and associated sales activities shall be restricted as follows, exclusive of the customary and reasonable use of the facilities for administrative activity:
 - 9:00 AM – 6:00 PM, Tuesday-Saturday
7. Business License: The business owner shall at all times maintain a City of Campbell Business License.
8. DMV Dealer License: The business owner shall at all times maintain in good standing a Vehicle Dealer License from the California Department of Motor Vehicles (DMV).
9. Fingerprint Clearance: The business owner has successfully passed a background check through Department of Justice fingerprinting system.
10. Sales Office: All sales activity, other than the viewing of motorcycles, shall take place within the auto sales office.
11. On-Site Advertising: There shall be no form of temporary on-site advertising associated with the retail auto sales business, including but not limited to, flags, strobe lights, banners, A-frames, and human signs advertising. All permanent signage shall comply with the provisions of the Campbell Municipal Code.

- 12. Vehicle Advertising: Vehicles for sale shall only contain the minimum information necessary as required by the Department of Motor Vehicles. Vehicles shall not be advertised with painted letters or numbers, streamers, flags, or similar attention grabbing contrivances.
- 13. Property Maintenance: The owner/operator of the subject property shall maintain all exterior areas of the business free from graffiti, trash, rubbish, posters and stickers placed on the property.
- 14. Noise Standard: Any noises, sounds and/or voices, including but not limited to amplified sounds, loud speakers, sounds from audio sound systems, and/or music, generated by the subject shall not be audible to a person of normal hearing capacity from any residential property. Public address systems of all types are strictly prohibited.
- 15. Parking and Driveways: All parking and driveway areas shall be striped and maintained in compliance with the approval plans and Chapter 21.28 (Parking and Loading) of the Campbell Municipal Code. All parking and driveway areas shall be regularly swept and cleaned to remove litter and debris.
- 16. Revocation of Permit: Operation of the business in violation of the Used Motor Vehicle Dealer Permit or any standards, codes, or ordinances of the City of Campbell, shall constitute a public nuisance pursuant to Campbell Municipal Code Section 6.10.020(6), which shall be grounds for revocation of the Used Motor Vehicle Dealer Permit by the City Council. Such a determination may also result in revocation of the Administrative Planned Development Permits (PLN2019-81) pursuant to Campbell Municipal Code Chapter 21.68 (Revocations and Modifications).

PASSED AND ADOPTED this 6th day of October, 2020, by the following roll call vote:

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

APPROVED: _____
 Susan M. Landry, Mayor

ATTEST: _____
 Andrea Sanders, Deputy City Clerk

Attachment: Resolution 2020 (The Motor Cafe Used Car Dealer Permit)

RESOLUTION NO. 4519

BEING A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CAMPBELL APPROVING A CONDITIONAL USE PERMIT TO ALLOW FOR THE OPERATION OF A MOTORCYCLE SALES AND SERVICE CENTER IN AN EXISTING BUILDING IN THE LIGHT INDUSTRIAL (M-1) ZONING DISTRICT LOCATED AT **1011 DELL AVENUE** (PLN2019-81).

After notification and public hearing, as specified by law and after presentation by the Community Development Director, proponents and opponents, the hearing was closed.

The Planning Commission finds as follows with regard to File No. PLN2019-81 (Conditional Use Permit)

Environmental Finding

1. The project may be found Categorically Exempt under the California Environmental Quality Act (CEQA) Section 15301, of pertaining to the operation and leasing of an existing private structure and Section 15303, pertaining to the conversion of existing small structures from one use to another.

Evidentiary Findings

1. The project site is located on Dell Avenue, east of Winchester Boulevard and west of Sunnyoaks Avenue.
2. The General Plan land use designation for the property is *Light Industrial*.
3. The Zoning District for the property is M-1 (Light Industrial).
4. The subject property is bordered by light industrial uses to the south, east and west, and medical uses to the north.
5. The project includes operation of a motorcycle sales and service center. The business would include a motorcycle inventory warehouse, a showroom, a service repair area, office and non-service areas (e.g., bathrooms). The motorcycle business does not include paint, bodywork, welding, or fabrication.
6. Pursuant to CMC Section 21.10.080.C, motor vehicle sales (new and/or used) and motor vehicle repair and maintenance requires a Conditional Use Permit (CUP). A CUP may be approved, with or without conditions, only if the Planning Commission (or the City Council, upon appeal) makes certain findings.
7. The subject property is currently developed with a 2,852 square foot storage building which would remain and a 15,101 square foot primary building which would remain with a modified floor plan to accommodate the project. The proposed motorcycle sales and service center would share a portion of the 15,101 square foot building with an existing glass fabrication business.

8. Pursuant to CMC §21.28.040.D, when the use of a structure changes to a use that requires the same [or fewer] parking spaces as the immediately previous use, the number of required parking spaces for the new use shall be the same as the requirement for the previous use.
9. The existing glass fabrication business will reduce in size, creating a smaller parking demand, where the glass business would generate a parking demand of 14 stalls and the proposed motorcycle business will generate a parking demand of 29 stalls, for a total parking demand of 43 stalls, a reduction from the current demand of 48 stalls.
10. Pursuant to CMC §21.26.050, the Planning Commission has the authority to adjust the landscaping requirements for a specific use at a specific location so as to require either a greater or lesser amount of landscaping when it determines that there are unique or special circumstances that warrant an adjustment.
11. The subject property includes an approximately 10-foot wide landscape strip between the building and the street frontage and a landscaped area to the right of the building that will remain. All trees on site will be retained. The current improvements on the site minimize the potential for additional landscaping similar to other nearby industrial zoned sites.
12. Applicable General Plan Policies considered by the Planning Commission included:

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.

Policy LUT-5.4: Industrial Neighborhoods: Safeguard industry's ability to operate effectively, by limiting the establishment of incompatible uses in industrial neighborhoods and encouraging compatible uses.

Policy LUT-5.5: Industrial Diversity: Promote a variety of industrial use opportunities that maintain diversified services and a diversified economic base.

Policy LUT-5.7: Industrial Areas: Industrial development should have functional and safe vehicular, bicycle and pedestrian circulation, good site and architectural design, be sensitive to surrounding uses, connect to public transit, and be energy efficient. New projects should contribute to the positive character of industrial areas and the overall image of the City.

Based upon the foregoing findings of fact, the Planning Commission further finds and concludes that:

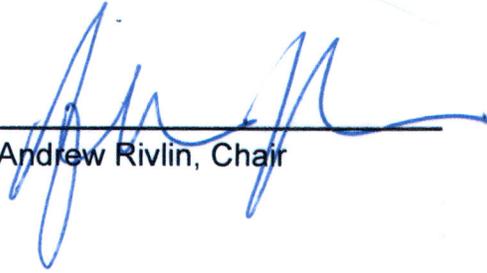
1. The proposed use is allowed within the applicable zoning district with Conditional Use Permit approval, and complies with all other applicable provisions of this Zoning Code and the Campbell Municipal Code;
2. The proposed use is consistent with the General Plan;
3. The proposed site is adequate in terms of size and shape to accommodate the fences and walls, landscaping, parking and loading facilities, yards, and other development features required in order to integrate the use with uses in the surrounding area;
4. The proposed site is adequately served by streets of sufficient capacity to carry the kind and quantity of traffic the use would be expected to generate;
5. The design, location, size, and operating characteristics of the proposed use are compatible with the existing and future land uses on-site and in the vicinity of the subject property; and
6. The establishment, maintenance, or operation of the proposed use at the location proposed will not be detrimental to the comfort, health, morals, peace, safety, or general welfare of persons residing or working in the neighborhood of the proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the city.
7. There are unique or special circumstances which warrant an adjustment to required landscaping.

THEREFORE, BE IT RESOLVED that the Planning Commission approves a Conditional Use Permit for a motorcycle sales and service center on property located at 1011 Dell Avenue (PLN2019-81) subject to the attached Conditions of Approval (**Exhibit A**).

PASSED AND ADOPTED this 23rd day of July, 2019, by the following roll call vote:

AYES: Commissioners: Ching, Krey, Buchbinder, Hines, Ostrowski, Rich, Rivlin
 NOES: Commissioners:
 ABSENT: Commissioners:
 ABSTAIN: Commissioners:

ATTEST: 
 Paul Kermoyan, Secretary

APPROVED: 
 Andrew Rivlin, Chair

Attachment: PC Res 4519 (Corrected address) (The Motor Cafe Used Car Dealer Permit)

CONDITIONS OF APPROVAL
Conditional Use Permit (PLN2019-81)

Where approval by the Director of Community Development, City Engineer, Public Works Director, City Attorney or Fire Department is required, that review shall be for compliance with all applicable conditions of approval, adopted policies and guidelines, ordinances, laws and regulations and accepted engineering practices for the item under review. Additionally, the applicant is hereby notified that he/she is required to comply with all applicable Codes or Ordinances of the City of Campbell and the State of California that pertain to this development and are not herein specified.

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

1. Approved Project: Approval is granted for a Conditional Use Permit for a motorcycle sales and service center on property located at 1011 Dell Avenue (PLN2019-81) The project shall substantially conform to the development plans stamped as received by the Community Development Department on July 5, 2019, except as may be modified by the Conditions of Approval contained herein.
2. Permit Expiration: The Conditional Use Permit approval (PLN2019-81) shall be valid for one year from the date of final approval (expiring August 2, 2020). Within this one-year period, an application for a building permit must be submitted. Failure to meet this deadline will result in the Conditional Use Permit being rendered void.
3. Plan Revisions: Any modifications to the Building plan submittal, including changes to the floor plan and site layout, shall require approval by the Decision Making Body.
4. Signage: No signage is approved as part of the development application approved herein. All signage shall be installed and maintained consistent with the provision of the Sign Ordinance, Chapter 21.30 of the Campbell Municipal Code.
5. Location of Mechanical Equipment: No roof-mounted mechanical equipment (i.e. air conditioning units, ventilation ducts or vents), shall be added to the existing building without providing screening of the mechanical equipment from public view and surrounding properties. The screening material and method shall be architecturally compatible with the building and requires review and approval by the Community Development Director and Building Division prior to installation of such screening.
6. Outdoor Storage: No overnight outdoor storage is permitted on the subject property.
7. Business License: A valid City of Campbell business license shall be maintained at all times.
8. Property Maintenance: All exterior areas shall be maintained free from graffiti, trash, rubbish, posters and stickers placed on the property.

Conditions of Approval
Conditional Use Permit (PLN2019-81) Page 2 of 10

9. Parking & Driveway Areas: All parking and driveway areas shall be striped and maintained in compliance with the approved plans and Chapter 21.28 (Parking and Loading) of the Campbell Municipal Code. All parking and driveway areas shall be regularly swept and cleaned to remove litter and debris.
10. Landscaping: All exterior landscaping, including trees, shall be maintained in good condition.
11. On-Site Lighting: On-site lighting shall be shielded away from adjacent properties and directed on site. The design and type of lighting fixtures and lighting intensity of any proposed exterior lighting for the project shall be reviewed and approved by the Community Development Director prior to installation of the lighting for compliance with all applicable Conditions of Approval, ordinances, laws and regulations. Lighting fixtures shall be of a decorative design to be compatible with the residential development and shall incorporate energy saving features.
12. Fencing/Gate: Fencing shall be maintained in good condition and the gate shall be made accessible to emergency vehicles.
13. Revocation of Permit: Non-compliance with these standards, or any other conditions of approval specified herein or any standards, codes, or ordinances of the City of Campbell or State of California shall be grounds for consideration of revocation by the Planning Commission. In order to cover staff costs for a revocation hearing, the applicant shall be required to cover the time and materials for such action, not to exceed the cost of a Conditional Use Permit based on the fee schedule in effect at the time of the public hearing.

BUILDING DIVISION

14. Permits Required: A building permit application shall be required. The building permit shall include Electrical/Plumbing/Mechanical fees when such work is part of the permit.
15. Building Permit Plans: The conditions of Approval shall be imbedded onto a plan sheet as part of the plans submitted for a building permit.
16. Plan Preparation: This project requires plans prepared under the direction and oversight of a California licensed Engineer or Architect. Plans submitted for building permits shall be "wet stamped" and signed by the qualifying professional person.
17. Size of Plans: The minimum size of construction plans submitted for building permits shall be 24 in. X 36 in.
18. Site Plan: Application for building permit shall include a competent site plan that identifies property and proposed structures with dimensions and elevations as appropriate. Site plan shall also include site drainage details. Elevation bench

Conditions of Approval
Conditional Use Permit (PLN2019-81) Page 3 of 10

marks shall be called out at all locations that are identified as “natural grade” and intended for use to determine the height of the proposed structure.

19. Title 24 Energy Compliance: California Title 24 Energy Standards Compliance forms shall be blue-lined on the construction plans. Compliance with the Standards shall be demonstrated for conditioning of the building envelope and lighting of the building.
20. Special Inspections: When a special inspection is required by C.B.C. Chapter 17, the architect or engineer of record shall prepare an inspection program that shall be submitted to the Building Official for approval prior to issuance of the building permits, in accordance with C.B.C Chapter 1, Section 106. Please obtain City of Campbell, Special Inspection forms from the Building Inspection Division Counter.
21. Non-point Source Pollution: The City of Campbell, standard Santa Clara Valley Non-point Source Pollution Control Program specification sheet shall be part of plan submittal. The specification sheet (size 24” X 36”) is available at the Building Division service counter.
22. Approvals Required: The project requires the following agency approval or consultation prior to issuance of the building permit:
 - a. West Valley Sanitation District (378-2407)
 - b. Santa Clara County Fire Department (378-4010)
23. P.G.& E.: Applicant is advised to contact Pacific Gas and Electric Company as early as possible in the approval process. Service installations, changes and/or relocations may require substantial scheduling time and can cause significant delays in the approval process. Applicant should also consult with P.G. and E. concerning utility easements, distribution pole locations and required conductor clearances.
24. Storm Water Requirements: Storm water run-off from impervious surface created by this permitted project shall be directed to vegetated areas on the project parcel. Storm water shall not drain onto neighboring parcels.

FIRE DEPARTMENT

25. Review of this Developmental proposal is limited to acceptability of site access, water supply and may include specific additional requirements as they pertain to fire department operations, and shall not be construed as a substitute for formal plan review to determine compliance with adopted model codes. Prior to performing any work, the applicant shall make application to, and receive from the Building Department all applicable construction permits.
26. Fire Sprinklers Required: Approved automatic sprinkler systems in new and existing buildings and structures shall be provided in the locations as specified by the Fire

Conditions of Approval
 Conditional Use Permit (PLN2019-81) Page 4 of 10

Department. Firewalls used to separate building areas shall be constructed in accordance with the California Building Code and shall be without openings or penetrations.

NOTE: The owner(s), occupant(s) and any contractor(s) or subcontractor(s) are responsible for consulting with the water purveyor of record in order to determine if any modification or upgrade of the existing water service is required. A State of California licensed (C-16) Fire Protection Contractor shall submit plans, calculations, a completed permit application and appropriate fees to this department for review and approval prior to beginning their work. CFC Sec. 903.2 as adopted and amended by CBLMC. Separate plan submittal and permit is required for all sprinkler modifications. The sprinkler system shall be monitored.

27. Water Supply Requirements: Potable water supplies shall be protected from contamination caused by fire protection water supplies. It is the responsibility of the applicant and any contractors and subcontractors to contact the water purveyor supplying the site of such project, and to comply with the requirements of that purveyor. Such requirements shall be incorporated into the design of any water-based fire protection systems, and / or fire suppression water supply systems or storage containers that may be physically connected in any manner to an appliance capable of causing contamination of the potable water supply of the purveyor of record. Final approval of the system(s) under consideration will not be granted by this office until compliance with the requirements of the water purveyor of record are documented by that purveyor as having been met by the applicant(s). 2010 CFC Sec. 903.3.5 and Health and Safety Code 13114.7.
28. Fire Apparatus (Engine) Access Driveway Required: Provide an access driveway with a paved all weather surface, a minimum unobstructed width of 20 feet, vertical clearance of 13 feet 6 inches, minimum circulating turning radius of 36 feet outside and 23 feet inside, and a maximum slope of 15%. Installations shall conform to Fire Department Standard Details and Specifications sheet D-1.
29. Emergency Gate/Access Gate Requirements: Gate installations shall conform with Fire Department Standard Details and Specification G-1 and, when open shall not obstruct any portion of the required width for emergency access roadways or driveways. Locks, if provided, shall be fire department approved prior to installation. Gates across the emergency access roadways shall be equipped with an approved access devices. If the gates are operated electrically, an approved Knox key switch shall be installed; if they are operated manually, then an approved Knox padlock shall be installed. Gates providing access from a road to a driveway or other roadway shall be at least 30 feet from the road being exited. CFC Sec. 503.6 and 506.
30. Address identification. New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Where required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches (101.6 mm) high with a minimum stroke width of 0.5 inch (12.7 mm).

Conditions of Approval
Conditional Use Permit (PLN2019-81) Page 5 of 10

Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address numbers shall be maintained. CFC Sec. 505.I.

PUBLIC WORKS DEPARTMENT

31. The following conditions only apply if the applicant has a need to install / upgrade utility services (water, sewer, gas, etc.) in the street:
- a. Utility Encroachment Permit: Separate permits for the installation of utilities to serve the development will be required (including water, sewer, gas, electric, etc.). Applicant shall apply for and pay all necessary fees for utility permits for sanitary sewer, gas, water, electric and all other utility work.
 - b. Utility Coordination Plan: Prior to issuance of building permits for the site, the applicant shall submit a utility coordination plan and schedule for approval by the City Engineer for installation and/or abandonment of all utilities. The plan shall clearly show the location and size of all existing utilities and the associated main lines; indicate which utilities and services are to remain; which utilities and services are to be abandoned, and where new utilities and services will be installed. Joint trenches for new utilities shall be used whenever possible.
 - c. Pavement Restoration: The applicant shall restore the pavement in compliance with City standard requirements. In the event that the roadway has recently received a pavement treatment or reconstruction, the project will be subject to the City's Street Cut Moratorium. The applicant will be required to perform enhanced pavement restoration consistent with the restoration requirements associated with the Street Cut Moratorium. The City's Pavement Maintenance Program website (<https://www.ci.campbell.ca.us/219>) has detailed information on the streets currently under moratorium and the enhanced restoration requirements.



*City
Council
Report*

Item: 7
Category: CONSENT CALENDAR
Meeting Date: October 6, 2020

TITLE: Biennial Review of the City of Campbell Conflict of Interest Code (Resolution/Roll Call Vote)

RECOMMENDED ACTION

That the City Council adopt a Resolution approving the Conflict of Interest Code Appendix A and B.

BACKGROUND

The Political Reform Act requires every local government agency to review its Conflict of Interest Code biennially to determine if it is accurate and up-to date or, alternatively that the code must be amended. Once the determination has been made, the City Clerk must notify the City Council (code reviewing body) by October 1. Following that review, any amendments necessary must be approved within 90 days. The 2020 Local Agency Biennial Notice is provided as Attachment D.

Ordinance 2237 adopted October 16, 2018 approved amendments to Appendix A and Appendix B of the Conflict of Interest Code to be adopted by Resolution of the City Council and is provided in Attachment A.

DISCUSSION

After reviewing the current code, the City Attorney and City Clerk's office have determined that the only amendment necessary at this time is an update of Appendix A, Designated Employees. A Designated Employee is anyone within the agency whose position entails the making or participation in the making of decisions which may foreseeably have a material effect on any financial interest.

Since the last biennial update in 2018, staff is recommending the deletion of the non-profit "Friends of the Heritage Theatre." It has been determined that since the Friends of the Heritage Theatre are not considered City employees nor consultants, they are not required to be listed as designated employees.

Staff has also determined that deletion of the "Oversight Board for the City of Campbell Successor Agency" is appropriate as functions of this Board are currently overseen by the County of Santa Clara.

FISCAL IMPACT

There is no fiscal impact associated with this action.

Prepared by:



Andrea Sanders, Deputy City Clerk

Approved by:



Brian Loventhal, City Manager

Attachment:

- a. Resolution
- b. APPENDIX A
- c. APPENDIX B
- d. 2020 -Local_Agency_Biennial_Notice complete

RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAMPBELL
ADOPTING THE CONFLICT OF INTEREST CODE APPENDIX A AND B TO
REFLECT THE CITY OF CAMPBELL DESIGNATED POSITIONS AND DISCLOSURE
CATEGORIES**

WHEREAS, pursuant to Government Code 87300 the City of Campbell is required to adopt a Conflict of Interest Code; and

WHEREAS, the Political Reform Act requires every local government agency to review its Conflict of Interest Code biennially or as deemed appropriate; and

WHEREAS, the Fair Political Practices Commission has adopted regulation 2 California Code of Regulations 18370 which contains the terms of a standard model conflict of interest which can be incorporated by reference and which may be amended by the Fair Political Practices Commission after public notice and hearings to conform to amendments to the Political Reform Act; and

WHEREAS, a review has been conducted and a determination has been made that the City of Campbell’s Conflict of Interest Code should be maintained as outlined in Appendix A (Statement of Economic Interest for Designated Employee) and B (Disclosure Categories).

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Campbell adopt the attached Appendix A (Statement of Economic Interest for Designated Employee) and Appendix B (Disclosure Categories).

PASSED AND ADOPTED this ___ day of _____, 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 (Conflict of Interest)

APPENDIX A

STATEMENT OF ECONOMIC INTERESTS FOR DESIGNATED EMPLOYEES

| POSITION | DISCLOSURE CATEGORIES | | | |
|--|-----------------------|---|---|---|
| | 1 | 2 | 3 | 4 |
| Administrative Services Director | x | x | x | x |
| Deputy City Manager | x | x | x | x |
| Administrative Analyst II | x | x | x | x |
| Recreation & Community Services Director | x | x | | x |
| Recreation Services Manager | x | x | | x |
| Building Maintenance Supervisor | x | x | | x |
| City Clerk | | | | x |
| Police Chief | x | x | | x |
| Police Captain | | x | | x |
| Police Sergeant (if they are processing permits) | | x | | |
| Building Official | x | x | x | |
| Sr. Building Inspector | x | x | x | |
| Building Inspector | x | x | x | |
| Finance Director | x | x | | x |
| Finance Manager | | x | | |
| Public Works Director | x | x | x | x |
| City Engineer | x | x | x | x |
| Public Works Superintendent | | x | | x |
| Associate Civil Engineer | | x | | |
| Senior Civil Engineer | | x | | |
| Assistant Engineer | | x | | |
| Environmental Program Manager | x | x | x | |
| Public Works Inspector | x | x | x | |
| Park Maintenance Supervisor | | x | | |
| Traffic Engineer | | x | | |
| Lighting & Traffic Signal Supervisor | | x | | |
| Equipment Maintenance Supervisor | | | | x |

Attachment: APPENDIX A (Conflict of Interest)

APPENDIX A

STATEMENT OF ECONOMIC INTERESTS FOR DESIGNATED EMPLOYEES

| POSITION | DISCLOSURE CATEGORIES | | | |
|---|-----------------------|---|---|---|
| | 1 | 2 | 3 | 4 |
| Community Development Director | x | x | x | |
| Senior Planner | x | x | x | |
| Associate Planner | x | x | x | |
| Assistant Planner | x | x | x | |
| Economic Development Project Manager | x | x | x | |
| Economic Development Specialist | x | x | x | |
| Project Manager | x | x | x | |
| Building Board of Appeals | | x | x | |
| Historic Preservation Board | x | x | x | |
| Site and Architectural Review Committee | x | x | x | |
| Consultants Who Participate In Making Decisions | x | x | x | x |
| Code Enforcement Officer | x | x | x | |
| Civic Improvement Commission | x | x | x | |
| Information Technology Manager | | x | | x |
| Information Technology Administrator | | x | | x |
| Information Technology Technician | | x | | x |
| Rental Dispute Fact Finding Committee | x | x | x | |

Attachment: APPENDIX A (Conflict of Interest)

Appendix B

DISCLOSURE CATEGORIES

1. Persons in this category shall disclose all interests in real property located within the City of Campbell, or within two miles of the city boundary (however, this provision shall not require anyone to list the address of their personal residence).
2. Persons in this category shall disclose all sources of income and investments in business entities located within the City of Campbell.
3. Persons in this category shall disclose all investments in business entities or income from sources in the construction or building industry doing business within the City of Campbell.
4. Persons in this category shall disclose all investments in business entities or income from sources which manufacture or sell supplies of the type utilized by the department for which the designated employee is employed.

2020 Local Agency Biennial Notice

Name of Agency: _____

Mailing Address: _____

Contact Person: _____ Phone No. _____

Email: _____ Alternate Email: _____

Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.

This agency has reviewed its conflict of interest code and has determined that (*check one BOX*):

An amendment is required. The following amendments are necessary:

(*Check all that apply.*)

- Include new positions
- Revise disclosure categories
- Revise the titles of existing positions
- Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions
- Other (*describe*) _____

The code is currently under review by the code reviewing body.

No amendment is required. (If your code is over five years old, amendments may be necessary.)

Verification (to be completed if no amendment is required)

This agency's code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure assigned to those positions accurately requires that all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions are reported. The code includes all other provisions required by Government Code Section 87302.

Signature of Chief Executive Officer

Date

All agencies must complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 1, 2020**, or by the date specified by your agency, if earlier, to:

(PLACE RETURN ADDRESS OF CODE REVIEWING BODY HERE)

PLEASE DO NOT RETURN THIS FORM TO THE FPPC.



*City
Council
Report*

Item: 8
Category: CONSENT CALENDAR
Meeting Date: October 6, 2020

TITLE: Approval of Budget Adjustment for Bike/Pedestrian Traffic Safety Improvements Project 19-DD (Resolution/Roll Call Vote)

RECOMMENDED ACTION

That the City Council adopt a Resolution approving a budget adjustment for the Bike/Pedestrian Traffic Safety Project 19-DD.

BACKGROUND

The Bike/Pedestrian Traffic Safety Improvements Project was included in the City's Capital Improvement Plan (CIP) for 2019-2023 as Project 19-DD. This annual project provides minor improvements to streets and signals to increase safety as deemed necessary by the City's Traffic Engineer and City Engineer. This project also constructs Class II bike lanes, sidewalks, paths, and other improvements to enhance pedestrian and bicyclist safety on City streets. Transportation Development Act, or TDA, Article 3 funds represent the majority of the project funding. The recently completed Dell Avenue Bike Lanes Project was paid for with TDA funds from Project 18-CC.

DISCUSSION

The CIP for 2019-2023 reflects the following fund sources for the Bike/Pedestrian Traffic Safety Improvements Project: \$20,000 in grant funds (TDA grant funds) and \$25,000 in construction tax funds. The actual TDA grant allocation from the Metropolitan Transportation Commission (MTC) for FY 2019 was \$34,469. Staff recommends a budget adjustment to reflect the additional \$14,469 in TDA grant funds available from MTC. This will allow for additional bike and ped improvements to be installed at various locations throughout the City at no additional cost to the City.

FISCAL IMPACT

The attached budget adjustment has been prepared for Council's consideration to accept additional revenue and provide an additional \$14,469 in TDA grant funds for the Bike/Pedestrian Traffic Safety Improvements Project 19-DD. The resolution and budget adjustment will increase Grant revenues in the TDA Fund (216) and then transfer these funds out to the Capital Projects Fund (435) for use on Project 19-DD, resulting in an increased amount of bicycle and pedestrian improvements. TDA grant funds will be

expended first; unspent funds remaining in the project will be returned to the Construction Tax fund balance to be used on future improvements.

ALTERNATIVES

1. Do not approve the budget adjustment. Funds allocated to project 19-DD would remain unchanged.

Prepared by:



Matthew Jue, Traffic Engineer

Reviewed by:



Todd Capurso, Director of Public Works

Approved by:



Brian Loventhal, City Manager

Attachment:

- a. Resolution
- b. Budget Adjustment 19-DD

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAMPBELL
APPROVING A BUDGET ADJUSTMENT FOR BIKE/PEDESTRIAN TRAFFIC
SAFETY IMPROVEMENTS PROJECT 19-DD**

WHEREAS, the Bike/Pedestrian Traffic Safety Improvements Project was included in the City’s Capital Improvement Plan for Fiscal Years (FY) 2019/23 as Project 19-DD; and

WHEREAS, this annual project provides minor improvements to streets and signals to increase safety as deemed necessary by the City's Traffic Engineer and City Engineer; and

WHEREAS, this project also constructs Class II bike lanes, sidewalks, paths, and other improvements to enhance pedestrian and bicyclist safety on City streets; and

WHEREAS, Transportation Development Act, or TDA, Article 3 funds represent the majority of the project funding; and

WHEREAS, the CIP for FY 2019/23 reflects the following fund sources for the Bike/Pedestrian Traffic Safety Improvements project: \$20,000 in grant funds (TDA grant funds) and \$25,000 in construction tax funds; and

WHEREAS, the actual TDA grant allocation from the Metropolitan Transportation Commission (MTC) for FY17 was \$34,469; and

WHEREAS, staff recommends a budget adjustment to reflect the additional \$14,469 in TDA grant funds available from MTC; and

WHEREAS, the attached budget adjustment has been prepared for Council’s consideration to provide an additional \$14,469 in TDA grant funds for the Bike/Pedestrian Traffic Safety Improvements Project 19-DD.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Campbell approves the budget adjustment allocating \$14,469 in TDA grant funds to the Bike/Pedestrian Traffic Safety Improvements Project 19-DD and related transfers.

PASSED AND ADOPTED this 6th day of October, 2020 by the following roll call vote:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

Attachment: Resolution (Approval of Budget Adjustment for Project 19-DD)

APPROVED:

Susan M. Landry, Mayor

ATTEST:

Andrea Sanders, City Clerk

Attachment: Resolution (Approval of Budget Adjustment for Project 19-DD)

City of Campbell
Request for Budget Adjustments

| Department/Program | Division | Date | Request No. |
|--------------------|---|--------------------|-------------|
| Public Works | 19DD -Bike/Pedestrian Traffic Safety Improvements | September 16, 2020 | BA-1 |

Budget to be Reduced

| Fund | Account Number | Description | Amount |
|------|----------------|-------------|--------|
| | | | |

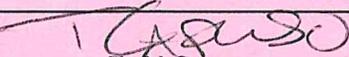
Budget to be Increased

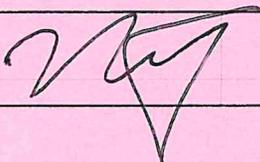
| Fund/Program | Account Number | Description | Amount |
|--------------|----------------|----------------------------------|--------|
| 216.535 | 4525 | TDA Grants | 14,469 |
| 216.990 | 9999 | Capital Transfers Out | 14,469 |
| 435.990 | 6999 | Capital Transfers In | 14,469 |
| 435.19DD | 7883 | Improvements Other than Building | 14,469 |

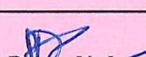
REASON FOR REQUEST - BE SPECIFIC:

To provide additional \$14,469 in Transportation Development Act Article III (TDA) grant revenue, and to use TDA grant fund for CIP19DD Bike/Pedestrian Traffic Safety Improvements Project.

LO FY 2016-19 allocation may


Todd Capurso
Public Works Director
9/16/2020

Will Fuentes
Finance Director



Brian K. Loventhal
City Manager

Attachment: Budget Adjustment 19-DD (Approval of Budget Adjustment for Project 19-DD)



*City
Council
Report*

Item: 9
Category: CONSENT CALENDAR
Meeting Date: October 6, 2020

TITLE: Approve the Acceptance of the Community Development Block Grant for the Community Center Track Resurfacing; Authorize the City Manager to Execute the Grant Agreement with the County; and Authorize a Budget Adjustment (Resolution/Roll Call Vote)

RECOMMENDED ACTION

That the City Council adopt a resolution to approve the acceptance of Community Development Block Grant (CDBG) funds in the amount of \$67,000 from the Santa Clara County Office of Supportive Housing (SCCOSH) for the Campbell Community Center Track Resurfacing (Project); authorize the City Manager to execute the grant agreement with the County to accept the CDBG funds; and, authorize a budget adjustment to allocate \$223,000 of the Parkland Dedication Fund to Fiscal Year (FY) 2021 to supplement the CDBG funds for a total Project budget of \$290,000.

BACKGROUND

The Community Center Track is a City operated and maintained recreational outdoor facility located on the western end of the Campbell Community Center on West Campbell Avenue. The track was constructed in early 2000's as part of the Community Center Master Plan Improvements and is open to the public for recreational use during normal park hours. The track is constructed with concrete curb headers on both edges, synthetic rubberized surfacing for lanes, and asphalt concrete base with a drainage system. The track is popular amongst Campbell and other local communities for non-competitive track activities and exercising.

For the past few years, staff has noticed rubber particles coming loose and polyurethane bonded surfaces thinning in certain areas on the track due to high public usage and potential base material failures from water infiltrations. The condition of the track surfacing will get progressively worse and areas of failures can increase, further compromising the track base materials.

Staff established that the track would require repairs and resurfacing within the next one to four years to prevent more severe failures from occurring, which may require significant reconstruction of the track. With the resurfacing, the life of the track can be extended to another 10-15 years. A new capital improvement project for the Community Center Track Resurfacing (Project 23-CC) was included in the adopted 2021-2025

Capital Improvement Plan (CIP) to be implemented in FY 2023. The source of funding is the Park Dedication Fund, budget in the amount of \$350,000.

DISCUSSION

SCCOSH reached out to the City in early May with an opportunity to apply for \$366,577 of available CDBG FY 2021 Capital Improvement Program funds to be expended by June 2021. City staff received the notification on May 6 and the application was due on May 15.

A category of projects eligible under the Capital Improvement Program include improvement of eligible Community Facilities. CDBG awards consider services and benefits to low-income neighborhoods or Communities of Concern and project readiness for completion within the grant deadlines. With only days to develop a competitive project that would meet the grant requirements, staff looked to projects with a defined scope and project cost. After consideration, the Community Center Track Resurfacing project was determined as a good candidate project with potential to compete well for the grant. The track is centrally located in Campbell serving the only Community of Concern area in Campbell in the northern region. Furthermore, the track resurfacing project would not require extensive design and construction documents, meaning the project can be ready for implementation once the funding is made available to complete the work by the CDBG deadline of June 2021. The CDBG application requesting \$365,000 in grant funds with \$40,000 in local funds was submitted on May 15, 2020. The grant application is included in Attachment B for reference. The grant request amount was based on the funding level included in the CIP plus some adjustments to provide smoother transitions to improve accessibility to a few of the access points to the Community Center Track.

In June, SCCOSH notified the City of the Project being approved for \$67,000 of CDBG funds which is significantly less than the application amount. Nonetheless, this would provide some external source of funding. Given this notification and without an impending application deadline, staff reached out to local track material vendors and installers for estimates to repair and resurface the Community Center Track in its current condition with compatible materials. The new estimate to complete the Project within the current fiscal year is \$290,000, which includes engineering and construction management. The higher cost estimated for the track work in FY 2023 factored in another few years of degradation resulting in increased quantities of failures anticipated for repairs and other associated escalation factors. Accepting the CDBG grant and implementing the project this fiscal year, results in a savings of \$127,000 to the Park Dedication Fund.

In order to take advantage of the CDBG funds and move this project to the current fiscal year, City Council approval is necessary to accept the grant funds and authorize the City Manager to execute the grant agreement with the County to accept funds. Additionally, City Council authorization is necessary to advance the implementation of the project to the current fiscal year in lieu of FY 2023 as adopted in the 2021-2025 CIP and approval

of a budget adjustment to allocate \$223,000 of Park Dedication Fund for the project in the FY 2020-21 Capital Budget.

Project Timeline:

Guided by the grant requirements, the anticipated schedule for the Project is as follows:

| | |
|----------------------------------|---------------|
| Execute the Grant Agreement | October 2020 |
| Construction Documents Completed | January 2021 |
| Council Authorization to Bid | February 2021 |
| Award Contract | March 2021 |
| Start Construction | April 2021 |
| Completion | May 2021 |

FISCAL IMPACT

The total revised project cost is estimated to be \$290,000. Current adopted CIP programming of the Project is in FY 2023 for \$350,000. To comply with the grant timeline, the funding will need to advance to FY 2021. However, the amount of the Park Dedication Fund necessary can be reduced from \$350,000 to \$223,000 due to the coupling of \$67,000 in supplemental CDBG funds and implementing the Project this fiscal year.

The estimated source and use of funds for this project is proposed as follows:

Source of Funds

| | |
|-----------------|-------------------|
| CDBG | \$ 67,000 |
| Park Dedication | <u>\$ 223,000</u> |
| TOTAL | \$ 290,000 |

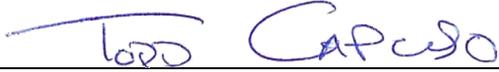
Anticipated Use of Funds

| | |
|---|-------------------|
| Engineering and Construction Management | \$ 40,000 |
| Construction Contract | <u>\$ 250,000</u> |
| TOTAL | \$ 290,000 |

ALTERNATIVES

1. Do not accept CDBG funds for the Project and keep the Project programmed for FY 2023 per the approved 2021-2025 CIP.

Prepared by: 
Amy Olay, City Engineer

Reviewed by: 
Todd Capurso, Director of Public Works

Approved by: 
Brian Loventhal, City Manager

Attachment:

- a. Resolution
- b. CDBG Application
- c. Budget Adjustment 21.PP

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAMPBELL
 APPROVING THE ACCEPTANCE OF THE COMMUNITY DEVELOPMENT BLOCK
 GRANT IN THE AMOUNT OF \$67,000 FROM THE SANTA CLARA COUNTY OFFICE
 OF SUPPORTIVE HOUSING FOR THE COMMUNITY CENTER TRACK RESURFACING;
 AUTHORIZING THE CITY MANAGER TO EXECUTE THE GRANT AGREEMENT WITH
 THE COUNTY; AND AUTHORIZING A BUDGET ADJUSTMENT TO ALLOCATE
 \$223,000 OF THE PARK DEDICATION FUND TO THE FISCAL YEAR 2021 CAPITAL
 BUDGET FOR THE PROJECT.**

WHEREAS, Santa Clara County Office of Supportive Housing notified local cities that Community Development Block Grant (CDBG) funds are available for local capital improvement projects in Fiscal Year 2021; and

WHEREAS, local cities only had about ten days to submit applications for the remaining CDBG funds to be expended by June 2021; and

WHEREAS, Staff put together and submitted a grant application for the Community Center Track Resurfacing planned for Fiscal Year 2023 in the adopted 2021-2025 Capital Improvement Plan; and

WHEREAS, the County office notified staff that \$67,000 of the CDBG funding has been approved for the City's track resurfacing project with the condition that the work is to be completed by the grant deadline of June 2021; and

WHEREAS, it would be beneficial to repair and resurface the Community Center Track within the current fiscal year with supplemental funding from CDBG and reduced cost to complete the project earlier not having to factor in further degradation of track anticipated by Fiscal Year 2023 and other escalation factors; and

WHEREAS, anticipated cost for the project is \$290,000 to complete the track resurfacing by June 2021 and a Budget Adjustment for Fiscal Year 2021 is required to allocate \$223,000 of Park Dedication Fund for the project.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Campbell hereby approve the acceptance of \$67,000 of CDBG funds from the County for the Community Center Track Resurfacing Project; and

BE IT FURTHER RESOLVED that the City Council authorize the City Manager to execute the grant agreement with the Santa Clara County Office of Supportive Housing to accept CDBG funds; and

BE IT FURTHER RESOLVED that the City Council authorize a Budget Adjustment to allocate \$223,000 of the Park Dedication Fund and \$67,000 of CDBG funds for the track resurfacing project in Fiscal Year 2021.

PASSED AND ADOPTED this ____ day of _____2020 by the following roll call vote:

AYES: Council Members:
NOES: Council Members:
ABSENT: Council Members:

APPROVED:

Susan M. Landry, Mayor

ATTEST:

Andrea Sanders, Deputy City Clerk

Attachment: Resolution (Approval of CDBG Grant for CCC Track Resurfacing)

**FY 2021 CAPITAL IMPROVEMENT PROGRAM
APPLICATION
DUE FRIDAY, MAY 15, 2020**

CATEGORY IV- CAPITAL IMPROVEMENT PROJECTS (CIP)

FY21 Funding Available: \$366,577

ELIGIBILITY FOR CATEGORY IV

- Maintenance and Rehabilitation of existing emergency shelters.
- Maintenance and rehabilitation of Transitional Housing.
- Improvement of other eligible Community Facilities

1. FUNDING REQUEST:

FY21 CDBG Funds Requested: \$ 365,000

2. APPLICANT INFORMATION:

| | | | |
|-------------------------|---------------------|-----------------------------------|-----------------------------|
| City: | Campbell | Project/Program Contact 1: | Fred Ho |
| Primary Contact: | Amy Olay | Project Street: | W Campbell Avenue |
| Phone: | (408) 866-2150 | Project City, Zip: | Campbell, 95008 |
| Email: | amyo@campbellca.gov | Project/Program Contact 2: | Alex Mordwinow |
| Street: | 70 N. First Street | Title: | Public Works Superintendent |
| City, Zip: | Campbell, 95008 | Phone: | (408) 866-2127 |
| | | Email: | alexm@campbellca.gov |
| DUNS #: | 004952453 | Fiscal Contact: | Donna Zapico |
| | | Title: | Engineering Technician |
| | | Phone: | (408) 871-5151 |
| | | Email: | donnaz@campbellca.gov |

DUNS number is a 9-digit number for each physical location of a business or organization. The identification number is needed for federal reporting purposes. All U.S. government contractors can receive a DUNS number at no charge using the Dun & Bradstreet web form process at <https://iupdate.dnb.com/iUpdate/viewiUpdateHome.htm>. More information can be received on-line at federalreporting.gov.

3. PROJECT ADDRESS: Campbell Community Center, 1 W Campbell Avenue, Campbell, CA 95008

4. PROJECT NARRATIVE Provide a concise narrative description of the proposed project or projects:

The proposed project is to improve the track at the Campbell Community Center in the City of Campbell by installing a new synthetic surfacing that would: 1) improve Force Reduction for better shock absorption and for easing impact to bones and joints, and 2) provide leveled transitions for accessibility. The new surfacing will benefit users of all ages and abilities as the 1/4 -mile track is the most popular amenity at the Campbell Community Center and heavily used from opening to closing. It is one of the few lit all-weather track opened to the general public in the area, serving the residents of Campbell and surrounding cities.

5. PROJECT/PROGRAM DESCRIPTION AND PURPOSE:

For each project included in the Application:

- Describe the community impact;
- A physical needs assessment and long-range capital improvement plan;
- Describe how the CDBG funds would be used and the impact that the improvements would have on the project. Please include a detailed project budget and describe the project's readiness, including site control and an estimated project schedule.

COMMUNITY IMPACT

The track is in the Campbell Community Center (CCC) located at 1 West Campbell Avenue and serves the greater Campbell community and neighboring communities. Located approximately ½ mile north of the Community Center, the area bounded by Hamilton Avenue, Hwy 17, Payne Avenue and Eden Avenue is a census tract defined as being within the Communities of Concern according to MTC with a concentration of both minority and low-income residents. See Exhibit A for location map. The Campbell Community Center is host to many community events and programs including a senior adult center with over 1,100 participants. Tenants of the CCC also include three schools (elementary through middle school). All of these groups routinely access the public facilities located within the CCC. These facilities include sports fields, tennis courts, play structures, pool, and handball courts. Among these, the track is one of the most highly used amenities. It is used by school children during recess and physical education classes. Adults of all ages frequent the track for personal fitness or as part of one of the many organized fitness programs that use the track as part of their training course. In fact, in 2018, the adult exercise station adjacent to the track was renovated after much needed improvements due to the high level of usage.

NEEDS ASSESSMENT

Portions of CCC were renovated around 2002. With the popularity of the amenities at the CCC and to meet the user demand, much of the facilities are in constant need for upgrade. For example, the City recently remodeled the senior adult lunch room for members of the community age 50 and above, installed a new youth aged playground approximately 300-ft from the track, renovated the adult outdoor exercise equipment located adjacent to the track, and made improvements throughout the site to satisfy compliance with ADA guidelines including an ADA accessible route to the bleachers from the track.

Complementary improvements to the existing track are to provide a leveled transition for ease of accessibility and a better track surfacing. A new synthetic surfacing with improved force reduction and appropriate traction will provide a much-improved ADA accessible track for all users. The current track has surpassed its useful life and compounding with the heavy usage, it is declining more rapidly than anticipated. New developments with synthetic surfacing material and application would be greatly beneficial in improving the track at the CCC.

CDBG FUNDS IMPACT

The CDBG grant funds will be used for design and installation of the synthetic surfacing by the qualified synthetic surface installer under contract with the City procured through a Request for Proposal. Local funds will be used for project administration and management.

Once the installation is complete, no other capital expenditure is anticipated in relation to the operation of the track. Ongoing maintenance will be part of the City's operating budget for maintenance of public assets.

PROJECT BUDGET

Total project budget is proposed at \$405,000 and will be comprised of the CDBG funds and local funds in the amount of \$365,000 and \$40,000, respectively.

| BUDGET CATEGORY | PROPOSED AMOUNT OF CDBG FUNDS | LOCAL FUNDS | TOTAL PROGRAM COSTS |
|-----------------------|-------------------------------|-----------------|---------------------|
| DIRECT COSTS | | | |
| Architect/Engineering | | \$20,000 | \$20,000 |
| Construction | \$365,000 | | \$365,000 |
| Construction Admin | | \$20,000 | \$20,000 |
| TOTALS: | \$365,000 | \$40,000 | \$405,000 |

PROJECT READINESS & SCHEDULE

Should Campbell be awarded the CDBG Grant in June 2020, the City is ready to enter into a funding agreement with the County immediately in July. The following is the anticipated schedule:

| | |
|---|----------------|
| City Council Approves Funding Agreement | July 2020 |
| Advertise Request for Proposals (RFP) | August 2020 |
| Award Contract | September 2020 |
| Construction Begins | October 2020 |
| Construction Ends | November 2020 |
| Closeout | February 2021 |

The use of RFP will allow the project to select a qualified contractor in an efficient and timely manner. The contractor will be responsible to design and install the synthetic surfacing making the project ready to begin shortly after the City Council approves the funding agreement. Furthermore, the project site is located within publicly owned property of the City of Campbell. As such, the City has full control of the project site and no other permits or right of entry will be required.

Public Works Department of the City of Campbell is experienced in delivering various types of grant funded projects including past projects with CDBG funds and is familiar with the use of CityData Grants Management website for purpose of requesting reimbursements and making quarterly reports.

6. PROJECT FUNDING and ELIGIBLE ACTIVITY: Check the box which best the eligibility criteria:

- Maintenance and Rehabilitation of existing emergency shelters
- Maintenance and rehabilitation of Transitional Housing
- Improvement of other eligible Community Facilities

Attachment: CDBG Application (Approval of CDBG Grant for CCC Track Resurfacing)

7. CDBG SERVICE AREA:

| Select Project Service Areas | |
|-------------------------------------|-------------------------|
| <input checked="" type="checkbox"/> | City of Campbell |
| <input type="checkbox"/> | City of Cupertino |
| <input type="checkbox"/> | City of Gilroy |
| <input type="checkbox"/> | City of Los Altos |
| <input type="checkbox"/> | City of Los Altos Hills |
| <input type="checkbox"/> | Town of Los Gatos |
| <input type="checkbox"/> | City of Monte Serrano |
| <input type="checkbox"/> | City of Morgan Hill |
| <input type="checkbox"/> | City of Palo Alto |
| <input type="checkbox"/> | City of Saratoga |
| <input type="checkbox"/> | Unincorporated County |

8. PERFORMANCE MEASUREMENT: The U.S. Department of Housing and Urban Development (HUD) requires a performance measurement system to better capture data for the activities that are undertaken with CDBG funding. For each proposed activity, an objective, outcome and performance indicator must be identified.

a. Primary Objectives: Check One.

- Create Suitable Living Environment** – this objective relates to activities that are designed to benefit communities, families, or individuals by addressing issues in their living environment.
- Provide Decent Affordable Housing** – this activity focuses on housing programs where the purpose of the program is to meet individual family or community needs and not programs where housing is an element of a larger effort.
- Creating Economic Opportunities** – this objective applies to the types of activities related to economic development, commercial revitalization or job creation.

b. Primary Outcome: Check One.

- Availability/Accessibility** – Activity that makes services, infrastructure and/or shelter available and accessible.
- Affordability** – Activity that provides affordability in the creation of affordable housing, transportation or daycare.
- Sustainability** – Activity which promotes livable or viable communities or neighborhoods by providing services or by removing slums or blighted areas.

9. **PROJECT MANAGEMENT:** Enter at least one staff person who will work directly with the program in which you are applying for funding.

| Name | Title | % of Time Dedicated |
|----------------|-----------------------------|---------------------|
| Alex Mordwinow | Public Works Superintendent | 50 |
| Fred Ho | Senior Civil Engineer | 50 |
| | | |
| | | |

(This section intentionally left blank.)

10. OPERATING & PROJECT BUDGET: Provide a detailed breakdown of the total budget, including major expense line items. Show how the requested funds will be applied toward the expenses and show the amount and source of any other revenue that you will be using. Total budget expenses should equal the total of funds requested plus other revenue.

The project budget must match the amount of CDBG CIP funds being requested.

| BUDGET CATEGORY | PROPOSED AMOUNT OF CDBG FUNDS (Dollar Amounts) | PROPOSED AMOUNTS OF OTHER PROGRAM FUNDS (if applicable) | TOTAL PROGRAM COSTS |
|-----------------------|--|---|---------------------|
| DIRECT COSTS | | | |
| Architect/Engineering | | \$20,000 | \$20,000 |
| Construction | \$365,000 | | \$365,000 |
| Permit Fees | | | |
| Recording Fees | | | |
| Other Direct: | | \$20,000 | \$20,000 |
| | | | |
| | | | |
| OTHER COSTS | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| TOTALS: | \$365,000 | \$40,000 | \$405,000 |

11. REPORTING REQUIREMENTS

- a. Reporting Schedule. All required reports shall be submitted to the CDBG office no later than TEN (10) calendar days after the end of the first, second, and third quarters and no later than FIVE (5) calendar days after the end of the fourth quarter. SUBRECIPIENT agrees to submit quarterly progress reports via the CityData Grants Management website at www.Citydataservices.net.
- b. Quarterly Progress Reports (QPR). At the end of each quarter, SUBRECIPIENT shall report how the activities being provided under this grant contribute to meeting performance measures stated in the contract.
- c. Reimbursement Requests (RR). Program will be reimbursed on a quarterly basis, for approved invoices submitted pursuant to this Contract. Requests for reimbursement will be made quarterly via the CityData Grants Management website at www.Citydataservices.net.

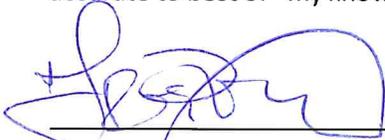
Attachment: CDBG Application (Approval of CDBG Grant for CCC Track Resurfacing)

12. **OTHER SOURCES OF FUNDS (if applicable):** Include all potential or anticipated funding sources, other local, State, or Federal Grants, RDA, conventional bank loans, tax credits, etc. Indicate the status of commitment of funding source, i.e. secured, committed or application pending with anticipated dates of final funding decisions.

| Type of Contribution | Source of Contribution | Estimated Amount | Status |
|--|------------------------|------------------|---------|
| Local | Park Dedication Fund | \$40,000 | pending |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| TOTAL PROJECT COSTS: (Should equal total project cost on cover page) | | | |

13. **CERTIFICATION**

I hereby certify that all information contained herein and attached hereto is accurate to best of my knowledge:




Name: Amy Olay
Title: City Engineer

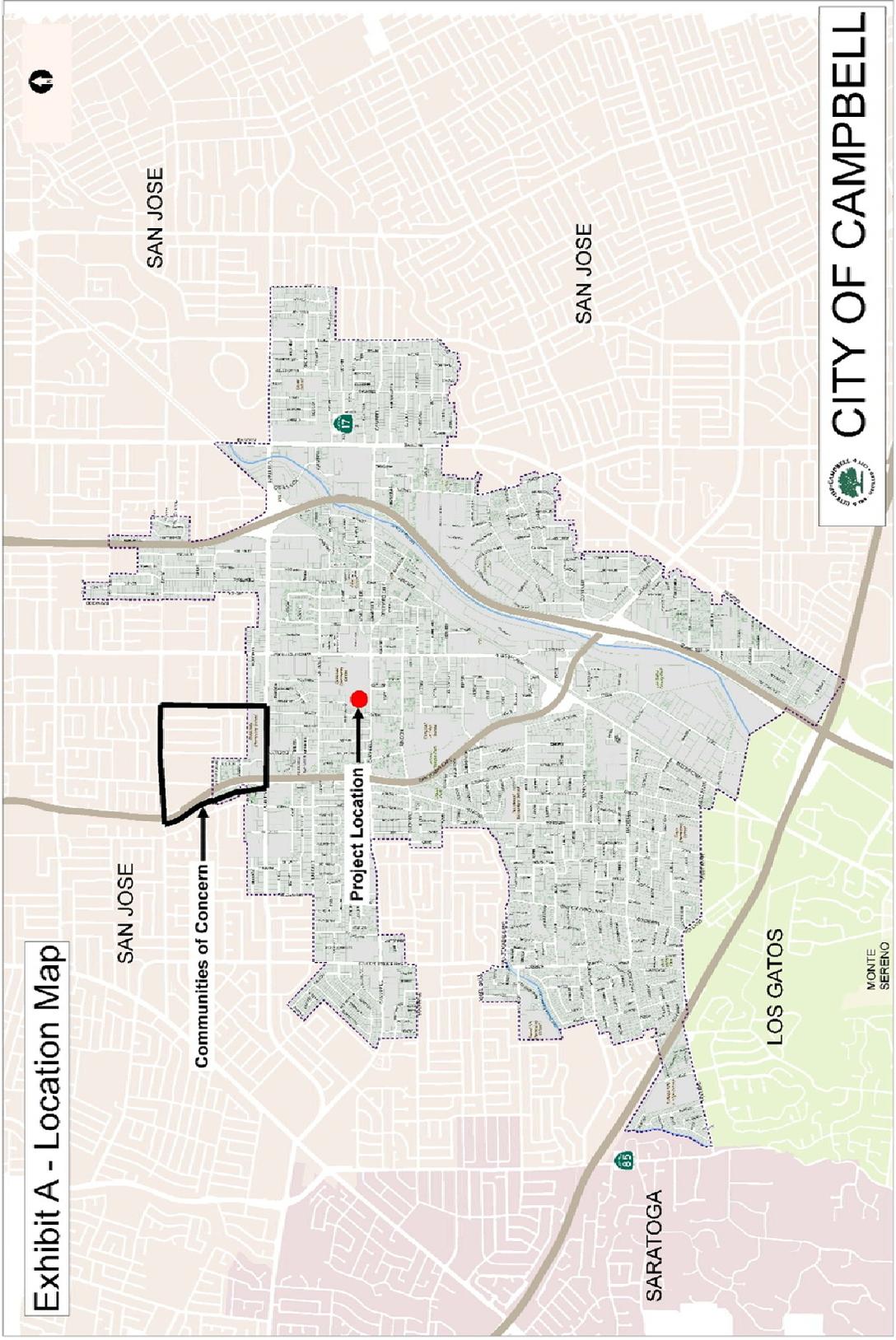
May 15, 2020
Date:

KOR

Attachment: CDBG Application (Approval of CDBG Grant for CCC Track Resurfacing)

**EXHIBIT A
LOCATION MAP**

Attachment: CDBG Application (Approval of CDBG Grant for CCC Track Resurfacing)



Attachment: CDBG Application (Approval of CDBG Grant for CCC Track Resurfacing)

City of Campbell Request for Budget Adjustments

| Department/Program | Division | Date | Request No. |
|--------------------|-----------------------------|-----------------|-------------|
| Public Works | 21PP - CC Track Resurfacing | October 6, 2020 | BA-2 |

Budget to be Reduced

| Fund | Account Number | Description | Amount |
|------|----------------|-------------|--------|
| | | | |

Budget to be Increased

| Fund | Account Number | Description | Amount |
|----------|----------------|---|--------|
| 218.535 | 4520 | Federal Grant - CDBG | 67,0 |
| 218.990 | 9999 | Capital Transfers Out | 67,0 |
| 295.990 | 9999 | Capital Transfers Out | 223,0 |
| 435.990 | 6999 | Capital Transfers In | 290,0 |
| 435.21PP | 7883 | CC Track Resurfacing - Improvements Other Than Building | 290,0 |

Attachment: Budget Adjustment 21.PP (Approval of CDBG Grant for CCC Track Resurfacing)

REASON FOR REQUEST - BE SPECIFIC:

To appropriate \$290,000 into 435.21PP for the Community Center Track Resurfacing Project (now known as 21PP). The project is funded by a \$67,000 CDBG grant via Santa Clara County and \$223,000 from the Parkland Dedication Fund.

| | | |
|--|---|---|
| Todd Capurso Public Works Director | Will Fuentes Finance Director | Brian K. Loventhal City Manager |
|--|---|---|



*City
Council
Report*

Item: 10
 Category: CONSENT CALENDAR
 Meeting Date: October 6, 2020

TITLE: Acceptance of Police Foundation Donations

RECOMMENDED ACTION

It is recommended that the City Council accept donations in the aggregate amount of \$11,185.17 from the Campbell Police Foundation for equipment and supplies for the Campbell Police Department.

BACKGROUND

The Campbell Police Foundation is an independent 501(c)(3) non-profit organization led by a group of dedicated community members who have created a partnership with the Police Department. From essential equipment to specialized training and innovative programs that would otherwise be unfunded, the support provided by the Foundation directly improves public safety and supports the Police Department's mission.

DISCUSSION

From July 1, 2019, until October 1, 2020, the Campbell Police Foundation donated the following non-cash items to the Police Department valued at the following amounts:

| Donation | Description | Cost |
|----------------------|-------------------------|-------------------|
| Gym equipment | Cable Crossover for Gym | \$1,255.01 |
| Starbucks Gift Cards | Employee Recognition | \$500.00 |
| Drone | Skydio Drone Kit 2 | \$2,730.16 |
| | TOTAL | \$4,485.17 |

Additionally, the Campbell Police Foundation is looking to support the expansion of the Police Department's canine team by creating a therapy dog program. Police Departments across the country have found that therapy dogs have proven effective both internally and externally in the community.

Therapy dogs give comfort to a witness or a victim of a crime. For police staff, therapy dogs can significantly reduce heightened short-term anxiety following a critical incident. Therapy dogs have also been proven to help individuals manage long-term post-traumatic stress effectively.

In addition to providing important mental and emotional wellness benefits, therapy dogs can be tremendous ambassadors for the department that employs them. As an agency that embraces community engagement, we believe a therapy dog can be a beneficial tool for establishing stronger relationships with our diverse population.

The donation associated with the therapy dog program would include the following non-cash items to the Police Department valued at the following amounts :

| Donation | Description | Cost |
|-----------------|-------------------------|----------------|
| Canine Program | Therapy Canine | \$3,500 |
| Canine Program | Therapy Canine Training | \$3,200 |
| | TOTAL | \$6,700 |

FISCAL IMPACT

The fiscal impact of the following items consists of:

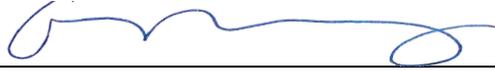
- Gym equipment – service and safety inspections for all City gym equipment is conducted quarterly through Building Maintenance. The addition of the new cable crossover does not impact the existing service costs.
- Drone – no ongoing costs unless repairs are required.
- Therapy dog program – after the initial purchase of the dog and training, the main expenses revolve around the dog’s care (food, supplies, training, veterinary care, etc.). These ongoing costs are estimated to be approximately \$1,000-\$1,500 per year and can be absorbed into the Police Department’s current FY 2021 adopted budget.

In addition to the expenses related to the dog’s care, there are FLSA requirements for canine handler compensation. Employees assigned as canine handlers receive seven (7) hours per biweekly pay period of release time for time spent caring for the dog outside of regular work hours. The therapy dog handler will be able to flex this time with their regular hours, requiring no additional compensation.

The therapy dog handler will be a member of CPCEA and after discussions with their bargaining unit, it was mutually agreed that no specialty pay would apply to this position.

Since all donations are for goods and services, the acceptance of these donations will not require a budget adjustment.

Prepared by:



Gary Berg, Police Chief

Approved by:



Brian Loventhal, City Manager



*City
Council
Report*

Item: 11
Category: CONSENT CALENDAR
Meeting Date: October 6, 2020

TITLE: Authorize a Resolution to Amend the Fiscal Year (FY) 2021 Operating Budget Pursuant to the City's Role as Fiscal Agent for the West Valley Solid Waste Management Authority (WVSWMA) Joint Powers Authority (JPA) (Resolution/Roll Call Vote)

RECOMMENDED ACTION

That the City Council adopt a resolution to amend the Fiscal Year (FY) 2021 operating budget pursuant to the City's role as fiscal agent for the West Valley Solid Waste Management Authority (WVSWMA) Joint Powers Authority (JPA).

BACKGROUND

The West Valley Solid Waste Management Authority (WVSWMA) Joint Powers Authority (JPA) was formed on October 1, 1997 to implement and administer the West Valley Solid Waste Management Plan, manage rate studies, and negotiate the related franchise agreements for member's entities. The WVSWMA JPA includes the Cities of Campbell, Monte Sereno, and Saratoga, and the Town of Los Gatos. The City of Campbell serves as fiscal agent for the WVSWMA JPA; maintaining financial records, providing accounting services, and acting as a pass-through agency for franchise fee and member agency payments. Additionally, HF&H Consultants, act as third-party administrators to the WVSWMA JPA; providing Executive Director, planning, franchise agreement negotiation, and other services.

Solid waste services for member agencies is provided through a franchise agreement with West Valley Collection and Recycling LLC (WVC&R) and as part of this agreement, WVC&R pays member agencies a total of \$450,000 annually. The franchise fee is sent directly to the City of Campbell in monthly payments and then distributed to member agencies based on their population size. The City of Campbell also receives payments from member agencies to pay for the services of HF&H and other necessary WVSWMA JPA expenses.

DISCUSSION

The WVSWMA JPA Board of Directors meets annually in May to approve a budget for the following fiscal year and the budget for FY 2021 was adopted on May 28, 2020 (See Attachment C). Historically, the City has not included the WVSWMA JPA budget as part of its own operating budget. However, it is good fiscal practice to do so and

provides staff proper City Council authorization to make expenditures from the City's West Valley JPA Fund (798). It also provides full fiscal transparency as to the funds coming into and being sent out of the City. Unfortunately, the FY 2021 budget for the WVSWMA JPA was not known at the time the City adopted its operating budget on June 25, 2020. Thus, going forward, staff has asked HF&H to send the City a proposed budget for the WVSWMA JPA no later than April of each year so that it can be incorporated into the City's operating budget for the following fiscal year. In the interim though, staff feels it prudent to correct the practice starting in FY 2021 and is requesting Council authorization to amend the City's operating budget per the attached Resolution (Attachment A) and Budget Adjustment Form (Attachment B), which are consistent with the budget approved by the WVSWMA JPA Board of Directors. Please note that this budget was approved with a \$31,559 operating deficit which will be drawn down from a beginning fund balance of \$231,559 as of July 1, 2020. Going forward, \$200,000 will be maintained in the fund annually per the five-year budget prepared by HF&H in Attachment C and all WVWMA budgets will be incorporated into the City's operating budget as part of the annual budget preparation process.

FISCAL IMPACT

There is no fiscal impact to the City for this action as the City is merely acting as a fiscal agent for the WVSWMA JPA. However, approval of this action, consistent with approval by the WVSWMA JPA Board of Directors, will increase revenue estimates by \$794,793, expenditure appropriations by \$763,234, and cause an operating deficit of \$31,559 in the West Valley JPA Fund (798) that the City maintains. This deficit can be absorbed by a beginning fund balance of \$231,559 as of July 1, 2020. Account level detail is provided below as well as in Attachment B:

REVENUES

| | | | |
|-----------------------|------|-----------------|------------------|
| 798.401 | 4965 | Other Revenue | 15,965 |
| 798.401 | 4970 | West Valley JPA | 297,269 |
| 798.401 | 4975 | JPA Solid Waste | 450,000 |
| Total Revenues | | | \$763,234 |

EXPENDITURES

| | | | |
|---------------------------|------|---------------------------------|------------------|
| 798.401 | 7424 | Office Expense | 500 |
| 798.401 | 7430 | Professional & Special Services | 310,049 (1) |
| 798.401 | 7432 | Other Contractual Services | 9,369 |
| 798.401 | 7433 | Insurance & Surety Bonds | 2,732 |
| 798.401 | 7435 | Prof. Development & Meetings | 4,000 |
| 798.401 | 7438 | Other Charges | 18,142 (2) |
| 798.401 | 7675 | JPA Solid Waste Distributions | 450,000 |
| Total Expenditures | | | \$794,792 |

Notes:

(1) Includes – Executive Director Services, SB 1383 Planning, Contract Negotiations, Legal Services, Professional Services, and Audit Services

(2) *Includes – SB 1383 Education and Outreach, Countywide Program Support, and Website Administration*

ALTERNATIVES

- 1) Do not amend the City's FY 2021 operating budget to incorporate the WWSWMA JPA budget as part of the City's role as fiscal agent and instead start this practice with the FY 2022 operating budget. This is not recommended though as it does not provide staff with proper City Council authority to make expenditures from the West Valley JPA Fund (798) and it could be a finding as part of the City's annual external financial audit.

Prepared by:



Will Fuentes, Finance Director

Approved by:



Brian Loventhal, City Manager

Attachment:

- a. Resolution - WWSWMA JPA FY 2021 Budget
- b. Budget Adjustment-3 Establish WWSWMA JPA Budget FY 2021
- c. WWSWMA FY 2021 Budget

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAMPBELL
AMENDING THE FISCAL YEAR (FY) 2021 OPERATING BUDGET PURSUANT TO THE
CITY'S ROLE AS FISCAL AGENT FOR THE WEST VALLEY SOLID WASTE
MANAGEMENT AUTHORITY (WVSWMA) JOINT POWERS AUTHORITY (JPA)

WHEREAS, the West Valley Solid Waste Management Authority (WVSWMA) Joint Powers Authority (JPA) was formed on October 1, 1997 to implement and administer the West Valley Solid Waste Management Plan, manage rate studies, and negotiate the related franchise agreements for member's entities; and

WHEREAS, the WVSWMA JPA includes the Cities of Campbell, Monte Sereno, and Saratoga, and the Town of Los Gatos; and

WHEREAS, the City of Campbell serves as fiscal agent for the WVSWMA JPA; maintaining financial records, providing accounting services, and acting as a pass-through agency for franchise fee and member agency payments; and

WHEREAS, it is good fiscal practice to incorporate the WVSWMA JPA budget into the City's operating budget and provides staff proper City Council authorization to make expenditures from the City's West Valley JPA Fund (798); and

WHEREAS, staff recommends increasing the FY 2021 revenue estimate in Fund 798 by \$763,234 and the expenditure appropriation by \$794,792, which is consistent with actions approved by the WVSWMA JPA Board of Directors on May 28, 2020; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Campbell hereby approves amending the Fiscal Year (FY) 2021 operating budget pursuant to the City's role as fiscal agent for the West Valley Solid Waste Management Authority (WVSWMA) Joint Powers Authority (JPA); and

BE IT FURTHER RESOLVED that Attachment B of staff's report provides general ledger account detail for the budget amendment and is hereby incorporated by reference.

PASSED AND ADOPTED this ____ day of _____ 2020 by the following roll call vote:

AYES: Council Members:
NOES: Council Members:
ABSENT: Council Members:

APPROVED:

Susan M. Landry, Mayor

ATTEST:

Andrea Sanders, Acting City Clerk

Attachment: Resolution - WVSWMA JPA FY 2021 Budget (Establishment of FY 2021 Budget for WVSWMA JPA)

City of Campbell Request for Budget Adjustments

| Department/Program | Division | Date | Request No. |
|--------------------|---|------------------|-------------|
| Public Works | West Valley Solid Waste Mgmt Authority (WVSWMA) JPA | October 20, 2020 | BA-3 |

Budget to be Reduced

| Fund | Account Number | Description | Amount |
|------|----------------|-------------|--------|
| | | | |

Budget to be Increased

| Fund | Account Number | Description | Amount |
|---------------------------|----------------|-------------------------------------|-----------------|
| REVENUES | | | |
| 798.401 | 4965 | Other Revenue | 15,9 |
| 798.401 | 4970 | West Valley JPA | 297,2 |
| 798.401 | 4975 | JPA Solid Waste | 450,0 |
| Total Revenues | | | \$ 763,2 |
| EXPENDITURES | | | |
| 798.401 | 7424 | Office Expense | 5 |
| 798.401 | 7430 | Professional & Special Services | 310,0 |
| 798.401 | 7432 | Other Contractual Services | 9,3 |
| 798.401 | 7433 | Insurance & Surety Bonds | 2,7 |
| 798.401 | 7435 | Professional Development & Meetings | 4,0 |
| 798.401 | 7438 | Other Charges | 18,1 |
| 798.401 | 7675 | JPA Solid Waste Distributions | 450,0 |
| Total Expenditures | | | \$ 794,7 |

REASON FOR REQUEST - BE SPECIFIC:

To establish a budget in FY 2021 for the West Valley Solid Waste Management Authority (WVSWMA) Joint Powers Authority (JPA) for which the City of Campbell is the fiscal agent for the JPA and other participating agencies.

| | | |
|--|---|---|
| Todd Capurso Public Works Director | Will Fuentes Finance Director | Brian K. Loventhal City Manager |
|--|---|---|

Attachment: Budget Adjustment-3 Establish WVSWMA JPA Budget FY 2021 (Establishment of FY 2021 Budget for WVSWMA JPA)

WVSWMA
Fiscal Year 2020-21
Budget

| Expenditures | Actual | Actual | Actual | Actual | Actual | Budgeted | Proposed | Proposed | Proposed | Proposed | Proposed |
|---|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|
| | Fiscal Year 2014-15 | Fiscal Year 2015-16 | Fiscal Year 2016-17 | Fiscal Year 2017-18 | Fiscal Year 2018-19 | Fiscal Year 2019-20 | Fiscal Year 2020-21 | Fiscal Year 2021-22 | Fiscal Year 2022-23 | Fiscal Year 2023-24 | Fiscal Year 2024-25 |
| Services and Supplies | | | | | | | | | | | |
| Consultant - Executive Director: | | | | | | | | | | | |
| - General Services | \$ 78,623 | \$ 76,465 | \$ 84,332 | \$ 87,258 | \$ 98,625 | \$ 109,430 | \$ 110,620 | \$ 113,333 | \$ 116,113 | \$ 118,962 | \$ 121,880 |
| - SB 1383 Planning | | | | | | | 99,430 | 61,918 | 60,938 | 62,433 | 63,964 |
| - Detailed Rate Review (FY21-22) | - | - | - | - | - | - | - | 80,000 | - | - | - |
| - Contract Negotiations (Sole Source) | - | - | - | - | 32,360 | 49,200 | 15,000 | - | - | - | - |
| - Contract Negotiations (RFP Process) | - | - | - | - | - | - | 51,235 | - | - | - | - |
| - Contract Negotiations (Collections Agreement) | | | | | | | | 50,000 | 50,000 | - | - |
| Legal Services | 9,184 | 2,080 | 820 | 5,593 | 6,940 | 17,344 | 22,597 | 20,857 | 21,369 | 12,893 | 13,209 |
| SB1383 Education and Outreach | | | | | | - | 15,965 | 16,357 | 16,758 | 17,169 | 17,590 |
| WVC&R Annual Payment to Agencies | 450,000 | 450,000 | 450,000 | 450,000 | 450,000 | 450,000 | 450,000 | 450,000 | 450,000 | 300,000 | - |
| Accounting & Bookkeeping | 7,718 | 7,958 | 9,411 | 8,501 | - | 9,145 | 9,369 | 9,599 | 9,835 | 10,076 | 10,323 |
| Liability Insurance | 1,081 | 1,156 | 2,787 | 2,944 | 1,377 | 2,667 | 2,732 | 2,799 | 2,868 | 2,938 | 3,011 |
| Consumable Supplies & Postage | - | - | - | - | - | 500 | 500 | 500 | 500 | 500 | 500 |
| Countywide Program Support | - | - | - | - | - | 1,000 | 1,000 | 1,000 | 1,000 | 1,000 | 1,000 |
| Mileage & Meeting Expense | - | - | - | - | - | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 |
| Website Administration | - | - | - | - | - | 1,149 | 1,177 | 1,206 | 1,236 | 1,266 | 1,297 |
| Professional Services | - | 6,535 | - | - | - | 5,000 | 5,000 | 5,000 | 5,000 | 5,000 | 5,000 |
| Audit Services | 2,500 | 2,565 | 2,630 | 2,695 | 2,830 | 6,019 | 6,167 | 6,318 | 6,473 | 6,632 | 6,794 |
| Total Expenditures | \$ 549,106 | \$ 546,759 | \$ 549,980 | \$ 556,991 | \$ 592,132 | \$ 655,454 | \$ 794,793 | \$ 822,888 | \$ 746,089 | \$ 542,868 | \$ 248,568 |
| Revenues | | | | | | | | | | | |
| Campbell | \$ 45,096 | \$ 45,302 | \$ 46,613 | \$ 49,336 | \$ 69,653 | \$ 42,681 | \$ 117,487 | \$ 147,374 | \$ 77,499 | \$ 95,987 | \$ 97,939 |
| Los Gatos | 33,759 | 33,914 | 34,895 | 36,351 | 51,049 | 30,590 | 84,178 | 105,591 | 55,527 | 68,773 | 70,195 |
| Monte Sereno | 3,817 | 3,835 | 3,946 | 4,026 | 5,707 | 3,629 | 10,287 | 12,904 | 6,786 | 8,405 | 8,327 |
| Saratoga | 34,272 | 34,429 | 35,425 | 35,011 | 49,835 | 31,424 | 85,316 | 107,019 | 56,278 | 69,703 | 72,108 |
| Other - Reimb. of Contract Negotiations | - | - | - | - | - | - | - | - | 100,000 | - | - |
| Other - Reimb of Performance Review | - | - | - | - | - | - | - | - | - | - | - |
| Carryforward of Liquidated Damages Assessment | - | - | - | - | - | - | 15,965 | - | - | - | - |
| Annual Payment to Authority | 450,000 | 450,000 | 450,000 | 450,000 | 450,000 | 450,000 | 450,000 | 450,000 | 450,000 | 300,000 | - |
| Other Revenue from WVC&R | - | 7,200 | 1,200 | - | 5,000 | - | - | - | - | - | - |
| Investment Income | 1,126 | 999 | 2,311 | 3,458 | 7,205 | - | - | - | - | - | - |
| Total Revenues | \$ 568,070 | \$ 575,679 | \$ 574,390 | \$ 578,182 | \$ 638,450 | \$ 558,323 | \$ 763,234 | \$ 822,888 | \$ 746,089 | \$ 542,868 | \$ 248,568 |
| Excess (deficiency) of revenues over (under) expenditures | \$ 18,964 | \$ 28,920 | \$ 24,410 | \$ 21,191 | \$ 46,318 | \$ (97,131) | \$ (31,559) | \$ - | \$ - | \$ - | \$ - |
| Beginning Fund Balance | \$ 181,672 | \$ 200,636 | \$ 229,556 | \$ 253,966 | \$ 275,157 | \$ 297,131 | \$ 231,559 | \$ 200,000 | \$ 200,000 | \$ 200,000 | \$ 200,000 |
| Ending Fund Balance | \$ 200,636 | \$ 229,556 | \$ 253,966 | \$ 275,157 | \$ 321,475 | \$ 200,000 | \$ 200,000 | \$ 200,000 | \$ 200,000 | \$ 200,000 | \$ 200,000 |

Attachment: WVSWMA FY 2021 Budget (Establishment of FY 2021 Budget for WVSWMA JPA)



*City
Council
Report*

Item: 12
Category: NEW BUSINESS
Meeting Date: October 6, 2020

TITLE: Rosemary Residential Permit Parking Program (Resolution/Roll Call Vote)

RECOMMENDED ACTION

Adopt a resolution establishing the Rosemary Residential Permit Parking Program as permanent.

BACKGROUND

The City of Campbell has historically established Residential Permit Parking (RPP) programs in neighborhoods where residents have expressed an impact to the availability of street parking due to either its proximity to downtown or near high density housing. The Downtown Permit Parking Program began in the 1980's and required residents to display permits to park on city streets south of East Campbell Avenue and north of Alice Avenue, between Winchester Boulevard and First Street. Another RPP was established on a pilot basis in 2014 in the 4 C's neighborhood (California Street, Cherry Lane, Catalpa Lane, and El Caminito Avenue). Staff does not have clear information as to when enforcement of both of these programs ended, but while neither are officially active programs requiring residents to display permit hang tags, the regulatory signage remains in place.

In September 2018, the City of Campbell approved a Residential Permit Parking Program (RPP) in the Rosemary neighborhood on a pilot basis. The program was created after the implementation of the City of San Jose's Cadillac Permit Parking Program. The Cadillac neighborhood is adjacent to the City of Campbell's Rosemary neighborhood and implementation of an RPP in that neighborhood resulted in numerous reports of Campbell residents unable to find parking on their street due to vehicles parking in excess of 72-hours, cars shuttling to park on Campbell streets, and garbage cans that were not picked up because a third-party moved them so a vehicle could park on the street.

In December 2018, the City began the sale of parking permits. To obtain a permit, residents were required to show proof of residency and were eligible to purchase up to three (3) "Resident" permits at a cost of \$35 each; and were provided up to two (2) complimentary "Visitor" permits. The Rosemary RPP is currently in pilot status through December 2020.

DISCUSSION

Enforcement of the Rosemary RPP zone began in January 2019. As resources permitted, a Police Officer patrolled the Rosemary neighborhood and verified the display of an RPP hang tag inside vehicles. In the first month of the program, enforcement was more frequent and in subsequent months was more dependent on a resident calling the non-emergency police department phone number to report a vehicle without a hang tag displayed. A citation for non-display of a vehicle hang tag resulted in a \$40 fine. As of June 30, 2020, 238 citations have been issued, resulting in a total of \$9,520 in citation fines.

As was reported to the City Council during the last update on this item in December 2019, staff has generally received positive feedback from participants that reside on Millich Drive, Merrimac Drive, and Valley Forge Way, noting improved parking conditions on City streets. Attachment B is the electronic correspondence received from residents in support of this program. Residents on W. Rosemary Lane, however, have notified staff with concerns regarding non-residents parking on W. Rosemary Lane with a permit displayed. The complaints state that after parking the non-resident walks to a home located in the San Jose city limits. It is worth noting that W. Rosemary Lane is a one-block street bounded by Eden Avenue and Winchester Boulevard. Eden Avenue and the adjacent city blocks are all in San Jose city limits, thus only providing one city block of street parking for all the residents that live on W. Rosemary Lane.

The Rosemary RPP is currently in pilot status until December 2020. The permit hang tags issued to residents who purchased a permit expire at that time. If the City Council approves the formal establishment of the Rosemary RPP, city staff will notify residents via written and electronic communication with a process to purchase new permits. The purchasing process will remain the same which will require residents to provide proof of Campbell residency via a Driver's License with a Campbell address, or if a different address is listed on the Driver's License, a utility bill, mortgage statement, property tax bill or lease agreement with a Campbell address is required.

The FY 2020-21 fee schedule did not include an increase to the parking permit fees, thus new permits will be issued at a cost of \$35 per permit. Staff is recommending that parking permits expire in December of even number years. If approved, new permit hang tags will show an expiration date of December 2022.

FISCAL IMPACT

Since its inception, the City has collected a total of \$17,720 from parking permit sales and citation fines, although citation fines are collected by a third-party vendor, *pticket*, which takes a percentage of the fine amount. This fee reduces the amount of citation revenue collected by the City.

If the Rosemary RPP were to continue, it is expected that the program would generate approximately \$7,000 annually through permit sales. Program expenses would include the cost to purchase new permit hang tags, which is estimated at approximately \$1,500. Additionally, staff resources would be required to administer the program and sell permits. However, at this time, staff is not requesting a budget amendment in FY 2021. Costs can be absorbed within the current FY 2021 Adopted Budget.

ALTERNATIVES

1. Provide direction to continue the RPP as a pilot program through December 2022 and return to the City Council at that time with a recommendation to continue or end the pilot
2. Direct staff to end the pilot Rosemary RPP program; this alternative is not recommended as it will likely lead to a recurrence of the same issues that lead to the establishment of the program.

Prepared by:



Margarita Mendoza, Administrative Analyst

Approved by:



Brian Loventhal, City Manager

Attachment:

- a. Rosemary RPP Resolution
- b. Correspondence in Support of Rosemary RPP

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAMPBELL
ESTABLISHING THE ROSEMARY RESIDENTIAL PERMIT PARKING PROGRAM**

WHEREAS, the City Council of the City of Campbell has historically established Residential Permit Parking (RPP) programs in neighborhoods where there is an impact to the availability of street parking; and

WHEREAS, in September 2017, the City of San Jose implemented an RPP in its “Cadillac” neighborhood, adjacent to the City of Campbell’s Rosemary neighborhood; and

WHEREAS, the Cadillac RPP resulted in numerous reports from Campbell residents who were unable to find parking on or near their street due to vehicles parking in excess of 72-hours:

WHEREAS, many residents reported that garbage and recycling containers were not being serviced because they were moved by third-parties in order to park a vehicle on the street; and

WHEREAS, in September 2018, in an effort to provide relief to Campbell residents, the City Council approved the Rosemary neighborhood RPP on a two-year pilot basis requiring residents to display a parking permit hang tag between the hours of 10 p.m. to 6:00 a.m. when parking on City streets; and

WHEREAS, since implementation, Rosemary neighborhood residents have purchased 205 resident permits at a cost approved by the Council in its annual fee schedule; and

WHEREAS, with the purchase of parking permits, up to two complimentary visitor permits are provided to accommodate the occasional overnight guest of residents; and

WHEREAS, Rosemary neighborhood residents have written and called the City to express support of the program and report improved parking conditions on City streets as a result of the RPP.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CAMPBELL that it hereby adopts the permanent establishment of a Residential Permit Parking Program in the Rosemary neighborhood.

PASSED AND ADOPTED this 6th day of October, 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: Rosemary RPP Resolution (Rosemary Residential Permit Parking Program)

Parking Permit Program

Margarita Mendoza <margaritam@campbellca.gov>

Fri 9/25/2020 4:45 PM

To: Margarita Mendoza <margaritam@campbellca.gov>

From: Christy Riggins <[REDACTED]>
Date: September 24, 2020 at 3:30:15 PM EDT
To: "Susan M. Landry" <susanl@campbellca.gov>, Liz Gibbons <lizg@campbellca.gov>
Subject: Parking Permit Program

Mayor Landry and Vice Mayor Gibbons,

I was informed that the Campbell City Council is going to decide soon about renewing the parking permits for the area near Hamilton East Townhouses. I have lived in the complex for more than 24 years so I know what it was like before the Cadillac Parking Permit Program was instituted and the aftermath. It was horrible for those of us who lost parking on our street to others who lived blocks away because they couldn't find parking on their own street. They would shuttle friends and family members to their cars because they lived several blocks away. The amount of trash on the streets was so much worse since those parking here didn't care about the residents. I had to decide whether to go somewhere or not since I didn't know if there would be a parking spot available when I returned. On one occasion, I had to park a block away from my house late in the evening because there was no other option for me. I see the parking that takes place on Phelps Ave. since the residents are not part of any permit parking program and it is packed all the time.

I am requesting that you continue the parking permit program even if it means we pay the fees again because it is worth it to know I will have parking in front of my house. Thank you.

Christy Riggins
Government Admin Assistant
Associated Students, SJSU
[REDACTED]

[AS website](#)

Attachment: Correspondence in Support of Rosemary RPP (Rosemary Residential Permit Parking Program)

Please include these comments in the Staff Report on Parking Permits

Murphy, Katy <[REDACTED]>

Wed 9/23/2020 10:02 AM

To: Margarita Mendoza <margaritam@campbellca.gov>

Cc: Gail Gitt <[REDACTED]>

WARNING: This email originated from an external sender!

We live on Valley Forge Ave and believe it is essential for parking permits to be required in and around our street. The density of residences in close proximity to our house leads to huge parking issues, even with the parking permits! Please do not eliminate this program!

Catherine Murphy

[REDACTED]

Katy Murphy

Katy Murphy
Director of College Counseling
Bellarmine College Preparatory
San Jose, CA

[REDACTED]

Attachment: Correspondence in Support of Rosemary RPP (Rosemary Residential Permit Parking Program)

Millich Drive parking permit program

Gregory Enriquez <[REDACTED]>

Thu 9/24/2020 3:54 PM

To: Margarita Mendoza <margaritam@campbellca.gov>

WARNING: This email originated from an external sender!

Hi Margarita,

I hope you are doing well

I was speaking with a neighbor and we were talking about the parking permit program that was started back in 2018 around Millich Drive and Valley Forge Way and they suggested I email the city's manager office about how it was going.

For what it's worth I wanted to say that I think it has been going very well. I exclusively park on the street as to give my significant other the garage space and I've never really had any issues finding parking since the program started. I would say the amount of cars that are parked with permits is healthy as there isn't too little or too many. I have an an extra appreciation for this since my parents up in Daly City do not have any permit program like this, and parking there *any* time of day is an absolute nightmare.

I hope it can continue in the future and I appreciate the city's effort in making it happen. Just wanted to say thanks and please keep up the good work. Hope you are keeping healthy and safe, thank you!

Our address:

Hui Shen & Gregory Enriquez



--

Gregory Y. Enriquez

Attachment: Correspondence in Support of Rosemary RPP (Rosemary Residential Permit Parking Program)

Parking Permit

malory vargas <[REDACTED]>

Thu 9/24/2020 4:42 PM

To: Margarita Mendoza <margaritam@campbellca.gov>

WARNING: This email originated from an external sender!

Hello, Susan Landry told me to email you regarding using my email in the meeting.

We have enjoyed our ability to park on streets around our complex because of the institution of this parking permit program. Please do not get rid of the permit parking program. Thank you so much!

Malory Vargas
[REDACTED]

Attachment: Correspondence in Support of Rosemary RPP (Rosemary Residential Permit Parking Program)

Andrea Sanders

To: Liz Gibbons
Subject: RE: Please renew the parking permit program on Millich and Valley Forge

From: NANCY KIRWAN
Date: September 22, 2020 at 3:26:41 PM EDT
To: Liz Gibbons <lizg@campbellca.gov>
Subject: Please renew the parking permit program on Millich and Valley Forge

Dear Vice Mayor Gibbons,

Thank you for all the work you did to help get the parking permit program installed two years ago. I hope you'll be able to push for its renewal when the issue comes up.

As you recall, before the permit parking program, people who don't live in the neighborhood were taking many of the available parking spaces and this led to several problems. First, people who actually live here couldn't park. Second, with people so tightly parked together, it was a safety hazard to the many pedestrians in the neighborhood because you couldn't see to cross the street. Third, the people who don't live in the neighborhood had no problem cleaning the trash out of their cars onto our lawns. Please don't open the residents of this neighborhood up to these and other problems by removing the parking permit program.

Thank you,
Nancy Kirwan

Attachment: Correspondence in Support of Rosemary RPP (Rosemary Residential Permit Parking Program)

Andrea Sanders

To: Liz Gibbons
Subject: RE: City of Campbell Parking Permit Program

From: Maria Gray
Date: September 22, 2020 at 1:03:33 PM EDT
To: "Susan M. Landry" <susanl@campbellca.gov>, Liz Gibbons <lizg@campbellca.gov>
Subject: City of Campbell Parking Permit Program

Dear Mayor Landry and Vice Mayor Gibbons,

I am a resident at Hamilton East on Valley Forge Way. I am aware that the time to review the parking permit program in my neighborhood is upon us and I wanted to provide some feedback.

Our experience with the program has been very positive. We have not been inconvenienced by the cost and the addition of guest passes has been very helpful for us.

During the lock down, when enforcement was suspended, I did see an increase in cars. When it became more widely known that the parking was not being enforced, I saw people returning to the habit of shuttling cars. For example, a car would be parked on our street for several days, and then I witnessed a person driving over with a different car and swapping cars within that space. My worry is if we discontinue the program we will return to the days of not being able to park near our homes and of having cars "stored" on our street for days and weeks at a time.

Thank you for your time and for listening to my feedback.

Sincerely,
Maria Gray

Sent from my iPad

Attachment: Correspondence in Support of Rosemary RPP (Rosemary Residential Permit Parking Program)

Andrea Sanders

To: Liz Gibbons
Subject: RE: Parking Permits

From: Gary Butruce
Date: September 28, 2020 at 3:56:06 PM EDT
To: Liz Gibbons <lizg@campbellca.gov>
Subject: Parking Permits

Hi Liz,

I received an email from Gail saying that the City is considering to do away with the parking permit program on West Rosemary Lane?
They said that you will be meeting on Oct 6th to decide this.

I live at Rosemary Lane and I will be very disappointed if this ends, It has made a huge difference on the street.
I have noticed that more cars are starting to slowly creep back onto the street but I have resisted to call the CPD due to Covid-19.

Please vote to keep this program even if you need to increase the cost to participate.

Thank you,
Gary Butruce

Sent from [Mail](#) for Windows 10

Attachment: Correspondence in Support of Rosemary RPP (Rosemary Residential Permit Parking Program)

Andrea Sanders

To: Margarita Mendoza
Subject: RE: Campbell Parking permit program for Valley Forge/Millich/merrimac

From: Joshua Chipps
Sent: Monday, September 28, 2020 11:31:11 AM
To: Susan M. Landry <susanl@campbellca.gov>; Liz Gibbons <lizg@campbellca.gov>; Margarita Mendoza <margaritam@campbellca.gov>
Cc: Jenn Kennedy; Gail Gitt
Subject: Campbell Parking permit program for Valley Forge/Millich/merrimac

WARNING: This email originated from an external sender!

Susan, Liz, and Margarita,

Our HOA informed us that the city of Campbell is looking to drop the parking permit program in our neighborhood. We oppose this as the parking program is so rarely enforced that we still have parking problems. In my nightly walks with our dog I regularly see at least a half a dozen cars parked with no window tags, and there is no fear of enforcement for violating the parking policy. This is EVERY night. In the past year we have seen this neighborhood exposed to numerous dumping events, vehicle break ins, small side shows in our intersections, people living in RVs, and drug deals in the Oil Changers parking lot (amongst the most concerning). Broken glass and trash are littering our streets. Just last week we had an under the influence driver seek refuge on our property because this is a palace known to have minimal law enforcement presence. My daily walks frequently see cars with broken windows in adjunct neighborhoods.

This is a great neighborhood with families and children, and we need the enforcement of our parking here, as well as a stronger presence from Campbell PD to ensure our edge of the city is protected through increased patrol and presence. Our neighborhood is bordered by a San Jose parking program in the Cadillac neighborhood and it's turning our neighborhood into safe harbor for people who do not respect our parking policies, or our property here. We do not want this neighborhood being a permissible place for the unwanted parking and the element of crime it is bringing.

In addition, we now have people working from home and leaving their cars on the curb, and we're already full. If you remove the parking program, it will only add additional burden to parking that is already at capacity.

Some questions I have about this program.

1. How much revenue was created by the issuance of the parking permits, and how many permits were issued?
2. What is the enforcement time/effort spent since this program began?
 - a. How many patrols have been completed by Campbell PD Traffic Enforcement?
2. How many fines were levied for violations of this city parking ordinance?
3. How many vehicles were towed in accordance with the parking ordinance?

I feel this parking program is sustainable and wanted by all the residents here, providing the city is diligent in it's enforcement and presence.

Regards,

Josh Chipps

Campbell, CA, 95008

Attachment: Correspondence in Support of Rosemary RPP (Rosemary Residential Permit Parking Program)

Andrea Sanders

To: Margarita Mendoza
Subject: RE: Parking Permit Program on Millich and Merrimac Drive

From: Cindy Parker
Subject: Parking Permit Program on Millich and Merrimac Drive
Date: September 22, 2020 at 1:30:13 AM PDT
To: susanl@campbellca.gov, lizg@campbellca.gov

Dear Mayor Landry and Vice Mayor Gibbons,

The Parking Permit Program for the area including Millich and Merrimac Drive in Campbell has been a big success!

Before it was implemented, cars lined both sides of both streets making them very hard to navigate. We had to pull well into the intersection before we could see past the parked cars to determine if it was safe to proceed. The parked cars also narrowed the winding part of the street so much that it was hard to see cars pulling out of driveways. When there were Little League games we couldn't see the kids, and parents were trying to load and unload kids and their gear with no spaces to park in. It was chaos!

It was an especial challenge to me personally, since I work irregular hours and frequently come home very late. I would have to park blocks away and walk home, alone, at 2 or 3AM on a fairly regular basis. I do not want to return to those circumstances at all!

Please renew the Parking Permit Program, or better yet, make it permanent.

Thank you very much for your help with this matter.

Sincerely,

Cindy Parker
 Campbell, CA 95008

Attachment: Correspondence in Support of Rosemary RPP (Rosemary Residential Permit Parking Program)

Andrea Sanders

Subject: FW: Parking Permits**From:** Diane Krause**Date:** September 29, 2020 at 3:54:43 PM EDT**To:** Liz Gibbons <lizg@campbellca.gov>, "Susan M. Landry" <susanl@campbellca.gov>, Margarita Mendoza <margaritam@campbellca.gov>**Subject:** Parking Permits

I live at Hamilton East on Valley Forge Way. I am aware that there are some concerns on the city's part about the success of the parking permit program. From my perspective, it has been the best thing that has happened since the Cadillac Parking Permit program went into effect. However, there seems to be more cars parked on Valley Forge Way within the last 6 months that do not have Campbell Permit tags hanging in the windows. This is of concern to me because of safety implications. More cars parked on the street means less spaces for those of us who live here. If there is a hang tag in the window, at least we know it belongs to a resident. That is especially important as we head into the winter months with shorter days. I do not see that the permit parking has been a consistently enforced. That would help with the parking situation and those who do not have permits. I sincerely hope that the City of Campbell will continue with the parking permit program (yes we are due to renew our permits and I support that) and begin again to enforce the situation.

Sincerely,

Diane Krause

Sent from my iPad

Attachment: Correspondence in Support of Rosemary RPP (Rosemary Residential Permit Parking Program)

Andrea Sanders

To: Todd Capurso
Subject: RE: Campbell Parking Permit

From: Gail Gitt
Sent: Monday, September 28, 2020 4:17:07 PM
To: Liz Gibbons <lizg@campbellca.gov>; Susan M. Landry <susanl@campbellca.gov>; Margarita Mendoza <margaritam@campbellca.gov>
Subject: Campbell Parking Permit

WARNING: This email originated from an external sender!

We have enjoyed reclaiming our streets over these many months and people are asking me whether the permits will be renewed. I ask them how they feel about it and the resounding response is - YES, Please. However, there is trouble in paradise. I am not a street parker so rarely go out at night (especially since Covid restrictions) so am not as aware as some of my neighbors. However, after a couple of street parking neighbors communicated with me, last week every evening I took a walk around our complex. I was very surprised at the number of vehicles without permits in their window. Yesterday I called in 3 vehicles to the abandoned hot line so will see what response I get from the City. But I have also had an eye opener when out looking for my cat. I walked across Merrimac to the office building, as he has been known to check out the cars during the day time. This was, however, before sunset. I saw evidence of human habitation behind the building behind the dumpster in the bushes. Yes, my cat was there, but (luckily) did not see anyone. The next day I went to the office building to speak with someone about the situation. A woman took me to see Candice McLeod. She was surprised to hear about it, but agreed to have their landscaper trim the bushes and clean up the area. I explained that when her area was secure, so was our complex. I did see them trimming shrubs (clearly not enough) and noticed on subsequent hunts for my cat, they have yet to get the area cleaned up from the litter. The woman who took me to see Candice said they have seen men walking along Merrimac. In one instance, a man dropped a package, left and soon another man came and picked it up. Some months ago I saw cars sitting on the street during day time with a man inside. Soon was met by another in a car, then both left. My neighbor saw the same man numerous times when entering the complex and in one instance he made a threatening gesture toward her. She was afraid to say anything because he saw where she entered her unit.

So clearly, we are not out of the woods here. There have been numerous shootings in the Cadillac area, the most recent last Thursday evening at 1:15 am on the corner of Eden and Cadillac Dr. Other neighbors who walk their dogs will not go out much after dark as they have seen some strange behavior. So if you ask me how the permit parking is going, I am now more aware. It has not been consistently enforced (I'm sure due to Covid restrictions) so I think some people are assuming it's not enforced. That has led to a more unsafe environment which was the biggest success of the permit program early on. We had a couple of units with broken windows that face Merrimac. Apparently related to some issue the San Jose Police Department were dealing with a couple blocks away. When I told the homeowner to contact Campbell Police to report the issue, I had the opportunity to ask the officer to put a notice on a car with no tag. The car moved the next day. But the oversight of the situation has waned and people are taking advantage of it.

We desperately want to keep the program given the uptick in criminal issues a few blocks from us. We are more than willing to pay for renewing the program. In turn, I suspect if the car parking was heavily monitored for a couple of weeks, people might not take advantage of our streets. And we have new residents who need to get permits. If their cars were tagged they might get the right idea and contact the City and pay for their permits.

I apologize for the length of this email, but I do want to stress that the safety of our neighborhood is heavily dependent on this parking permit program. If we see a car parked with a hang tag for Campbell, we feel much safer. Cars without

them do not engender the same sense of safety. Please continue this program and I would strongly urge some short term, consistent enforcement to see if we can get back to where we were at the early stages of the program

Thank you all for your efforts. I realize working through out this pandemic has put so much more stress on everyone and things take so much more time. We here at Hamilton East and our neighbors across the street certainly do appreciate city services. Oh, and please extend my thanks to Police Chief Berg. We had an incidence of a car parked behind the unit at 562 Valley Forge Way on Thursday, September 24 at about 5:00 pm with an unresponsive male who does not live here. Fire responded, then police and finally an ambulance. Fire left after determining man was not hurt, but the police dealt with the situation very humanely. Well done Campbell PD!!!



City Council Report

Item: 13
 Category: NEW BUSINESS
 Meeting Date: October 6, 2020

TITLE: Objective Standards – Kick-Off Meeting (Raimi + Associates)

RECOMMENDED ACTION

That the City Council take the following action: Receive the report and provide general direction to staff on the approach and schedule for preparing Objective Standards.

PURPOSE

The purpose of this report is to check in with the City Council prior to undertaking a one-year long planning effort to create Objective Standards for all residential projects in the City. Further, having hired a professional consultant (Raimi + Associates) to assist with the update, this report also serves to introduce the project team and provide an overview of the services they have been hired to perform.

BACKGROUND

On April 2, 2019, the City Council received a report detailing a number of state laws that had recently been amended or enacted making it harder for communities to deny or reduce the density of housing projects that meet objective General Plan and zoning requirements (reference **Attachment A** – April 2, 2020 - City Council Staff Report). After receiving the report, the City Council directed staff to work on short-term solutions aimed at addressing pressing issues (e.g., reference comparable zone district standards in the P-D and C-PD Ordinance, establish a Site Development Plan Process, create a ministerial review process for SB35 & AB2162 projects) and separately proceed with hiring a dedicated consultant to replace all subjective policies with objective standards as part of a long-term solution.

Late last year, staff completed materials responsive to the short-term work plan which remain pending review by the City Attorney.

DISCUSSION

This report has been divided into two parts to organize and focus discussion. The first part introduces the selected consultant, Raimi + Associates, and covers the scope of services they have been hired to perform. The second part provides an overview of the timeline and the general approach to the update – including public outreach.

CONSULTANT SERVICES

Founded in 2006, Raimi + Associates is a planning, urban design and research firm based in Berkeley, California. The City selected Raimi + Associates after an extensive RFP and interview process based on their unique expertise preparing zoning codes and development standards, interdisciplinary approach, and track record of successful community engagement.

Under the contract, Raimi + Associates will review the following area plans, design guidelines, and sections of the zoning code with the aim of clarifying procedures and standards related to residential¹ design review and permitting:

| Area Plans | Design Guidelines | Zoning Code |
|---|--|--|
| San Tomas Area Neighborhood Plan | Design Guidelines for Single-Family Homes | CMC 21.12.030 – P-D (Planned Development) zoning district. |
| Campbell Village Area Neighborhood Plan | Design Guidelines for Additions to Single Family Homes | CMC 21.23 – Accessory Dwelling Units |
| Downtown Development Plan | Design Guidelines for Low-Medium Density Residential | CMC 21.30.030 – Administrative procedures. |
| East Campbell Avenue Master Plan | | Title 21, Article 4 – Land Use/Development Procedures |
| North of Campbell Avenue Area Plan (NOCA) | | CMC 21.72 – Definitions |
| South of Campbell Avenue Area Plan (SOCA) | | |
| Winchester Boulevard Master Plan | | |

Included in the services, Raimi + Associates will attend a total of six (6) public hearings² and hold two (2) public workshops. Where new or enhanced graphics are required to help support a concept, Raimi + Associates will assist by providing up to twenty-five (25) development standard graphics specifically designed for Campbell, as well as two (2) larger scale visual simulations intended to illustrate how the standards would control the design of a specific project site development type (i.e. Single-Family, Multi-Family, Mixed-Use Development).

TIMELINE & APPROACH

Despite the number of documents involved, since the scope is to provide clarity to existing standards, and not to create new, staff believes the project can be found categorically exempt under the California Environmental Quality Act (CEQA) and

¹ Including single-family, multi-family, and residential mixed-use development.

² Only five (5) are remaining taking into account the subject meeting.

completed in under a year. While subject to change, a rough outline of the steps in the process are as follows:

| | |
|---|------------------------------------|
| Project Kick-Off Meeting | October 6, 2020 (Subject Meeting) |
| Launch Public Fact Sheet & Survey | October 7 to October 28, 2020 |
| Public Workshop #1 | Between Oct. 14 & October 28, 2020 |
| Planning Commission Meeting | November 10, 2020 |
| Draft Documents Prepared | December 2020 to January 2021 |
| Public Workshop #2 | February 2021 |
| City Council, Planning Commission, or Joint Meeting | Late February 2021 |
| Final Draft Documents Prepared | March 2021 |
| Planning Commission Hearing | April 2021 |
| City Council Hearing | May 2021 |
| City Council Hearing (2 nd Reading) | May/June 2021 |
| Final Document | June 2021 |

Recognizing the schedule could change, City staff will maintain a dedicated public website: <https://www.ci.campbell.ca.us/1174/Objective-Standards> and conduct outreach via Nextdoor, Twitter, Facebook, and on the homepage of the City website. Further, the City will conduct an email campaign targeted at neighborhood groups (e.g., San Tomas Area, business associations, and other parties of interest). While no physical public notices will be mailed (outside of budget), the City will also advertise upcoming Public Hearings in the newspaper (Metro).

In response to COVID-19, it is anticipated that both public workshops and all public meetings and hearings will be conducted virtually. This approach will enable a larger number of people to attend from the convenience of their own homes and/or places of business. Staff and Raimi + Associates will be evaluating best practices to conduct these meetings remotely, utilizing online tools and resources to ensure the meetings are engaging and productive. Staff intends to have the meetings conducted via Zoom and also published on the [City of Campbell YouTube Channel](#). While a public survey is under development at this time, a copy of the 'Draft Fact Sheet' to be distributed or displayed in advance of the first public workshop has been provided for reference (reference **Attachment B** – Draft Fact Sheet).

FISCAL IMPACT

The City has been approved for \$160,000 in funding under the SB2 Planning Grants Program which covers the exact cost of services under the contract. While some flexibility is available to change the order or type of meetings provided or direction on the type of graphics to be prepared, requesting additional meetings or services may require an amendment to the contract and increase the cost of services. Staff believes the existing scope of services and schedule are adequate to complete the update.

Prepared by:



Stephen Rose, Senior Planner

Reviewed by:



Paul Kermoyan, Community
Development Director

Approved by:



Brian Loventhal, City Manager

Attachment:

- a. April 2, 2019 - City Council Report
- b. Draft Fact Sheet



City Council Report

Item: 14
 Category: NEW BUSINESS
 Meeting Date: April 2, 2019

TITLE: Housing Law Compliance

RECOMMENDED ACTION

That the City Council take the following action:

I. Provide direction to staff on the following short-term solutions:

1. Revise the P-D and C-PD ordinances to reference the development standards of the comparable zoning district in order to establish objective development standards.
2. Establish a Site Development Plan process that will allow the creation of development standards consistent with the built environment, based on objective criteria.
3. Create an expedited (ministerial) review process for qualifying SB35 and AB2162 projects.

II. Provide direction to staff on the implementation of the following long-term solutions:

1. Replace all subjective findings with objective findings for all housing development projects.
2. Replace all subjective policies with objective standards for all housing development projects through one of the following implementation methods:
 - a. Expand the scope of the Envision Campbell General Plan Update.
 - b. Hire a dedicated consultant.
 - c. Form neighborhood subcommittees to amend their respective area and master plans.

These recommendations are discussed further in this report. After receiving direction from the Council, staff will return with a focused discussion on implementation steps.

PURPOSE

The purpose of this report is to identify short-term (interim) and long-term solutions to bring the City into compliance with State law. This report also includes a brief overview of key legislative changes.

LEGISLATIVE SUMMARY

In response to California's housing crisis, several state laws have recently been amended or enacted with the intent to stimulate housing production by streamlining permit processes and making it harder for communities to deny or reduce the density of housing projects that meet objective General Plan and zoning requirements. The new and amended legislation affects development, long range planning, and decision-making and requires the City to change the way it processes housing development applications. The most critical housing related laws are briefly summarized below¹:

- AB678, SB166, SB167, & AB1515: Changes to the Housing Accountability Act (Gov. Code §65589.5) make it more difficult for the City to deny or reduce the density of proposed housing and mixed-use projects. Changes to the no net loss statute (Gov. Code §65863) require the City to take action when Housing Element Opportunity Sites are developed with either fewer units or a different income category than shown in the Housing Element.
- AB1505: Restores inclusionary housing policies for rental projects.
- SB35 & AB2162: Provides for an expedited (ministerial) review process as well as CEQA exemptions for qualifying multi-family housing projects when all objective standards are met.
- SB 828: Prohibits the underproduction of housing in a previous RHNA cycle to be used as a justification for determining a lower RHNA share in the next cycle.

DISCUSSION

The above mentioned legislation will involve considerable staff resources to address, over and above the Planning Division's daily workload. Amending the City's area plans and zoning requirements to have more "objective" standards will require a great deal of work but will ultimately provide the City with improved tools to make consistent, fair, and legally defensible decisions and provide the public greater clarity and certainty in the development review process.

The recommended implementation actions have been grouped into two categories: "short-term" and "long-term" approaches. The key differences between short-term and long-term tasks include: 1) the resources/staff time required to complete the task; 2) the anticipated number of hearings/meetings to facilitate the effort; and 3) the expected level of public engagement and participation throughout the process. The estimated time to complete each task is presented under the corresponding approach.

Short-Term Changes: The short-term (interim) approaches are intended to be implemented immediately with more thorough public participation under the long term

¹ Accessory Dwelling Unit legislation is being addressed separately. Full copies of the legislative changes have been provided as an attachment (reference **Attachment 5**).

workplan. Staff recognizes the paramount importance of public engagement and participation in the planning process; however, failure to act quickly and decisively could result in near term impacts. These short term recommendations are an interim solution as it will take a significant amount of time and funding to bring all of the City's zoning codes and area plans into compliance with State law.

Short-Term Approach 1: Revise the P-D and C-PD Ordinances to reference the development standards of the comparable zoning district.

While the intent of the P-D and C-PD zoning districts is to allow more flexibility than the existing zoning district for projects that are consistent with site characteristics and create an "optimum quantity and use of open space and good design", such discretion is inherently inconsistent with newly adopted State laws. Moreover, this flexibility has allowed significant deviations from the development standards of the comparable zoning district (i.e. decreased setbacks and increased floor area ratio) without strongly relating back to the reason the flexibility was provided in the first place (such as creating optimum open space). This approach recognizes that the City has historically referenced the comparable zoning district standards as a "benchmark" for review of new housing projects in the P-D and C-PD zoning districts². Under this approach, PD projects shall also comply with the applicable design guidelines for a particular development type (e.g., Design Guidelines for Low-Medium Density Residential Developments).

Short-Term Approach 2: Establish a Site Development Plan process that will allow the creation of project related development standards consistent with the built environment, based on objective criteria.

This approach would be to allow projects with two or more dwelling units to propose objective standards representative of the built environment. In this regard, the applicant would prepare a neighborhood analysis based on City defined objective criteria used to establish design and development standards that are compatible with the immediate neighborhood. This approach would rely on the built environment to determine the 'minimum' and or 'maximum' standards (e.g., building height and setbacks) and appropriate design elements, based on existing conditions. Under this approach, staff would confirm conformance to the City approved criteria and the accuracy of the submitted materials; no different than the current City process.

Estimated Time³: Six-months; consisting of three-months to prepare and review the Zoning Code amendments, one month for Planning Commission review; and two months for two City Council meetings (first and second reading).

Short-Term Approach 3: Create an expedited (ministerial) review process for qualifying SB35 and AB2162 projects.

² The City's P-D and C-PD zoning ordinances generally lack identifiable, objective and enforceable development standards.

³ This timeline, as well as other to follow, does not include City Attorney review

If the City were to receive an application for a qualifying project under SB35 and/or AB2162 staff would have a limited time to process the permit request. In response, it may be advisable to create a ministerial review process for application requests which 'must be approved', consistent with State legislation. This process would require the preparation of a list of all objective criteria which a qualifying SB35 or AB2162 project would be required to comply. Staff would audit all existing standards from all relevant sources (e.g. area plans, zoning ordinance) for every zoning scenario. Once prepared, this list would serve as the basis for application review.

Estimated Time⁴: Six-months; consisting of three-months to prepare the objective standards checklist and the Zoning Code amendments, one month for Planning Commission review; and two months for two City Council meetings (first and second reading). Note: This action would not include updating existing findings which would be addressed under a long-term approach.

Long-Term Changes: The stated legislation requires local governments to approve housing development projects with limited discretion. In this regard, the City will need to establish objective development standards and findings that would be applied to all housing development projects. In other words, if the standards and findings are met, the project receives approval. These standards would be contained in the zoning ordinance, subdivision ordinance, and area plans. Recognizing staffing constraints, the City Council may want to consider hiring a consultant to assist in the following long-term solutions⁵. The estimated time to complete a task does not include the time to hire a consultant.

Long Term Approach 1: Replace all subjective findings with objective findings for the approval and denial of all housing development projects.

The City's findings for approval of various development proposals are based on subjective criteria. In order to approve or deny a project within the confines of the law, the following findings, from Government Code § 65589.5(j) should be implemented for certain housing projects: (1) *the project would have specific, quantifiable, direct, and unavoidable impacts on public health or safety, based on objective safety standards, policies, or conditions in existence at the time the application was deemed complete;* and (2) *these impacts cannot be mitigated except by disapproval or reduction in density.*

Estimated Time: Four-months; consisting of one-month to prepare and review the Zoning Code amendments, one month for Planning Commission review; and two months for two City Council meetings (first and second reading). Note: This action would not include updating existing standards which would be addressed under a separate long-term workplan item.

⁴ This timeline, as well as other to follow, does not include City Attorney review

⁵ The Planning Division is not staffed at a level to facilitate comprehensive updates to the zoning ordinance or General Plan.

Long Term Approach 2: Replace all subjective standards with objective standards for all housing development projects.

Development projects are reviewed for consistency with the General Plan, the zoning ordinance, and various area plans. Each of these documents contain a variety of goals, objectives, strategies, standards and findings which would need to be reviewed and updated to ensure that they are 'objective' and enforceable. In response to State legislation, the City will need to replace all subjective design standards (e.g., "fit in with the neighborhood" with objective standards (e.g. maximum floor area ratio, lot coverage, height, stories) for all housing development projects. This option would likely result in the creation of a new Chapter in the Campbell Municipal Code (specific to new housing projects) and require cross-references between various area plans and the Municipal Code to ensure that the new standards would be enforceable.

While the Housing Accountability Act (HAA) does not define an objective standard, some cities have referenced SB35's definition in interpreting the HAA. In this regard, an objective standard is one that involves "no personal or subjective judgment by a public official and uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal."

Examples of an objective standard generally include:

- 28 foot maximum height measured from finished grade
- 40% maximum lot coverage
- 45% maximum floor area
- 27 units per gross acre

Examples of a subjective standard include:

- "The perceived scale and mass of new homes should be compatible with homes in the surrounding area"
- "The project will aid in the harmonious development of the immediate area"
- "The project should complement the surrounding neighborhoods and produce an environment of stable and desirable character"

Performing the level of analysis required to make every standard in the City objective would require an in-depth review of each of the City's eight area plans, as well as a large portion of the Campbell Municipal Code. While reviewing all existing standards for subjectivity would be challenging, determining how to make a subjective standard "objective" will be particularly difficult given the diverse expectations of the community. Significant public outreach efforts would be required, likely resulting in a series of community meetings and workshops before reaching a public hearing. Of course, this results in a lengthy update process/duration.

Estimated Time: It is anticipated to take several years to complete this option during which time further changes to the City Code may be required to be in compliance with additional legislation that passes while the effort remains ongoing. Recognizing the time it would take to complete, the City Council could consider which plans or standards

should be prioritized ahead of others. Further, recognizing the effort could not be completed with current staffing levels, the following implementation methods have been provided for consideration:

- Expand the Scope of the Envision Campbell (General Plan) Update: Objective standards could be included as part of the current Envision Campbell General Plan and Municipal Code updates. This option will require additional funding.
- Hire a Dedicated Consultant: The Council could elect to hire a different consultant to audit and update the City's development standards; however the scope and the cost of such service would need to be fully understood and considered by the Council in the 2020 Budget. Presently, the proposed budget identifies a \$125,000 SB2 grant for this purpose. However, this option is anticipated to cost more than provided for under the grant.
- Form Neighborhood Subcommittees: Given the need for public participation, the City Council could delegate specific tasks to various neighborhood subcommittees to develop their own solutions to their respective area plans. Under this option, a consultant could be hired and tasked with managing the process and educating neighborhood groups on State limitations (i.e. to not create subjective standards or those which would effectively deny or reduce the density of housing projects). The goal for this option would be to achieve an inclusive process that involves "complete" neighborhood involvement. However, the speed at which updates are developed would then be incumbent on the urgency expressed by the community and their ability to find common ground in their respective subcommittees. The structure in which subcommittees operate would need to be established in order to ensure the neighborhood is entirely engaged.

FISCAL IMPACT

After the dissolution of redevelopment agencies in 2012, there has been very little funding for local jurisdictions to subsidize the cost of providing affordable housing. While SB3, AB571, and AB1568 provide some level of help (e.g., through tax increment financing and tax credits), only SB2 (Building Homes and Jobs Act) provides a permanent source of funding for affordable housing. Under SB2, the City of Campbell is eligible for up to \$125,000 in grant funding for activities that expedite planning approvals for housing development. The SB2 funds are non-competitive for qualifying projects and must be expended by 2022⁶. While all of the workplan items presented would qualify for SB2 funds, the maximum \$125,000 is anticipated to not cover the projected cost to hire a third-party consultant. Given limited staff resources, the City Council should establish a sufficient budget to complete the required updates.

⁶ The Notice of Funding Availability (NOFA) will be released in March/April 2019 and the City will have eight (8) months to apply for the non-competitive funds. The HCD has preliminarily identified [five priority policy areas](#) (e.g., developing objective standards, expediting permit processing, rezoning for additional housing capacity) that would ease access and reporting for the grand funding.

Prepared by: 
Stephen Rose, Associate Planner

Reviewed by: 
Paul Kermoyan, Community
Development Director

Approved by: 
Brian Loventhal, City Manager

Attachment:

1. 2017 Legislative Session Summary Report
2. Housing Element Opportunity Site Inventory
3. SB35 Eligibility Checklist
4. SB35 Workplan Status Survey
5. Full Text of Legislation

City of Campbell Objective Standards Project

What is this Project?

The City of Campbell is undertaking a planning effort to create objective standards for all residential projects that respect and build upon Campbell’s unique character and distinctive neighborhoods. As part of this effort, the City is also addressing procedures related to residential design review and permitting. The City is undertaking this project to conform with recent State law that require local jurisdictions to adopt objective standards and to streamline the review and permitting processes for housing development.

While these laws typically pertain to multi-family housing (2+ units), the City of Campbell will adopt objective standards for all housing projects, to both facilitate context-appropriate, high-quality design and to bring consistency and clarity to the project review and permitting processes.

Project Overview

This project is anticipated to take about 12 months, starting in 2020 and ending in the 2021.

The major steps in the process are as follows:



What are Objective Standards and Design Guidelines?

Objective Standards

State law defines objective standards as those that “involve no personal or subjective judgement by a public official and are uniform verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant and public official prior to submittal.” Objective standards are often quantifiable. Examples include:

- Blank walls (without doors and windows) of more than 20 linear feet are prohibited along any street facing façade.
- A minimum one-foot offset is required for any wall plane that exceeds 30 feet in length.

Design Guidelines

Design guidelines are subjective regulations that require interpretation or are non-quantifiable. Examples include:

- Be consistent with the neighborhood character.
- Use durable materials.

Attachment: Draft Fact Sheet (Objective Standards – Kick-Off Meeting (Raimi + Associates))

Campbell's Regulating Documents for Residential Projects

The City relies on several regulatory documents – the City's Zoning Code, Area Plans, and Residential Design Guidelines – to address the character of new residential development, including infill projects and additions to existing homes.

While the Zoning Code mostly contains objective development standards, the Area Plans and Residential Design Guidelines incorporate both development standards and design guidelines for building character, such as building massing, articulation, and materials. The Area Plans regulate development within a specific area or district, while Residential Design Guidelines, in most cases, apply to development outside the Area Plan boundaries. As a part of this project, design guidelines will be revised to be design standards which are objective, incorporating both text and graphics to illustrate the standards clearly and consistently.

Which Documents are Being Updated?

Area Plans

- Campbell Village Area Neighborhood Plan
- Downtown Development Plan
- East Campbell Avenue Master Plan
- North of Campbell Avenue Plan (NOCA)
- San Tomas Area Neighborhood Plan
- South of Campbell Avenue Plan (SOCA)
- Winchester Boulevard Master Plan

Residential Guidelines

- Design Guidelines for Single-Family Homes
- Design Guidelines for Additions to Single-Family Homes
- Design Guidelines for Low-Medium Density Residential

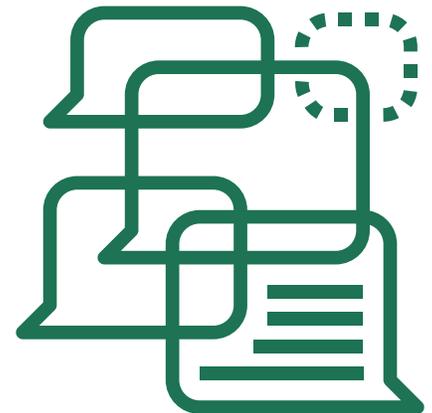
Relevant Chapters of the Zoning Code

- 21.12.030 P-D (Planned Development)
- 21.23 Accessory Dwelling Units
- 21.30.030 Administrative Procedures
- Title 21, Article 4 - Land Use/ Development Procedures
- CMC 21.72 Definitions

Opportunities for Community Engagement

Learn more about this project:

- **Check out the project web page** at www.ci.campbell.ca.us/1174/Objective-Standards which contains the latest information on project status, background studies, and project documents
- **Join upcoming webinars/public workshops** for project updates and providing feedback
- **Participate in surveys** regarding major issues and public concerns
- **Attend periodic meetings and hearings** with the Planning Commission and City Council



Questions? Contact:

Stephen Rose, Senior Planner, City of Campbell
p: 408.866.2142 e: stephenr@campbellca.gov

www.ci.campbell.ca.us/1174/Objective-Standards





*City
Council
Report*

Item: 14
 Category: COUNCIL COMMITTEE
 REPORTS
 Meeting Date: October 6, 2020

TITLE: Council Committee Reports

RECOMMENDED ACTION

Report on committee assignments and general comments.

DISCUSSION

This is the section of the City Council Agenda that allows the City Councilmembers to report on items of interest and the work of City Council Committees.

MAYOR LANDRY:

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

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

VICE MAYOR GIBBONS:

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

Legislative Subcommittee
 Silicon Valley Clean Energy JPA (SVCEC)
 SVCEC Executive Committee**
 SVCEC Finance and Audit Subcommittee**
 SCC CDBG Program Committee**

County Library District JPA Board of Directors (Alt.)
 SCC Emergency Operations Commission (Alt.)**
 West Valley Mayors and Managers (Alt.)

COUNCILMEMBER BYBEE

City Atty. Performance/Comp. Subcommittee
 City Clerk Performance/Comp. Subcommittee
 City Mgr. Performance/Comp. Subcommittee
 Downtown Subcommittee
 Finance Subcommittee
 Friends of the Heritage Theater Liaison
 Legislative Subcommittee
 Valley Transportation Authority Policy Advisory Committee

Association of Bay Area Governments (Alt.)
 Campbell Historical Museum & Ainsley House Foundation Liaison (Alt.)
 Comprehensive County Expressway Planning Study Policy Advisory Board**(Alt.)
 Santa Clara Valley Water District: County Water Commission (Alt.)
 State Route (SR) 85 Corridor Policy Advisory (Alt.)

COUNCILMEMBER RESNIKOFF

Advisory Commissioner Appointment Interview Subcommittee
 Cities Association of Santa Clara County Representative,
 Education Subcommittee
 West Valley Clean Water JPA
 West Valley Sanitation District
 West Valley Solid Waste Authority JPA

Downtown Subcommittee (Alt.)
 Recycling and Waste Reduction Commission of SCC** (Alt.)
 Silicon Valley Animal Control Authority Board (SVACA)(Alt.)

COUNCILMEMBER WATERMAN:

Advisory Commissioner Appointment Interview Subcommittee
 County Library District JPA Board of Directors
 Economic Development Subcommittee
 Finance Subcommittee
 Silicon Valley Animal Control Authority Board (SVACA)

****appointed by other agencies**

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 12 – Correspondence

Date: October 6, 2020

Attached is correspondence in support of renewing the Rosemary Parking Permit program.

Andrea Sanders

To: Todd Capurso
Subject: RE: Renewal of Rosemary Residential Parking Permit

From: George Smyrniotis
Sent: Wednesday, September 30, 2020 1:36 PM
To: Liz Gibbons <lizg@campbellca.gov>; Todd Capurso <toddc@campbellca.gov>
Subject: Renewal of Rosemary Residential Parking Permit

WARNING: This email originated from an external sender!

Dear City of Campbell,

I am a resident of the Hamilton East Complex located in the Rosemary area of Campbell off Millich Drive and Merrimac Drive. As you know 2 years ago the City of San Jose instituted a parking permit program in the Cadillac area near our neighborhood. Within 24 hours of the program going into effect our streets were full of cars that were left for days and weeks at a time. The City of San Jose pretty much said it's our problem and were not willing to work with the City of Campbell. We began to observe San Jose residents parking on our street and getting picked up by others to get a ride home. Our neighborhood essentially became a park and ride for the SJ residents that live in the Cadillac Drive area. I would come home from work and there would be no where for me to park because the streets were full of cars that were left for days if not weeks. Our complex does not have enough space for all the residents to park onsite even with us utilizing our garages which became a real problem with the parking situation on the street.

Not only was this a parking issue we had a people loitering on our streets hanging out by their vehicles and leaving trash etc. I have young kids and feel this created a safety issue for my family as well. Furthermore my 2 young boys will driving soon and it would be nice if they had a place to park when they get home from school. Parking was not an issue prior to the City of San Jose instituting a parking permit program in the Cadillac area and has not been an issue since we started the Rosemary Parking Permit Program. I can always find parking when I get home and if I have guests they have a place to park while visiting.

We are in a unique situation in our neighborhood because we border the San Jose Cadillac Parking Permit area. It is imperative to keep the parking permit program going not only to allow for Campbell residence to have a place to park when they get home, but it also keeps our neighborhood safer, cleaner, and discourages people from loitering on our streets. I truly believe if the parking permit program is not made permanent we will be right back in the same situation as before. I have been seen evidence of this lately with people from the Cadillac area leaving their vehicles on our streets for days and weeks at a time ever since the City stopped enforcing and ticketing vehicles without permits. I've also seen an increase in people loitering on streets around the Hamilton East Complex at night while my wife and I walk our dog with the kids.

I want my wife and 2 boys to have a safe place to park and not have to worry about where they will park when they get home. I also want them to feel safe when walking in the evening after they park. Please make the parking permit program permeant and understand that we are in a unique situation over in the Rosemary area. I believe all the residence in the Rosemary area support the continuation of the parking permit program and has been a success. Let's keep this going!

Thank you,

George Smyrniotis
Accounts Manager
Central Concrete



gsmyniotis@us-concrete.com
www.centralconcrete.com

Andrea Sanders

To: Liz Gibbons
Subject: RE: Please support continuation of the Rosemary Pilot Residential Parking Program

From: Jennifer Jordan Croker

Date: October 4, 2020 at 6:27:05 PM EDT

To: "Susan M. Landry" <susanl@campbellca.gov>, Liz Gibbons <lizg@campbellca.gov>

Cc: Margarita Mendoza <margaritam@campbellca.gov>

Subject: Please support continuation of the Rosemary Pilot Residential Parking Program

Dear Mayor Landry and Vice Mayor Gibbons,

As a Campbell resident and homeowner for 13 years, I wanted to express my experience regarding the Rosemary Pilot Residential Parking Program.

Before the program was in place, it was nearly impossible to park anywhere on the street in front of our own home. We live in a townhome complex that always had ample street parking, until the San Jose Parking Permit program pushed San Jose residents who lived far away into our streets. And many of these cars were not regular commute vehicles, but rather extra cars that were stored on our street. We would see cars shuttling people to and from their cars – this shows how far away they were coming from.

And due to our complex being surrounded by San Tomas Expressway, Hamilton Ave, and the San Jose Permitted Zone, there was no alternative place for us to park without crossing over busy streets into other far away neighborhoods. It was getting so bad that I had to assess whether I could run an errand based on if I thought I could park when I returned home. We do not have our own personal driveway, so street parking is very valuable to us. We had purchased this home based on the parking availability in the neighborhood, and the parking situation was getting so bad I was wondering after living here for over 10 years if it was time to consider moving.

I understand this issue was created by the city of San Jose, and went to several local meetings where this issue was discussed. I was so relieved when the City Council approved the Rosemary Pilot Residential Parking Program. Immediately we could park again on the street in front of our home, and I felt that I was not trapped anymore worrying if I could find parking when I left.

I would be very grateful if you can continue this program. It has made a huge difference in the quality of our lives. I love living in Campbell, and don't want to return to struggling to park where I live.

Sincerely,

Jennifer Croker

Campbell, CA

Andrea Sanders

To: Liz Gibbons
Subject: RE: Campbell parking permit program - please renew!

From: David Croker
Date: October 3, 2020 at 5:24:21 PM EDT
To: "Susan M. Landry" <susanl@campbellca.gov>, Liz Gibbons <lizg@campbellca.gov>
Cc: Margarita Mendoza <margaritam@campbellca.gov>
Subject: Campbell parking permit program - please renew!

Dear Ms's Landry and Gibbons,

As a resident of the Hamilton East complex with an address on Merrimac Drive, my wife and I were incredibly pleased when Campbell made the effort to begin the parking permit program in our neighborhood. After the city of San Jose implemented their parking program for the next door Cadillac neighborhood, we saw a dramatic increase in the number of vehicles parking on our street to the point where we couldn't park our own vehicle in front of our house. It thoroughly stressed out my wife to the point where even she got involved in trying to make the Campbell parking permit a reality. With increased vehicles came increased garbage and also blight vehicles that never moved. Once the Campbell parking permit program came through, life improved dramatically.

We implore you to renew the Campbell parking permit program for our neighborhood.

Thanks for listening,
Dave Croker
Campbell, CA 95008

Andrea Sanders

Subject: Parking permit program

From: Dafna Golan-Carbone

Sent: Tuesday, October 6, 2020 9:08 AM

To: Susan M. Landry <susanl@campbellca.gov>; Liz Gibbons <lizg@campbellca.gov>

Subject: Parking permit program

Hello Liz and Susan,

I hope you are both doing well.

I would just like to voice my support of the parking program and strongly urge you to keep it going. It has made a big difference for us.

Thank you so much,

Dafna

Campbell

Andrea Sanders

Subject: FW: Rosemary Parking Permit Program

From: [Sam Hawkins](#)

Sent: Thursday, October 1, 2020 1:09 PM

To: [Liz Gibbons](#); [Susan M. Landry](#)

Subject: Rosemary Parking Permit Program

Hello,

I'm a resident on W. Rosemary Lane and I just received a letter that the pilot parking permit program on W. Rosemary Lane will be back up for debate on Tuesday. I intended on tuning in, but unfortunately I won't be able to so I was hoping that my message could be passed along -

I live at [REDACTED] right across the street from the school, on the corner of Rosemary and Eden. Being that I am one of the houses located closest to the surrounding high density living areas, I can clearly see the impact and appreciate the results of the parking permit program.

Previous to the parking permit program, I don't think I need to explain the issue created by all of the surrounding areas issuing parking permits, resulting in our street being the only free parking in the neighborhood and attracting dozens of cars from the surrounding areas. What I do want to highlight as somebody so close to the issue - is an opportunity to show the efficacy of the program by comparing apples to apples in real time.

I have a corner lot - part of my home is open to the street on Eden, where there are arguably two spaces but there is constantly 3 cars jammed in to park overnight or being used by storage.

What is the impact of the crowding in this small 30ft stretch of fence where no parking permits are required in the last year? Two major accidents, two abandoned vehicles and dozens of knocks on our front door inquiring if we have cameras to show who tried to squeeze into one of these small spots, couldn't fit, tapped their car and then left.

The other part of my home, on Rosemary, is often the only place available and the only place I feel comfortable parking my own car or asking friends or family to park. Without this parking permit program, tenants from the apartments and condos in the surrounding areas would store their car in front of my home for days to weeks at a time, clogging the streets for those who wish to be able to simply park on their own street after a long day at work.

I so do hope and pray that this parking permit program gets extended, as the increase in quality of life that it has granted to your constituents bordering San Jose have been substantial since it was put into place.

I do have one other thing to note - a suggestion. Again, being that I live so close to the HDL area and that my home is perhaps the most convenient space for the residents down Eden to park, we frequently notice that there are cars parked on Rosemary, with Rosemary Parking Permits, that in fact do not live on Rosemary. I know this because one, I watch them park in front of my house and then walk home down Eden every day, and two, I've asked where they've obtained the parking permits when they are evidently not Campbell residents. I got a response from one that was a little concerning - City Hall.

I think a few applications, maybe processed by somebody new in the office, were granted without the proof of residence being completed. I have flagged these permits to Margarita Mendoza at City Hall and I hope this is noted. Can I suggest that going forward, the verification process be a little more rigorous? Whether this be better communication of the guidelines to those issuing the permits, or perhaps a request for a DL, registration or property tax bill which shows residency?

I look forward to hearing any feedback after the meeting on Tuesday and hope that my thoughts are put forward for consideration.

Your service is greatly appreciated,

All the Best,

Sam

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<https://www.svcleanenergy.org/customer-confidentiality>



City of Campbell

OBJECTIVE STANDARDS

City Council Meeting | October 6, 2020

Kick-Off Meeting



Presenting

- Part 1 - Stephen Rose, Senior Planner, City of Campbell
- Part 2 - Simran Malhotra, Principal, Raimi + Associates

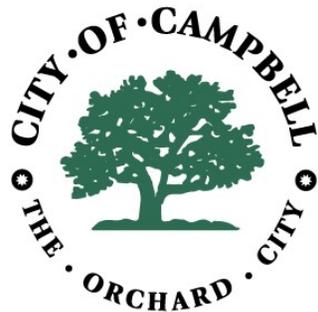
Brief Recap

- **Changes to the state law** (primarily the Housing Accountability Act) make it difficult to deny or reduce the density of housing projects that meet objective standards and require expedited processing of qualifying projects (SB35 / AB2162)
- **April & Sep. 2019** – Meetings held with City Council on short/long-term fixes
 - Short-term fix pending (P-D & C-PD, project standards, expedited permit process)
 - Direction to hire consultant to help implement long-term fix
 - Use SB2 Grant Funding (approved for \$160,000) toward effort
- **June 2020** – Raimi + Associates selected as consultant
 - Expertise in preparing codes and standards; successful community engagement

Purpose of Tonight

- **Check in** with City Council before embarking on one-year long planning effort
 - Clarify existing standards
 - Six (6) public hearings
 - Two (2) public workshops
 - Extensive Public outreach (Nextdoor, Twitter, Facebook, dedicated webpage etc.)
- **Introduce Raimi + Associates**
- **Receive presentation** on the project
- **Solicit direction** on approach and schedule

Part 2 – Simran Malhotra, Principal R+A



- Project Overview and Introduction
- What are Objective Standards?
- Where this Project applies
- Project Timeline
- Community Engagement Opportunities

What is the Objective Standards Project?

- Establish **objective development and design standards** for all residential projects (single-family, multi-family, and mixed-use)
- In response to State laws,
 - Adopt objective standards
 - Streamline project review and permitting
- Although State laws apply to projects with more than one residential unit (2+), this project applies to **ALL residential projects**, to
 - Facilitate context-appropriate, high-quality design
 - Bring consistency and clarity to project review and permitting
 - Ensure consistent application of standards for single-family homes with and without accessory dwelling units (ADUs)
- **Revise City regulations**, incorporating objective standards

What are Objective Standards?

“Standards that involve no personal or subjective judgement by a public official *and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant and public official prior to submittal.*”

What do Objective Standards achieve?

- Eliminate subjectivity and personal judgement by providing consistent and uniform language
- Encourage streamlined and transparent approval processes
- Discourage bad design by regulating site configurations, specifying materials, and other design considerations
- Protects the City from legal challenges and court-imposed fines for wrongful denial of housing projects

Example Non-Objective Guideline

Fences and walls should be constructed of high quality, durable materials.

Example Objective Standard

Fences and walls shall be constructed of permanent, durable materials, such as brick, stone, concrete, textile block, wood, iron, or steel. Chain link, barbed wire, razor wire, and corrugated metal fencing is prohibited.

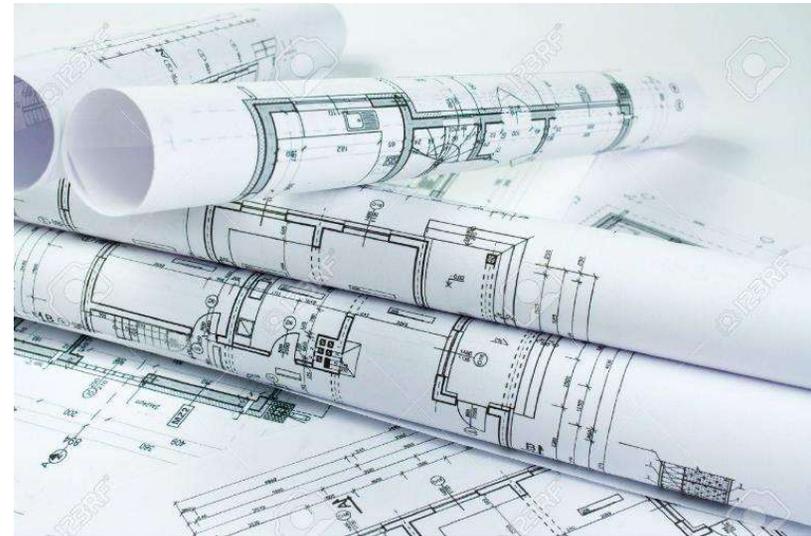
What don't Objective Standards achieve?

- Objective standards may not contradict or modify existing land use or zoning designations
 - The **General Plan** codifies intensity, distribution and location of all uses including residential
 - The **Zoning Code** codifies the size, shape, and configuration of buildings and parcels on residential land
- **Not all guidelines** can be converted to objective standards

How Do New State Laws affect Permits & Procedures?

Recent State laws require:

- **Ministerial (administrative) approvals** for projects that meet objective standards
- **Limited subjective review** of projects, such as historic resources
- **Application completeness streamlining**
- **Fee/exactions limitations**
- **Preliminary application protections**



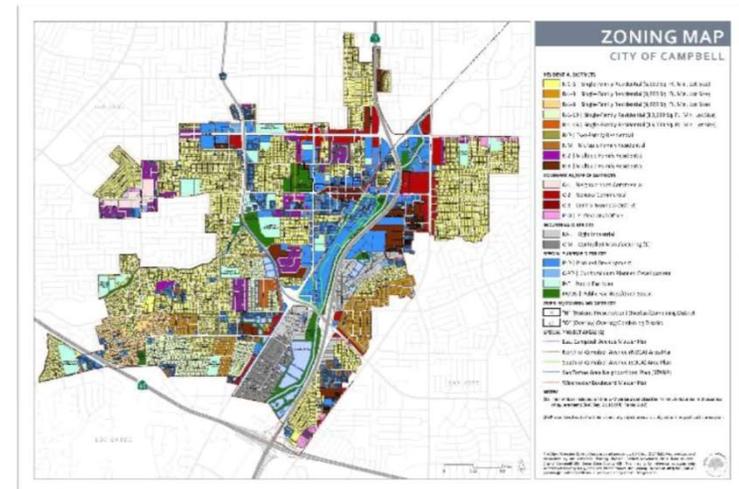
Where will Objective Standards apply?

- New residential projects and additions or alterations to existing residential projects
 - Single-family homes (with or without ADUs)
 - Multi-family residential projects
 - Mixed-use developments (when 2/3 or more of the square footage is designated for residential use)



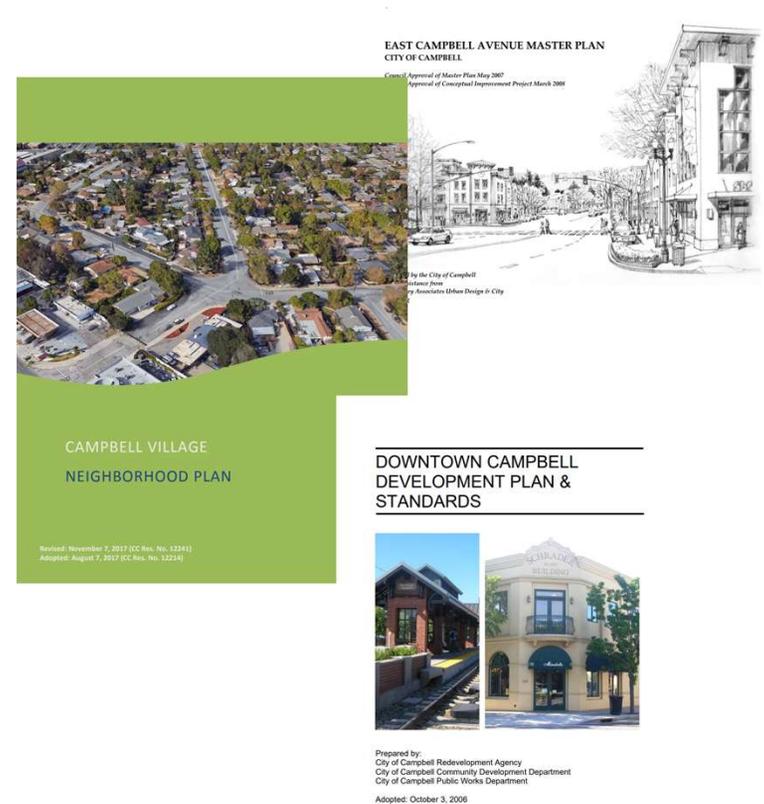
Where do Objective Standards not apply?

- A project requiring a variance
- A project with a historic designation (Secretary of Interior Standards, etc. apply)
- A project that requires a general plan, community plan, or zoning amendment
- A project that would result in one or more significant health and safety impacts



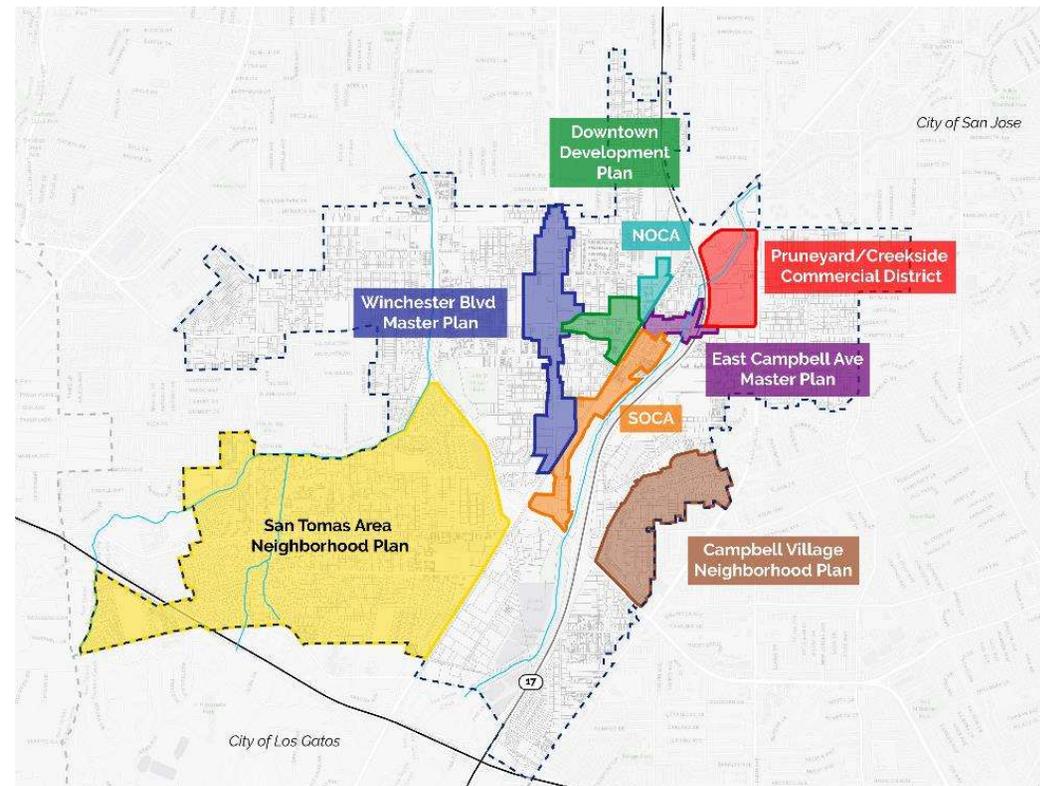
What's being updated?

- **Zoning Code**
 - 21.12.030 P-D (Planned Development)
 - 21.23 Accessory Dwelling Units
 - Title 21, Article 4
Land use/Development Procedures
 - CMC 21.72 Definitions
- **Residential Design Guidelines**
 - Design Guidelines for Single-Family Homes
 - Design Guidelines for Additions to Single-Family Homes
 - Design Guidelines for Low-Medium Density Residential

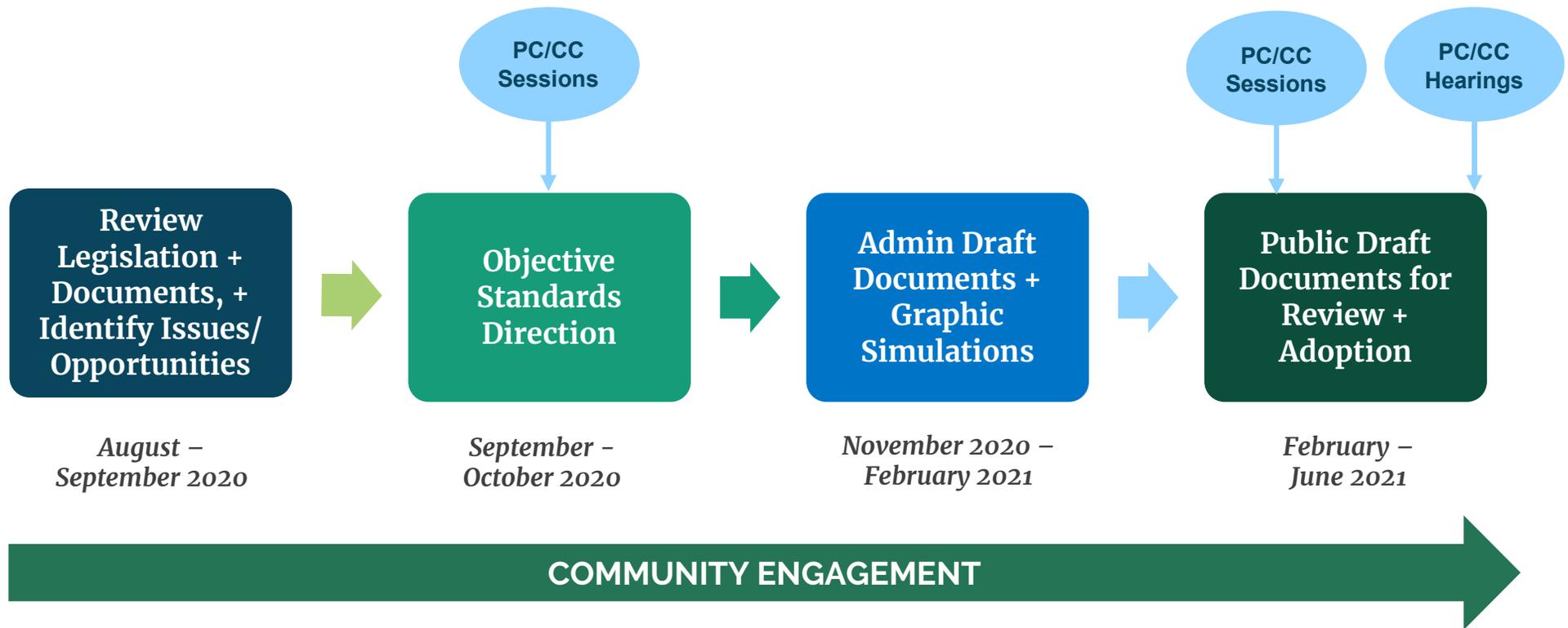


What's being updated?

- Area Plans
 - Campbell Village Area Neighborhood Plan
 - Downtown Development Plan
 - East Campbell Avenue Master Plan
 - North of Campbell Avenue Plan (NOCA)
 - San Tomas Area Neighborhood Plan
 - South of Campbell Avenue Plan (SOCA)
 - Winchester Boulevard Master Plan



What is the Planning Process?



Opportunities for Community Engagement

- Public Workshop #1 (Webinar): Background and Education and Survey
- **City Council** and/or Planning Commission Study Sessions
- Public Workshop #2: Open House on Public Draft
- **City Council** and/or Joint Study Session with Planning Commission
- Public Hearings with Planning Commission and **City Council**



Tentative Community Events

- Virtual Webinar – October 14 – October 28, 2020
- Community Survey – Open October 7 – October 28, 2020
- Planning Commission Study Session – November 10, 2020



What is this Project?

The City of Campbell is undertaking a planning effort to create objective standards for all residential projects that respect and build upon Campbell's unique character and community neighborhoods. As part of this effort, the City is also addressing procedures related to residential design review and permitting. The City is undertaking this project to conform with recent State law that requires local jurisdictions to adopt objective standards and to streamline the review and permitting processes for housing development.

While these laws typically pertain to multi-family housing (2- or 4- unit), the City of Campbell will adopt objective standards for all housing projects, in order to take advantage of geographic, high quality design and to bring consistency and clarity to the project review and permitting processes.

Project Overview

This project is anticipated to take about 12 months, starting in 2020 and ending in the 2021.

The major steps in the process are as follows:



What are Objective Standards and Design Guidelines?

Objective Standards
State law defines objective standards as those that involve no personal or subjective judgment by a public official and are uniformly applicable by reference to an external and uniform benchmark or criterion accessible and knowable by both the development applicant and public official prior to submission. Objective standards are often quantifiable. Examples include:

- Blank walls (without doors and windows) of more than 20 linear feet are prohibited along any street facing facade.
- A minimum one-foot eave requirement for any wall or roof that exceeds 30 feet in length.

Design Guidelines
Design guidelines are subjective regulations that result in interpretational or discretionary decisions. Examples include:

- Be consistent with the neighborhood character.
- Liveable materials.

Documents

Documents that are being updated include:

Which Documents are Being Updated?

- Area Plans
 - City of Campbell Village Area Neighborhood Plan
 - Downtown Development Plan
 - East of Campbell Avenue Master Plan
 - South of Campbell Avenue Plan (UDC)
 - San Jose Area Regional Plan
 - South of Campbell Avenue Plan (UDC)
 - Winchester Boulevard Master Plan
- Residential Guidelines
 - Design Guidelines for Single-Family Homes
 - Design Guidelines for Additions to Single-Family Homes
 - Design Guidelines for one-Medium Density Residential
- Relevant Chapters of the Zoning Code
 - 21-24000 Residential Development
 - 21-25000 Medium Density Development
 - 21-26000 Medium Density Development
 - 21-27000 Medium Density Development
 - 21-28000 Medium Density Development
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 - 21-50000 Medium Density Development

Opportunities for Community Engagement

- Learn more about this project:
 - Check out the project web page at www.ci.campbell.ca.us/1174/Objective-Standards which contains the latest information on project status, background studies, and project documents.
- Join upcoming webinars/public workshops for project updates and providing feedback.
- Participate in surveys regarding major issues and public concerns.
- Attend periodic meetings and hearings with the Planning Commission and City Council.



Questions? Contact:
 Stephen Rose, Senior Planner, City of Campbell
 p: 408.866.2142 or stephen@campbellca.gov
www.ci.campbell.ca.us/1174/Objective-Standards



Recommended Action

- That the City Council take the following action:
 - Receive the report and provide general direction to staff on the approach and schedule for preparing Objective Standards.



City of Campbell

OBJECTIVE STANDARDS

City Council Meeting | October 6, 2020