

# CITY COUNCIL MINUTES

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



## CITY COUNCIL EXECUTIVE SESSION

Tuesday, March 2, 2021 – 5:30 p.m.

City Hall – 70 N. First Street

- A. **Personnel** – Pursuant to G.C. Section 54957: Public Employee Performance Evaluation – City Manager
- B. **Litigation**
- C. **Real Property**
- D. **Labor** - Pursuant to G.C. Section 54957.6: Conference with Labor Negotiator - Agency Designated Representatives: City Council and City Manager Performance/Compensation Subcommittee Members Paul Resnikoff and Elizabeth “Liz” Gibbons  
Unrepresented Employee: City Manager

Pursuant to G.C. Section 54957.6: Conference with Labor Negotiator - Agency Designated Representatives: City Council, City Manager Brian Loventhal  
Employee Organizations: Campbell Municipal Employees Association (CMEA); Campbell Police Civilian Employees Association (CPCEA); Campbell Peace Officers’ Association (CPOA); Carpenters; Management Employees; and Confidential Employees

The City Council met in Executive Session to discuss items A and D. City Manager Brian Loventhal, City Attorney Bill Seligmann, Acting Human Resources Manager Salina Flores, Finance Director Will Fuentes and attorneys Lisa Charbonneau and Rick Bolanos of Liebert Cassidy Whitmore were in attendance.

Executive Session adjourned at 7:22 p.m.

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## REGULAR MEETING OF THE CAMPBELL CITY COUNCIL

Tuesday, March 2, 2021 – 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:

<https://campbellca.gov/agendacenter> and <https://www.youtube.com/user/CityofCampbell>.

## **CALL TO ORDER**

The City Council of the City of Campbell convened on the regularly scheduled day of March 2, 2021, via telecommunication.

Mayor Gibbons stated that this City Council meeting was conducted pursuant to provisions of the Brown Act and an Executive Order issued by the Governor to facilitate teleconferencing to reduce the risk of COVID-19 transmission at public meetings.

## **ROLL CALL**

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

## **PLEDGE OF ALLEGIANCE**

Mayor Gibbons led the Pledge of Allegiance.

## **SPECIAL PRESENTATIONS AND PROCLAMATIONS**

1. **Proclamation Declaring the Month of March as “American Red Cross Month” in the City of Campbell**

Recommended Action: It is recommended that the City Council proclaim the month of March as “American Red Cross Month” in the City of Campbell.

Mayor Gibbons read the proclamation and proclaimed the month of March as “American Red Cross Month” in the City of Campbell.

American Red Cross Board Member & Disaster Services Volunteer Ann Herosy spoke about some of the relief services the American Red Cross provided, such as housing and meal services to those affected by the Northern California Complex Fires. She also spoke about the blood services program that now includes the testing of COVID-19 antibodies for all blood donations.

## **COMMUNICATIONS AND PETITIONS**

There are no communications and petitions.

## **ORAL REQUESTS**

Tim MacKenzie spoke in support of having free period products in municipal facility restrooms.

Joseph Cloward, Campbell resident spoke in support of having free period products in municipal facility restrooms.

## **COUNCIL ANNOUNCEMENTS**

As of March 3, 2021, Santa Clara County will move into the red tier which allows for limited capacity indoor dining. Please continue to follow all the social distancing requirements.

Our goal at the City of Campbell is to maintain essential services and keep you informed. We will continue to provide you with the latest news announcements and updates from Santa Clara County's Emergency Operations Center and Public Health Department.

Santa Clara County's Public Health system has announced that they have increased vaccination sites. Eligible residents can make appointments for the County Health System vaccine sites by calling 211 or by visiting the County's website at [www.sccfreevax.org](http://www.sccfreevax.org).

The City Clerk's office is accepting applications for a vacancy on the Historic Preservation Board for one short term expiring October 2021. Applications may be obtained from the City Clerk's Office, or on the Boards and Commission page of the City's website. For more information, please visit the city's website at [www.campbellca.gov](http://www.campbellca.gov) or email the clerk's office at [clerksoffice@campbellca.gov](mailto:clerksoffice@campbellca.gov).

History at Home presents the History of Fort Ross on Friday, March 26 from 6:00-7:00 p.m. A Russian American Settlement on the Sonoma Coast presented by Igor Polishchuck, Director of External Relations Fort Ross Conservancy. Fort Ross is a former Russian establishment on the Sonoma County coast and has been the subject of archaeological investigation and is a California Historical Landmark. Registration is required for this event. \$10 per ticket, or free for museum members. To register, please visit [www.campbellmusuems.com](http://www.campbellmusuems.com).

Attention High School Students. Silicon Valley Clean Energy has launched a new short-film competition. Share your stories and solutions to climate change for \$20,000 in scholarship awards. No prior climate change knowledge or film experience needed. Learn more about the EmPower Silicon Valley Youth Short-Film Competition at [www.svcleanenergy.org](http://www.svcleanenergy.org).

Receive up to \$3500 when installing an efficient, electric water heater. Silicon Valley Clean Energy is offering rebates to single-family and multi-family household customers to upgrade their water heaters to clean and electric. For more information on how to reserve a rebate, start the project, and submit a rebate request, please visit [www.svcleanenergy.org](http://www.svcleanenergy.org).

## **CONSENT CALENDAR**

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

Items four and six were pulled from the consent calendar.

The Consent Calendar was considered as follows:

2. **Minutes of City Council Executive Session Meeting of January 25, 2021**  
Recommended Action: Approve the executive session meeting minutes of January 25, 2021.

This action approves the executive session meeting minutes January 25, 2021.

3. **Minutes of City Council Executive Session Meeting of February 10, 2021**  
Recommended Action: Approve the executive session meeting minutes of February 10, 2021.

This action approves the executive session meeting minutes of February 10, 2021.

5. **Approving Bills and Claims**  
Recommended Action: Approve the bills and claims in the amount of \$801,387.47.

This action approves the bills in claims in the amount of \$801,387.47 as follows: bills and claims checks dated February 1, 2021, in the amount of \$610,264.96; payroll checks dated February 4, 2021, in the amount of \$40,074.67; and bills and claims checks dated February 8, 2021, in the amount of \$151,047.84.

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

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

#### **ITEMS CONSIDERED SEPARATE FROM CONSENT**

4. **Minutes of City Council Regular Meeting of February 16, 2021**  
Recommended Action: Approve the regular meeting minutes of February 16, 2021.

Councilmember Landry requested that “members of the public” be added to the public speaker portion of the minutes for item eight, to clarify that those speakers were not a member of staff.

Deputy City Clerk Sanders noted the revision.

**M/S: Landry/Bybee – that the City Council approve the regular meeting minutes February 16, 2021 as amended. The motion was adopted by the following roll call vote:**

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

6. **Resolution Commending Donna Rice for Thirty-Seven Years of Service to the City of Campbell (Resolution/Roll Call Vote)**

Recommended Action: That the City Council adopts a resolution commending Donna Rice upon her retirement after thirty-seven years of dedicated service to the City of Campbell.

Council gave their individual congratulatory comments to Donna Rice upon her retirement and thanked her for all her committed service to the City of Campbell and at the Adult Center.

Recreation Coordinator, Donna Rice thanked the Council and her fellow staff for all their support through the years and spoke of her time working at the Adult Center.

**M/S: Bybee/Resnikoff – That the City Council adopt resolution 12679 commending Donna Rice upon her retirement after thirty-seven years of dedicated service to the City of Campbell. The motion was adopted by the following roll call vote:**

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

**PUBLIC HEARINGS AND INTRODUCTION TO ORDINANCES**

7. **Continued Public Hearing to Consider a City-Initiated Zoning Code Amendment (PLN2018-163) Adding New Chapter 21.45 (Temporary Use Permits) to the Campbell Municipal Code and Amending Various Other Sections of Title 21 and Title 5 of the Campbell Municipal Code Pertaining to the Permitting and Regulation of Temporary Uses on Private Property and the Associated Rescission of City Council Policy 9.8 (Approval of Temporary Permits for Christmas Tree and Pumpkin Sales). (Ordinance/Resolution/Roll Call Vote)**

Recommended Action: The Planning Commission recommends that the City Council take the following actions (1) Take first reading and introduce an ordinance adding new Chapter 21.45 (Temporary Use Permits) to the Campbell Municipal Code and amending various other sections of Title 21 and Title 5 of the Campbell Municipal Code pertaining to the permitting and regulation of temporary uses on private property; a (2) Adopt a resolution rescinding City Council Policy 9.8 (Approval of Temporary Permits for Christmas Tree and Pumpkin Sales).

This is the time and place for a public hearing to consider a City-Initiated Zoning

Code Amendment (PLN2018-163) adding new Chapter 21.45 (Temporary Use Permits) to the Campbell Municipal Code and amending various other sections of Title 21 and Title 5 of the Campbell Municipal Code pertaining to the permitting and regulation of temporary uses on private property and the associated rescission of City Council Policy 9.8 (Approval of Temporary Permits for Christmas Tree and Pumpkin Sales).

Senior Planner Fama presented a staff report dated March 2, 2021.

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

Ken Johnson, Executive Director of the Campbell Chamber of Commerce stated support of the proposed Ordinance.

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

**M/S: Landry/Bybee – That the City Council take first reading and introduce ordinance 2270 adding new Chapter 21.45 (Temporary Use Permits) to the Campbell Municipal Code and amending various other sections of Title 21 and Title 5 of the Campbell Municipal Code pertaining to the permitting and regulation of temporary uses on private property; and adopt resolution 12680 rescinding City Council Policy 9.8 (Approval of Temporary Permits for Christmas Tree and Pumpkin Sales). The motion was adopted by the following roll call vote:**

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

Deputy City Clerk Sanders read the title of Ordinance 2270.

**M/S: Bybee/Lopez - That the City Council waive further reading of Ordinance 2270. The motion was adopted by the following roll call vote:**

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

**8. North of Campbell Avenue (NOCA) General Plan Amendment (Resolution/Roll Call Vote)**

Recommended Action: That the City Council take the following action: Adopt a Resolution, approving a City-Initiated General Plan Amendment (PLN-2020-151) to the North of Campbell Avenue Area (NOCA) plan and related sections of the General Plan to incorporate Objective Standards and procedures in accordance with recent changes to state law.

This is the time and place to consider approving a City-Initiated General Plan Amendment (PLN-2020-151) to the North of Campbell Avenue Area (NOCA) plan and related sections of the General Plan to incorporate Objective Standards and procedures in accordance with recent changes to state law.

Senior Planner Rose presented a staff report dated March 2, 2021.

After discussion, **M/S: Landry/Bybee – That the City Council adopt Resolution 12681 approving a City-Initiated General Plan Amendment (PLN-2020-151) to the North of Campbell Avenue Area (NOCA) plan and related sections of the General Plan to incorporate Objective Standards and procedures in accordance with recent changes to state law. The motion was adopted by the following roll call vote:**

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

## **COUNCIL COMMITTEE REPORTS**

### **9. Council Committee Reports**

Recommended Action: Report on committee assignments and general comments.

--Councilmember Landry attended the Recycling and Waste Reduction Commission of SCC.

--Councilmember Lopez attend the Campbell Museum's History Happy Hour event.

--Vice Mayor Resnikoff attended the John D. Morgan Park playground groundbreaking ceremony.

--Mayor Gibbons attended the Campbell Historical Museum & Ainsley House Foundation meeting; attended an Early Settlers event at the Campbell Chamber of Commerce; attended the City Attorney Performance/Compensation Subcommittee meeting; the City Clerk Performance/Compensation Subcommittee meeting; the City Manager Performance/Compensation Subcommittee meeting; the Silicon Valley Clean Energy JPA Board of Director meeting; and the West Valley Mayors and Managers meeting.

## **ADJOURN**

Mayor Gibbons adjourned the meeting at 8:43 p.m.

APPROVED:

ATTEST:

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Elizabeth 'Liz' Gibbons, Mayor

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Andrea Sanders, Deputy City Clerk