

# CITY COUNCIL MINUTES

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



## REGULAR MEETING OF THE CAMPBELL CITY COUNCIL

Tuesday, March 17, 2020 - 7:30 p.m.

City Hall Council Chamber – 70 N. First Street

This City Council meeting was duly noticed pursuant to open meeting requirements of the Ralph M. Brown Act (G.C. Section 54956).

This meeting was recorded and can be viewed in its entirety at [www.cityofcampbell.com/agendacenter](http://www.cityofcampbell.com/agendacenter).

### CALL TO ORDER

The City Council of the City of Campbell convened this day in the regular meeting place, the City Hall Council Chamber, 70 N. First St., Campbell, California.

### ROLL CALL

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

### PLEDGE OF ALLEGIANCE

Mayor Landry led the Pledge of Allegiance.

### SPECIAL PRESENTATIONS AND PROCLAMATIONS

There were no special presentations or proclamations.

### COMMUNICATIONS AND PETITIONS

There were no communications or petitions.

### ORAL REQUESTS

There were no oral requests.

### COUNCIL ANNOUNCEMENTS

The City of Campbell continues to work closely with our partnering agencies to monitor how the coronavirus is impacting our communities. We are continuously monitoring the information provided by the U.S. Centers for Disease Control and reviewing guidance provided by the County's Public Health Department.

The City of Campbell has implemented a 30-day rolling plan period. During this period, the City will continue to proactively take steps to prioritize the health and safety of our employees and community members. Our focus is to maintain essential services and keep you informed.

Information is frequently changing. Please visit the City's website at [www.campbellca.gov](http://www.campbellca.gov) for up-to-date information on COVID-19, adjusted City services, canceled events, Police Department services, the Campbell Community Center, and Business Resources.

### **CONSENT CALENDAR**

Mayor Landry asked if any Councilmember or anyone in the audience wished to remove any item from the Consent Calendar.

City Manager Loventhal asked to pull item six for discussion.

The Consent Calendar was considered as follows:

1. **Minutes of City Council Regular Meeting of March 3, 2020**  
Recommended Action: Approve the regular meeting minutes of March 3, 2020.

This action approves the regular meeting minutes of March 3, 2020.

2. **Approving Bills and Claims**  
Recommended Action: Approve the bills and claims in the amount of \$1,245,960.58.

This action approves the bills and claims in the amount of \$1,245,960.58 as follows: bills and claims checks dated February 17, 2020, in the amount of \$1,045,785.49; payroll checks dated February 20, 2020, in the amount of \$33,910.45; and bills and claims checks dated February 24, 2020, in the amount of \$166,264.64.

3. **Resolution Approving an Updated Salary Schedule Effective January 13, 2020 (Resolution/Roll Call Vote)**  
Recommended Action: That the City Council adopt by resolution an updated Salary Schedule effective January 13, 2020.

Resolution 12569 approves an updated Salary Schedule effective January 13, 2020.

4. **Accept Improvements for Eden Avenue Sidewalk Improvements Project 18-MM, File Notice of Completion, and Approve a Budget Adjustment (Resolution/Roll Call Vote)**

Recommended Action: That the City Council adopt a resolution accepting construction of the improvements for the Eden Avenue Sidewalk Improvements Project No. 18-MM; direct the City Engineer to file the Notice of Completion; and authorize the Finance Director to issue a budget adjustment.

Resolution 12570 accepts construction of the improvements for the Eden Avenue Sidewalk Improvements Project No. 18-MM; directs the City Engineer to file the Notice of Completion; and authorizes the Finance Director to issue a budget adjustment.

5. **Resolution Commending Vince Huppe for 31 Years of Outstanding Service (Resolution/Roll Call Vote)**

Recommended Action: That the City Council adopt a resolution commending Vince Huppe for thirty-one years of outstanding service to the City of Campbell.

Resolution 12571 commends Vince Huppe for thirty-one years of outstanding service to the City of Campbell.

7. **Second Reading of Ordinance 2264 Major Modification (PLN2019-238) to a Previously-Approved Planned Development Permit (PLN2018-178) to Allow Three Accessory Dwelling Units (ADUs) Within an Approved Six-Lot Single-Family Residential Planned Development, for Properties Located at 100-300 Haymarket Court (Formally 880 and 910 Harriet Avenue) (Ordinance/Roll Call Vote)**

Recommended Action: That the City Council approve the second reading and adopt Ordinance 2264 approving a Major Modification (PLN2019-238) to a previously approved Planned Development Permit (PLN2018-178).

Ordinance 2264 approves a Major Modification (PLN2019-238) to a previously approved Planned Development Permit (PLN2018-178).

8. **Resolution Ratifying and Continuing the Proclamation of Existence of a Local Emergency Related to Coronavirus Disease 2019 (Resolution/Roll Call Vote)**

Recommended Action: That the City Council adopt a resolution ratifying the Director of Emergency Services' proclamation on March 12, 2020, of the existence of a local emergency resulting from community spread of the coronavirus, also known as COVID-19 in the City of Campbell.

Resolution 12572 ratifies the Director of Emergency Services' proclamation on March 12, 2020, of the existence of a local emergency resulting from community spread of the coronavirus, also known as COVID-19 in the City of Campbell and includes a desk item.

**M/S: Gibbons/Bybee - that the City Council approve the consent calendar with the exception of item six and including a desk item for item eight. The motion was adopted by the following roll call vote:**

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

**ITEMS PULLED FROM CONSENT**

6. **Second Reading of Ordinances 2262 Approving a Zoning Map Amendment (PLN2017-381) to Change the Zoning District Designation from C-M (Controlled Manufacturing) to P-D (Planned Development); and Ordinance 2263 Approving a Planned Development Permit (PLN2017-3814) for Construction and Operation of a 161,870-Square-Foot, Four-Story Office Building a 146,478- Square-Foot, Five-Story Parking Garage (With One Level of Underground Parking). Additional Surface Parking, and On-Site Open Space on Property Located at 1700 Dell Avenue (Ordinances/Roll Call Vote)**

Recommended Action: That the City Council approve the second reading and adoption of Ordinance 2262 approving a Zoning Map Amendment; and Ordinance 2263 approving a Planned Development Permit with Site and Architectural Review.

City Attorney Seligmann stated that there was a discrepancy between the landscape plan and the engineering plans in regards to the location of the gate for the onsite park that is part of the development.

Derrick Larson, a representative from Dollinger Properties, spoke about the location of the gate, stating that the change of location was reflected on the architectural and civil plans, and though it was not shown on the landscape plans, the intent was to install the gate only at the City’s access path, not to the Water District Property.

**M/S: Gibbons/Waterman - that the City Council approve the second reading and adoption of Ordinance 2262 approving a Zoning Map Amendment; and Ordinance 2263 approving a Planned Development Permit with Site and Architectural Review. The motion was adopted by the following roll call vote:**

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

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

There were no agenda items.

## **NEW BUSINESS**

There were no agenda items.

## **COUNCIL COMMITTEE REPORTS**

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

Recommended Action: Report on committee assignments and general comments.

Councilmember Resnikoff requested that the Council not have any closed-door sessions and stated that going into a closed-door session under the terms of the County Health directive is wrong, believes this item is non-essential, and should be postponed. He asked the Mayor to make a decision to postpone the closed session and stated absent the postponement he does not want to attend.

Councilmember Waterman agreed, did not think this is appropriate, and stated that he would not be attending either.

Mayor Landry stated that they will be complying with the Health Department codes, maintaining social separation in the room, and is not willing to cancel the meeting.

Vice Mayor Gibbons spoke about the Governor's moratorium on evictions, stating that it allows cities to write their own ordinances and requested that Council direct staff to further investigate and, if necessary, come back with an ordinance protecting residential and commercial buildings from evictions.

Mayor Landry asked the City Attorney on the protocol for her to second the motion.

City Attorney Seligmann stated that the suggested protocol is to hand the gavel over to the next in line.

Mayor Landry stated that Vice Mayor Gibbons made the motion so it would go to Councilmember Bybee.

Councilmember Bybee requested clarification on the motion.

Vice Mayor Gibbons stated her motion was to ask staff to investigate and put on a future Council meeting the appropriate ordinances for eviction moratorium on residential and businesses and clarify the Governor's order.

After discussion, the motion failed by the following roll call vote:

<b>RESULT:</b>	<b>FAILED [2 TO 3]</b>
<b>MOVER:</b>	Gibbons
<b>SECONDER:</b>	Landry
<b>AYES:</b>	Gibbons, Landry
<b>NAYS:</b>	Waterman, Resnikoff, Bybee

**ADJOURN**

Mayor Landry adjourned the meeting at 7:55 p.m.

City Attorney Seligmann stated that the City Council will now convene in Executive Session pursuant to items A and D on the agenda.

APPROVED:

ATTEST:

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Susan M. Landry, Mayor

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Wendy Wood, City Clerk

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**CITY COUNCIL EXECUTIVE SESSION**

**Tuesday, March 17, 2020**

**\*\* Immediately following the Regular City Council meeting  
Ralph Doetsch Conference Room – 70 N. First Street**

- A. **Personnel** – Pursuant to G.C. Section 54957: Public Employee Performance Evaluation – City Clerk
- B. **Litigation**
- C. **Real Property**
- D. **Labor Negotiations** - Pursuant to G.C. Section 54957.6: Conference with Labor Negotiator - Agency Designated Representatives: City Clerk Performance/Compensation Subcommittee Members Anne Bybee and Susan M. Landry  
Unrepresented Employee: City Clerk

The City Council convened in Executive Session at approximately 8:00 p.m. to discuss items A and D (Councilmember Waterman and Councilmember Resnikoff were absent). City Manager Brian Loventhal, and City Attorney Bill Seligmann were in attendance. Executive Session adjourned at approximately 8:15 p.m.