

CITY COUNCIL MINUTES

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



REGULAR MEETING OF THE CAMPBELL CITY COUNCIL

Tuesday, July 7, 2020 7:30 p.m.

City Hall Council Chamber – 70 N. First Street

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

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

CALL TO ORDER

The City Council of the City of Campbell convened on the regularly scheduled day of July 7, 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

Tim Hegstrom read a letter from the Campbell Ministerial Association requesting a rent moratorium in Campbell.

Mayor Landry provided the following statement:

As a community and as a nation, we have been enduring incredibly challenging times. Over the past 4 months, the COVID-19 virus has had detrimental impacts on every aspect of our lives. It required everyone to come together by following the guidance to 'Stay at Home.' While not yet over and as extremely difficult as this has been, we need everyone to hang in there for just a little longer.

We are also facing even more challenges related to the recent tragic death of George Floyd and others. It is important to recognize that this incident has caused a tremendous amount of pain. As we listen to people's peaceful expressions voiced by protesting and hear their messages, it has created an inflection point. This is a call to action, for each of us, to the best of our ability, to become part of the solution. I believe we have a responsibility to work together.

As such, the City's will be providing a venue for your voice as we review our policies. Over the next several months the City will be engaging the public to hear from people about any concerns they may have regarding our Police Department and their services to our community. We encourage sharing your ideas as the community comes together towards a common cause. Thank you, everyone.

COUNCIL ANNOUNCEMENTS

You are invited to the City of Campbell's annual State of the City Address. Please join Mayor Landry virtually, to discuss the current State of the City, recent accomplishments, and information on upcoming projects. The State of the City address will be held at 6:30 p.m. on Wednesday, July 29. Learn how to participate by visiting www.campbellca.gov/virtualsotc.

The City of Campbell will be holding a General Municipal Election, consolidated with the Statewide General Election, on Tuesday, November 3, 2020, to elect one Councilmember for District 1, and one Councilmember for District 2, each to a full four (4) year term. The nomination period opens Monday, July 13, 2020 and will close Friday, August 7, 2020. Nomination paperwork will be available during that time in the Office of the City Clerk by appointment only. For more information, please contact the Clerk's Office at (408) 866-2117 or at clerksoffice@campbellca.gov.

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 US 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.

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

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

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

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

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

CONSENT CALENDAR

Mayor Landry asked if anyone wished to remove an item from the Consent Calendar.

Councilmember Resnikoff pulled Item four.

Vice Mayor Gibbons pulled Items 10 and 11.

The Consent Calendar was considered as follows:

1. **Minutes of City Council Special Meeting of June 9, 2020**
Recommended Action: Approve the special meeting minutes of June 9, 2020.

This action approves the special meeting minutes of June 9, 2020.

2. **Minutes of City Council Special Meeting of June 16, 2020**

Recommended Action: Approve the special meeting minutes of June 16, 2020.

This action approves the special meeting minutes of June 16, 2020.

3. **Minutes of City Council Study Session Meeting of June 16, 2020**

Recommended Action: Approve the study session meeting minutes of June 16, 2020.

This action approves the study session meeting minutes of June 16, 2020.

5. **Approving Bills and Claims**

Recommended Action: Approve the bills and claims in the amount of \$643,278.32.

This action approves the bills and claims in the amount of \$643,278.32 as follows: payroll checks dated May 28, 2020, in the amount of \$73,357.04; bills and claims checks dated May 1, 2020, in the amount of \$135,301.45; Bills and claims checks date June 8, 2020, in the amount of \$207,618.99; payroll checks dated June 11, 2020, in the amount of \$23,946.98; and bills and claims checks date June 15, 2020, in the amount of \$203,053.86.

6. **Second Reading of Ordinance 2265 Amending Chapter 6.12 of the City of Campbell Municipal Code (Ordinance/Roll Call Vote)**

Recommended Action: That the City Council approve the second reading and adopt Ordinance 2265 to amend Chapter 6.12 of the Municipal Code to update the required diversion rate of construction and demolition debris.

Ordinance 2265 amends Chapter 6.12 of the Municipal Code to update the required diversion rate of construction and demolition debris.

7. **Resolution Declaring the Month of July as Parks Make Life Better (Resolution/Roll Call Vote)**

Recommended Action: It is recommended that the City Council adopt a resolution recognizing July as Parks Make Life Better month.

Resolution 12603 recognizes July as Parks Make Life Better month.

8. **Authorizing the City Manager to Execute an Agreement with MoonChef, LLC, to Provide Catered Meals for the Senior Nutrition Program for FY 2020-2021 (Resolution/Roll Call Vote)**

Recommended Action: It is recommended that the City Council adopt a resolution authorizing the City Manager to execute an Agreement with MoonChef, LLC, to provide catered meals for the Senior Nutrition Program during FY 2020-2021.

Resolution 12604 authorizes the City Manager to execute an Agreement with MoonChef, LLC, to provide catered meals for the Senior Nutrition Program during FY 2020-2021.

9. **Authorize the City Manager to Execute an Agreement with Bateman Community Living, LLC to Provide Catered Meals for the Senior Nutrition Program 20-21 (Resolution/Roll Call Vote)**

Recommended Action: It is recommended that the City Council adopt a resolution authorizing the City Manager to execute the Agreement with Bateman Community Living, LLC, to provide catered meals for the Senior Nutrition Program for FY 20-21.

Resolution 12605 authorizes the City Manager to execute the Agreement with Bateman Community Living, LLC, to provide catered meals for the Senior Nutrition Program for FY 20-21.

M/S: Waterman/Resnikoff – that the City Council approve the consent calendar with the exception of items four, ten and eleven. The motion was adopted by the following roll call vote:

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

ITEMS PULLED FROM CONSENT

4. **Minutes of City Council Regular Meeting of June 16, 2020**

Recommended Action: Approve the regular meeting minutes of June 16, 2020.

Councilmember noted that item six of the minutes should include the comment that the recruitment be written to include a diverse pool of applicants.

M/S: Resnikoff/Gibbons – that the City Council approve the regular meeting minutes of June 16, 2020. The motion was adopted by the following roll call vote:

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

10. **Authorization to Issue a Request for Proposals for New Janitorial Service Contracts for City Owned Buildings (City Hall, Police Annexation, Historical Museum, 2nd Street Garage and the City Service Center) (Resolution/Roll Call Vote)**

Recommended Action: It is recommended that the City Council adopt a resolution to authorize the Public Works Director to initiate a Request for Proposals for janitorial services for City Owned Buildings, with services beginning August 8, 2020; and authorize the Public Works Director to execute a contract to the most responsive bidder(s) for a period of eleven (11) months plus options to renew five (5) additional one (1) year contracts for a total of five (5) years and eleven (11) months.

Vice Mayor Gibbons commented that there are new cleaning standards issued by the CDC and that those requirements should be included in the agreement as well as the contract extension.

M/S: Gibbons/Resnikoff - that the City Council adopt Resolution 12606 to authorize the Public Works Director to initiate a Request for Proposals for janitorial services for City Owned Buildings, with services beginning August 8, 2020; and authorize the Public Works Director to execute a contract to the most responsive bidder(s) for a period of eleven (11) months plus options to renew five (5) additional one (1) year contracts for a total of five (5) years and eleven (11) months including the addition of the CDC cleaning requirements to the contract. The motion was adopted by the following roll call vote:

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

11. **Pruneyard Cinemas Live Entertainment Permit (Resolution/Roll Call Vote)**
Recommended Action: That the City Council adopt a resolution approving a Live Entertainment Permit for Pruneyard Cinemas LLC for the recommended hours.

Vice Mayor Gibbons asked about the Pruneyard Master Use Permit.

Community Development Director Kermoyan provided clarification.

M/S: Gibbons/Bybee – that the City Council adopt Resolution 12607 approving a Live Entertainment Permit for Pruneyard Cinemas LLC for the recommended hours. The motion was adopted by the following roll call vote:

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

PUBLIC HEARINGS AND INTRODUCTION OF ORDINANCES

12. **Approval of FY 2021 Schedule of Fees and Charges (Resolution/Roll Call Vote)**

Recommended Action: That the City Council approve a resolution adopting the FY 2021 Schedule of Fees and Charges to be effective July 8, 2020.

This is the time and place for a public hearing to consider approval of the FY 2021 Schedule of Fees and Charges.

Mayor Landry stated that in the interest of time, there would be no staff report presentation, but that staff is available for questions.

Mayor Landry referenced the desk item.

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

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

Council discussed the Heritage Theatre credit card processing fee.

Acting Recreation and Community Services Director Bissell provided clarification.

M/S: Bybee/Gibbons – that the City Council approve Resolution 12608 adopting the FY 2021 Schedule of Fees and Charges to be effective July 8, 2020 including the desk item and the amendment to the percent charged for the credit card transaction processing fee for the Heritage Theatre. The motion was adopted by the following vote:

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

13. **Public Hearing and Introduction of an Ordinance Amending Provisions of the Campbell Municipal Code to Revise the Business License Tax Rates with No Increases in Fiscal Year (FY) 2021 (Ordinance/Roll Call Vote)**

Recommended Action: That the City Council take a first reading of an Ordinance amending provisions of the Municipal Code to revise the business license tax rates with no increases in Fiscal Year (FY) 2021.

This is the time and place for a public hearing to consider an Ordinance Amending Provisions of the Campbell Municipal Code to Revise the Business License Tax Rates with No Increases in Fiscal Year (FY) 2021.

In the interest of time a staff report presentation was not given.

Mayor Landry opened the public hearing and asked if anyone from the public

wished to be heard.

There being no one Mayor Landry closed the public hearing.

City Attorney Seligmann stated that if the Council did not wish to raise the Business License Tax Rates that no action needed to be taken.

There was consensus among the Council to not increase the rates.

No further action was taken.

14. **Direction Regarding Potential Adjustment to City Council Compensation Amount**

Recommended Action: That the City Council provide direction to staff on whether it would like to adjust City Council compensation and return with an Ordinance setting the amount of the compensation adjustment, within the limits set forth by government code.

This is the time and place for a public hearing to consider potential adjustment to the City Council Compensation.

Council discussed not increasing the Council compensation and a possible reduction in compensation

Mayor Landry opened the public hearing and asked if anyone from the public wished to be heard.

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

M/S: Gibbons/Waterman – that there be no increase to the City Council compensation this year. The motion was adopted by the following roll call vote:

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

Vice Mayor Gibbons made a motion that the City Council take a voluntary 5% cut in the current salary.

The motion failed due to lack of a second.

UNFINISHED BUSINESS

15. **Continue Discussion of Outdoor Dining and Retail Sales on Public Property as Part of the City’s Efforts to Support the Business Community**

Recommended Action: Provide direction to staff on the potential use of Campbell Avenue as expansion to outdoor dining areas for Downtown Campbell businesses.

Economic Development Specialist Thomas presented a staff report dated July 7, 2020.

Ken Johnson, Executive Director of the Campbell Chamber of Commerce gave a summary of downtown business owners views on the street closure of the downtown streets.

Public Works Director Capurso and Police Chief Berg provided additional information about the downtown street closures.

Council discussed closing the main downtown streets in order to expand outdoor dining and keeping the cross streets open. They also discussed a street closure a trial period and use of the parking lot by Blue Line Pizza.

City Manager Loventhal provided additional information and stated that staff can return with a Resolution detailing the process.

M/S: Waterman/Resnikoff – that the City Council return with a Resolution committing to one month of a street closure on Campbell Avenue and leaving the side streets open with a review midway and authorize staff to make changes to the process as needed. The motion was adopted by the following roll call vote:

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

The City Council took a five minute recess and reconvened at 9:21 p.m.

16. **Measure O - New Police Operations Building and Campbell Library Improvements Kickoff Meetings and Project Updates**

Recommended Action: That the City Council conduct project kickoff meetings with design consultants, LPA, Inc. and Jayson Architecture, for the Measure O - New Police Operations Building and Campbell Library Improvements; consider project related questions herein to provide guidance and feedback; and receive project documents and updates from staff.

Project Manager Kim gave a brief introduction on the item.

Abraham Jayson of Jayson Architecture gave a presentation on the Library design scope and schedule.

Council provided general input on design ideas to the Consultants such as possible museum display cases, providing a “patron experience”, having the building exterior match the surrounding buildings, door and elevator placement, and parking layout.

Council had a general consensus to waive the City’s Planning and Building Permit fees for the Library building project and using Measure O funds for outside consultant services but not for internal staff time related to the project.

City Attorney Seligmann provided clarification that this project is not required to go through the standard planning process.

Councilmember Resnikoff recused himself from this portion of the item due to proximity of his home to the project location.

Jeremy Hart, Design Director of LPA gave a presentation on the Police design, scope and services.

Council had a general consensus to waive the City’s Planning and Building Permit fees for the Police building project and using Measure O funds for outside consultant services but not for internal staff time related to the project.

Council provided feedback such as having the building aesthetics match the surrounding area, minimizing the schedule, looking into grants for budget savings, functionality, Green or sustainable features, parking, and landscaping.

Council discussed environmental services and the Request for Proposals (RFP) for the Measure O program.

Councilmember Waterman left the meeting.

NEW BUSINESS

Councilmember Resnikoff returned to the meeting.

17. Proposed Modifications to the Community Center Building Use Policy (Resolution/Roll Call Vote)

Recommended Action: That the City Council adopt a resolution to approve the attached modifications to the Community Center’s Building Use Policy making it effective July 8, 2020 in coordination with the effective fee schedule.

Acting Recreation and Community Services Director Bissell presented a staff report dated July 7, 2020 and noted minor updates relating to time frames and designers’ for decision making purposes.

M/S: Bybee/Resnikoff – that the City Council adopt Resolution 12609 approving modifications to the Community Center’s Building Use Policy

making it effective July 8, 2020 in coordination with the effective fee schedule including the minor updates provided. The motion was adopted by the following roll call vote:

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

18. **Proposed Modifications to the Park, Field & Athletic Facility Use Policy (Resolution/Roll Call Vote)**

Recommended Action: That the City Council adopt a resolution to approve the proposed modifications to the Park, Field & Athletic Facility Use Policy to be effective July 8, 2020 in coordination with the FY 20-21 fee schedule.

Acting Recreation and Community Services Director Bissell presented a staff report dated July 7, 2020.

M/S: Gibbons/Bybee – that the City Council adopt Resolution 12610 to approve the proposed modifications to the Park, Field & Athletic Facility Use Policy to be effective July 8, 2020 in coordination with the FY 20-21 fee schedule. The motion was adopted by the following roll call vote:

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

COUNCIL COMMITTEE REPORTS

19. **Council Committee Reports**

Recommended Action: Report on committee assignments and general comments.

Due to the late hour this item was not heard.

ADJOURN

Vice Mayor Gibbons requested to close the meeting with thoughts of all those that have died in violence this week and all those that have died of COVID this week.

Mayor Susan Landry, adjourned the meeting at 11:03 p.m.

APPROVED:

ATTEST:

Susan M. Landry, Mayor

Andrea Sanders, Deputy City Clerk