

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

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.

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

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:

ATTEST:

Susan M. Landry, Mayor

Andrea Sanders, Deputy City Clerk