

CITY COUNCIL MINUTES

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



REGULAR MEETING OF THE CAMPBELL CITY COUNCIL

Tuesday, May 18, 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 May 18, 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

Attendee Name	Title	Status
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

Amy Olay, City Engineer and representative of the Asian American and Pacific Islander (AAPI) community led the Pledge of Allegiance.

SPECIAL PRESENTATIONS AND PROCLAMATIONS

1. **Proclamation Declaring May 2021 as Asian American and Pacific Islander (AAPI) Heritage Month**

Recommended Action: It is recommended that the City Council approve a proclamation declaring May 2021 as Asian American and Pacific Islander (AAPI) Heritage Month.

Mayor Gibbons proclaimed May 2021 as Asian American and Pacific Islander (AAPI) Heritage Month.

Amy Olay, City Engineer accepted the proclamation on behalf of the AAPI community and thanked the Council for their recognition and support.

Councilmember Lopez thanked the Council for presenting this proclamation and noted that it has been nearly forty years since the death of Vincent Chin in what is now known as a hate crime, which started the push for increased legislation to combat hate crimes against the Asian American community.

COMMUNICATIONS AND PETITIONS

There were no communications or petitions.

ORAL REQUESTS

There were no oral requests.

COUNCIL ANNOUNCEMENTS

COVID-19 vaccinations have been expanded to include youth ages 12 to 15. All County Health System mass vaccination sites and all general community-based mobile sites will be able to accommodate the newly approved age group to administer the vaccine. Appointments can be scheduled through the County's website www.sccfreevax.org.

Public health officials continue to remind the public that testing is critical. For those who may have been exposed to the virus, testing remains free, easy, and confidential. Appointments by drop-in, drive-through or walk-up are available seven days a week. Residents can book an appointment for the Fairgrounds or the various rotating city sites. Please visit www.sccfreetest.org for more information.

If you need assistance finding food, paying household bills, seeking available resources or other essential services, please visit www.211.org or www.needhelp-payingbills.com.

The Small Business Administration (SBA) is accepting applications from eligible applicants that have experienced pandemic related revenue loss, through the federal government's \$28.6 billion Restaurant Revitalization Fund. The SBA is currently prioritizing funding applications from businesses owned and controlled by women, veterans, and socially and economically disadvantaged individuals through May 23, 2021. All other eligible applicants will be able to apply on or after May 24, 2021. For more information, please visit www.SBA.gov/restaurants.

There is a free Disaster Resilient Business (DRB) webinar available. Join the business resiliency organization DRB for a free resilient workplace webinar for Northern California small businesses and non-profits on Thursday, May 20, 2021 from 10:00 a.m. - 11:30 a.m. The DRB, Federal Emergency Management Agency (FEMA) and Cal Office of

Emergency Services (CAL OES) will cover how businesses can be more resilient to potential catastrophic business interruptions and improve crisis decision making. Spaces are limited and attendees will receive a free tool kit. Register for free at www.DRBtoolkit.org/norcal/.

The Cities Association of Santa Clara County invites you to register for its "Let's Talk About Race!" webinar on Thursday, May 20, 2021 7:00 p.m. – 9:00 p.m. The panelists will discuss how we can build a more inclusive County and will feature Lecia Brooks, Chief of Staff at the Southern Poverty Law Center and former Chief Workplace Transformation Officer. Register online at www.bit.ly/CASCCpanel.

Summer registration is now open for camps, classes and much more at the Campbell Community Center. The Community Center pool is open by reservation only. Lanes are booked three weeks in advance. Hourly rentals will be available from 12:00 p.m. to 1:00 p.m. or 1:15 p.m. to 2:15 p.m. on Sundays only. The reservations for June 13, 2021 will open this Sunday. For more information, please visit www.campbellca.gov/recreation.

Campbell Museum presents “History of Moffett Field” on Friday, May 21 from 6:00 p.m. – 7:00 p.m. via Zoom. There is a \$10 registration fee. To register, please visit www.Campbellmuseums.com.

Campbell Library’s new temporary facility is located at One W. Campbell Avenue in Building E, next to the Orchard City Banquet Hall and will open Monday, May 24, 2021. The new facility will offer expanded hours to accommodate your busy schedule. The service hours will be Monday – Thursday, 10:00 a.m. – 9:00 p.m. and Friday – Saturday, 10:00 a.m. – 6:00 p.m. The library is closed on Sunday and on all County holidays. Patrons can pick up holds, browse a limited collection and use the public computer and printer. Items can be returned through a book drop at the front of the building starting May 24, 2021. For more information, please visit www.scclld.org.

The City of Campbell offices will be closed on Monday, May 31, 2021, in observance of Memorial Day. Limited essential services to the public will reopen on Tuesday, June 1, 2021. The Campbell Police Department, along with other critical City services, will continue to provide emergency and essential services to the community.

CONSENT CALENDAR

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

Items 10 and 11 were pulled from the Consent Calendar.

The Consent Calendar was considered as follows:

- Minutes of City Council Executive Session Meeting of April 15, 2021.**
Recommended Action: Approve the Executive Session meeting minutes of April 15, 2021.

This action approves the Executive Session meeting minutes of April 15, 2021.

3. **Minutes of City Council Study Session Meeting of April 28, 2021.**

Recommended Action: Approve the Study Session meeting minutes of April 28, 2021.

This action approves the Study Session meeting minutes of April 28, 2021.

4. **Minutes of City Council Executive Session Meeting of April 30, 2021.**

Recommended Action: Approve the Executive Session meeting minutes of April 30, 2021.

This action approves the Executive Session meeting minutes of April 30, 2021.

5. **Minutes of City Council Regular Meeting of May 4, 2021.**

Recommended Action: Approve the regular meeting minutes of May 4, 2021.

This action approves the regular meeting minutes of May 4, 2021.

6. **Approving Bills and Claims**

Recommended Action: Approve the bills and claims in the amount of \$1,109,694.73.

This action approves the bills and claims in the amount of \$1,109,694.73 as follows: payroll checks dated April 15, 2021, in the amount of \$122,971.19; bills and claims checks dated April 19, 2021, in the amount of \$670,555.64; and bills and claims checks dated April 26, 2021, in the amount of \$316,167.90.

7. **Authorization to Submit Application for California Department of Parks and Recreation, Park and Water Bond Act of 2018 – Per Capita Grant Program for Campbell Park Improvement Project 17-DD (Resolution/Roll Call Vote)**

Recommended Action: That the City Council adopt the Resolution: 1) authorizing the application of funding through the California Department of Parks and Recreation, Park and Water Bond Act of 2018 (Proposition 68) Per Capita Grant Program for the Campbell Park Improvement Project 17-DD; and 2) delegating the City Manager as the designated City representative to submit the application and execute all grant related agreements.

Resolution 12709 authorizes the application of funding through the California Department of Parks and Recreation, Park and Water Bond Act of 2018 (Proposition 68) Per Capita Grant Program for the Campbell Park Improvement Project 17-DD and designates the City Manager as the City representative to submit the application and execute all grant related agreements.

8. **Approval of Transportation Development Act (TDA) Article 3 Grant Application for Fiscal Year 2021/22 (Resolution/Roll Call Vote)**

Recommended Action: That the City Council adopt the Resolution authorizing the Public Works Director to submit a grant application to the Santa Clara Valley Transportation Authority (VTA) for \$42,302 in Transportation Development Act (TDA) Article 3 Guarantee Funds for the Campbell Bicycle and Pedestrian Project Fiscal Year (FY) 2021/22.

Resolution 12710 authorizes the Public Works Director to submit a grant application to the Santa Clara Valley Transportation Authority (VTA) for \$42,302 in Transportation Development Act (TDA) Article 3 Guarantee Funds for the Campbell Bicycle and Pedestrian Project Fiscal Year (FY) 2021/22.

9. **Second Reading of Ordinance 2272 Approving a City-Initiated Text Amendment to the Campbell Municipal Code by Adding Chapter 3.22 to Establish a Standard Procedure for Bid Protest (Ordinance/Roll Call Vote)**
Recommended Action: That the City Council approve the second reading and adopt Ordinance 2272 adding Chapter 3.22 to the Campbell Municipal Code to establish Bid Protest procedures.

Ordinance 2272 adds Chapter 3.22 to the Campbell Municipal Code to establish bid protest procedures.

M/S: Landry/Resnikoff – That the City Council approve the consent calendar with the exceptions of items 10 and 11. The motion was adopted by the following roll call vote:

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

ITEMS CONSIDERED SEPARATE FROM CONSENT

10. **Declaring the Week of May 16-22, 2021 National Public Works Week (Resolution/Roll Call Vote)**
Recommended Action: That the City Council adopt the Resolution declaring the week of May 16-22, 2021, as National Public Works Week.

Vice Mayor Resnikoff thanked the Public Works Department staff for their dedication to the City of Campbell and to their hard work during the pandemic year.

M/S: Resnikoff/Landry – That the City Council adopt Resolution 12711 declaring the Week of May 16-22, 2021 as National Public Works Week. The motion was adopted by the following roll call vote:

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

11. Resolution Commending Angela Locke-Paddon for Her 33 Years of Public Service and 12 Years of Dedicated Service to the City of Campbell (Resolution/Roll Call Vote)

Recommended Action: That the City Council adopt a Resolution commending Angela Locke-Paddon for over 33 years of public service and 12 years of loyal and valuable service to the City of Campbell.

The Council gave congratulatory comments to Angela Locke-Paddon upon her retirement and thanked her for her service to the City of Campbell Police Department.

Police Chief Berg expressed appreciation to Angela Locke-Paddon for her dedicated service to the Police Department and for serving as the department’s “Chief of the Chief”.

M/S: Resnikoff/Landry – That the City Council adopt Resolution 12712 commending Angela Locke-Paddon for over 33 years of public service and 12 years of loyal and valuable service to the City of Campbell. The motion was adopted by the following roll call vote:

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

PUBLIC HEARINGS AND INTRODUCTION OF ORDINANCES

12. Public Hearing to Consider the Application of Kurt Anderson for a Major Modification (PLN-2021-21) to a Previously Approved Planned Development Permit (PD 82-05) to Allow Construction of an Approximately 1,796 Square Foot Addition and Façade Improvements to an Existing One-Story Medical Office Building, a Tree Removal Permit for Removal of Two Trees, and an Authorization to Remove a Dead/Dying Tree for Removal of Five Trees, on Property Located at 429 Llewellyn Avenue in the P-D (Planned Development) Zoning District. (Resolution/Roll Call Vote)

Recommended Action: The Planning Commission recommends that the City Council take the following action: Adopt a Resolution approving a Major Modification (PLN-2021-21) to a previously approved Planned Development Permit (ZC 82-05), a Tree Removal Permit, and an Authorization to Remove Dead/Dying Trees.

This is the time and place for a public hearing to consider the application of Kurt Anderson for a Major Modification (PLN-2021-21) to a previously approved Planned Development Permit (PD 82-05) to allow construction of an approximately 1,796 square foot addition and façade improvements to an existing one-story medical office building, a Tree Removal Permit for removal of two trees, and an authorization to remove a dead/dying tree for removal of five trees, on property located at 429 Llewellyn Avenue in the P-D (Planned Development) Zoning District.

Assistant Planner Healy presented the staff report dated May 18, 2021, and noted that the Planning Commission considered this project at its meeting on April 27, 2021 and recommended approval of the project on a 5-2 vote.

In response to Councilmember Landry's inquiry, Assistant Planner Healy noted that the Building Division will review the building codes prior to issuing building permits which will include an in-depth look at the Americans with Disabilities Act (ADA) accessible parking spaces.

Mayor Gibbons opened the public hearing and asked if anyone from the public wished to speak.

Kurt Anderson, Principal, Anderson Architects, Inc. provided the Council with a report on the project plans for the project at 429 Llewellyn Avenue.

In response to Councilmember Lopez's inquiry, Mr. Anderson stated that the property owner is requesting to add additional square footage to the building to better accommodate the needs of his specific medical practice.

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

Councilmember Landry expressed concerns relating to the plants proposed in the landscape plan and their connectivity to the surrounding neighborhood.

After discussion, Councilmember Landry made a motion to adopt a resolution approving a Major Modification (PLN-2021-21) to a previously approved Planned Development Permit (ZC 82-05), a Tree Removal Permit, and an Authorization to Remove Dead/Dying Trees, and to require the applicant to re-evaluate the landscape plan and parking plan to be submitted to the building department for review and approval during the building permit process.

Motion failed due to lack of a second.

Councilmember Landry modified the motion to adopt a resolution approving a Major Modification (PLN-2021-21) to a previously approved Planned Development Permit (ZC 82-05), a Tree Removal Permit, and an Authorization to Remove Dead/Dying Trees, and to require the applicant to re-evaluate the

landscape plan to better align with the surrounding neighborhood to be approved by the Community Development Director.

Motion failed due to lack of a second.

M/S: Landry/Lopez – That the City Council adopt Resolution 12713 approving a Major Modification (PLN-2021-21) to a previously approved Planned Development Permit (ZC 82-05), a Tree Removal Permit, and an Authorization to Remove Dead/Dying Trees. The motion was adopted by the following roll call vote:

RESULT:	ADOPTED [4 TO 1]
MOVER:	Landry
SECONDER:	Lopez
AYES:	Gibbons, Resnikoff, Bybee, Lopez
NOES:	Landry

13. **Adoption of Ordinance Adding Section 3.20.110 to the Campbell Municipal Code to Establish a Standard Procedure for Hearings on Contractor Responsibility. (Ordinance/Roll Call Vote)**

Recommended Action: Introduce an alternative ordinance adding section 3.20.110 to the Campbell Municipal Code, which subjects subcontractors to the non-responsibility process.

This is the time and place for a public hearing to consider Ordinance 2273 adding section 3.20.110 to the Campbell Municipal Code, which subjects subcontractors to the non-responsibility process.

City Attorney Seligmann presented a staff report dated May 18, 2021, explaining that this ordinance is a revised ordinance to the one that was voted upon at the May 4, 2021 City Council meeting. Staff is recommending this modified version be adopted to more clearly reflect its applicability to sub-contractors.

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

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

M/S: Landry/Bybee – That the City Council introduce Ordinance 2273 adding Section 3.20.110 to the Campbell Municipal Code to establish a standard procedure for hearings on contractor responsibility. The motion was adopted by the following roll call vote:

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

City Clerk Christopherson read the title of Ordinance 2273.

M/S: Bybee/Landry - That the City Council waive further reading of Ordinance 2273. The motion was adopted by the following roll call vote:

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

NEW BUSINESS

There was no new business.

UNFINISHED BUSINESS

There was no unfinished business.

COUNCIL COMMITTEE REPORTS

14. Council Committee Reports

Recommended Action: Report on committee assignments and general comments.

--Councilmember Lopez attended the Valley Transportation Authority (VTA) Policy Action Committee (PAC) which focused on the VTA's business plan goals; the Cities Association is hosting a "Let's Talk About Race" event and the Campbell Museum is hosting a "History of Moffett Field" event.

--Vice Mayor Resnikoff attended the West Valley Solid Waste Authority Joint Powers Authority, the West Valley Clean Water Joint Powers Authority, and the West Valley Sanitation District meetings.

--Councilmember Landry attended the Recycling and Waste Reduction Committee of Santa Clara County meeting.

--Mayor Gibbons reported that this is Housing Month for Santa Clara County, Mayor Gibbons and Councilmember Lopez will serve on the City of Campbell's Ad Hoc Committee for Homeless Issues; attended the Cities Association Legislative Action Committee and reported on Senate Bill (SB)1430; attended the Silicon Valley Clean Energy Joint Powers Authority Board meeting and reported E-Hub is promoting the pay digital and more social ads to increase awareness of resources for customers; and has been attending meetings with Supervisor Ellenberg on general topics including homelessness.

ADJOURN

Mayor Gibbons adjourned the meeting at 8:28 p.m.

The City Council reconvened in Study Session at 8:30 p.m. to continue budget discussions.

APPROVED:

ATTEST:

Elizabeth 'Liz' Gibbons, Mayor

Dusty Christopherson, City Clerk