

CITY COUNCIL MINUTES

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



REGULAR MEETING OF THE CAMPBELL CITY COUNCIL

Tuesday, March 1, 2022 – 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: <https://campbellca.gov/agendacenter> and <https://www.youtube.com/user/CityofCampbell>.

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
Paul Resnikoff	Mayor	Present
Anne Bybee	Vice Mayor	Present
Elizabeth 'Liz' Gibbons	Councilmember	Present
Susan M. Landry	Councilmember	Present
Sergio Lopez	Councilmember	Present

PLEDGE OF ALLEGIANCE

Ann Herosy, Board Member & Disaster Services Volunteer of the Northern California Coastal Region of the American Red Cross Silicon Valley led the Pledge of Allegiance.

SPECIAL PRESENTATIONS AND PROCLAMATIONS

- Proclamation Declaring the Month of March 2022 as “American Red Cross Month” in the City of Campbell**
Recommended Action: That the City Council proclaim the month of March 2022 as “American Red Cross Month” in the City of Campbell.

Mayor Resnikoff read and presented the proclamation declaring the Month of March 2022 as “American Red Cross Month” in the City of Campbell. Councilmembers expressed appreciation to Ms. Herosy and the American Red Cross for their dedicated service to helping their fellow citizens during their time of need.

Ms. Herosy expressed appreciation for the acknowledgement and noted that more than 30 Campbell residents serve on the local region team serving to help during house fires, forest fires, and at blood donation centers among other areas.

COMMUNICATIONS AND PETITIONS

Mayor Resnikoff stated that there were no reportable actions taken at the March 1, 2022 City Council Executive Session meeting.

Mayor Resnikoff stated that in response to multiple resident requests and under the Mayor's authority, the Campbell Water Tower will be lit on March 2, 2022 in blue and yellow in support of Ukraine.

ORAL REQUESTS

There were no oral requests.

COUNCIL ANNOUNCEMENTS

City Hall is once again open to the public for in-person services, Monday - Friday, from 8:00 a.m. to 5:00 p.m. Masks are required. For your convenience, online services such as permits, business license applications and virtual appointments are available online. Visit the City's website at www.campbellca.gov to view information for all City of Campbell departments and services available.

The City Clerk's Office is accepting applications for the Bicycle and Pedestrian Advisory Committee. To find out more about this Committee, or to apply, please contact the City Clerk's Office at (408) 866-2117 or visit the city's website at www.campbellca.gov. The application deadline is Friday, April 8, 2022 at 5:00 p.m.

The AARP Tax Aid Program will provide income tax assistance thru April 15, 2022 at the Campbell Community Center. Clients can drop off and pick up their documents by appointment. Income tax assistance is offered to Campbell residents, 18 and older. For more information, please visit www.campbellca.gov.

High school students are invited to share their stories and solutions to climate change and win scholarship prizes. \$20,000 in scholarships are available through the EmPower Silicon Valley Youth Short-Film Competition. Learn more and register at www.svcleanenergy.org.

CONSENT CALENDAR

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

The Consent Calendar was considered as follows:

- Minutes of City Council Executive Session Meeting of February 15, 2022**
Recommended Action: Approve the Executive Session Meeting minutes of February 15, 2022.

This action approves the City Council Executive Session Meeting minutes of February 15, 2022.

3. **Minutes of City Council Regular Meeting of February 15, 2022**

Recommended Action: Approve the Regular Meeting minutes of February 15, 2022.

This action approves the Regular Meeting minutes of February 15, 2022.

4. **Approving Bills and Claims**

Recommended Action: Approve the bills and claims in the amount of \$1,594,566.21.

This action approves the bills and claims in the amount of \$1,594,566.21 as follows: bills and claims checks dated January 31, 2022, in the amount of \$320,797.81; payroll checks dated February 3, 2022, in the amount of \$107,307.77; and bills and claims checks dated February 7, 2022, in the amount of \$1,166,460.63.

5. **Monthly Investment Transactions Report (December 2021)**

Recommended Action: That the City Council review and accept the Monthly Investment Transactions Report for December 2021.

This action accepts the Monthly Investment Transactions Report for December 2021.

6. **Monthly Investment Transactions Report (January 2022)**

Recommended Action: That the City Council review and accept the Monthly Investment Transactions Report for January 2022.

This action accepts the Monthly Investment Transactions Report for January 2022.

7. **Salary Schedule Updates (Resolution/Roll Call Vote)**

Recommended Action: That the City Council adopt a Resolution updating Salary Schedules for permanent personnel effective January 10, 2022 and temporary personnel effective January 1, 2022.

Resolution 12807 updates the Salary Schedules for permanent personnel effective January 10, 2022 and temporary personnel effective January 1, 2022.

M/S: Landry/Bybee – That the City Council approve the Consent Calendar, including Desk Item 7. The motion was adopted by the following roll call vote:

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

City Council took a recess at 7:41 p.m. and returned at 7:45 p.m. with all members present.

PUBLIC HEARINGS AND INTRODUCTION OF ORDINANCES

8. Public Hearing to Receive Input from the Community and Consider Draft District Maps Submitted for the Redistricting of City Council District Boundaries and for Introduction of an Ordinance Confirming a By-District Election Process in Five Council Districts and Redistricting Said District Boundaries (Ordinance/Roll Call Vote) (Time Certain 7:45 PM)

Recommended Action: That the City Council receive input from the Community on the draft district maps submitted for the Redistricting of City Council district boundaries; and select one of the published district maps; and introduce and take first reading of an ordinance confirming a district boundary map.

This is the time and place for a public hearing to receive input from the community on the draft district maps submitted for the Redistricting of City Council district boundaries, select one of the published district maps, and to consider adoption of an Ordinance confirming a district boundary map for the City of Campbell.

City Clerk Christopherson reviewed the Staff Report dated March 1, 2022 and introduced Dr. Jeff Tilton, NDC, Inc., to review the submitted draft maps and the applicable State and Federal laws that governs the Redistricting process.

Dr. Tilton stated that this public hearing represents the fourth and final public hearing for the City in the redistricting process following completion of the 2020 U.S. Federal Census. Dr. Tilton noted that Federal Law requires districts be population balanced (within 10% deviation), used no discriminatory or gerrymandering processes in their development. State law requires the districts to be geographically contiguous, have undivided neighborhoods, easily identifiable boundaries, and compact districts. Dr. Tilton noted that the 2020 U.S. Census concluded that the City's currently adopted boundaries (formed in 2019) were population balanced and within legal requirements.

Dr. Tilton reviewed the four draft maps (maps 101-104) submitted for consideration, in addition to the City's currently adopted district boundary map. Dr. Tilton noted that map 103 was deemed not population balanced and removed from consideration. Dr. Tilton reviewed the chart provided in the Staff Report relating to the population deviations of each draft map submitted.

In response to inquiries, City Manager Brian Loventhal noted the potential for voter disenfranchisements with maps 102 and 104, and a lesser impact with map 101 as those changes are made between districts 1 and 2.

Mayor Resnikoff opened the public hearing, there being no public comments, the public hearing was closed.

Following discussion, Council confirmed consensus to remove maps 102 and 104 from consideration to limit as much voter disenfranchisement as possible.

Councilmembers expressed appreciation to those who participated in this years redistricting process.

Councilwoman Landry stated that map 101 was submitted by multiple residents of the Campbell Village Neighborhood Association advocating for modifying the district boundary to include Edith Morley Park within the District. Councilwoman Landry stated her support for map 101 and her concern for how a future Council may interpret governance of the various districts.

Following discussion, Councilmembers confirmed consensus for selecting the current district boundary map (originally adopted in 2019) as the districts are population balanced, it avoids any voter disenfranchisement, and noted the current practice as governing citywide rather than by district for parks and other city services.

M/S: Gibbons/Lopez – That the City Council select the current district boundary map (originally adopted in 2019); and introduce and take first reading of Ordinance No. 2279 confirming this district boundary map. The motion was adopted by the following roll call vote:

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

City Clerk Christopherson read the full title of Ordinance No. 2279.

M/S: Gibbons/Bybee – That the City Council waive further reading of Ordinance No. 2279. The motion was adopted by the following roll call vote:

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

NEW BUSINESS

- 9. Approval of Automated License Plate Reader (ALPR) Camera Agreement with Flock Safety and Dispensing of Bidding Requirements as Specified in Campbell Municipal Code Section 3.20.030(7) (Resolution/Roll Call Vote)**
Recommended Action: That the City Council adopt a Resolution authorizing the City Manager to sign a two-year contract with Flock Group, Inc., for the installation, maintenance, and cloud system access of fixed Automated License Plate Reader cameras, authorizing the City Manager to execute future

amendments to the contract, and dispensing with bidding requirements as specified in Campbell Municipal Code Section 3.20.030(7).

Captain Ian White reviewed the Staff Report dated March 1, 2022 noting that Council approved funding in the Police Department budget during the mid-year budget adjustment for the Automated License Plate Reader (ALPR) cameras, following final contract pricing there is an additional \$5,600 required which will be absorbed in the Police Department budget, no additional funding is being requested at this time. Captain White stated that a community webinar was held on February 17, 2022, to inform Campbell residents about the planned camera use and answer any questions. A video recording of this webinar and all department policies are available on the Police Department's webpage for the public to review. Captain White discussed the availability of a transparency portal where the public can review statistics on stolen vehicles, the number of vehicle license plates read, and the number of searches conducted by officer's in the system. The public will not have access to any personal information or license plate numbers through the transparency portal.

In response to inquiries, Captain White clarified that approximately 20–25 cameras will be installed at main intersections with the heaviest traffic, including some higher crime areas. Captain White noted that the cameras help capture unbiased data points about a specific vehicle which is then compared to available information on a hot topic, Staff is then notified of any similarities for further investigative work. Captain White explained that Police Department Management can monitor who is accessing the system through available reporting, each time an officer accesses the system that officer will be required to enter a case number or reason for accessing the system. Captain White explained that Flock, Inc. is the only company offering this lease to use model, the software is compatible with the Department's new AXON records system and can share data with the District Attorney's Office. All neighboring jurisdictions are using this platform as well. Using the same platform as neighboring jurisdictions increases the investigative power of the public safety agencies.

In response to inquiries, John Anderson, Flock Inc. Representative noted that Flock, Inc. will be handling all installation and maintenance required for the cameras and system and that should a camera need to be moved in the future Flock, Inc. would do that work. There may be a nominal fee charged for future camera movements.

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

Steve Saunders, Campbell Resident, referenced Desk Item 9 and requested Council ensure proper fairness and balance resident privacy with security.

Ms. Cornell, Campbell Resident, expressed concerns relating to privacy, freedom of movement, and unlawful searches as they pertain to vehicle characteristic searches.

There being no further public comments, Mayor Resnikoff closed the public hearing.

Councilmember Lopez expressed concerns relating to privacy and expanding surveillance activities but noted the trade-offs with public safety concerns.

Council confirmed support for the requested statistics in Desk Item 9 and would like to have this information available periodically to fully analyze the ALPR Camera's effectiveness.

Following discussion, **M/S: Landry/Bybee – That the City Council adopt Resolution No. 12808 authorizing the City Manager to sign a two-year contract with Flock Group, Inc., for the installation, maintenance, and cloud system access of fixed Automated License Plate Reader cameras, authorizing the City Manager to execute future amendments to the contract, and dispensing with bidding requirements as specified in Campbell Municipal Code Section 3.20.030(7) including the desk item. The motion was adopted by the following roll call vote:**

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

10. **Discuss New Revenue Sources**

Recommended Action: That the City Council discuss new revenue sources and provide staff with feedback regarding areas of interest for future consideration.

Finance Director, Will Fuentes reviewed the Staff Report dated March 1, 2022 relating to proposed new revenue sources for the City including any potential ballot measures that may be required. The proposed new revenue sources include an increase to the Transient Occupancy Tax (TOT), short-term rental properties, business license tax increases, parcel taxes, additional sales taxes, and utility user taxes. For each new revenue source described, Director Fuentes reviewed the key considerations including quick deadlines, polling requirements, legislative constraints, and staff capacity challenges. Director Fuentes noted that voter polling for any of these ballot measures would need to be in in the next month or two.

In response to inquiries, City Attorney Bill Seligmann stated that any short-term rental complaints would be handled through Code Enforcement and to date no penalties have been imposed. Property owners would be responsible for any code enforcement penalties. City Attorney Seligmann stated that the personal information of complainants to Code Enforcement would be confidential and not disclosable with the exception for any case that goes to court and the complainant is called as a witness.

Councilmembers expressed concerns relating to increasing the cost of living for Campbell residents during a time of high inflation and uncertainty.

Councilmembers Gibbons and Landry expressed support for additional research relating to development impact fees.

Vice Mayor Bybee expressed support for reviewing user fees, conducting a comprehensive fee study, and review the cost recovery policy.

Following discussions, Councilmembers confirmed consensus for further research and information relating to increasing the TOT and short-term rental programs.

City Council took a recess at 9:52 p.m. and returned at 10:03 p.m. with all members present.

11. Discuss Reserve Strategies

Recommended Action: That the City Council discuss current reserve strategies and provide staff with feedback regarding areas of interest for future consideration.

Finance Director Fuentes introduced the Staff Report dated March 1, 2022. The Finance Subcommittee reviewed this item at their January 21, 2022 meeting and recommended prioritizing reserve accounts, renaming them for clarity of purpose, preparing formal policies for those accounts which currently lack them, and to continue the practice of separating the Economic Fluctuations and Emergency Reserve accounts.

Finance Manager Norite Vong reviewed the various reserve accounts held by the City including their current balance and purpose, and the City's adopted reserve account policy.

Mayor Resnikoff opened the public hearing.

Steve Saunders, Campbell resident, asked if these reserve monies are in addition to the American Rescue Plan Act (ARPA) funds available to the City.

There being no further public comments, Mayor Resnikoff closed the public hearing.

In response to the inquiry, City Manager Loventhal clarified that there is no recommendation before Council to alter the method in which these accounts are funded. The recommendation is clarifying their intended purpose and prioritizing their need.

Following discussions, it was clarified that the City Council reserve was created in Fiscal Year 2016 for the upcoming costs relating to the Civic Center improvement projects.

Councilwoman Landry requested creation of a City asset reserve for long-term infrastructure needs.

In response to an inquiry, Director Fuentes noted that to date none of the monies in the CalPERS reserve has been expended.

City Manager Loventhal stated that Staff would include a thorough discussion of the reserve accounts during the upcoming budget process.

Council confirmed consensus for the recommendations of the Finance Subcommittee.

UNFINISHED BUSINESS

There was no unfinished business.

COUNCIL COMMITTEE REPORTS

12. Council Committee Reports

Recommended Action: That the City Council report on activities from their committee assignments.

Councilwoman Landry attended the State of the Valley, the Early Settlers Luncheon, the County Library Joint Powers Authority meeting, the Recycling & Waste Reduction Commission meeting, the Country Women's Club of Campbell's 117 Year Anniversary celebration and attended a tour of the Section 8 Housing on Rincon Avenue hosted by Congresswoman Anna Eshoo.

Councilmember Lopez attended the Chairperson Training hosted by the Valley Transportation Authority and the Legislative Subcommittee meeting.

Councilmember Gibbons attended the State of the Valley, Early Settlers Luncheon, the Section 8 Housing tour on Rincon Avenue, the Legislative Subcommittee meeting and the Silicon Valley Clean Energy Authority meeting where the Board of Directors voted to dedicate \$17 million to 'double down' on community decarbonization programs and \$3 million for credits to lower-income California Alternate Rates for Energy (CARE) and Family Electric Rate Assistance (FERA) customers to help offset the impact of increased energy prices.

Vice Mayor Bybee attended the Cities Association of Santa Clara County meeting and the Early Settlers Luncheon.

Mayor Resnikoff attended the Police Department's Annual Honoree Event, Early Settler's Luncheon, and the West Valley Mayor's and Manager's meeting.

ADJOURN

Mayor Resnikoff adjourned the meeting at 10:52 p.m.

APPROVED:

ATTEST:

Paul Resnikoff, Mayor

Dusty Christopherson, City Clerk