

CITY COUNCIL MINUTES

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



REGULAR MEETING OF THE CAMPBELL CITY COUNCIL

Tuesday, March 7, 2023 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.

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
Anne Bybee	Mayor	Present
Susan M. Landry	Vice Mayor	Present
Dan Furtado	Councilmember	Present
Sergio Lopez	Councilmember	Present
Elliot Scozzola	Councilmember	Present

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Cheryl Walsh of the Sean M. Walsh K-9 Memorial Foundation in recognition of her donation to the Campbell Police Department K-9 Program.

Mayor Bybee presented Ms. Walsh a Certificate of Appreciation for leading the Pledge of Allegiance.

Ms. Walsh thanked the City Council for the recognition and for acknowledging the value that K-9s bring to the community and in supporting the Police Department.

SPECIAL PRESENTATIONS AND PROCLAMATIONS

- Proclamation Declaring the Month of March 2023 as "Youth Arts Month" in the City of Campbell**
Recommended Action: That the City Council proclaim the month of March 2023 as Youth Arts Month in the City of Campbell.

By virtual participation, Sofia Fojas, Arts Coordinator for Artspiration, the arts education initiative, at the Santa Clara County Office of Education, thanked the

City Council for their support of Arts education in schools and for the proclamation recognizing Youth Arts Month in Santa Clara County. She noted the positive benefits to students from having youth arts programs available in schools.

Mayor Bybee spoke of the proclamation and stated it would be given to Ms. Fojas via mail as she was unable to attend the meeting in person.

Councilmember Scozzola stated his support for the Youth Arts Month proclamation and noted the importance of art programs within schools.

COMMUNICATIONS AND PETITIONS

There were no communications and petitions.

ORAL REQUESTS

Amy Taylor, Campbell resident and Cloud City Supply business owner, requested that the City Council adopt an ordinance to legalize the sale of marijuana-based products.

COUNCIL ANNOUNCEMENTS

March is Women's History Month. This is a time to honor the women who have made important sacrifices and contributions to society in both the past and present. The 2023 theme is "Celebrating Women Who Tell Stories", which recognizes women, past and present, who have been active in all forms of media and storytelling including print, radio, tv, stage, blogs, podcasts, news, and social media. Though the list is long, some popular historical figures who are recognized during the month of March are Maya Angelou, Maxine Hong Kingston, Jovita Idar, Toni Morrison, Gloria Steinman, and Betty Soskin.

The blood center industry is facing a real challenge today with the sustainability of the blood supply. The number of blood donors is shrinking, while the need for blood at hospitals has increased significantly over the last several years. To that end, Stanford Blood Center (SBC) is working on a project called "Year of Firsts" to help raise awareness for this problem and encourage local community members to donate for the first time in 2023, providing hope for healing for patients at Bay Area hospitals and beyond. There is a Stanford Blood Center located at 295 E. Hamilton Avenue in Campbell. Please make an appointment today at standfordbloodcenter.org on the SBC app, or by calling 888-723-7831.

The Campbell Police Foundation is hosting a fundraising breakfast on Saturday, March 25 from 9:00 to 10:30 a.m. at the Home Church on Winchester Boulevard in Campbell. Tickets are \$25 per person and can be purchased at campbellpolicefoundation.org.

The Civic Improvement Commission awards grants up to \$500 per neighborhood for activities and projects that address the quality of life, safety, cleanliness, and engagement throughout neighborhoods. The 2023 Neighborhood Association Assistance Grant application period is now open and will close at 5:00 p.m. on Friday,

March 31. To find out more about this grant opportunity, or to apply, please visit campbellca.gov.

The AARP Tax Aid Program will provide income tax assistance free of charge through April 14 at the Campbell Community Center. The AARP Tax-Aide Program provides tax assistance to anyone, free of charge, with a focus on taxpayers who are over 50 and have a low to moderate income.

The Campbell summer Recreation Activity Guide is available online. Registration for pre-school for summer and fall begins at 10:00 a.m on Tuesday, March 14 and 15.

Campbell Recreation Scholarship Fund. Help support the Recreation scholarship fund, allowing Campbell youth to participate in recreation.

The Campbell Heritage Theatre has an amazing lineup with the cappella sensation, Voctave on Friday, March 24 and Ladies Night with Taylor Dayne and Sheena Easton on Thursday, April 27.

For additional ticket information about this event and other Campbell Community Center Activities, please visit campbellca.gov.

CONSENT CALENDAR

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

In regards to item nine, City Manager Loventhal noted that the sales tax data does not effectuate Councilmember access and staff is working on a State form that will grant them access to sales tax data, which will be brought before the Council for approval at a future meeting.

In regards to item 12, Vice Mayor Landry thanked Public Works staff for acquiring the landscape conservation rebate from Valley Water.

In regards to item 13, Mayor Bybee noted the desk item and stated the revised recommended action as follows: that the City Council adopt the Resolution approving the reclassification of the vacant Office Assistant position to an Accounting Clerk II position by elimination of one vacant Office Assistant position and the addition of one Accounting Clerk II position.

The Consent Calendar was considered as follows:

2. **Minutes of City Council Special Meeting of February 16, 2023**
Recommended Action: Approve the special meeting minutes of February 16, 2023.

This action approves the special meeting minutes of February 16, 2023.

3. **Minutes of City Council Special Meeting of February 21, 2023**
Recommended Action: Approve the special meeting minutes of February 21, 2023.

This action approves the special meeting minutes of February 21, 2023.

4. **Minutes of City Council Regular Meeting of February 21, 2023**
Recommended Action: Approve the regular meeting minutes of February 21, 2023.

This action approves the regular meeting minutes of February 21, 2023.

5. **Approving Bills and Claims**
Recommended Action: Approve the bills and claims in the amount of \$3,317,642.38.

This action approves the bills and claims in the amount of \$3,317,642.38, as follows: bills and claims checks dated February 6, 2023, in the amount of \$2,936,220.46; bills and claims checks dated February 13, 2023, in the amount of \$348,186.18; and payroll checks dated February 16, 2023, in the amount of \$33,235.74.

6. **Monthly Investment Transactions Report (January 2023)**
Recommended Action: That the City Council review and accept the Monthly Investment Transactions Report for January 2023.

This action approves the Monthly Investment Transactions Report for January 2023.

7. **Monthly Treasurer's Report (January 2023)**
Recommended Action: That the City Council review and accept the Monthly Treasurer's Report for the month ended January 31, 2023.

This action approves the Monthly Treasurer's Report for the month ended January 31, 2023.

8. **Approval of Parcel Map Including Acceptance of Street Dedication and Public Service Easements Shown on Said Map – 1265 Burrows Road (Resolution/Roll Call Vote)**

Recommended Action: That the City Council adopt a resolution approving the Parcel Map and accept the street dedication and public service easements as shown on the map for the property located at 1265 Burrows Road.

Resolution 12942 approves the Parcel Map and accepts the street dedication and public service easements as shown on the map for the property located at 1265 Burrows Road.

9. **Approval of Resolution Documenting the Authorized Positions and Consultants to Examine Sales, Transactions and Tax Records to Include Chabin Concepts (Resolution/Roll Call)**

Recommended Action: That the City Council adopt a Resolution documenting the positions and consultants authorized for examination of Sales or Transaction and Use Tax Records and adding Chabin Concepts as authorized.

Resolution 12943 documents the positions and consultants authorized for examination of Sales or Transaction and Use Tax Records and adding Chabin Concepts as authorized.

10. **Authorize the City Manager to Execute a Fourth Amendment to the Memorandum of Agreement (MOA) for Continued Implementation of the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP), and Appoint the Executive Director of the West Valley Clean Water Authority as the Voting and Program Representative for the SCVURPPP on Behalf of the City of Campbell (Resolution/Roll Call Vote)**

Recommended Action: That the City Council adopt a resolution authorizing the City Manager to (1) execute a Fourth Amendment to the Memorandum of Agreement (MOA) for continued implementation of the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP); and (2) appoint the West Valley Clean Water Authority Executive Director as the Voting and Program Representative for the SCVURPPP on behalf of the City of Campbell.

Resolution 12944 authorizes the City Manager to execute a Fourth Amendment to the Memorandum of Agreement (MOA) for continued implementation of the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP); and appoints the West Valley Clean Water Authority Executive Director as the Voting and Program Representative for the SCVURPPP on behalf of the City of Campbell.

11. **Authorization to Submit Sustainable Transportation Planning Grant Application (Resolution/Roll Call Vote)**

Recommended Action: That the City Council adopt a Resolution authorizing the Community Development Director to submit a Sustainable Transportation Planning Grant application for a Citywide Multimodal Plan.

Resolution 12945 authorizes the Community Development Director to submit a Sustainable Transportation Planning Grant application for a Citywide Multimodal Plan.

12. **Authorize the City Manager to Accept a Landscape Conservation Rebate from Valley Water and Execute a Drought-Tolerant Landscape Project for the Turf Conversions of Five Corridors at the Campbell Community Center (Resolution/Roll Call Vote)**

Recommended Action: That the City Council adopt a Resolution authorizing the City Manager to accept a Landscape Conversion Rebate from Valley Water and execute a drought-resistant landscape improvement project for the turf conversion of five corridors at the Campbell Community Center, upon Valley Water's Notice to Proceed.

Resolution 12946 authorizes the City Manager to accept a Landscape Conversion Rebate from Valley Water and execute a drought-resistant landscape improvement project for the turf conversion of five corridors at the Campbell Community Center, upon Valley Water's Notice to Proceed.

13. **Reclassification of Office Assistant to Accounting Clerk II (Resolution/Roll Call Vote)**

Recommended Action: That the City Council adopt the Resolution approving the reclassification of the vacant Office Assistant position to an Accountant Clerk II

position by elimination of one vacant Office Assistant position and the addition of one Account Clerk II position.

Including the desk item, Resolution 12947 approves the reclassification of the vacant Office Assistant position to an Accounting Clerk II position by elimination of one vacant Office Assistant position and the addition of one Accounting Clerk II position.

M/S: Landry/Lopez - That the City Council approve the consent calendar, including the desk item for item 13. The motion was adopted by the following roll call vote:

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Landry
SECONDER:	Lopez
AYES:	Bybee, Landry, Furtado, Lopez, Scozzola

PUBLIC HEARINGS AND INTRODUCTION OF ORDINANCES

14. **2022 Housing Element Annual Progress Report (APR) (Resolution/Roll Call Vote)**

Recommended Action: That the City Council take the following actions: Receive public comment, accept the Housing Element Annual Progress Report, and adopt a Resolution directing staff to send the Annual Progress Report to the required State agencies.

Assistant Planner Lomen presented a staff report dated March 7, 2023.

Following Council questions, Mayor Bybee opened the public hearing and asked if anyone wished to speak.

Jim Sullivan, Campbell resident, suggested crediting ADUs toward affordable housing projects and utilizing in-leu fees to incentivize developers to build affordable housing.

Steven Saunders, Campbell resident, requested the Council review the produced housing units semi-annually instead of annually to get a better idea of the progress made and address any concerns.

Seeing no one else wishing to speak, Mayor Bybee closed the public hearing.

Councilmembers made comments relating to affordable housing and encouraged staff to find alternative ways to support affordable housing developments in the City.

After discussion, **M/S: Landry/Lopez – That the City Council receive public comment, accept the Housing Element Annual Progress Report, and adopt Resolution 12948 directing staff to send the Annual Progress Report to the required State agencies. The motion was adopted by the following roll call vote:**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Landry
SECONDER:	Lopez
AYES:	Bybee, Landry, Furtado, Lopez, Scozzola

NEW BUSINESS

15. Acceptance of Donation from Sean's K9 (Resolution/Roll Call Vote)

Recommended Action: That the City Council adopt a resolution to accept the donation of a police K9 from Sean's K9s for the Campbell Police Department and approve the continued use of K9 Lucas through FY 2024.

Police Captain White presented a video on the Campbell Police Department K9 program.

Captain White presented a staff report dated March 7, 2023.

Following Council questions, Captain White thanked Ms. Walsh of the Sean's K9s for their support.

Mayor Bybee asked if anyone from the public wished to speak. There were no public speakers.

After discussion, **M/S: Landry/Lopez - That the City Council adopt resolution 12949 accepting the donation of a police K9 from Sean's K9s for the Campbell Police Department and approve the continued use of K9 Lucas through FY 2024. The motion was adopted by the following roll call vote:**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Landry
SECONDER:	Lopez
AYES:	Bybee, Landry, Furtado, Lopez, Scozzola

16. Accept Grant Funds from the State Homeland Security Grant Program (SHSGP); Authorize the City Manager to Enter into a Memorandum of Understanding (MOU) with Santa Clara County Regarding the Use of the Funds, Dispense with Bidding Procedures as Specified in Campbell Municipal Code (CMC) Section 3.20.030(7), and Award and Execute an Agreement with AT&T for the Purchase of FirstNet Compact Rapid Deployable (CRD) Emergency Communications Equipment; and Authorize a Corresponding Budget Adjustment (Resolution/Roll Call Vote)

Recommended Action: That the City Council adopt a resolution authorizing the acceptance of grant funds from the State Homeland Security Grant Program (SHSGP); authorizing the City Manager to enter into a Memorandum of Understanding (MOU) with the County of Santa Clara regarding the use of those funds, dispense with bidding procedures as specified in Campbell Municipal Code (CMC) Section 3.20.030(7), and award and execute an agreement with AT&T for the purchase of FirstNet Compact Rapid Deployable (CRD) Emergency

Communications Equipment; and authorizing a corresponding budget adjustment.

Police Captain White presented a staff report dated March 7, 2023.

Following Council questions, Mayor Bybee asked if anyone from the public wished to speak. There were no public speakers.

Vice Mayor Landry stated support for the grant funding and encouraged staff to continue seeking grant opportunities.

After discussion, **M/S: Scozzola/Furtado - That the City Council adopt resolution 12950 authorizing the acceptance of grant funds from the State Homeland Security Grant Program (SHSGP); authorizing the City Manager to enter into a Memorandum of Understanding (MOU) with the County of Santa Clara regarding the use of those funds, dispense with bidding procedures as specified in Campbell Municipal Code (CMC) Section 3.20.030(7), and award and execute an agreement with AT&T for the purchase of FirstNet Compact Rapid Deployable (CRD) Emergency Communications Equipment; and authorizing a corresponding budget adjustment. The motion was adopted by the following roll call vote:**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Scozzola
SECONDER:	Furtado
AYES:	Bybee, Landry, Furtado, Lopez, Scozzola

UNFINISHED BUSINESS

There were no unfinished business items.

COUNCIL COMMITTEE REPORTS

17. Council Committee Reports

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

Vice Mayor Landry attended the Campbell Community Center Open House; and the grand opening of Humphry Slocombe Pruneyard.

Councilmember Furtado attended the Downtown Campbell Business Association meeting and spoke of their upcoming events such as the Annual CERT Fundraiser, the Wine Walk, and a Car Show.

Councilmember Lopez attended the Bay Area Air Quality Management District, strategic planning meeting; the Santa Clara Valley Transportation Authority Board of Directors meeting; and a workshop on the Bart Phase II extension.

Mayor Bybee attended the grand opening of Humphry Slocombe Pruneyard, the ribbon cutting ceremony for Flora a health and wellness store; the Friends of the

Heritage Theatre meeting; the Legislative Subcommittee meeting with Councilmember Lopez; the Campbell Community Center Open House; and threw out the first pitch at the Campbell Girls Fastpitch Opening Day Ceremony.

ADJOURN

Mayor Bybee adjourned the meeting at 8:34 p.m.

APPROVED:

ATTEST:

Anne Bybee, Mayor

Andrea Sanders, City Clerk