

CITY COUNCIL MINUTES

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



REGULAR MEETING OF THE CAMPBELL CITY COUNCIL

Tuesday, March 15, 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

Mayor Resnikoff led the Pledge of Allegiance.

SPECIAL PRESENTATIONS AND PROCLAMATIONS

- Present Certificates of Recognition to the STEM Winners of the Santa Clara Valley Science and Engineering Fair Association (SCVSEFA) 2021 Synopsis Championship Science Fair**
Recommended Action: That the City Council recognize the Campbell student winners of the 2021 Synopsis Championship Science Fair.

Mayor Resnikoff recognized the Campbell student STEM (Science, Technology, Engineering, and Mathematics) winners of the Santa Clara Valley Science and Engineering Fair Association 2021 Synopsis Championship Science Fair.

Forrest Williams, Board Member of the Santa Clara Valley Science and Engineering Fair Association spoke in support of the Synopsis Championship Science Fair noting that the event encourages all students across Santa Clara

County to participate in science. Winners of this science fair go on to compete in National and International science competitions.

Councilmembers congratulated the winning students and noted how complex and impressive their science projects are.

2. **Proclamation Declaring the Month of March 2022 as "Youth Art Month" in the City of Campbell**

Recommended Action: That the City Council proclaim the month of March 2022 as Youth Art Month in the City of Campbell.

Mayor Resnikoff presented the proclamation declaring the month of March 2022 as "Youth Art Month" in the City of Campbell.

Sofia Fojas, Santa Clara County Office of Education expressed appreciation to Council for recognizing Youth Art Month and announced the Young Artist Showcase being held on May 19, 2022.

COMMUNICATIONS AND PETITIONS

There were no communications and petitions.

ORAL REQUESTS

Ken Johnson, Campbell Chamber of Commerce, announced the 2022 Celebrate Campbell Event being held on March 19, 2022 where the Citizen of the Year and Business of the Year will be announced and noted that this year three graduating Campbell seniors will be awarded scholarships.

COUNCIL ANNOUNCEMENTS

City Hall is open to the public for in-person services Monday through Friday, from 8:00 a.m. to 5:00 p.m. 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 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. Application deadline is April 8, 2022 at 5:00 p.m.

Read Beyond the Beaten Path. Summer reading at the Campbell Express Library begins June 1, 2022 and is free and open to all ages. You can register at the library or online at www.scclld.org.

Public Recreation Swimming Returns. Cool off this summer at the Campbell Community Center pool with family and friends. Swim passes are available. For more information, please visit www.campbellca.gov.

Registration for Campbell Recreation Pre-school is available for everyone on March 16, 2022 at 10:00 a.m. For more information about Pre-school programs, please go to www.campbellca.gov/preschool.

The Campbell Museum is hosting its second biennial Juried Art Show to be on display at the Ainsley House, July through October, 2022. Guidelines for submissions can be found on the Campbell Museums' website at www.campbellmuseums.com. The deadline for submissions is April 15, 2022.

CONSENT CALENDAR

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

The Consent Calendar was considered as follows:

3. **Minutes of City Council Special Meeting of February 24, 2022**

Recommended Action: Approve the Special Meeting minutes of February 24, 2022.

This action approves the City Council Special Meeting minutes of February 24, 2022.

4. **Minutes of City Council Executive Session Meeting of March 1, 2022**

Recommended Action: Approve the Executive Session Meeting minutes of March 1, 2022.

This action approves the Executive Session Meeting minutes of March 1, 2022.

5. **Minutes of City Council Regular Meeting of March 1, 2022**

Recommended Action: Approve the Regular Meeting minutes of March 1, 2022.

This action approves the Regular Meeting minutes of March 1, 2022.

6. **Approving Bills and Claims**

Recommended Action: That the City Council approve the bills and claims in the amount of \$873,459.00.

This action approves the bills and claims in the amount of \$873,459.00 as follows: bills and claims checks dated February 14, 2022, in the amount of \$327,142.47; payroll checks dated February 17, 2022, in the amount of \$61,120.14; and bills and claims checks dated February 21, 2022, in the amount of \$485,196.39.

7. **Second Reading of Ordinance 2279 Confirming a By-District Election Process in Five Council Districts and Redistricting Said District Boundaries (Ordinance/Roll Call Vote)**

Recommended Action: That the City Council approve the second reading and adopt Ordinance 2279 confirming a by-District election process in five Council districts and redistricting said district boundaries.

This action approves the second reading and adopts Ordinance 2279 confirming a by-District election process in five Council districts and redistricting said district boundaries.

8. **Extension of Declaration of Local Emergency (Resolution/Roll Call Vote)**

Recommended Action: That the City Council adopt a resolution extending the January 18, 2022 City Council proclamation declaring the existence of a local emergency resulting from community spread of COVID-19.

Resolution 12809 extends the January 18, 2022 City Council proclamation declaring the existence of a local emergency resulting from community spread of COVID-19.

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

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

PUBLIC HEARINGS AND INTRODUCTION OF ORDINANCES

There were no Public Hearings and Introduction of Ordinances.

NEW BUSINESS

9. **2021 Housing Element Annual Progress Report (APR) (Resolution/Roll Call Vote)**

Recommended Action: That the City Council receive public comment and adopt a Resolution accepting the Housing Element Annual Progress Report and directing staff to file the Annual Progress Report with the required State agencies.

Community Development Director Rob Eastwood and Senior Planner Stephen Rose, introduced the Staff Report dated March 15, 2022 and reviewed the City's 2021 housing progress, the Regional Housing Needs Assessment (RHNA) income level assignments, and the City's housing effort accomplishments.

In response to inquiries, Senior Planner Rose clarified that once construction projects are entitled, the property owners can take years to pull the official building permits. The City has time limits once permits are pulled, but the entire timeline to project completion is often out of the City's control.

In response to an inquiry relating to Accessory Dwelling Unit (ADU) production, Senior Planner Rose noted that the California Department of Housing and Community Development (HCD) has opined that ADU's can be included as below market rate housing production if a market rate study has been completed. The Association of Bay Area Governments has completed that required study but

not in time for this years reporting requirement. ADU production numbers can be reported retroactively on next years report.

Councilmember Gibbons requested the Community Development Department add context to the comments section of the report describing other efforts made by the City to maintain existing below market rate housing or improve the cities stock of housing.

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

Steve Saunders, Campbell resident, spoke of his concerns relating to the annual report and asked what the ramifications of such low numbers could be for the City.

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

Councilmembers expressed concerns relating to housing issues and noted that the new State Laws were passed to address this very situation. Many other cities in the Bay Area are not producing any housing. However, developers have to bring low income housing projects forward for consideration. The City does not build housing on its own.

M/S: Landry/Lopez – That the City Council receive public comment and adopt Resolution 12810 accepting the Housing Element Annual Progress Report and directing staff to file the Annual Progress Report with the required State agencies. The motion was adopted by the following roll call vote:

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

UNFINISHED BUSINESS

10. Update on Campbell's Plan for Housing

Recommended Action: That the City Council receive a report on the upcoming review of policies and programs for Campbell's Housing Element Update ("*Campbell's Plan for Housing*"), including the upcoming schedule, stakeholder outreach, and initial list of discussion areas, policies and programs to be reviewed by the Planning Commission and City Council during this process.

Community Development Director Eastwood introduced Staff Report dated March 15, 2022 and reviewed the project timeline and key milestones.

Geoff Bradley, M-Group Representative, reviewed the RHNA allocation assigned to the City noting that after final review by the City Council on January 25, 2022, the final number of sites to be reviewed during the Environmental Impact Report (EIR) is 6,644. It is expected that some sites will be deemed inappropriate and removed from final inclusion following the EIR process.

Sung Kwon, M-Group Representative, reviewed the EIR tentative schedule noting the target completion date in the late fall/early winter 2022. Mr. Sung reviewed the upcoming outreach efforts including outreach to special needs populations for feedback regarding below market rate housing policy refinement. Based on stakeholder feedback, initial policies and programs to be considered and investigated further include improving housing affordability, preserving existing affordable housing stock, removing governmental constraints, promoting resiliency and sustainability in housing, and addressing special needs groups through Affirmatively Furthering Fair Housing (AFFH) policies. Mr. Sung reviewed the related workplan efforts including zoning ordinance updates.

Director Eastwood highlighted a coordination effort with Cal Poly San Luis Obispo City & Regional Planning Department, where Master and Bachelor students in Urban Planning engage in a light rail station area planning project that will envision how higher density housing can be structured around the light rail stations and provide initial concepts on station area plans. This work is to be part of their spring curriculum.

In response to an inquiry, Director Eastwood noted that the EIR will study parcels at the density planned for, which would not include any density bonus additions.

Councilwoman Landry encouraged City Staff to advertise public outreach notices in the Campbell Press.

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

Raja Pallela, Campbell resident, expressed concern that there were no housing site selections made in the southern parts of the City.

Mark Field, Campbell resident, asked how many floors are included in a 75-unit building.

Sarah Chaffin, Campbell resident, spoke of ways she felt could lead to increased affordable housing production including lessening/removing developer fees and increasing Staff autonomy in collaborating with developers.

Bruce Bowen, Campbell resident, stated that as a developer going above 60 ft when building escalates costs very quickly, and asked for clarification on specific parcel densities identified in the site selection map.

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

In response to inquiries, Director Eastwood stated that a 75-unit building could potentially include 15 feet for retail with 3-4 resident stories above. The sites on Gilman Avenue were set at 60 units per acre to match the neighboring parcels and in keeping with adjacent neighborhood themes.

Councilmembers provided individual comments on the site selection map going into the EIR and noted areas of concern or clarification.

In response to inquiries, Director Eastwood clarified that Staff took a broad approach for mixed-use possibilities going into the EIR, knowing that coming out of the EIR, the best locations for it would be identified. The land use designations listed on the site selection map will be better defined as this process moves forward.

Councilmember Bybee requested to add the Santa Clara County Office of Supportive Housing to the stakeholder service provider list.

11. **Review of the City's Below-Market Rate Housing Program and Identified Improvement Plan**

Recommended Action: That the City Council provide direction on the recommended Below-Market Rate Housing Program improvement plan.

Community Development Director Eastwood introduced Staff Report dated March 15, 2022 and noted that with this years Housing Element, and the required RHNA assignment for development of below market rate housing, the City will need to put a renewed focus on the Below Market Rate Program and make certain improvements to make it a sustainable program into the future. During the mid-year budget adjustments Council approved additional funding for consultant services to assist City Staff in reviewing and identifying long term improvements to the City's Below Market Rate Housing Program.

Senior Planner Rose presented the staff recommended short term improvements to the program, including an updated scope of services with Housekey's Inc., updated housing agreements, increasing of fees to homebuilders, updated rules around eligibility review and occupancy standards, clarifications to the ownership program including minimum builder standards and updated owner guides relating to repairs and upkeep and resale pricing procedures, expanded loan programs to address the missing middle and improvements to the compliance program.

In response to an inquiry, Senior Planner Rose stated that City Staff does receive complaint calls from the Below Market Rate Program participants. Housekey's does track metrics on customer service, but those metrics don't always identify the underlying issue of concerns given the complexities of the program and rules.

Councilmember Gibbons requested additional information on the rules that govern when there is a conflict between the City's inclusionary ordinance and a density bonus project, specifically in terms of equity sharing and how that impacts the housing stock in the below market rate program of the City.

Councilmembers discussed the need for an evaluation of Housekey's, Inc., performance to better identify whether Program Administrator improvements are needed or program improvements are needed.

Director Eastwood and Senior Planner Rose emphasized Staff's recommendations to implement the identified structural program changes, clear metrics, and contract standards and performance measures prior to auditing

Housekey's, Inc. performance. As the City and Housekey's, Inc. are in a partnership with one another, and through the pandemic Housekey's, Inc. has implemented customer service and program enhancements outside of their previously identified scope of services.

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

Julius Nyanda, Housekey's, Inc. Representative, stated that given the expected increase in affordable housing programs across the Bay Area, Housekey's is willing to reduce their administration fee, so the City can hire a full-time Housing Manager, as City's who have this resource have shown to offer a more robust program.

Raja Pallela, Campbell resident, suggested the City waive permit fees in proportion to the affordable housing units being built and stated that multi-unit mixed-use housing is a great benefit to those needing affordable housing.

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

Councilmembers confirmed consensus for Staff to implement necessary program changes to adequately administer the program and effectively evaluate Housekeys, Inc., such as the annual code review, updated scope of services, updated rules around eligibility and occupancy standards, improvements to the compliance program, clarifications to the ownership program, and improvements to the compliance program.

Councilmembers requested additional information relating to homebuilder fee proposals and ways in which to improve fiscal sustainability.

Director Eastwood summarized that Council's feedback would be included in the contract negotiations with Housekey's, Inc. going forward with a contract coming back to Council in Summer 2022. The long-term program sustainability feedback will be included as part of the consultant review.

COUNCIL COMMITTEE REPORTS

12. Council Committee Reports

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

Councilmember Gibbons, as part of her duties with the Silicon Valley Clean Energy Authority, attended a tour of the new solar storage facility in King County which has the ability to store enough battery backup power for the entire City.

In the interest of time, Councilmembers held their Council Committee Reports.

ADJOURN

Mayor Resnikoff adjourned the meeting at 10:45 p.m.

APPROVED:

ATTEST:

Paul Resnikoff, Mayor

Dusty Christopherson, City Clerk