



City Council Agenda

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

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

SPECIAL PRESENTATIONS AND PROCLAMATIONS

COMMUNICATIONS AND PETITIONS

ORAL REQUESTS

NOTE: This portion of the meeting is reserved for persons wishing to address the City Council on any matter not on the agenda. Those members of the public wishing to participate are asked to register in advance at

https://us02web.zoom.us/webinar/register/WN_dYX0vvpqQSmh1dDB9SxIFQ. After registering, you will receive a confirmation email containing information about joining the meeting. Speakers may be allotted up to two (2) minutes. The law generally prohibits the Council from discussion or taking action on such items. However, the Council may instruct staff accordingly regarding Oral Requests.

COUNCIL ANNOUNCEMENTS

CONSENT CALENDAR

NOTE: All matters listed under consent calendar are considered by the City Council to be routine and will be enacted by one motion. There will be no separate discussion of these items unless a request is made by a member of City Council, City staff, or a member of the public. Any person wishing to speak on any item on the consent calendar should ask to have the item removed from the consent calendar prior to the time the Council votes to approve. If removed, the item will be discussed in the order in which it appears.

1. **Minutes of City Council Regular Meeting of September 1, 2020**
Recommended Action: Approve 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.
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."

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.

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.

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.

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

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.

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.

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.

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
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.

COUNCIL COMMITTEE REPORTS

13. **Council Committee Reports**
Recommended Action: Report on committee assignments and general comments.

ADJOURN

IMPORTANT NOTICE: Materials related to an item on this agenda submitted to the City Council after distribution of the agenda packet are available for public inspection with the agenda packet in the lobby of City Clerk's Office, 70 N. First Street, Campbell, CA 95008, during normal business hours. These materials will also be available on the City website at <https://www.ci.campbell.ca.us/agendacenter> with the agenda packet following the last item of the agenda, subject to staff's ability to post the documents prior to the meeting. All documents not posted prior to the meeting will be posted the next business day.

Pursuant to the Executive Order, and in compliance with the Americans with Disabilities Act, if you need special assistance to participate in the Council meeting, please contact the City Clerk's office at 408-866-2117.

CITY COUNCIL MINUTES

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



REGULAR MEETING OF THE CAMPBELL CITY COUNCIL

Tuesday, September 1, 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 1, 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

Raja Pallela, Campbell resident, stated concerns with the Draft General Plan.

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 sccvote.org.

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 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 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 support 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. 12th, 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 campbellmuseums.com/shop.

In observance of Labor Day, Monday September 7, City Hall will be closed for business. Limited city services will reopen on Tuesday, September 8. The Police Department will remain open for limited services.

Please continue to visit the city’s website at 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.

Vice Mayor Gibbons asked to pull item eight.

The Consent Calendar was considered as follows:

1. **Minutes of City Council Regular Meeting of August 18, 2020**
Recommended Action: Approve the regular meeting minutes of August 18, 2020.
 This action approves the regular meeting minutes of August 18, 2020.
2. **Minutes of City Council Executive Session Meeting of August 19, 2020**
Recommended Action: Approve the executive session meeting minutes of August 19, 2020.
 This action approves the executive session meeting minutes of August 19, 2020.
3. **Approving Bills and Claims**
Recommended Action: Approve the bills and claims in the amount of \$2,600,410.73.
 This action approves the bills and claims in the amount of \$2,600,410.73 as follows: bills and claims checks dated July 31, 2020, in the amount of \$127,720.56; bills and claims checks dated August 3, 2020, in the amount of \$165,923.06; payroll checks dated August 6, 2020, in the amount of \$72,865.52; bills and claims checks dated August 7, 2020, in the amount of \$1,336,250.74; and bills and claims checks dated August 10, 2020, in the amount of \$897,650.85.
4. **Approval and Authorization to Purchase a National Incident Based Reporting System (NIBRS) Module to Allow for Statistical Reporting to the FBI in Compliance with New Federal Mandates (Resolution/Roll Call Vote)**
Recommended Action: That the City Council adopt a resolution authorizing the

Chief of Police to execute a purchase agreement for the National Incident Based Reporting System (NIBRS) module from our current records management system (RMS) vendor, Central Square.

Resolution 12632 authorizes the Chief of Police to execute a purchase agreement for the National Incident Based Reporting System (NIBRS) module from our current records management system (RMS) vendor, Central Square.

- 5. **Destruction of Certain City Records (Resolution/Roll Call Vote)**
Recommended Action: That the City Council adopt a resolution authorizing the destruction of certain City records pursuant to the California Government Code Section 34090.

Resolution 12633 resolution authorizes the destruction of certain City records pursuant to the California Government Code Section 34090.

- 6. **Second Reading of Ordinance 2266 Amending Title 21 and Title 5 of Campbell Municipal Code (Ordinance/Roll Call Vote)**
Recommended Action: That the City Council approve the second reading and adopt Ordinance 2266 to amend Title 21 and Title 5 of the Campbell Municipal Code.

Ordinance 2266 amends Title 21 and Title 5 of the Campbell Municipal Code.

- 7. **Reopen the Recruitment for the Bicycle and Pedestrian Advisory Committee and Extend the Application Deadline**
Recommended Action: It is recommended that the City Council approve reopening the recruitment for the Bicycle and Pedestrian Advisory Committee and extend the application deadline until a sufficient number of applications has been received.

The City Council approves reopening the recruitment for the Bicycle and Pedestrian Advisory Committee and extending the application deadline until a sufficient number of applications has been received.

M/S: Resnikoff/Gibbons - That the City Council approve the consent calendar with the exception of item eight. The motion was adopted by the following roll call vote:

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

ITEMS PULLED FROM CONSENT

- 8. **Acceptance of Donation from Sean's K9s**

Minutes Acceptance: Minutes of Sep 1, 2020 7:30 PM (CONSENT CALENDAR)

Recommended Action: That the City Council accept the donation of a police K9 from Sean's K9s for the Campbell Police Department.

Vice Mayor Gibbons stated support of the K9 and non-lethal options and commented on the associated cost impacts.

M/S: Gibbons/Resnikoff - That the City Council accept the donation of a police K9 from Sean's K9s for the Campbell Police Department. The motion was adopted unanimously by the following roll call vote:

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

PUBLIC HEARINGS AND INTRODUCTION OF ORDINANCES

- 9. **Public Hearing to Consider a City-Initiated Text Amendment Amending the Campbell Municipal Code by Adding Chapter 8.42 “Graffiti Abatement”, to Title 8 “Public Peace, Safety and Morals,” and Amending 6.10.020 "Nuisance Violations" (Ordinance/Roll Call Vote)**

Recommended Action: That the City Council take first reading and introduce an Ordinance adding Chapter 8.42 “Graffiti Abatement”, to Title 8 “Public Peace, Safety and Morals,” of the Campbell Municipal Code and amend section 6.10.020 "Nuisance Abatement."

This is the time and place for a public hearing to consider a City-Initiated Text Amendment amending the Campbell Municipal Code by adding Chapter 8.42 “Graffiti Abatement,” to Title 8 “Public Peace, Safety and Morals,” and amending 6.10.020 "Nuisance Violations."

Police Captain White presented a staff report dated September 1, 2020.

Mayor Landry declared the public hearing open and asked if there was anyone from the public wishing to be heard.

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

After discussion, **M/S: Resnikoff/Bybee - That the City Council take first reading and introduce Ordinance 2267 adding Chapter 8.42 “Graffiti Abatement,” to Title 8 “Public Peace, Safety and Morals,” of the Campbell Municipal Code and amend section 6.10.020 "Nuisance Abatement" including the desk item. The motion was adopted by the following roll call vote:**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Resnikoff

Minutes Acceptance: Minutes of Sep 1, 2020 7:30 PM (CONSENT CALENDAR)

SECONDER:	Bybee
AYES:	Landry, Gibbons, Waterman, Bybee, Resnikoff

M/S: Gibbons/Bybee – That the City Council waive further reading of Ordinance 2267. The motion was adopted by the following roll call vote:

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

UNFINISHED BUSINESS

10. **Receive an Update on the Status of the Campbell Avenue Street Closure and Adopt a Resolution Authorizing the Establishment of Parklets Within Downtown Campbell Necessary to Allow Expanded Outdoor Dining for Six Months (Resolution/Roll Call Vote)**

Recommended Action: Adopt a Resolution authorizing the establishment of parklets within Downtown Campbell necessary to allow expanded outdoor dining for six months.

Economic Development Specialist Thomas and Community Development Director Kermoyan presented a staff report dated September 1, 2020.

Jimmy Rose of The Vesper stated that they would like to keep the downtown street closed and not switch to parklets only.

Christian Ruiz, Campbell resident, spoke about the importance of the keeping residents employed and giving businesses as much room as possible to operate.

Deputy City Clerk Sanders read email comments submitted by Brooke Ramirez of Bombshell Boutique into the record.

Council discussed adding parklets and reopening the street; costs; parklet barrier materials and rentals; a hybrid approach to the street closure; estimated time frames; and how to help retail during the week and restaurants on the weekend.

There was a general consensus to keep the street closed this Labor Day weekend, reopen the street on Tuesday, close again on Friday, reopen the street the following week and use the parklets as a longer-term solution.

Community Development Director Kermoyan provided suggested wording to amend the resolution as follows: in the Now, Therefore, Be It Resolved section, adding “1. Open the streets on Tuesday, September 8, 2020 as a transitional period and then close on Friday, September 11 through Sunday September 13, 2020. 2. Leave East Campbell Avenue open during the week and then close

again on Friday through Sunday of every week thereafter until such time as staff can either rent or purchase barriers necessary to create parklets design.”

M/S: Resnikoff/Waterman – That the City Council adopt Resolution 12634 authorizing the establishment of parklets within Downtown Campbell necessary to allow expanded outdoor dining and include the additional Resolution language stating 1. Open the streets on Tuesday, September 8, 2020 as a transitional period and then close on Friday, September 11 through Sunday September 13, 2020. 2. Leave East Campbell Avenue open during the week and then close again on Friday through Sunday of every week thereafter until such time as staff can either rent or purchase barriers necessary to create parklets design. The motion was adopted by the following roll call vote:

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

Council took a five-minute recess and reconvened at 9:35 p.m.

NEW BUSINESS

11. Santa Clara County Planning Collaborative - Update and Ongoing Participation

Recommended Action: That the City Council take the following action(s): Decline the funding request for continued participation in the Planning Collaborative.

Senior Planner Rose presented a staff report dated September 1, 2020.

Andi Jordan of the Cities Association of Santa Clara County provided information regarding the Collaborative.

Council discussed participating in the program for a 12-month trial, costs and the participation of 12 County cities.

Vice Mayor Gibbons made a motion that the City Council take the following action, approve the funding request to continue participation in the Planning Collaborative for one year.

Councilmember Resnikoff made a friendly amendment to include participation of a minimum of 12 cities.

Vice Mayor Gibbons did not accept the amendment.

The motion failed due to lack of a second.

M/S: Resnikoff/Waterman – Authorize the City Manager to enter into an agreement to participate in the Planning Collaboration at the Collaborative Support Package with the condition of 12 cities participating in the collaboration. The motion was adopted by the following roll call vote:

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

12. **Consider Funding Agreement with County of Santa Clara for Isolation and Quarantine Program**

Recommended Action: It is recommended that the City Council consider entering into an 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 1, 2020.

Santa Clara County Representative Ky Le spoke about the program and provided information about funding and costs.

Council discussed the agreement, program fees, costs and using Community Development Block Grant (CDBG) funding.

Councilmember Waterman made a motion that the City Council consider entering into an 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.

City Manager Loventhal provided clarification that he will receive additional information at the upcoming County meeting and can provide that to the Council at the September 15, 2020 City Council meeting.

Council accepted the City Manager's clarification and agreed to have this item brought back at the next City Council meeting.

13. **Designation of Voting Delegate and Alternate for 2020 League of California Cities Annual Conference**

Recommended Action: That the City Council designate a Voting Delegate and Alternate(s) for the League of California Cities Annual Conference General Business Meeting to be held on October 9, 2020.

Council discussed when the General Assembly meeting would be held and who would be the voting delegate and alternate.

M/S: Waterman/Resnikoff – That the City Council designate Mayor Landry as the voting delegate and Councilmember Bybee as the voting alternate. 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

14. Approve Appointments to Civic Improvement Commission

Recommended Action: It is recommended that the City Council approve the recommendation of the Advisory Commissioner Appointment Interview Subcommittee regarding appointments to the Civic Improvement Commission for two four-year terms expiring August 2024.

Councilmember Waterman reported on the Commissioner Appointment Interviews and recommended that Council approve the appointments of Taylor Chase and Jennifer Dooley to the Civic Improvement Commission.

M/S: Waterman/Resnikoff – that the City Council appoint Taylor Chase and Jennifer Dooley to the Civic Improvement Commission for a four-year term expiring August 2024. The motion was adopted by the following roll call vote:

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

15. Council Committee Reports

Recommended Action: Report on committee assignments and general comments.

Mayor Landry participated in the State Route (SR) 85 Corridor Policy Advisory Board meeting.

ADJOURN

Mayor Landry adjourned the meeting at 11:07 p.m.

APPROVED:

ATTEST:

Susan M. Landry, Mayor

Minutes Acceptance: Minutes of Sep 1, 2020 7:30 PM (CONSENT CALENDAR)

Andrea Sanders, Deputy City Clerk

Minutes Acceptance: Minutes of Sep 1, 2020 7:30 PM (CONSENT CALENDAR)



*City
Council
Report*

Item: 2
Category: CONSENT CALENDAR
Meeting Date: September 15, 2020

TITLE: Approving Bills and Claims

RECOMMENDED ACTION

Approve the bills and claims in the amount of \$739,205.32.

DISCUSSION

The bills and claims that have been audited and approved by staff for payments made as noted below:

<u>Type</u>	<u>Check Date</u>	<u>Amount</u>
Bills & Claims	August 14, 2020	\$30,182.13
Bills & Claims	August 17, 2020	\$272,003.95
Payroll	August 20, 2020	\$33,917.50
Bills & Claims	August 21, 2020	\$159,304.54
Bills & Claims	August 24, 2020	\$243,797.20
	Total	\$739,205.32

FISCAL IMPACT

Adequate funding was available to cover all expenses as listed.

Prepared by:

Roberto Garcia-Acosta, Accounting Clerk
II

Reviewed by:

Norite Vong, Finance Manager

Approved by:



Brian Loventhal, City Manager



*City
Council
Report*

Item: 3
Category: CONSENT CALENDAR
Meeting Date: September 15, 2020

TITLE: 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."

BACKGROUND

At its regular meeting of September 1, 2020, the City Council held a public hearing to consider Ordinance 2267 approving a City-Initiated Text Amendment to add Chapter 8.42 "Graffiti Abatement" to Title 8 "Public Peace, Safety and Morals" to the Campbell Municipal Code and Amending section 6.10.020 "Nuisance Violations." The purpose of this ordinance is to allow the City to implement graffiti abatement programs, address cost recovery related to City funded clean up efforts, and to create criminal penalties. The City Council voted unanimously to approve and take first reading of Ordinance 2267. Ordinance 2267 will become effective 30 days after adoption.

Andrea Sanders

Prepared by:

Andrea Sanders, Deputy City Clerk

Approved by:

Brian Loventhal

Brian Loventhal, City Manager

Attachment:

- a. Ordinance 2267

ORDINANCE NO. 2267

AN ORDINANCE OF THE CITY OF CAMPBELL AMENDING TITLE 8 “PUBLIC PEACE, SAFETY AND MORALS” ADDING NEW CHAPTER 8.42 “GRAFFITI ABATEMENT” AND AMENDING TITLE 6.10 “NUISANCE ABATEMENT AND ADMINISTRATIVE PENALTIES” TO LIST CHAPTER 8.42 AS A NUISANCE AND AMEND SECTION 6.10.200 “ASSESSMENT OF COSTS AGAINST PROPERTY – LIEN”

THE CITY COUNCIL OF THE CITY OF CAMPBELL DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Chapter 8.42 “Graffiti Abatement” is added to Title 8 “Public Peace, Safety and Morals” of the City of Campbell Municipal Code as set forth in Exhibit A.

SECTION 2. Subparagraph (Q) of paragraph (6) of subsection (a) of Campbell Municipal Code section 6.10.020 is hereby amended to read as follows, with added text being indicated by underlining:

A violation of any of the provisions of Campbell Municipal Code Chapters 5.24, 5.28, 5.29, 5.30, 5.36, 5.48, 5.58, 6.11, 6.20, 6.30, 6.40, 8.34, 8.38, 8.40, 8.42, 11.04, 11.08, 11.12, 11.16, 11.32, 13.04, or 14.02,

SECTION 3. Section 6.10.200 “Assessment of Costs against Property – Lien” is replaced in its entirety as set forth in Exhibit B.

SECTION 4. The City Council finds, pursuant to Title 14 of the California Code of Regulations, Section 15061(b)(3), that this ordinance is exempt from the requirements of the California Environmental Quality Act in that it is not a project which has the potential for causing a significant effect on the environment.

SECTION 5. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision or decisions shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

SECTION 6. This ordinance shall be in full force and effect thirty (30) days from and after the date of its adoption.

SECTION 7. The City Clerk is directed to cause copies of this ordinance or summaries thereof to be posted and/or published in accordance with Section 36933 of the California Government Code.

PASSED AND ADOPTED this ____ day of _____, 2020 by the following roll call vote:

AYES: Councilmembers:
NOES: Councilmembers:
ABSENT: Councilmembers:

APPROVED:

Susan M. Landry, Mayor

ATTEST:

Andrea Sanders, Deputy City Clerk

Attachment: Ordinance 2267 (Ordinance 2267)

Exhibit A

8.42.010 Council Findings.

The city council of the city of Campbell hereby finds and declares that graffiti is detrimental to property values, promotes blight, degrades the quality of life in the community, is inconsistent with the city's property maintenance goals and aesthetic standards, is detrimental to the public health, safety and welfare, is often related to gang activity and may, therefore, lead to an increase in crime, and if not promptly removed may lead to the spread of additional graffiti. The council also finds that the greatest disincentive to graffiti and its spread to other properties is its prompt eradication. The council further finds and declares that the regulation of graffiti by the city is necessary in order to protect the public health, safety and welfare. It is the intent of the city council, through the adoption of this ordinance to provide notice to all of those who callously disregard the property rights of others, that the law enforcement agencies of the city, including the Police Department and the city Attorney's office, will strictly enforce the law to its maximum extent and severely prosecute those persons engaging in the defacement of public and private properties. This city council further finds that the expense of abatement should be recovered for violations of this Chapter. This Chapter is intended to be complementary to and not in conflict with Penal Code section 594, which provides that any person who maliciously defaces property is guilty of vandalism, and Penal Code section 594.1 which provides that certain activities involving the possession, sales and use of aerosol paint containers are misdemeanors.

8.42.020 Declaration of graffiti as a public nuisance.

The city council of the city of Campbell hereby declares that graffiti is obnoxious and is a public nuisance which may be abated and that the expense of abatement and administrative costs may be collected pursuant to the procedures set forth in this Chapter and Chapter 6.10 of the Campbell Municipal Code.

8.42.030 Definitions.

"Administrative costs" includes, but is not limited to, the costs incurred by the city for removal of the graffiti or other inscribed material from personal or real property, the costs of repair and replacement of defaced personal or real property; and the costs incurred by the city in administering the graffiti abatement on privately or publicly owned personal or real property.

"Aerosol paint container" means any aerosol container, regardless of the material from which it is made, which is adapted or made for the purpose of spraying paint or other substance capable of defacing property.

“Expense of abatement” includes, but is not limited to, court costs, attorney’s fees, costs of removal of the graffiti or other inscribed material, costs of repair and replacement of defaced personal or real property, the law enforcement costs incurred by the city in identifying and apprehending the minor or person who created, caused, or committed the graffiti or other inscribed material on the publicly or privately owned real or personal property within the city; and, the costs of administering and monitoring the participation of a person, and if a minor, his or her parents or guardians, in a graffiti abatement program.

“Felt tip marker” means any marker or similar implement with a tip which at its broadest width is greater than three-eighths (3/8) of an inch, containing ink or other pigmented liquid which cannot be removed with water after it dries.

“Graffiti” means any unauthorized inscription, writing, lettering, word, drawing, figure, marking, painting or design that is marked, written, etched, scratched, drawn, painted, or otherwise placed on any real or personal property.

“Graffiti implement” means an aerosol paint container, a felt tip marker, a paint stick or graffiti stick.

“Minor” means a person who is under the age of eighteen (18) years old.

“Paint stick” or “graffiti stick” means a device containing a solid form of paint, chalk, wax, epoxy, or other similar substance capable of being applied to a surface by pressure, and upon application leaving a mark at least three-eighths (3/8) of an inch in width, which cannot be removed with water after it dries.

“Property” means real or personal property, whether publicly or privately owned, within the city limits.

“Structure” means the same as defined in the Uniform Building Code.

“Surface” means the exposed area of any object, including but shall not be limited to, walls, fences, signs, retaining walls, driveways, walkways, sidewalks, curbs, street lampposts, hydrant, tree, electric, light, power, telephone or telegraph poles; drinking fountains, and garbage receptacles.

“Responsible minor” means a minor who has confessed to, admitted to, pled guilty to or pled nolo contendere to a violation of this chapter, or to a violation of section 594, 594.1, 594.2, 594.3, 640.5, 640.6, or 640.7 of the Penal Code; or a minor convicted by a final judgment of a violation of this chapter, or to a violation of section 594, 594.1, 594.2, 594.3, 640.5, 640.6, or 640.7 of the Penal Code; or a minor declared a ward of the Juvenile Court pursuant to section 602 of the Welfare and Institutions Code by reason of the commission of an act prohibited by this chapter or by section 594, 594.1, 594.2, 594.3, 640.5, 640.6, or 640.7 of the Penal Code.

“Responsible person” means any person or entity who is the owner or who has primary responsibility for the management, repair or maintenance of the property.

8.42.040 Graffiti prohibited.

(a) It is unlawful for any person who owns or is otherwise in control of any real property within the city, even if it is located in the city right-of-way, to permit or allow any graffiti to be placed upon or remain for longer than seventy-two (72) hours on any surface located on such property and visible to the public.

(b) This section shall apply to both public and private property in all zoning districts of the city.

8.42.050 Possession of graffiti implement by minors prohibited.

It is unlawful for any person under the age of eighteen (18) years, to possess any graffiti implement while upon private property, without first having obtained the prior consent of the owner of such property to the minor’s presence and possession of a graffiti implement on the property.

8.42.060 Possession of graffiti implement in public places.

It is unlawful for any person to have in his or her possession any graffiti implement in any public park, playground, beach, swimming pool or other public recreational facility, or while loitering in or near an underpass, bridge abutment, storm drain, or other similar types of infrastructure not normally used by the public, except as may be authorized by the city. This provision shall not apply to any person who is traveling to or from a school in which he or she is enrolled and attending a class for which the teacher has required the use of the graffiti implement in such person’s possession.

8.42.070 Graffiti removal

(a) The city manager may from time to time implement one or more programs for the removal of graffiti located on any public or private property within the city, which is visible from any public right-of-way or public or private property, at the city’s expense, and without reimbursement from the owner or other person in control of real or personal property, unless the city elects to recover the expense of abatement and/or administrative costs, from third parties pursuant to section 6.10.200, upon the following conditions:

- (1) The property owner or other person in control of such property should be requested to perform the removal with his/her own resources;
- (2) The city shall not paint or repair a more extensive area than is necessary to remove the graffiti, unless the city manager or his/her designee determines that a more extensive area is required to be repainted or repaired in order to avoid an aesthetic disfigurement to the neighborhood or community, or unless the property owner or other person in control of such property agrees to pay for the cost of repainting or repairing the more extensive area; and
- (3) The removal of the graffiti may be performed only after securing the consent of the property owner or other person in control of such property, and that individual executes a release and right of entry form permitting such graffiti removal.

(b) Use of Public Funds. Whenever the city becomes aware, or is notified and determines, that graffiti is so located on any public or private property within the city which is visible from any public right-of-way or public or private property, the city shall be authorized to use public funds for the removal of same, or for the painting or repairing of same, but shall not authorize or undertake to provide for the painting or repair of any more extensive area than that where the graffiti is located, unless the city manager, or designee, determines that a more extensive area is required to be repainted or repaired in order to avoid an aesthetic disfigurement to the neighborhood or community.

8.42.080 Abatement and cost recovery proceedings

Notwithstanding the city administrator's right to implement graffiti removal programs pursuant to section 8.42.070, it shall be the primary obligation of all persons who own or are otherwise in control of any real or personal property upon which graffiti has been placed, to cause the removal of such graffiti within seventy-two (72) hours after receiving the notice described in subsection (a) of this section. The city administrator may cause the abatement and removal of graffiti on public or private property in accordance with the following procedure:

(a) Notice. The city administrator or his/her designee shall issue a seventy-two-hour written notice of intention to abate the graffiti as a public nuisance and shall serve such notice by any of the following methods:

1. By personal service on the owner, occupant or person in charge or control of the property;
2. By posting at a conspicuous place on the property or abutting public right-of-way; or

3. By sending a copy of such notice by registered or certified mail addressed to the owner or person in charge or control of the property, at the address shown on the last available assessment roll, or as otherwise known.

(b) Form. The notice of intention shall be in substantially the following form:

NOTICE OF INTENT TO REMOVE GRAFFITI

(Name and address of person notified)

Date: _____

NOTICE IS HEREBY GIVEN that you are required by Campbell Municipal Code section 8.42.080 at your expense to remove or paint over the graffiti in existence on the property located at (address), which is visible to public view, within seventy-two (72) hours after receipt of this notice; or, if you fail to do so, city employees or private contractors employed by the city will enter upon your property and abate the public nuisance by removal or painting over the graffiti. The administrative costs of abatement by the city employees or private contractors will be assessed against you and your property and such costs will constitute a lien or special assessment upon such property until paid.

At the conclusion of this seventy-two-hour period, without further notice and at your expense, the city may proceed with the abatement of the graffiti inscribed on your property unless you appeal the order of abatement to the city council within the seventy-two-hour period referenced above. Any appeal shall be accompanied by a written statement of reasons and the payment of the filing fee established by the city council.

(c) Appeal.

1. Within seventy-two (72) hours after issuance of the notice described in subsection 8.42.080(a), the owner or person occupying or controlling such property affected may appeal the order of abatement to the council. Appeals shall be filed with the city clerk and shall be accompanied by a letter stating the reasons for the appeal and a fee as required by council resolution. A hearing officer designated pursuant to Section 6.10.210 shall hear such appeals;

2. Within fifteen (15) days after receipt of the appeal application, the city clerk shall notify the applicant of the date, time and location at which the hearing officer shall hear the appeal. The hearing officer designated pursuant to Section 6.10.210 shall hear and consider all relevant evidence, objections or protests, and shall receive testimony from owners, witnesses, city personnel and interested persons relevant to such alleged public nuisance and to proposed abatement measures.

(d) Removal by city. Seventy-two (72) hours after service of the notice, or if appealed, not less than twenty-four (24) hours after the decision of the hearing officer declaring the graffiti to be a public nuisance, the city administrator is authorized and directed to cause the graffiti to be abated by the city or private contractor, and the city or its private contractor is expressly authorized to enter upon the property for such purposes.

(e) Accounting. The city administrator shall keep an account of the cost of abatement and an itemized report to the city council shall be filed with the city clerk. Such report shall refer to each separate lot or parcel of land by description sufficient to identify such lot or parcel, together with the expense proposed be assessed against each separate lot or parcel of land.

(f) Assessment of Costs Against Owner or Other Person in Control of Property. The total administrative costs of abatement shall be a personal obligation of the owner or other person in control of the real or personal property upon which graffiti has been abated, and shall be paid by such owner or other person within thirty (30) days after receiving a demand for such payment from the city. Pursuant to Government Code sections 38773.1 and 38773.5, the total costs of abatement shall constitute a special assessment or a lien against the property subject to the graffiti abatement, if not paid in full within thirty (30) days after demand for such payment has been made by the city. The city shall follow procedures set forth in section 6.10.200 of the Campbell Municipal Code prior to seeking the special assessment or recordation of the lien.

The owner or other person in control of the real or personal property upon which graffiti has been abated shall not be relieved of any of its obligations or liabilities pursuant to this section 8.38.080 by virtue of subsection 8.38.080(7) below or any other provision of this chapter.

(g) Assessment of Costs Against Minor, Parent and/or Guardian.

1. The total expense of abatement, including all administrative costs, shall also be a personal obligation of any minor responsible for the graffiti upon the property subject to the graffiti abatement, and shall be paid for by such minor within thirty (30) days after receiving a demand for such payment from the city. Pursuant to Government Code sections 38773.2 and 38773.6, the total expense of abatement and administrative costs shall constitute a special assessment or a lien against any real property owned by the minor, if such expense of abatement and administrative costs are not paid in full within thirty (30) days after demand for such payment has been made by the city. The city shall follow procedures set forth in section 6.10.200 of the Campbell Municipal Code prior to seeking the special assessment or recordation of the lien.

2. The parent or guardian having custody and control of the minor responsible for the graffiti upon the property subject to the graffiti abatement shall be jointly and

severally liable with the minor and the expense of abatement and administrative costs shall constitute a personal obligation of such parent or guardian. The total expense of the abatement and administrative costs shall be paid for by a parent or guardian having custody or control of the minor within thirty (30) days after receiving a demand for such payment from the city. Pursuant to Government Code section 38773.6, the total expense of abatement, including all administrative costs, shall constitute a special assessment or a lien against any real property owned by the parent or guardian having custody or control of the minor, if such expense of abatement and administrative costs are not paid in full within thirty (30) days after demand for such payment has been made by the city. The city shall follow procedures set forth in section 6.10.200 of the Campbell Municipal Code prior to seeking the special assessment or recordation of the lien.

8.42.090 Cost Recovery

(a) Any responsible minor or person who created, caused, or committed the graffiti or other inscribed material on publicly or privately owned personal or real property within the city shall be liable to the city for the expense of abatement of such graffiti and administrative costs.

(b) Any responsible minor or person owing money to the city under this section shall be liable in any action brought in the name of the city for the recovery of the expense of abatement of such graffiti and administrative costs.

8.42.100 Parental liability.

(a) Any parent or other legal guardian who consents to, permits, or otherwise knowingly allows his or her minor to possess a graffiti implement shall be jointly and severally liable for the expense of abatement and administrative costs which are incurred by any person in connection with the graffiti caused by said minor or by the graffiti implement. Liability pursuant to this section shall be in addition to any other liability imposed by law, including without limitation California Civil Code section 1714.1.

(b) Wherever any minor who created, caused, or committed the graffiti or other inscribed material on publicly or privately owned personal or real property within the city, or any minor against whom a fine, levy, expense of abatement and administrative costs are assessed pursuant to this chapter, that minor's parent or legal guardian shall also be liable to the city for the expense of abatement and such fine, levy or administrative cost.

8.42.110 Procedures in this chapter cumulative to other legal remedies.

The procedures set forth in this Chapter shall be cumulative to, and shall not foreclose the application of, any other existing legal remedies.

8.42.120 Criminal penalty

(a) It is unlawful for any person, firm, corporation or other entity to violate any provision, or fail to comply with any mandatory requirement of this chapter. Except as otherwise provided in subsection (d) of this section, any person, firm, corporation or other entity violating any provision, or failing to comply with any mandatory requirement of this chapter is guilty of an infraction, and upon conviction shall be punished by a fine of not more than one hundred dollars.

(b) Notwithstanding any provision to the contrary, any person, firm or corporation committing any act made unlawful pursuant to this chapter shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not more than one thousand dollars and/or imprisonment of not more than six months, if any of the following circumstances exists:

- (1) The violation was committed willfully or with knowledge of its illegality;
- (2) The violator does not cease, or otherwise abate the violation after receiving notice of such violation within the time specified in the notice;
- (3) The violator has previously been convicted of violating the same provision of this chapter within two years of the currently charged violation;
or
- (4) The provision violated specifies that such violation shall be a misdemeanor.

(c) Any person or entity violating any provision of this chapter or failing to comply with any of its requirements shall be deemed guilty of a separate offense for each and every day or any portion thereof during which any violation of this chapter is committed, continued, or permitted by such person or entity and shall be deemed punishable therefor as provided herein.

(d) Community service in and for the city may be imposed by the court, in addition to any penalty imposed pursuant to this chapter, where there has been a conviction or guilty or nolo contendere plea to a violation of this chapter.

(e) Any community service which is required pursuant to subsection (a) of this section for a person under the age of eighteen (18) years may be required by the court to be performed in the presence and under the direct supervision of the person's parent or legal guardian.

(f) If a minor is personally unable to pay any fine or restitution levied for violating this chapter, the parent or legal guardian shall be liable for the payment of the fine or restitution for any intentional acts of the minor.

8.42.130 Suspension or delay of driving privileges

For each conviction of a person aged thirteen (13) to twenty-one (21) for violation of CMC 8.38.040(a) or any State law pertaining to vandalism of property with a graffiti implement, the city shall petition the sentencing court to suspend existing driving privileges or delay the issuance of driving privileges in accordance with California Vehicle Code Section 13202.6.

Exhibit B

6.10.200 Assessment of costs against property

(a) Recovery as lien on property.

1. If a responsible person is an owner of real property and does not pay any part of the enforcement or administrative costs of abating the nuisance within thirty days after the service of notice of these costs, the City Council may adopt a resolution confirming imposition of the debt and approving the filing of a lien against the subject real property.
2. The resolution shall specify the amount of the lien, the name of the agency on whose behalf the lien is imposed (city of Campbell), the date of the abatement order, the street address, legal description and assessor's parcel number of the parcel on which the lien is imposed, and the name and address of the recorded owner of the parcel.
3. A copy of the resolution shall be served on the property owner, along with notice to the property owner that a lien in the amounts stated in the resolution will be filed against the subject property in the Santa Cruz County recorder's office.
4. The notice set forth in paragraph 3 shall be served in the same manner as a summons in a civil action in accordance with the Code of Civil Procedure Section 415.10 et seq. If the owner of record cannot be found after diligent search, then the notice shall be served by posting a copy thereof in a conspicuous place upon the property for a period of ten days and publication thereof in a newspaper of general circulation published in Santa Clara County.

Such notice of lien for recordation shall be in form substantially as follows:

NOTICE OF LIEN

CLAIM OF CITY OF CAMPBELL, CALIFORNIA

Pursuant to the authority vested by the provisions of Chapter 6.10. of the Campbell Municipal Code, the City of Campbell did on or about the _____ day of _____, 20____, undertake to cause the public nuisance on the premises hereinafter described to be abated on the real property described herein; and the City Council of the City of Campbell did on the _____ day of _____, 20____, assess the cost of such abatement upon the real property hereinafter described; and the same has not been paid nor any part thereof; and that said City of Campbell does hereby claim a lien on such abatement in the amount of said assessment, to wit: the sum of \$_____; and the same shall be a lien upon said real property until the same has been paid in full and discharged of record.

The real property hereinbefore mentioned, and upon which a lien is claimed, is that certain parcel of land lying and being in the City of Campbell, County of Santa Clara, State of California, commonly known as Assessor's Parcel Number _____, located at

the address of _____ and particularly described as set forth in Exhibit A (legal description).

The owner of record of the above-described property is _____, whose last known address is _____.

DATED: _____ SIGNED: _____

City Manager
City of Campbell
(Acknowledgment)

5. The resolution and notice shall be recorded as a lien with the county recorder in the county recorder’s office in the county in which the parcel of land is located and from the date of recording shall have the force, effect, and priority of a judgment lien. Once recorded, the resolution and notice shall have the force and effect and priority of a judgment lien governed by the provisions of Code of Civil Procedure Section 697.340 and may be extended as provided in Code of Civil Procedure Sections 683.110 to 683.220, inclusive.

6. A lien pursuant to this section may be foreclosed by an action brought by the city for a money judgment.

7. In the event that the lien is discharged, released, or satisfied, either through payment or foreclosure, notice of the discharge shall be recorded by the City of Campbell. A nuisance abatement lien and the release of the lien shall be indexed in the grantor-grantee index.

8. The City of Campbell may recover from the property owner any costs incurred regarding the processing and recording of the lien, as well as costs associated with providing notice to the property owner as part of its foreclosure action to enforce the lien.

(b) Recovery of costs by special assessment.

1. As an alternative to the procedure above in this chapter, there is hereby established a procedure for making any nuisance abatement charge or administrative costs imposed by the city in connection with real property a special assessment against the subject real property.

2. If a responsible person is an owner of real property and does not pay any part of the enforcement or administrative costs or expenses of abating the nuisance within thirty

Attachment: Ordinance 2267 (Ordinance 2267)

days after the service of notice of these costs, the City Manager may approve the filing of a special assessment against the property pursuant to the provisions of this chapter.

3. Prior to imposing a special assessment lien, the enforcement officer shall schedule a hearing before a designated hearing officer to hold a public hearing on the proposed assessment against the respective lot or parcel of land to which it relates.

4. Notice of the hearing shall be served upon the owner of record of the parcel of land on which the nuisance was maintained, based on the last equalized assessment roll or the supplemental roll, whichever is more current, in the manner provided in Section 6.10.180(g)(1) and (2). The notice shall set forth the following information:

- (i) The date, time and location of the public hearing;
- (ii) The assessor's parcel number and street address of the property on which the assessment is to be imposed;
- (iii) The identity of the owner of record;
- (iv) The last known address of the owner of record;
- (v) That the City of Campbell intends to impose a special assessment against the property for unpaid enforcement costs arising out of the violation of ordinance provisions that constitute a public nuisance or threat to the public health and safety;
- (vi) The date the order to abate the property was issued; and
- (vii) The amount of the proposed assessment.

5. After considering the testimony and evidence presented at the hearing, the hearing officer shall issue a written decision, based on the preponderance of evidence, to uphold, dismiss, or modify the proposed special assessment. The hearing officer shall send a copy of the decision to the cited responsible person and to the enforcement officer.

6. At least ten days prior to imposing an assessment, the City shall serve notice of the special assessment to the property owner, if the property owner's identity can be determined from the county assessor's or county recorder's records. The notice of assessment shall set forth the following information:

- (i) The assessor's parcel number, street address and legal description of the property on which the lien and assessment are to be imposed;
- (ii) The identity of the owner of record;
- (iii) The last known address of the owner of record;
- (iv) The date the order to abate the property was issued;

- (v) The date on which the assessment was ordered;
- (vi) That the lien is being imposed by the City of Campbell;
- (vii) The amount of the proposed assessment and lien; and
- (ix) That the property may be sold after three years by the tax collector for unpaid delinquent assessments or foreclosed at any time by an action brought by the City.

7. The notice set forth in subsection (f) shall be served upon the owner of record as follows:

- (i) In the same manner as summons in a civil action in accordance with Article 3 (commencing with Section 415.10) of Chapter 4 of Title 5 of Part 2 of the California Code of Civil Procedure; and
- (ii) By certified mail to the address set forth in the county assessor's or county recorder's records.
- (iii) Notwithstanding paragraphs (f)(1) and (2) of this subsection, if, after a diligent search, the owner of the record cannot be found, notice may be served by posting a copy of it in a conspicuous place upon the property for 10 days and publishing the notice in a newspaper of general circulation pursuant to California Government Code Section 6062.

8. Such notice of special assessment shall be in form substantially as follows:

**NOTICE OF SPECIAL ASSESSMENT
CLAIM OF CITY OF CAMPBELL, CALIFORNIA**

Pursuant to the authority vested by the provisions of Chapter 6.10 of the Campbell Municipal Code, the City of Campbell did on or about the _____ day of _____, 20____, undertake to cause the public nuisance on the premises hereinafter described to be abated on the real property described herein; and the City Council of the City of Campbell did on the _____ day of _____, 20____, assess the cost of such abatement upon the real property hereinafter described; and the same has not been paid nor any part thereof; and that said City of Campbell does hereby impose a special assessment in the amount of said assessment, to wit: the sum of \$_____; and the same shall be a lien upon said real property until the same has been paid in full and discharged of record. The property may be sold after three years by the tax collector for unpaid delinquent assessments or foreclosed at any time by an action brought by the City.

The real property hereinbefore mentioned, and upon which a lien is claimed, is that certain parcel of land lying and being in the City of Campbell, County of Santa Clara, State of California, commonly known as Assessor's Parcel Number _____, located at

Attachment: Ordinance 2267 (Ordinance 2267)

the address of _____ and particularly described as set forth in Exhibit A (legal description).

The owner of record of the above-described property is _____, whose last known address is _____.

DATED: _____ SIGNED: _____

City Manager
City of Campbell
(Acknowledgment)

9. The notice of assessment shall be recorded with the County Recorder's Office upon expiration of ten days following service of the notice of assessment, and a copy may be turned over to the tax collector for the city, whereupon it shall be the duty of the tax collector to add the amounts of the respective assessments to the next regular tax bills levied against the respective lots and parcels of land for municipal purposes, and thereafter the amounts shall be collected at the same time and in the same manner as ordinary municipal taxes are collected, and shall be subject to the same penalties and the same procedure under foreclosure and sale in case of delinquency as provided for ordinary municipal taxes.

10. After such recordation, the property may be sold after three years by the tax collector for unpaid delinquent assessments. However, if any real property to which the cost of abatement relates has been transferred or conveyed to a bona fide purchaser for value, or if a lien of a bona fide encumbrancer for value has been created and attaches thereon, prior to the date on which the first installment of the taxes would become delinquent, then the cost of abatement shall not result in a lien against the real property but instead shall be transferred to the unsecured roll for collection.

11. The city may, subject to the requirements applicable to the sale of property pursuant to Revenue and Taxation Code Section 3691, conduct a sale of vacant residential developed property for which the payment of the assessment is delinquent.

(c) The interest rate set for money judgments in Code of Civil Procedure Section 685.010 shall accrue on the principal amount of the lien or special assessment until satisfied pursuant to law.

Attachment: Ordinance 2267 (Ordinance 2267)



*City
Council
Report*

Item: 4
Category: CONSENT CALENDAR
Meeting Date: September 15, 2020

TITLE: 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.

BACKGROUND

In 1994, the City of Campbell's Bicycle Advisory Committee (BAC) was established in response to a Metropolitan Transportation Commission (MTC) requirement that cities establish Bicycle Advisory Committees in order to remain eligible to receive Transportation Development Act (TDA) funds. Since its establishment, the City's BAC has provided guidance to City staff and Council in the development of bicycle policies and programs, including review and approval of all applications for TDA funds administered by the Valley Transportation Authority (VTA).

On September 4, 2007, the City Council adopted Resolution No. 10809 approving terms and appointment process for BAC members. The new process would bring the BAC in line with other City boards and commissions. Terms would help BAC members know when they have fulfilled their term of service and would give them the opportunity to reapply or resign. There would be up to three members whose four-year terms would end on even-numbered years.

On November 1, 2010, the City Council adopted Resolution No. 11229 renaming the Campbell Bicycle Advisory Committee (BAC) the Campbell Bicycle and Pedestrian Advisory Committee (BPAC). The name change expanded the committee's responsibilities while keeping the same number of committee members and maintaining the committee's focus on bicycle concerns.

DISCUSSION

Three of the current BPAC member's terms ended in August, 2020, leaving three vacant positions to be filled on the committee. A recruitment notice for the three vacant BPAC positions was posted on the City's website. Three formal applications were received for the three vacancies. The applications included one BPAC incumbent and

two new applicants. Regarding the other two BPAC incumbents, one declined to reapply and the other has moved out of Campbell. Interviews were arranged for the applicants and conducted by the Public Works Director and Traffic Engineer on July 31, 2020 and August 7, 2020. All three candidates were interviewed.

Staff recommends that the City Council reappoint Carmen Lynaugh to the BPAC for a term expiring in August, 2024. She has a clear understanding of the BPAC's role and responsibilities and has a strong desire to raise public awareness, improve traffic safety, and serve the public. Since her 2016 BPAC application was already on file, her statement of interest in applying for another term was deemed sufficient and a 2020 application was not required. Attachment B is her 2016 BPAC application.

Carmen Lynaugh is currently a member of the Silicon Valley Bike Coalition and a retired Project Manager, formerly with the City of Cupertino - Public Works Department. She possesses an Associate Degree in Civil Engineering from Vermont Technical College. As a longtime Campbell resident, Ms. Lynaugh believes her service on the BPAC fulfills a civic duty and desires to make Campbell a bike and pedestrian friendly city for all to enjoy. She is interested in educating the public about bicycle safety and sharing the road, creating more secure bike parking around Campbell, securing outside funding for bicycle and pedestrian projects, and working with the Santa Clara Valley Water District to establish public trails on their properties. Staff recommends appointment of Carmen Lynaugh to the BPAC for a four-year term to expire in 2024.

For the two remaining BPAC vacancies, staff prepared a report for Council (for September 1) seeking the Council's approval to re-open the application period open until a sufficient number of applications have been received.

FISCAL IMPACT

There is no fiscal impact associated with this action.

ALTERNATIVES

1. Do not accept the recommendation to fill the current vacancies.

Prepared by:



Matthew Jue, Traffic Engineer

Reviewed by:



Todd Capurso, Director of Public Works

Approved by:



Brian Loventhal, City Manager

Attachment:

- a. Resolution for Reappointment
- b. BPAC Application (Carmen Lynaugh)-Redacted

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAMPBELL REAPPOINTING CARMEN LYNAUGH TO FILL A VACANCY ON THE BICYCLE AND PEDESTRIAN ADVISORY COMMITTEE

WHEREAS, in 1994, the City of Campbell established a Bicycle Advisory Committee (BAC) with five members appointed by the City Council to provide valuable guidance to the City regarding bicycle policies and programs; and

WHEREAS, in 2007, the City Council adopted resolution No. 10809 establishing four-year terms for BPAC members with up to three members whose four-year terms end on even-numbered years; and

WHEREAS, in 2010, the City Council adopted Resolution No. 11229 renaming the Campbell Bicycle Advisory Committee (BAC) the Campbell Bicycle and Pedestrian Advisory Committee (BPAC); and

WHEREAS, in August, 2020, there are now three vacancies on the BPAC; and

WHEREAS, the City solicited applications for serving on the BPAC and three applications were received; and

WHEREAS, staff recommends reappointing Carmen Lynaugh to fill one vacancy on the BPAC.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Campbell approve the reappointment of Carmen Lynaugh to serve on the BPAC for a term expiring August, 2024.

PASSED AND ADOPTED this 15th day of September, 2020, by the following roll call vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS
ABSENT: COUNCILMEMBERS:

APPROVED:

Attest:

Susan M. Landry, Mayor

Andrea Sanders, Deputy City Clerk

Attachment: Resolution for Reappointment (Approval of Reappointment to the BPAC (Resolution/Roll Call Vote))

CITY OF CAMPBELL/PUBLIC WORKS DEPARTMENT
70 NORTH FIRST STREET
CAMPBELL, CA 95008
Phone: (408) 866-2150
Email: publicworks@cityofcampbell.com

RECEIVED

JUN 23 2016

Public Works Administration

**APPLICATION FOR APPOINTMENT TO
BICYCLE AND PEDESTRIAN ADVISORY COMMITTEE**

Name Carmen Lynaugh

Address _____

Phone Number - Work _____ Home _____

Have you served in a similar capacity previously? Yes No

If "Yes", give name of City or other jurisdiction:

Member of a bicycle organization? (Yes/No) If yes, which one(s) Silicon Valley

Bicycle Coalition

Present Occupation Project Manager (retired annuitant)
(Give Title)

Name and Address of Present Employer (if employed) City of Cupertino
10300 Torre Ave., Cupertino, CA 95014

Education: High School St. Johnsbury Academy

College Vermont Technical College

Degree(s) Obtained Associates Civil Engineering

Check appropriate bicycle usage:

Recreation Commuting Racing Fitness

Check Interests:

Increasing bicycle usage Improving bicycle safety School bike routes

Public awareness & education Bicycle Route Planning Other (specify)

Outside funding for bike/ped projects, more secure bike parking, joint use of SCVWD properties for trails
Additional comments on your specific interest in this appointment: I would like to assist in

making Campbell a bike/ped Friendly City for all people to enjoy and feel safe.

Signature Carmen Lynaugh Date 6/23/16



*City
Council
Report*

Item: 5
Category: CONSENT CALENDAR
Meeting Date: September 15, 2020

TITLE: 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.

BACKGROUND

In July 1996, California approved AB3229 {Citizens' Option for Public Safety (COPS)} and in July 2000, AB2885 extended this program indefinitely. This bill appropriated \$100 million from the State General Fund for distribution to local law enforcement agencies for "front line municipal police services." Each California City is guaranteed a minimum of \$100,000, regardless of population. No competitive selection process is necessary to qualify for these funds, nor are matching City funds required. COPS funds must be spent on personnel, equipment, or supplies. COPS funds are not approved for capital improvement or construction projects.

Other requirements and restrictions include:

- 1) COPS funds shall be used to supplement, not supplant existing funding for law enforcement services.
- 2) COPS funds shall be deposited into a separate fund, not intermingled with other monies.
- 3) The City Council shall approve the appropriation of COPS funds pursuant to a recommendation by the Chief of Police.
- 4) Each county shall establish a Supplemental Law Enforcement Services Fund for deposit of State COPS funds and distribution to municipalities.
- 5) Each county shall establish a Supplemental Law Enforcement Oversight committee. The Oversight Committee must approve proposed uses of COPS funds and ensure that funds are expended in compliance with State Law.

DISCUSSION

Beginning in 2002, and in each year that followed, the City Council has approved COPS funds for the services of Police Department Community Services Officers. The Chief of Police again proposes that COPS funds be applied towards Community Services Officers.

As of June 30, 2020, the SLESF has an ending fund balance of \$205,929. The City will receive \$100,000 in FY 2020-21 grant revenue, bringing total available funds to \$305,929. As with prior fiscal years, \$129,133 or 90% of a Community Services Officer is recommended to be funded in the Supplemental Law Enforcement Service Fund (210); with the remaining 10% to be funded in the General Fund Police Department – Field Services Program.

The remaining \$176,796 in the SLESF will be allocated by the Chief of Police to be used for equipment replacement.

However, when the FY 2020-21 Budget was developed, the full CSO costs were placed in the General Fund along with the expected SLESF revenue. In addition, no funds for equipment replacement costs were appropriated in the SLESF. Thus, budget adjustments to both the General Fund (101) and SLESF (210) are recommended. These are summarized in the fiscal impact below and require approval of the associated resolution attached to the staff report. In future year proposed budgets, CSO costs and revenue will be placed directly into the SLESF at time of budget preparation so that corrective budget amendments are not necessary.

FISCAL IMPACT

The impacts on the General Fund are:

Source of Funds

1. (\$100,000) Reduction in Grant Revenue Budget

Use of Funds

1. (\$129,133) Reduction in Staffing Expense Budget

NET SAVINGS TO GENERAL FUND (101): \$29,133

The impacts on the SLESF (210) are:

Source of Funds

1. \$100,000 Increase in Grant Revenue Budget

Use of Funds

1. \$129,133 Staffing Expense
2. \$176,796 Materials and Supplies
- \$305,929** ***Sub-Total Use of SLESF Fund***

NET DRAW ON SLESF (101): \$205,929

ALTERNATIVES

- 1) Direct that available COPS funds be applied towards another approved purpose.

Prepared by:



Norite Vong, Finance Manager

Approved by:



Brian Loventhal, City Manager

Attachment:

- a. Resolution

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAMPBELL
ACCEPTING SUPPLEMENTAL LAW ENFORCEMENT SERVICE FUNDS
(SLESF) GRANT ALLOCATION FOR FY 2020-21 AND APPROVING OF
RELATED BUDGET ADJUSTMENTS**

WHEREAS, the City Council of the City of Campbell has adopted a budget for the 2020-2021 fiscal year; and,

WHEREAS, revenue is available to the City from the State of California Supplemental Law Enforcement Services Fund; and,

WHEREAS, the City has complied with the legal provisions required to receive this revenue.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Campbell that the City increase the grant revenue budget for SLESF in the amount of \$100,000 from the State of California for FY 2020-21 and reduce the grant revenue budget in the General Fund by \$100,000; and adopt an expenditure budget in the FY 2020-21 SLESF Fund of \$305,929 and decrease the expenditure budget in the General Fund by \$129,133.

PASSED AND ADOPTED this 15th day of September 2020, by the following roll call vote:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

APPROVED:

Susan M. Landry, Mayor

ATTEST:

Andrea Sanders, Deputy City Clerk

Attachment: Resolution (Cops Slesf FY2020-21)



*City
Council
Report*

Item: 6
Category: CONSENT CALENDAR
Meeting Date: September 15, 2020

**TITLE: 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.

BACKGROUND

On March 17, 2020, the City Council adopted a resolution ratifying the Director of Emergency Services' proclamation dated March 12, 2020 declaring the existence of a local emergency resulting from community spread of COVID-19 in the City of Campbell. As required by Government Code 8630 (c), the City Council must review the need to continue the local emergency declaration every 60 days until conditions warrant termination. On May 5 and July 24, 2020, the City Council adopted resolutions extending the declaration of a local emergency.

This declaration of a local emergency provided the City the authority to provide and request mutual aid from state and other governmental agencies, consistent with the provisions of local ordinances, resolutions, emergency plans, and agreements; as well as promulgate orders and regulations, and exercise emergency police powers necessary to provide for protection of life and property.

Pursuant to the Campbell Municipal Code 2.28.060 (a)(1) and California Government Code Section 8630 (b), these actions must be ratified by the City Council, as it is required by law in order to allow the City the ability to exercise emergency police powers such as: evacuation; immunity for emergency actions; authorization of issuance of orders and regulations; activation of pre-established emergency provisions; and is a prerequisite for requesting state or federal assistance.

DISCUSSION

On August 28, the California Department of Public Health (CDPH) issued the "Blueprint for a Safer Economy." Each county will fall into one of four colored tiers – Purple (Widespread), Red (Substantial), Orange (Moderate) and Yellow (Minimal). – based on how prevalent COVID-19 is in each county and the extent of community spread. That

color will indicate how sectors can operate. Below is a graphic illustrating the colored tiered system.

<p style="text-align: center;">WIDESPREAD</p> <p style="text-align: center;">Most non-essential indoor business operations are closed.</p>	<p style="text-align: center;">More than 7</p> <p style="text-align: center;">Daily new cases (per 100k)</p>	<p style="text-align: center;">More than 8%</p> <p style="text-align: center;">Positive tests</p>
<p style="text-align: center;">SUBSTANTIAL</p> <p style="text-align: center;">Some non-essential indoor business operations are closed.</p>	<p style="text-align: center;">4-7</p> <p style="text-align: center;">Daily new cases (per 100k)</p>	<p style="text-align: center;">5-8%</p> <p style="text-align: center;">Positive tests</p>
<p style="text-align: center;">MODERATE</p> <p style="text-align: center;">Some business operations are open with modifications.</p>	<p style="text-align: center;">1-3.9</p> <p style="text-align: center;">Daily new cases (per 100k)</p>	<p style="text-align: center;">2-4.9%</p> <p style="text-align: center;">Positive tests</p>
<p style="text-align: center;">MINIMAL</p> <p style="text-align: center;">Most business operations are open with modifications.</p>	<p style="text-align: center;">Less than 1</p> <p style="text-align: center;">Daily new cases (per 100k)</p>	<p style="text-align: center;">Less than 2%</p> <p style="text-align: center;">Positive tests</p>

On September 8, the State of California announced that Santa Clara County was moved from Tier One - Purple (Widespread), which is the most restrictive, to Tier Two – Red (Substantial). Counties in Tier Two – Red are still experiencing substantial spread of COVID-19, but may reopen indoor operations, with limitations and protective measures. Although Santa Clara County case rate is considered high, the State recognizes that the County is testing at a higher rate, so higher counts are tolerated. Under this premise, the State moved the County to Tier Two – Red. The following activities are now allowed to resume under the “Blueprint” framework and County “Risk Reduction Order:”

- Personal care services (previously allowed, with reduced capacity)
- Museums, zoos, aquariums: allowed to open indoors at 25% capacity
- Gyms and fitness centers: allowed to open indoors at 10% capacity
- Shopping malls: allowed to open indoors at 50% capacity (previously open at 25% capacity)

Indoor dining, indoor movie theaters, and indoor gatherings remain prohibited in Santa Clara County under the local Risk Reduction Order. Other activities that the County had previously allowed but the State had prohibited can now resume. The stricter of the State or local order always controls.

Counties must remain in every tier but purple for a minimum of 21 days before being eligible to move into the next tier. Each Tuesday, California will update each county's

data for the previous week and make corresponding changes to tiers. In order to move into a less restrictive tier, a county must meet that tier's criteria for 14 consecutive days.

Government Code 8630 (c) requires that the City Council review the need to continue the local emergency every 60 days. The City Council last reviewed this declaration on July 24, 2020. As the County is currently in Tier Two – Red, which finds that COVID-19 is substantial and a great public health concern, the Director of Emergency Services is recommending that the City Council extend the declaration of a local emergency resulting from the community spread of COVID-19 in the City of Campbell.

Extending the proclamation of a local emergency until November 14, 2020, provides the authority to request mutual aid from state and other governmental agencies, consistent with the provisions of local ordinances, resolutions, emergency plans, and agreements; as well as promulgate orders and regulations, and exercise emergency police powers necessary to provide for protection of life and property.

FISCAL IMPACT

The proclamation of a local emergency is a prerequisite for requesting state or federal assistance and/or reimbursement for expenses incurred in response to the emergency. There is no fiscal impact associated with the extension of the local emergency.

Prepared by:



Margarita Mendoza, Administrative Analyst

Reviewed by:



Brian Loventhal, City Manager

Attachment:

- a. Resolution - Extension of Local Emergency

RESOLUTION NO. _____

**A RESOLUTION OF THE COUNCIL OF THE CITY OF
CAMPBELL CONTINUING THE PROCLAMATION OF THE
EXISTENCE OF A LOCAL EMERGENCY DUE TO COVID-19**

WHEREAS, Campbell Municipal Code Section 2.28.060 empowers the City Manager or designee, as the Director of Emergency Services to issue a proclamation to proclaim the existence or threatened existence of a local emergency if the City Council is not in session, and requires that the City Council shall take action to ratify the proclamation within seven (7) days thereafter, or the proclamation shall have no further force or effect; and

WHEREAS, pursuant to California Government Code Section 8680.9, a local emergency is a condition of extreme peril to persons or property proclaimed as such by the governing body of the local agency affected by a natural or manmade disaster; and

WHEREAS, the purpose of a local emergency proclamation is to provide extraordinary police powers, immunity for emergency actions, authorize issuance of orders and regulations, and activate pre-established emergency provisions; and

WHEREAS, a local emergency proclamation is a prerequisite for requesting state or federal assistance; and

WHEREAS, conditions of extreme peril to the safety of persons and property have arisen within the City, based on the following:

1. Coronavirus Disease 2019 (named "COVID-19") was first detected in Wuhan City, Hubei Province, China, in December 2019. The Centers for Disease Control and Prevention (CDC) considers the virus to be a very serious public health threat with outcomes ranging from mild sickness to severe illness and death.
2. COVID-19 has spread globally and per World Health Organization (WHO) data, as of September 4, 2020, over 26 million people have contracted the virus, resulting in more than 865,000 deaths. In the United States, over 6 million cases have been confirmed, leading to 184,614 deaths.
3. On January 31, 2020, the United States Secretary of Health and Human Services declared a Public Health Emergency.
4. On February 5, 2020, the County Health Officer determined that there is an imminent and proximate threat to public health from the introduction of COVID-19 in the County and issued a Declaration of Local Health Emergency. At the same time, the County Director of Emergency Services declared the existence of a Local Emergency in the County.
5. On February 10, 2020, the County Board of Supervisors ratified and extended the Declaration of a Local Health Emergency and the Proclamation of a Local Emergency.

6. On March 4, 2020, the California Department of Health Services reported its first death related to COVID-19, and the Governor of California declared a state of emergency.
7. On March 11, 2020, the World Health Organization characterized the COVID-19 outbreak as a pandemic.

WHEREAS, the City Council does hereby find that the above described conditions of extreme peril did warrant and necessitate the proclamation of the existence of a local emergency in the City; and

WHEREAS, California Government Code, Title 2, Division 1, Chapter 7.5 - California Disaster Assistance Act (CDAA) allows that with the Proclamation of a Local Emergency the City may seek financial assistance and may request reimbursement of the significant expenses incurred during response, if approved by the Director of the California Office of Emergency Services or Concurrence or Governor's Proclamation; and

WHEREAS, on March 12, 2020, the Director of Emergency Services issued a proclamation declaring the existence of a local emergency within the City, at which time the City Council was not in session; and

WHEREAS, on March 17, 2020, the City Council ratified and confirmed the proclamation declaring the existence of a local emergency within the City issued on March 12, 2020; and

WHEREAS, on March 17, 2020 the first public health order issued by the Santa Clara County Public Health Officer went into effect, requiring the sheltering in place of all residents in the County, and only allowing a defined set of essential activities and businesses; and

WHEREAS, since that date, ten additional public health orders have been issued, most recently on July 2, 2020, each superseding the prior orders, updating the type of allowable activities and mandating risk reduction measures to slow the spread of the virus; and

WHEREAS, on July 12, 2020, Santa Clara County was placed on the State Department of Health Targeted Engagement list (County Watch List) resulting in the closure of a number of indoor activities and industries such as places of worship, fitness centers, and personal care services; and

WHEREAS, on September 8, 2020, Santa Clara County was moved from Tier 1 (Purple) to Tier 2 (Red) of the "Blueprint for a Safer Economy" which indicates that the County is still experiencing substantial spread of COVID-19 transmission; and

WHEREAS, the associated emergency conditions are ongoing, and the emergency should not be terminated at this time;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Campbell that:

1. The City Council has reviewed the need for continuing the declaration of local emergency ratified and confirmed on September 15, 2020 and finds based on substantial evidence that the public interest and necessity require the reinstatement and continuance of the proclamation of local emergency related to COVID-19.

- 2. Said local emergency shall be deemed to continue to exist until terminated by the City Council of the City of Campbell.
- 3. The Director of the Office of Emergency Services is hereby directed to report to the City Council within sixty (60) days on the need for further continuing the local emergency.

PASSED AND ADOPTED this 15th day of September 2020, by the following roll call vote:

AYES: Councilmembers:
 NOES: Councilmembers:
 ABSENT: Councilmembers:

APPROVED:

 Susan M. Landry, Mayor

ATTEST:

 Andrea Sanders, Deputy City Clerk

Attachment: Resolution - Extension of Local Emergency (Extension of Declaration of a Local Emergency Due to COVID-19)



*City
Council
Report*

Item: 7
Category: CONSENT CALENDAR
Meeting Date: September 15, 2020

TITLE: 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

BACKGROUND

Resolution 12621, adopted by the City Council on July 21, 2020, authorized the issuance and sale of General Obligation Bonds in an aggregate principal amount not to exceed \$20,000,000. This first series of Measure O Bonds was priced and offered to the investment market on August 5, 2020. This report shall provide a post issuance summary of the bond sale.

DISCUSSION

Attachment A of this report, prepared by the City's Municipal Advisors, provides the following details for the 2020 Measure O bond sale:

- Comparison of Estimated Tax Rates at Election and Current Date
- Comparison of Estimated Debt Service at Election and Current Date
- Graphical Comparison of Estimated Tax Rates at Election and Current Date
- Final 2020 Measure O Bond Amount Information
- Final 2020 Measure O Bond Annual Debt Service Details
- Final 2020 Measure O Bond Semi-Annual Debt Service Details
- Final 2020 Measure O Bond Annual Net* Debt Service Details
- Final 2020 Measure O Bond Semi-Annual Net* Debt Service Details

** Net after use of bond premium deposited into debt service funds*

The first series of Measure O Bonds was issued at All-in True Interest Cost (TIC) of 2.30%. At the time of bond authorization, staff estimated a TIC of 2.60%, but was able to achieve a lower rate due to a AAA rating and continued historically low municipal bond rates. This will result in lower debt service costs and tax rates for Campbell taxpayers. Assuming that the second series of Measure O Bonds for the remaining \$30 million will be issued in August 2022 at a TIC of 4.00%, total debt service costs for both issuances will equal \$79.9 million. This is approximately \$10.6 million less than \$90.6

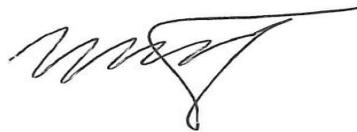
million of debt service costs estimated at election in 2018. Additionally, the original financing plan and Tax Rate Statement provided to City of Campbell voters estimated an average tax rate of \$19 per \$100,000 of assessed valuation and a maximum tax rate of \$27.33 per \$100,000 of assessed valuation over the term of all Measure O bond issuances. City staff and the financing team now estimates an average tax rate of \$15.70 per \$100,000 of assessed valuation, a maximum tax rate of \$22.25 per \$100,000 of assessed valuation.

The first series of Measure O Bonds was also issued at a premium of \$23.1 million; \$3.1 million over their par value. These excess funds can only be legally used to pay for debt service costs and they will help to offset debt service costs in 2020 through 2023. At time of bond issuance, City staff and the financing team estimated being able to issue bonds at a premium of \$21.7 million, but was able to achieve a higher premium due to a AAA rating and high investor demand for the 2020 Measure O Bonds.

And lastly, while City staff and the financing team are planning to issue the second series of Measure O Bonds for \$30 million in August 2022, should municipal bond rates remain low and the progress of the Measure O projects allow it, the City may want to consider issuing the second series earlier. This could result in even lower debt service costs and tax rates for both issuances than estimated at the current date. Tax law requires that the City have a reasonable expectation that it will spend down 85% of bond funds within 3 years and City staff and the financing team will work closely with the project team to determine the best possible time to issue the second series of Measure O Bonds.

FISCAL IMPACT

The 2020 Bond debt service will be paid from tax revenues levied on all taxable properties within the City's jurisdiction. Proceeds from the 2020 Bonds will be used to fund Measure O project costs including design, engineering, project management, relocation and construction costs. At this time, staff is not recommending a budget adjustment to account for debt service costs in FY 2021 since the first payments in November 2020 and March 2021 will be paid directly from the Capitalized Interest Fund (CIF), which contains \$3.1 million of bond premiums. Thus, there is no fiscal impact to the City in FY 2021.



Prepared by:

Will Fuentes, Finance Director

Approved by:



Brian Loventhal, City Manager

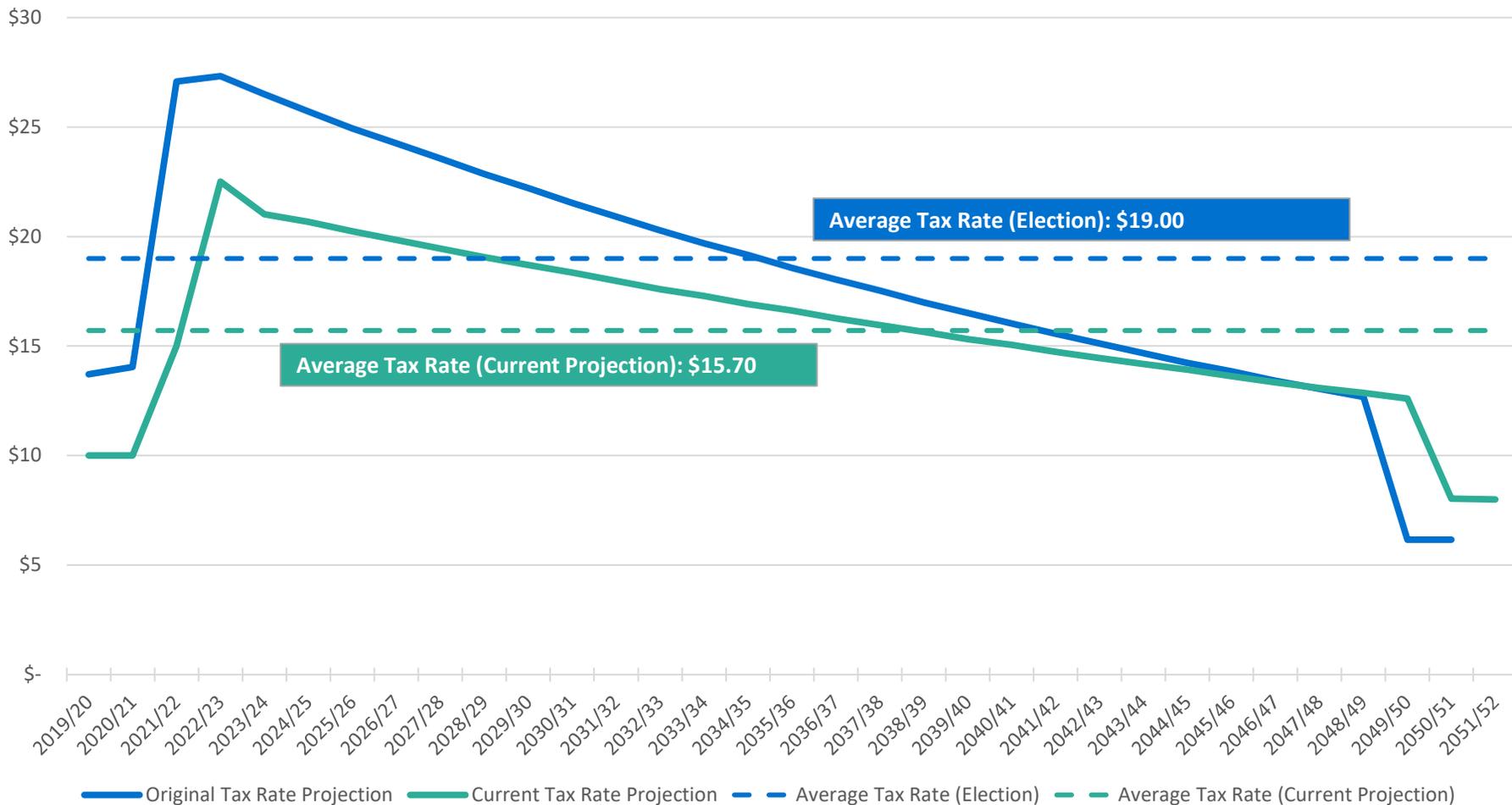
Attachment:

- a. Municipal Advisor Summary - 2020 Measure O Bond Issuance

City of Campbell General Obligation Bonds (2018 Election: Measure O) \$50,000,000						
Tax Rate Projections						
	Election Projection			Current Projection		
Maximum Tax Rate:	0.0273%			0.0225%		
Average Tax Rate:	0.0190%			0.0157%		
Minimum Tax Rate:	0.0062%			0.0080%		
Debt Service						
	Election Projection			Current Projection		
	Projected Series 2019	Projected Series 2021B	Projected Total	Actual Series 2020A	Projected Series 2022B	Projected Total
Par Value	\$25,000,000	\$25,000,000	\$50,000,000	\$20,000,000	\$30,000,000	\$50,000,000
Total Debt Service	\$43,866,600	\$46,659,625	\$90,526,225	\$27,729,837	\$52,152,200	\$79,882,037
Issue Date	06/01/19	06/01/21		08/19/20	08/01/22	
Interest Rate (TIC)	4.00%	4.50%		2.23%	4.00%	
First Interest Payment	03/01/20	03/01/22		03/01/21	03/01/23	
First Principal Payment	09/01/20	09/01/22		09/01/21	09/01/23	
Final Maturity	09/01/49	09/01/51		09/01/50	09/01/52	

Attachment: Municipal Advisor Summary - 2020 Measure O Bond Issuance (Post Issuance Summary - 2020 Measure O Bond Sale)

Campbell GO Bond Authorization Election to Estimated Tax Rate Projections



Sources and Uses of Funds
City of Campbell
Election of 2018
General Obligation Bonds, Series 2020

Final Bond Information

Dated Date 8/19/2020
Delivery Date 8/19/2020

Sources:

Bond Proceeds:			
Par Amount			\$ 20,000,000.00
	Taxable	\$ 1,140,000	
	Tax-Exempt	\$ 18,860,000	
Net Roffering Premium			\$ 3,171,626.00
			\$ 23,171,626.00

Uses:

Project Fund Deposits:			
Project Fund			\$ 20,000,000.00
Other Fund Deposits:			
Debt Service Fund- Taxable Proceeds		\$ 1,140,456.00	
Debt Service Fund- Tax-Exempt Proceeds		\$ 1,759,693.37	
			\$ 2,900,149.37
Delivery Date Expenses:			
Cost of Issuance		\$ 205,000.00	
Underwriter's Discount		\$ 66,476.63	
			\$ 271,476.63
			\$ 23,171,626.00

Attachment: Municipal Advisor Summary - 2020 Measure O Bond Issuance (Post Issuance Summary - 2020 Measure O Bond Sale)

Bond Summary Statistics
City of Campbell
Election of 2018
General Obligation Bonds, Series 2020

Final Bond Information

Dated Date	08/19/20
Delivery Date	08/19/20
First Coupon	03/01/21
Last Maturity	09/01/50
Arbitrage Yield	1.405627%
True Interest Cost (TIC)	2.228979%
Net Interest Cost (NIC)	2.510064%
All-In TIC	2.305761%
Average Coupon	3.545850%
Average Life (years)	14.989
Weighted Average Maturity (years)	16.076
Duration of Issue (years)	11.770
Par Amount	20,000,000.00
Bond Proceeds	23,171,626.00
Total Interest	10,629,986.00
Net Interest	7,524,836.63
Total Debt Service	30,629,986.00
Maximum Annual Debt Service	3,483,386.00
Average Annual Debt Service	1,019,866.35

Attachment: Municipal Advisor Summary - 2020 Measure O Bond Issuance (Post Issuance Summary - 2020 Measure O Bond Sale)

**Bond Pricing
City of Campbell
Election of 2018
General Obligation Bonds, Series 2020**

Final Bond Information

Bond Component	Maturity Date	Amount	Rate	Yield	Price	Yield to Maturity	Call Date	Call Price
Taxable Serial Bonds:								
	11/1/2020	\$ 1,140,000	0.200%	0.200%	100.000			
Tax-Exempt Serial Bonds:								
	9/1/2021	\$ 1,660,000	3.000%	0.050%	103.047			
	9/1/2022	\$ 1,000,000	3.000%	0.060%	105.973			
	9/1/2023	\$ 780,000	4.000%	0.110%	111.776			
	9/1/2024	\$ 345,000	4.000%	0.130%	115.563			
	9/1/2025	\$ 360,000	4.000%	0.180%	119.131			
	9/1/2026	\$ 375,000	4.000%	0.250%	122.441			
	9/1/2027	\$ 390,000	4.000%	0.340%	125.415			
	9/1/2028	\$ 405,000	4.000%	0.430%	128.159			
	9/1/2029	\$ 420,000	4.000%	0.500%	130.875			
	9/1/2030	\$ 435,000	4.000%	0.600%	133.058			
	9/1/2031	\$ 455,000	4.000%	0.690%	132.033	C 0.937%	09/01/30	100.000
	9/1/2032	\$ 475,000	4.000%	0.800%	130.792	C 1.238%	09/01/30	100.000
	9/1/2033	\$ 490,000	4.000%	0.930%	129.343	C 1.511%	09/01/30	100.000
	9/1/2034	\$ 510,000	4.000%	0.990%	128.681	C 1.695%	09/01/30	100.000
	9/1/2035	\$ 530,000	4.000%	1.060%	127.913	C 1.863%	09/01/30	100.000
	9/1/2036	\$ 555,000	3.000%	1.480%	114.123	C 1.969%	09/01/30	100.000
	9/1/2037	\$ 570,000	3.000%	1.570%	113.226	C 2.074%	09/01/30	100.000
	9/1/2038	\$ 585,000	3.000%	1.660%	112.337	C 2.170%	09/01/30	100.000
		\$ 10,340,000						
Tax- Exempt Term Bond 1:								
	9/1/2042	\$ 2,490,000	2.000%	2.080%	98.591			
Tax-Exempt Term Bond 2:								
	9/1/2050	\$ 6,030,000	4.000%	1.570%	122.475	C 2.877%	09/01/30	100.000
		\$ 20,000,000						

Dated Date	08/19/20
Delivery Date	08/19/20
First Coupon	03/01/21
Par Amount	\$ 20,000,000.00
Premium	3,171,626.00
Production	23,171,626.00 115.86%
Underwriter's Discount	(66,476.63) -0.33%
Purchase Price	23,105,149.37 115.53%
Accrued Interest	
Net Proceeds	\$ 23,105,149.37

Attachment: Municipal Advisor Summary - 2020 Measure O Bond Issuance (Post Issuance Summary - 2020 Measure O Bond Sale)

**Bond Debt Service
City of Campbell
Election of 2018
General Obligation Bonds, Series 2020**

Final Semi-Annual Debt Service

Dated Date 8/19/2020
Delivery Date 8/19/2020

Period Ending	Principal	Interest	Debt Service	Annual Debt Service
03/01/21	\$ 1,140,000	\$ 352,936.00	\$ 1,492,936.00	
09/01/21	1,660,000	330,450.00	1,990,450.00	3,483,386.00
03/01/22		305,550.00	305,550.00	
09/01/22	1,000,000	305,550.00	1,305,550.00	1,611,100.00
03/01/23		290,550.00	290,550.00	
09/01/23	780,000	290,550.00	1,070,550.00	1,361,100.00
03/01/24		274,950.00	274,950.00	
09/01/24	345,000	274,950.00	619,950.00	894,900.00
03/01/25		268,050.00	268,050.00	
09/01/25	360,000	268,050.00	628,050.00	896,100.00
03/01/26		260,850.00	260,850.00	
09/01/26	375,000	260,850.00	635,850.00	896,700.00
03/01/27		253,350.00	253,350.00	
09/01/27	390,000	253,350.00	643,350.00	896,700.00
03/01/28		245,550.00	245,550.00	
09/01/28	405,000	245,550.00	650,550.00	896,100.00
03/01/29		237,450.00	237,450.00	
09/01/29	420,000	237,450.00	657,450.00	894,900.00
03/01/30		229,050.00	229,050.00	
09/01/30	435,000	229,050.00	664,050.00	893,100.00
03/01/31		220,350.00	220,350.00	
09/01/31	455,000	220,350.00	675,350.00	895,700.00
03/01/32		211,250.00	211,250.00	
09/01/32	475,000	211,250.00	686,250.00	897,500.00
03/01/33		201,750.00	201,750.00	
09/01/33	490,000	201,750.00	691,750.00	893,500.00
03/01/34		191,950.00	191,950.00	
09/01/34	510,000	191,950.00	701,950.00	893,900.00
03/01/35		181,750.00	181,750.00	
09/01/35	530,000	181,750.00	711,750.00	893,500.00
03/01/36		171,150.00	171,150.00	
09/01/36	555,000	171,150.00	726,150.00	897,300.00
03/01/37		162,825.00	162,825.00	
09/01/37	570,000	162,825.00	732,825.00	895,650.00
03/01/38		154,275.00	154,275.00	
09/01/38	585,000	154,275.00	739,275.00	893,550.00
03/01/39		145,500.00	145,500.00	
09/01/39	605,000	145,500.00	750,500.00	896,000.00
03/01/40		139,450.00	139,450.00	
09/01/40	615,000	139,450.00	754,450.00	893,900.00

Attachment: Municipal Advisor Summary - 2020 Measure O Bond Issuance (Post Issuance Summary - 2020 Measure O Bond Sale)

03/01/41		133,300.00	133,300.00	
09/01/41	630,000	133,300.00	763,300.00	896,600.00
3/1/2042		127,000.00	127,000.00	
9/1/2042	640,000	127,000.00	767,000.00	894,000.00
3/1/2043		120,600.00	120,600.00	
9/1/2043	655,000	120,600.00	775,600.00	896,200.00
3/1/2044		107,500.00	107,500.00	
9/1/2044	680,000	107,500.00	787,500.00	895,000.00
3/1/2045		93,900.00	93,900.00	
9/1/2045	710,000	93,900.00	803,900.00	897,800.00
3/1/2046		79,700.00	79,700.00	
9/1/2046	735,000	79,700.00	814,700.00	894,400.00
3/1/2047		65,000.00	65,000.00	
9/1/2047	765,000	65,000.00	830,000.00	895,000.00
3/1/2048		49,700.00	49,700.00	
9/1/2048	795,000	49,700.00	844,700.00	894,400.00
3/1/2049		33,800.00	33,800.00	
9/1/2049	830,000	33,800.00	863,800.00	897,600.00
3/1/2050		17,200.00	17,200.00	
9/1/2050	860,000	17,200.00	877,200.00	894,400.00
	\$ 20,000,000	\$ 10,629,986.00	\$ 30,629,986.00	\$ 30,629,986.00

**Net Debt Service
City of Campbell
Election of 2018
General Obligation Bonds, Series 2020**

Final Annual Net Debt Service

Period Ending	Principal	Interest	Total Debt Service	Debt Service Fund- Taxable	Debt Service Fund- Tax-Exempt	Net Debt Service
09/01/21	\$ 2,800,000	\$ 683,386.00	\$ 3,483,386.00	\$ 1,140,456.00	\$ 682,930.00	\$ 1,660,000.00
09/01/22	1,000,000	611,100.00	1,611,100.00		611,100.00	1,000,000.00
09/01/23	780,000	581,100.00	1,361,100.00		465,663.37	895,436.63
09/01/24	345,000	549,900.00	894,900.00			894,900.00
09/01/25	360,000	536,100.00	896,100.00			896,100.00
09/01/26	375,000	521,700.00	896,700.00			896,700.00
09/01/27	390,000	506,700.00	896,700.00			896,700.00
09/01/28	405,000	491,100.00	896,100.00			896,100.00
09/01/29	420,000	474,900.00	894,900.00			894,900.00
09/01/30	435,000	458,100.00	893,100.00			893,100.00
09/01/31	455,000	440,700.00	895,700.00			895,700.00
09/01/32	475,000	422,500.00	897,500.00			897,500.00
09/01/33	490,000	403,500.00	893,500.00			893,500.00
09/01/34	510,000	383,900.00	893,900.00			893,900.00
09/01/35	530,000	363,500.00	893,500.00			893,500.00
09/01/36	555,000	342,300.00	897,300.00			897,300.00
09/01/37	570,000	325,650.00	895,650.00			895,650.00
09/01/38	585,000	308,550.00	893,550.00			893,550.00
09/01/39	605,000	291,000.00	896,000.00			896,000.00
09/01/40	615,000	278,900.00	893,900.00			893,900.00
09/01/41	630,000	266,600.00	896,600.00			896,600.00
09/01/42	640,000	254,000.00	894,000.00			894,000.00
09/01/43	655,000	241,200.00	896,200.00			896,200.00
09/01/44	680,000	215,000.00	895,000.00			895,000.00
09/01/45	710,000	187,800.00	897,800.00			897,800.00
09/01/46	735,000	159,400.00	894,400.00			894,400.00
09/01/47	765,000	130,000.00	895,000.00			895,000.00
09/01/48	795,000	99,400.00	894,400.00			894,400.00
09/01/49	830,000	67,600.00	897,600.00			897,600.00
09/01/50	860,000	34,400.00	894,400.00			894,400.00
	<u>\$ 20,000,000</u>	<u>\$ 10,629,986.00</u>	<u>\$ 30,629,986.00</u>	<u>\$ 1,140,456.00</u>	<u>\$ 1,759,693.37</u>	<u>\$ 27,729,836.63</u>

Attachment: Municipal Advisor Summary - 2020 Measure O Bond Issuance (Post Issuance Summary - 2020 Measure O Bond Sale)

**Net Debt Service
City of Campbell
Election of 2018
General Obligation Bonds, Series 2020**

Final Semi-Annual Debt Service

Date	Principal	Interest	Total Debt Service	Debt Service Fund- Taxable	Debt Service Fund- Tax-Exempt	Net Debt Service	Annual Net D/S
11/01/20	\$ 1,140,000	\$ 456.00	\$ 1,140,456.00	\$ 1,140,456.00			
03/01/21		352,480.00	352,480.00		\$ 352,480.00		
09/01/21	1,660,000	330,450.00	1,990,450.00		330,450.00	\$ 1,660,000.00	\$ 1,660,000.00
03/01/22		305,550.00	305,550.00		305,550.00		
09/01/22	1,000,000	305,550.00	1,305,550.00		305,550.00	1,000,000.00	1,000,000.00
03/01/23		290,550.00	290,550.00		290,550.00		
09/01/23	780,000	290,550.00	1,070,550.00		175,113.37	895,436.63	895,436.63
03/01/24		274,950.00	274,950.00			274,950.00	
09/01/24	345,000	274,950.00	619,950.00			619,950.00	894,900.00
03/01/25		268,050.00	268,050.00			268,050.00	
09/01/25	360,000	268,050.00	628,050.00			628,050.00	896,100.00
03/01/26		260,850.00	260,850.00			260,850.00	
09/01/26	375,000	260,850.00	635,850.00			635,850.00	896,700.00
03/01/27		253,350.00	253,350.00			253,350.00	
09/01/27	390,000	253,350.00	643,350.00			643,350.00	896,700.00
03/01/28		245,550.00	245,550.00			245,550.00	
09/01/28	405,000	245,550.00	650,550.00			650,550.00	896,100.00
03/01/29		237,450.00	237,450.00			237,450.00	
09/01/29	420,000	237,450.00	657,450.00			657,450.00	894,900.00
03/01/30		229,050.00	229,050.00			229,050.00	
09/01/30	435,000	229,050.00	664,050.00			664,050.00	893,100.00
03/01/31		220,350.00	220,350.00			220,350.00	
09/01/31	455,000	220,350.00	675,350.00			675,350.00	895,700.00
03/01/32		211,250.00	211,250.00			211,250.00	
09/01/32	475,000	211,250.00	686,250.00			686,250.00	897,500.00
03/01/33		201,750.00	201,750.00			201,750.00	
09/01/33	490,000	201,750.00	691,750.00			691,750.00	893,500.00
03/01/34		191,950.00	191,950.00			191,950.00	
09/01/34	510,000	191,950.00	701,950.00			701,950.00	893,900.00
03/01/35		181,750.00	181,750.00			181,750.00	
09/01/35	530,000	181,750.00	711,750.00			711,750.00	893,500.00
03/01/36		171,150.00	171,150.00			171,150.00	
09/01/36	555,000	171,150.00	726,150.00			726,150.00	897,300.00
03/01/37		162,825.00	162,825.00			162,825.00	
09/01/37	570,000	162,825.00	732,825.00			732,825.00	895,650.00
03/01/38		154,275.00	154,275.00			154,275.00	
09/01/38	585,000	154,275.00	739,275.00			739,275.00	893,550.00
03/01/39		145,500.00	145,500.00			145,500.00	
09/01/39	605,000	145,500.00	750,500.00			750,500.00	896,000.00
03/01/40		139,450.00	139,450.00			139,450.00	
09/01/40	615,000	139,450.00	754,450.00			754,450.00	893,900.00
03/01/41		133,300.00	133,300.00			133,300.00	
09/01/41	630,000	133,300.00	763,300.00			763,300.00	896,600.00

Attachment: Municipal Advisor Summary - 2020 Measure O Bond Issuance (Post Issuance Summary - 2020 Measure O Bond Sale)

03/01/42		127,000.00	127,000.00	127,000.00			
09/01/42	640,000	127,000.00	767,000.00	767,000.00	894,000.00		
03/01/43		120,600.00	120,600.00	120,600.00			
09/01/43	655,000	120,600.00	775,600.00	775,600.00	896,200.00		
03/01/44		107,500.00	107,500.00	107,500.00			
09/01/44	680,000	107,500.00	787,500.00	787,500.00	895,000.00		
03/01/45		93,900.00	93,900.00	93,900.00			
09/01/45	710,000	93,900.00	803,900.00	803,900.00	897,800.00		
03/01/46		79,700.00	79,700.00	79,700.00			
09/01/46	735,000	79,700.00	814,700.00	814,700.00	894,400.00		
03/01/47		65,000.00	65,000.00	65,000.00			
09/01/47	765,000	65,000.00	830,000.00	830,000.00	895,000.00		
03/01/48		49,700.00	49,700.00	49,700.00			
09/01/48	795,000	49,700.00	844,700.00	844,700.00	894,400.00		
03/01/49		33,800.00	33,800.00	33,800.00			
09/01/49	830,000	33,800.00	863,800.00	863,800.00	897,600.00		
03/01/50		17,200.00	17,200.00	17,200.00			
09/01/50	860,000	17,200.00	877,200.00	877,200.00	894,400.00		
	\$ 20,000,000	\$ 10,629,986.00	\$ 30,629,986.00	\$ 1,140,456.00	\$ 1,759,693.37	\$ 27,729,836.63	\$ 27,729,836.63



*City
Council
Report*

Item: 8
Category: CONSENT CALENDAR
Meeting Date: September 15, 2020

TITLE: 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.

BACKGROUND

Upon purchase, all fleet vehicles, including police cars, are placed on a maintenance and replacement schedule in order to balance annual fiscal impacts, provide reliable, safe and effective vehicle operations, and provide up-to-date and reliable support of citywide operations.

Each fiscal year, the Public Works Department plans, schedules, and budgets for the replacement of fleet vehicles and equipment that meet the City’s policy for replacement. The City’s vehicle replacement criteria aligns with the American Public Works Association’s recommended replacement criteria; and, in some cases, staff will recommend deferring the replacement of a vehicle if the vehicle is in good condition and replacement parts are readily available. The current replacement criteria for marked police vehicles is when a patrol vehicle exceeds five years of age or 80,000 miles.

There are currently two (2) Marked Police Sedans that exceed the replacement criteria established by the City:

1. Unit #1356 - a 2015 Ford Explorer – is five (5) years old and has an odometer reading of 94,255 miles; and
2. Unit #1351 – a 2013 Chevy Caprice – is seven (7) years old and has an odometer reading of 82,106 miles.

Public Works budgeted \$540,000 for vehicle and equipment replacement in the current fiscal year and allocated \$140,000 of that funding toward the replacement and outfitting of the two marked police units identified above.

According to the City's purchasing policy and Campbell's Municipal Code 3.20.050, all purchases in the amount of \$50,000 or greater shall be approved by the City Council. Additionally, City Municipal Code 3.20.070, "Purchases from Other Agencies" states:

The City is authorized to make purchases of supplies, materials and equipment through, or on behalf of:

- (1) The State of California as provided in Section 10324 of the California Public Contracts Code; or
- (2) The County of Santa Clara or any other California County or municipality provided that said agencies have used bidding procedures that are reasonably consistent with Section 3.20.50", thereby allowing departments to forego a formal bidding process to obtain equipment or goods when it is in the City's best interest.

DISCUSSION

Police vehicles are driven harder than regular fleet vehicles and are subject to longer running and idling time since they are used for multiple shifts throughout the day and evenings. Because of this, patrol vehicles tend to have relatively high mileage on them relative to their age.

Public Works Fleet Maintenance staff has evaluated the condition of the two requested replacement vehicles and supports the replacement of these units. The Police Department has selected the Ford Interceptor Utility Vehicle equipped with the 3.3 Liter Direct-Injection Hybrid Engine System with 10-Speed Automatic Transmission as its preferred replacement patrol vehicle, with slight differences in the specs of each vehicle. (See Attachments B and C.) The Hybrid model is approximately \$826 less expensive than the Eco-Boost Engine model previously specified for marked PD vehicles, yet it provides the performance and features required by the Police Department. Additionally, hybrid models will provide fuel efficiency savings as they are rated with a higher mpg and require less idling time. The two units will cost the City approximately \$53,700 and \$52,700; for a total cost of approximately \$106,400. To properly outfit each vehicle with the required safety and communication equipment, the staff is further recommending that the vehicles be outfitted by a factory-recommended firm prior to accepting delivery of the vehicles – for a turn-key solution. The recommended dealer, Folsom Lake Ford, will work directly with Lehr Auto to procure and install all of the appropriate after-market equipment to City specifications. This will add an additional \$18,455 to the cost of each

vehicle. (See Attachments D and E.) The total cost to purchase and outfit the two patrol vehicles is estimated at \$143,310.

Staff is requesting that City Council approve the purchase of the new Ford Interceptors by “piggybacking” on California eProcurement State Contract (Contract ID 1-18-23-14B) to take advantage of savings realized through large state contracts and the additional use of City funds to outfit the vehicles per City specifications.

FISCAL IMPACT

As referenced above, the Ford Interceptors are funded in the FY 2021 Operating Budget, in the Vehicle and Equipment Maintenance Program in the amount of \$140,000. Any final cost above the budgeted amount shall be covered by savings from other vehicle acquisitions made throughout the current fiscal year.

ALTERNATIVES

1. Direct staff to develop specifications and request the City’s own bids for the vehicles. This is not recommended since the City will not receive the benefit of economy of scale as compared to a state contract.
2. Request staff to consider alternative equipment.

Prepared by:



Alex Mordwinow, Public Works
Superintendent

Reviewed by:



Todd Capurso, Director of Public Works

Approved by:



Brian Loventhal, City Manager

Attachment:

- a. Vehicle Purchase Resolution
- b. Vehicle 1 Spec
- c. Vehicle 2 Spec
- d. Outfitting Quote in Purchase
- e. Outfitting Quote - Separate

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAMPBELL
AUTHORIZING THE PURCHASE OF TWO NEW FORD INTERCEPTOR UTILITY
VEHICLES BY USING A CALIFORNIA STATE ePROCUREMENT AWARDED
CONTRACT

WHEREAS, funding for the procurement of two (2) new marked patrol cars is provided in the City’s FY 2021 Operating Budget, in the Public Works - Vehicle and Equipment Maintenance program; and

WHEREAS, in accordance with the City of Campbell’s Purchasing Policy if the equipment’s estimated fair market value is greater than \$50,000 Council approval is required; and

WHEREAS, the Ford Interceptor Utility Vehicle with a 3.3 Liter Direct Injection Hybrid Engine System has been identified as the recommended replacement vehicle for the existing Chevy Caprice Sedan and Ford Explorer for the purposes outlined in the preceding report; and

WHEREAS, these vehicles will be placed into service by the Campbell Police Department; and

WHEREAS, the Campbell Police Department has identified specific equipment that will be purchased and installed to allow the vehicles to operate effectively and serve the needs of the Campbell community and;

WHEREAS, purchasing and installing this equipment as part of the vehicle purchasing process allows for a more efficient delivery and allows the vehicles to be placed directly into service; and

WHEREAS, staff is requesting authorization to purchase two (2) new Ford Interceptors in an amount not to exceed \$106,400; and

WHEREAS, staff is requesting authorization to purchase and install additional equipment on the new vehicles consistent with City specifications and to meet the needs of the Campbell Police Department in an amount of \$18,455 per vehicle; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Campbell approves the purchase of two (2) new Ford Interceptor Utility Vehicles using the California State eProcurement Contract in an amount not to exceed \$143,310.

BE IT FURTHER RESOLVED that the City Council hereby authorizes the Public Works Director to execute purchase agreements for procurement of this equipment.

PASSED AND ADOPTED this 15th day of September 2020, by the following roll call vote:

- AYES: Councilmembers:
- NOES: Councilmembers:
- ABSENT: Councilmembers:

Attachment: Vehicle Purchase Resolution (Approval and Authorization to Purchase Two (2) New Police Ford Interceptor Utility Vehicles)

APPROVED:

Susan M. Landry, Mayor

ATTEST:

Andrea Sanders, Deputy City Clerk

04/03/20 1-18-23-14B

2021 POLICE INTERCEPTOR UTILITY EQUIPMENT GROUP

PROPRIETARY marked vehicle list 8/11/2020
 mario list **SELECT OPTIONS** ✓

BASE PRICE \$34,287.53

Series	Option Code	Police Interceptor 500A	
Police Interceptor Utility AWD	K8A	S	✓
AWD 3.3L V6 Direct-Injection Hybrid Engine System with 10-Speed Automatic Transmission (136-MPH Top Speed)	99W/44B	\$3,688.00	✓
AWD 3.3L V6 Direct-Injection FFV with 10-Speed Automatic Transmission (136-MPH Top Speed) Note: Deletes Regenerative Braking and Lithium-Ion Battery Pack; adds 250-Amp Alternator, replaces H7 AGM battery (800 CCA/80-amp) with H7 SLI battery (730 CCA/80-amp) and replaces 19-gallon tank with 21.4-gallon tank	99B/44U	CONTRACT	✓
AWD 3.0L V6 EcoBoost® with 10-Speed Automatic Transmission – (148-MPH Top Speed) Note: Deletes Regenerative Braking and Lithium-Ion Battery Pack; adds 250-Amp Alternator, replaces H7 AGM battery (800 CCA/80-amp) with H7 SLI battery (730 CCA/80-amp) and replaces 19-gallon tank with 21.4-gallon tank	99C/44U	\$4,514.00	
EQUIPMENT GROUP			
Interior Upgrade Package • 1 st and 2 nd Row Carpet Floor Covering • Cloth Seats – Rear • Center Floor Console less shifter (Maintains Column Shifter) • Includes Console and Top Plate with 2 cup holders • Floor Mats, front and rear (carpeted) • Includes SYNC 3®	65U	\$408.00	
Front Headlamp Lighting Solution • Includes LED Low beam/High beam headlamp, Wig-wag function and (2) Red/Blue/White LED side warning lights in each headlamp (factory configured: driver's side White/Red / passenger side White/Blue) • Includes pre-wire for grille LED lights, siren and speaker (60A) • Wiring, LED lights included (in headlamps only; grille lights not included). Controller "not" included Note: Not available with option: 67H Note: Recommend using Ultimate Wiring Package (67U)	66A	\$935.00	✓
Tail Lamp / Police Interceptor Housing Only • Pre-existing holes with standard twist lock sealed capability (does not include LED strobe) (eliminates need to drill housing assemblies) Note: Not available with options: 66B and 67H	86T	\$64.00	✓
Tail Lamp Lighting Solution • Includes LED lights plus two (2) rear integrated hemispheric lighthouse white LED side warning lights in taillamps • LED lights only. Wiring, controller "not" included Note: Not available with option: 67H, 86T Note: Recommend using Ultimate Wiring Package (67U)	66B	\$449.00	
Rear Lighting Solution • Includes two (2) backlit flashing linear high-intensity LED lights (driver's side red / passenger side blue) mounted to inside liftgate glass • Includes two (2) backlit flashing linear high-intensity LED lights (driver's side red / Passenger side blue) installed on inside lip of liftgate (lights activate when liftgate is open) • LED lights only. Wiring, controller "not" included Note: Not available with option: 67H Note: LED lights only – does "not" include wiring or controller Note: Recommend using Ultimate Wiring Package (67U)	66C	\$476.00	✓
Ready for the Road Package: All-in Complete Package – Includes Police Interceptor Packages: 66A, 66B, 66C, plus • Whelen Cencom Light Controller Head with dimmable backlight • Whelen Cencom Relay Center / Siren / Amp w/Traffic Advisor control (mounted behind 2 nd row seat) • Light Controller / Relay Cencom Wiring (wiring harness) w/additional input/output pigtailed • High current pigtail • Whelen Specific WECAN Cable (console to cargo area) connects Cencom to Control Head • Pre-wiring for grille LED lights, siren and speaker (60A) • Rear console plate (85R) – contours through 2 nd row; channel for wiring • Grille linear LED Lights (Red / Blue) and harness • 100-Watt Siren / Speaker • Hidden Door-Lock Plunger w/Rear-door controls inoperable (locks, handles and windows) (52P) Note: Not available with options: 66A, 66B, 66C, 67U and 65U	67H	\$3,757.00	
Ultimate Wiring Package Includes the following: • Rear console mounting plate (85R) – contours through 2 nd row; channel for wiring • Pre-wiring for grille LED lights, siren and speaker (60A) • Wiring harness I/P to rear cargo area (overlay) – Two (2) light cables – supports up to six (6) LED lights (engine compartment/grille) – One (1) 10-amp siren/speaker circuit engine compartment • Rear hatch/cargo area wiring – supports up to six (6) rear LED lights • Does "not" include LED lights, side connectors or controller Note: Recommend Police Wire Harness Connector Kit 67V Note: Not available with options: 65U, 67H	67U	\$586.00	✓

UN-Marked patrol Vehicle

COLOR: CARBONIZED GRAY (M7)

page 1 total \$40,036.53

Total 53,648.88

* = New for this model year

P = Included in Equipment Group, S = Standard Equipment, O = Optional

Attachment: Vehicle 1 Spec (Approval and Authorization to Purchase Two (2) New Police Ford Interceptor Utility Vehicles)

04/03/20

2021 POLICE INTERCEPTOR UTILITY EQUIPMENT GROUP

PROPRIETARY

SELECT OPTIONS ✓

EQUIPMENT GROUP			
(Continued)			
Police Wire Harness Connector Kit – Front/Rear For connectivity to Ford PI Package solutions includes: <ul style="list-style-type: none"> • Front <ul style="list-style-type: none"> – (2) Male 4-pin connectors for siren – (5) Female 4-pin connectors for lighting/siren/speaker – (1) 4-pin IP connector for speakers – (1) 4-pin IP connector for siren controller connectivity – (1) 8-pin sealed connector – (1) 14-pin IP connector • Rear <ul style="list-style-type: none"> – (2) Male 4-pin connectors for siren – (5) Female 4-pin connectors for lighting/siren/speaker – (1) 4-pin IP connector for speakers – (1) 4-pin IP connector for siren controller connectivity – (1) 8-pin sealed connector – (1) 14-pin IP connector Note: See Uplifters guide for further detail www.fordpoliceinterceptorupfit.com	67V	\$194.00	✓
KEY EXTERIOR OPTIONS			
Engine Block Heater	41H	\$95.00	
License Plate Bracket – Front	153	N/C	
Lamps / Lighting			
Dark Car Feature – Courtesy lamps disabled when any door is opened	43D	CONTRACT	✓
Daytime Running Lamps	942	\$46.00	
Switchable Red/White Lighting in Cargo Area (deletes 3 rd row overhead map light)	17T	\$54.00	✓
Front Warning Auxiliary LED Lights (Driver side – Red / Passenger side – Blue) Note: Recommend using Ready for the Road Package (67H) or Ultimate Wiring Package (67U)	21L	\$576.00	✓
Front Interior Visor Light Bar (LED) <ul style="list-style-type: none"> • Super low-profile warning LED light bar fully integrated into the top of the windshield near the headliner – fully programmable. (Red/Red or Blue/Blue operation. White “take down” and “scene” capabilities) Note: Recommend using Ready for the Road Package (67H) or Ultimate Wiring Package (67U) (when not ordering the Interior Upgrade Package [65U]) Note: Front/Rear Console Plate no longer required; can be ordered with Interior Upgrade Package (65U) Note: Not available with option 76P	96W	\$1,196.00	✓
Pre-wiring for grille LED lights, siren and speaker	60A	\$54.00 ^{P-66A / P-67H / P-67U}	✓
Rear Auxiliary Liftgate Lights (Red/Blue LED Lights; located beneath liftgate glass in applique panel) <ul style="list-style-type: none"> • LED lights only. Wiring, controller “not” included Note: Recommend using Ready for the Road Package (67H) or Ultimate Wiring Package (67U)	43A	\$408.00	✓
Rear Quarter Glass Side Marker LED Lights (Driver side – Red / Passenger side – Blue) <ul style="list-style-type: none"> • LED lights only. Wiring, controller “not” included Note: Recommend using Ready for the Road Package (67H) or Ultimate Wiring Package (67U)	63L	\$601.00	✓
Rear Spoiler Traffic Warning Lights (LED) <ul style="list-style-type: none"> • Fully integrated in rear spoiler for enhanced visibility • Provides red/blue/amber directional lighting – fully programmable Note: Recommend using Ready for the Road Package (67H) or Ultimate Wiring Package (67U) (when not ordering the Interior Upgrade Package [65U]) Note: Rear Console Plate no longer required; can be ordered with Interior Upgrade Package (65U)	96T	\$1,562.00	✓
Side Marker LED – Sideview Mirrors (Driver side – Red / Passenger side – Blue) <ul style="list-style-type: none"> • Located on exterior mirror housing • LED lights only. Wiring, controller “not” included Note: Requires Pre-wiring for grille LED Lights, siren and speaker (60A) Note: Recommend using Ready for the Road Package (67H) or Ultimate Wiring Package (67U)	63B	\$304.00	
Spot Lamp Prep Kits			
Spot Lamp Prep Kit, Driver Only Note: Does not include spot lamp housing and bulb	51P	\$145.00	
Spot Lamp Prep Kit, Dual Driver and Passenger Note: Does not include spot lamp housing and bulbs	51W	\$273.00	
Spot Lamp – LED Bulb:			
Driver Only (Unity)	51R	<\$155.00> CREDIT	
Driver Only (Whelen)	51T	\$131.00	
Dual (driver and passenger) (Unity) <i>Delete - do not want on unmarked unit</i>	51S	CONTRACT	✓
Dual (driver and passenger) (Whelen)	51V	\$165.00	
Body			
Glass – Solar Tint 2 nd Row door glass, Rear Quarter and Liftgate Window (Deletes Privacy Glass)	92G	\$125.00	
Glass – Solar Tint 2 nd Row Only door glass, Privacy Glass on Rear Quarter and Liftgate Window	92R	\$89.00	
Underbody Deflector Plate (engine and transmission shield)	76D	\$350.00	✓
Wheels			
Wheel Covers (18" Full Face Wheel Cover) Note: Only available with the standard Police wheel, not available with 64E	65L	\$64.00	

* = New for this model year

P = Included in Equipment Group, S = Standard Equipment, O = Optional

Attachment: Vehicle 1 Spec (Approval and Authorization to Purchase Two (2) New Police Ford Interceptor Utility Vehicles)

04/03/20

2021 POLICE INTERCEPTOR UTILITY EQUIPMENT GROUP

PROPRIETARY

SELECT OPTIONS

EQUIPMENT GROUP			
Wheels (continued)			
18" Painted Aluminum Wheel <small>Note: Spare wheel is an 18" conventional (Police) black steel wheel. Not available with 65L.</small>	64E	\$496.00	
Audio / Video			
12.1" Integrated Computer Screen • Includes 12.1" touchscreen display in center stack and allows for operation of laptop in remote location to free up cabin space in front passenger area • Includes Audio Video Extender (AVX) box, (2) AVX cables, (2) USB cables and (1) HDMI cable • Includes SYNC 3 ®	47E	\$2,838.00	<input checked="" type="checkbox"/>
Rear View Camera displayed in rear view mirror (Includes Electrochromic Rear View Mirror) <small>Note: Not recommended with option 47E 12.1" Integrated Computer Screen Note: This option replaces the standard display in the center stack area. Note: Camera can only be displayed in the center stack (std) "OR" the rear view mirror (87R)</small>	87R	STANDARD	
Rear Camera On-Demand – allows driver to enable rear camera on-demand	19V	\$240.00	
Doors / Locks			
Hidden Door-Lock Plunger w/Rear-door controls inoperable (locks, handles and windows) <small>Note: Not available with 68G – includes all content of 68G Note: Can manually remove window or door disable plate with special tool Note: Locks/windows operable from driver's door switches</small>	52P	\$168.00 / P-67H	<input checked="" type="checkbox"/>
Rear-Door controls Inoperable (locks, handles and windows) <small>Note: Not available with 52P. Note: Can manually remove window or door disable plate with special tool Note: Locks/windows operable from driver's door switches</small>	68G	\$78.00	
Global Lock / Unlock feature (Door-panel switches will lock/unlock all doors and rear liftgate. Eliminates overhead console liftgate unlock switch and 45-second timer. Also eliminates the blue liftgate release button if ordered with Remote Keyless Entry)	18D	N/C	
Remote Keyless-Entry Key Fob (w/o Keypad, less PATS) – (includes 4-key fobs) <small>Note: Available with Keyed Alike, however, key fobs are "not" fobbed alike when ordered with Keyed Alike</small>	55F	\$354.00	
Keys (Note: Can be ordered with Remote Keyless-Entry – 55F): Not Available with Perimeter Anti-Theft Alarm (593)			
Keyed Alike – 1435x	59E	\$54.00	
Keyed Alike – 1284x	59B	\$54.00	<input checked="" type="checkbox"/>
Keyed Alike – 0135x	59D	\$54.00	
Keyed Alike – 0576x	59F	\$54.00	
Keyed Alike – 1111x	59J	\$54.00	
Keyed Alike – 1294x	59C	\$54.00	
Keyed Alike – 0151x	59G	\$54.00	
Flooring / Seats			
1 st and 2 nd row carpet floor covering (includes floor mats, front and rear)	16C	\$131.00 / P-65U	
2 nd Row Cloth Seats	88F	\$64.00 / P-65U	
Power passenger seat (8-way) w/2-way manual recline and lumbar	87P	\$340.00	
Front Console Plate Delete <small>Note: Not available with option: 67H, 67U, 85R</small>	85D	N/C / P-65U	
Rear Center Seat Delete • Deletes the center section of the 2 nd row seat • Includes molded trim floor panel in lieu of center seat section	85S	N/C	
Rear Console Plate <small>Note: Not available with option: 65U, 85D</small>	85R	\$46.00 / P-67H / P-67U	
Safety & Security			
Ballistic Door-Panels (Level III+) – Driver Front-Door Only ¹	90D	\$1,657.00	
Ballistic Door-Panels (Level III+) – Driver & Pass Front-Doors ¹	90E	CONTRACT	<input checked="" type="checkbox"/>
Ballistic Door-Panels (Level IV+) – Driver Front-Door Only ²	90F	\$2,523.00	
Ballistic Door-Panels (Level IV+) – Driver & Pass Front-Doors ²	90G	\$5,047.00	
BLIS® – Blind Spot Monitoring with Cross-traffic Alert <small>Note: Includes manual fold-away mirrors, w/heat, w/o memory, w/o puddle lamps</small>	55B	\$569.00	<input checked="" type="checkbox"/>

¹ Tested and meets the requirements of NIJ Standard 0108.01 Level III:
 • 7.62 x 51 mm 9.7g M80 (.308 Winchester 150gr)
 Per LAPD requirements, they're also designed to withstand special threat rounds:
 • 7.62 x 39 mm MSC 7.9g (Type 56)
 • 5.56 x 45 mm M193 3.36g
 • 5.56 x 45mm M855 4g

² Tested and meets the requirements of NIJ Standard 0108.01 Level IV:
 • 30-06 M2 AP 166gr (7.62 x 63 APM2 10.8g)
 Also designed to withstand special threat rounds:
 • 7.62 x 54R LPS 9.65g
 • 7.62 x 51 mm M61 9.75g (.308 Winchester 150.5gr)
 In addition, Level IV+ includes all of the NIJ Level III and LAPD rounds listed in footnote 1.

total page 3 \$3629.00

* = New for this model year

P = Included in Equipment Group, S = Standard Equipment, O = Optional
 Ford Division

Attachment: Vehicle 1 Spec (Approval and Authorization to Purchase Two (2) New Police Ford Interceptor Utility Vehicles)

04/03/20

2021 POLICE INTERCEPTOR UTILITY EQUIPMENT GROUP

PROPRIETARY

SELECT OPTIONS ✓

EQUIPMENT GROUP			
Safety & Security (continued)			
Police Perimeter Alert – detects motion in an approximately 270-degree radius on sides and back of vehicle; if movement is determined to be a threat, chime will sound at level I. Doors will lock and windows will automatically go up at level II. Includes visual display in instrument cluster with tracking.	68B	\$705.00	
Pre-Collision Assist with Pedestrian Detection (includes Forward Collision Warning and Automatic Emergency Braking) Note: Includes unique one-touch temporary disable switch for Law Enforcement use Note: Not available with option 96W	76P	\$151.00	
Mirrors – Heated Sideview Note: Not required when ordering BLIS® (heated mirror is included with BLIS®)	549	\$64.00	
Perimeter Anti-Theft Alarm <ul style="list-style-type: none"> Activated by Hood, Door or Liftgate; when unauthorized entry occurs, system will flash the headlamps, parking lamps and sound the horn Requires Keyless-Entry Key Fob (55F) Note: Cannot be ordered with Keyed-Alike options	593	\$125.00	
Police Engine Idle feature <ul style="list-style-type: none"> This feature allows you to leave the engine running and prevents your vehicle from unauthorized use when outside of your vehicle. Allows the key to be removed from ignition while vehicle remains idling. 	47A	\$273.00	
Reverse Sensing System	76R	CONTRACT	✓
Misc			
Rear Auxiliary Air Conditioning Note: Now available with Cargo Storage Vault (63V).	17A	\$637.00	
Badge Delete <ul style="list-style-type: none"> Deletes the "Police Interceptor" badging on rear liftgate Deletes the "Interceptor" badging on front hood (EcoBoost®) 	16D	N/C	✓
Cargo Storage Vault (includes lockable door and compartment light) Note: Now available with Aux Air Conditioning (17A).	63V	\$255.00	
Class III Trailer Tow Lighting Package (4-pin and 7-pin connectors and wiring)	52T	\$84.00	
H8 AGM Battery (850 CCA/92-amp)	19K	\$114.00	✓
Low-Band Frequency Noise Suppression Kit <ul style="list-style-type: none"> Recommended for agencies that operate radio equipment in the 39-46 MHz frequency range (VHF Low Band – Channels 1-9) Provides noise suppression for in-car two-way radio communication devices in the 39-46 MHz frequency range Note: Noise Suppression Bonds (60R) do not provide adequate noise suppression in this frequency range	68E	\$195.00	✓
Noise Suppression Bonds (Ground Straps) Note: Low-Band Frequency Noise Suppression Kit (68E) recommended for agencies that operate radio equipment in the 39-46 MHz frequency range (VHF Low Band – Channels 1-9)	60R	CONTRACT	✓
100 Watt Siren/Speaker (includes bracket and pigtail)	18X	\$329.00	P-67H
OBD-II Split Connector – Allows up to 2 devices to be connected to the vehicle's OBD-II port	61B	\$57.00	✓

total page 4 \$366.00

Unmarked unit cost\$\$

total \$49,026.53
doc fee \$ 80.00
Tax \$ 4,542.35

total cost \$ 53,648.88

M7 COLOR

Color ~~508~~
option. white, Agate Black, smoketone, ARIZONA B ~~eye~~ eye,
med BROWN,

* = New for this model year

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Attachment: Vehicle 1 Spec (Approval and Authorization to Purchase Two (2) New Police Ford Interceptor Utility Vehicles)

04/03/20 1-18-23-14B

2021 POLICE INTERCEPTOR UTILITY EQUIPMENT GROUP

PROPRIETARY marked vehicle list 8/11/2020
 mario list **SELECT OPTIONS** ✓

BASE PRICE \$34,287.53

Series	Option Code	Police Interceptor 500A	
Police Interceptor Utility AWD	K8A	S	✓
AWD 3.3L V6 Direct-Injection Hybrid Engine System with 10-Speed Automatic Transmission (136-MPH Top Speed)	99W/44B	\$3,688.00	✓
AWD 3.3L V6 Direct-Injection FFV with 10-Speed Automatic Transmission (136-MPH Top Speed) Note: Deletes Regenerative Braking and Lithium-Ion Battery Pack; adds 250-Amp Alternator, replaces H7 AGM battery (800 CCA/80-amp) with H7 SLI battery (730 CCA/80-amp) and replaces 19-gallon tank with 21.4-gallon tank	99B/44U	CONTRACT	✓
AWD 3.0L V6 EcoBoost® with 10-Speed Automatic Transmission – (148-MPH Top Speed) Note: Deletes Regenerative Braking and Lithium-Ion Battery Pack; adds 250-Amp Alternator, replaces H7 AGM battery (800 CCA/80-amp) with H7 SLI battery (730 CCA/80-amp) and replaces 19-gallon tank with 21.4-gallon tank	99C/44U	\$4,514.00	
EQUIPMENT GROUP			
Interior Upgrade Package • 1 st and 2 nd Row Carpet Floor Covering • Cloth Seats – Rear • Center Floor Console less shifter (Maintains Column Shifter) • Includes Console and Top Plate with 2 cup holders • Floor Mats, front and rear (carpeted) • Includes SYNC 3®	65U	\$408.00	
Front Headlamp Lighting Solution • Includes LED Low beam/High beam headlamp, Wig-wag function and (2) Red/Blue/White LED side warning lights in each headlamp (factory configured: driver's side White/Red / passenger side White/Blue) • Includes pre-wire for grille LED lights, siren and speaker (60A) • Wiring, LED lights included (in headlamps only; grille lights not included). Controller "not" included Note: Not available with option: 67H Note: Recommend using Ultimate Wiring Package (67U)	66A	\$935.00	✓
Tail Lamp / Police Interceptor Housing Only • Pre-existing holes with standard twist lock sealed capability (does not include LED strobe) (eliminates need to drill housing assemblies) Note: Not available with options: 66B and 67H	86T	\$64.00	✓
Tail Lamp Lighting Solution • Includes LED lights plus two (2) rear integrated hemispheric lighthouse white LED side warning lights in taillamps • LED lights only. Wiring, controller "not" included Note: Not available with option: 67H, 86T Note: Recommend using Ultimate Wiring Package (67U)	66B	\$449.00	
Rear Lighting Solution • Includes two (2) backlit flashing linear high-intensity LED lights (driver's side red / passenger side blue) mounted to inside liftgate glass • Includes two (2) backlit flashing linear high-intensity LED lights (driver's side red / Passenger side blue) installed on inside lip of liftgate (lights activate when liftgate is open) • LED lights only. Wiring, controller "not" included Note: Not available with option: 67H Note: LED lights only – does "not" include wiring or controller Note: Recommend using Ultimate Wiring Package (67U)	66C	\$476.00	✓
Ready for the Road Package: All-in Complete Package – Includes Police Interceptor Packages: 66A, 66B, 66C, plus • Whelen Cencom Light Controller Head with dimmable backlight • Whelen Cencom Relay Center / Siren / Amp w/Traffic Advisor control (mounted behind 2 nd row seat) • Light Controller / Relay Cencom Wiring (wiring harness) w/additional input/output pigtails • High current pigtail • Whelen Specific WECAN Cable (console to cargo area) connects Cencom to Control Head • Pre-wiring for grille LED lights, siren and speaker (60A) • Rear console plate (85R) – contours through 2 nd row; channel for wiring • Grille linear LED Lights (Red / Blue) and harness • 100-Watt Siren / Speaker • Hidden Door-Lock Plunger w/Rear-door controls inoperable (locks, handles and windows) (52P) Note: Not available with options: 66A, 66B, 66C, 67U and 65U	67H	\$3,757.00	
Ultimate Wiring Package Includes the following: • Rear console mounting plate (85R) – contours through 2 nd row; channel for wiring • Pre-wiring for grille LED lights, siren and speaker (60A) • Wiring harness I/P to rear cargo area (overlay) – Two (2) light cables – supports up to six (6) LED lights (engine compartment/grille) – One (1) 10-amp siren/speaker circuit engine compartment • Rear hatch/cargo area wiring – supports up to six (6) rear LED lights • Does "not" include LED lights, side connectors or controller Note: Recommend Police Wire Harness Connector Kit 67V Note: Not available with options: 65U, 67H	67U	\$586.00	✓

Marked patrol Vehicle

page 1 total \$40,036.53

Total 52,647.37
 * = New for this model year

P = Included in Equipment Group, S = Standard Equipment, O = Optional

Attachment: Vehicle 2 Spec (Approval and Authorization to Purchase Two (2) New Police Ford Interceptor Utility Vehicles)

04/03/20

2021 POLICE INTERCEPTOR UTILITY EQUIPMENT GROUP

PROPRIETARY

SELECT OPTIONS

EQUIPMENT GROUP			
(Continued)			
Police Wire Harness Connector Kit – Front/Rear For connectivity to Ford PI Package solutions includes: <ul style="list-style-type: none"> • Front <ul style="list-style-type: none"> – (2) Male 4-pin connectors for siren – (5) Female 4-pin connectors for lighting/siren/speaker – (1) 4-pin IP connector for speakers – (1) 4-pin IP connector for siren controller connectivity – (1) 8-pin sealed connector – (1) 14-pin IP connector • Rear <ul style="list-style-type: none"> – (2) Male 4-pin connectors for siren – (5) Female 4-pin connectors for lighting/siren/speaker – (1) 4-pin IP connector for speakers – (1) 4-pin IP connector for siren controller connectivity – (1) 8-pin sealed connector – (1) 14-pin IP connector 	67V	\$194.00	<input checked="" type="checkbox"/>
Note: See Upfitters guide for further detail www.fordpoliceinterceptorupfit.com			
KEY EXTERIOR OPTIONS			
Engine Block Heater	41H	\$95.00	
License Plate Bracket – Front	153	N/C	
Lamps / Lighting			
Dark Car Feature – Courtesy lamps disabled when any door is opened	43D	CONTRACT	<input checked="" type="checkbox"/>
Daytime Running Lamps	942	\$46.00	
Switchable Red/White Lighting in Cargo Area (deletes 3 rd row overhead map light)	17T	\$54.00	<input checked="" type="checkbox"/>
Front Warning Auxiliary LED Lights (Driver side – Red / Passenger side – Blue) Note: Recommend using Ready for the Road Package (67H) or Ultimate Wiring Package (67U)	21L	\$576.00	<input checked="" type="checkbox"/>
Front Interior Visor Light Bar (LED) <ul style="list-style-type: none"> • Super low-profile warning LED light bar fully integrated into the top of the windshield near the headliner – fully programmable. (Red/Red or Blue/Blue operation. White “take down” and “scene” capabilities) Note: Recommend using Ready for the Road Package (67H) or Ultimate Wiring Package (67U) (when not ordering the Interior Upgrade Package [65U]) Note: Front/Rear Console Plate no longer required; can be ordered with Interior Upgrade Package (65U) Note: Not available with option 76P	96W	\$1,196.00	
Pre-wiring for grille LED lights, siren and speaker	60A	\$54.00 P-66A / P-67H / P-67U	<input checked="" type="checkbox"/>
Rear Auxiliary Liftgate Lights (Red/Blue LED Lights; located beneath liftgate glass in applique panel) <ul style="list-style-type: none"> • LED lights only. Wiring, controller “not” included Note: Recommend using Ready for the Road Package (67H) or Ultimate Wiring Package (67U)	43A	\$408.00	<input checked="" type="checkbox"/>
Rear Quarter Glass Side Marker LED Lights (Driver side – Red / Passenger side – Blue) <ul style="list-style-type: none"> • LED lights only. Wiring, controller “not” included Note: Recommend using Ready for the Road Package (67H) or Ultimate Wiring Package (67U)	63L	\$601.00	<input checked="" type="checkbox"/>
Rear Spoiler Traffic Warning Lights (LED) <ul style="list-style-type: none"> • Fully integrated in rear spoiler for enhanced visibility • Provides red/blue/amber directional lighting – fully programmable Note: Recommend using Ready for the Road Package (67H) or Ultimate Wiring Package (67U) (when not ordering the Interior Upgrade Package [65U]) Note: Rear Console Plate no longer required; can be ordered with Interior Upgrade Package (65U)	96T	\$1,562.00	<input checked="" type="checkbox"/>
Side Marker LED – Sideview Mirrors (Driver side – Red / Passenger side – Blue) <ul style="list-style-type: none"> • Located on exterior mirror housing • LED lights only. Wiring, controller “not” included Note: Requires Pre-wiring for grille LED Lights, siren and speaker (60A) Note: Recommend using Ready for the Road Package (67H) or Ultimate Wiring Package (67U)	63B	\$304.00	<input checked="" type="checkbox"/>
Spot Lamp Prep Kits			
Spot Lamp Prep Kit, Driver Only Note: Does not include spot lamp housing and bulb	51P	\$145.00	
Spot Lamp Prep Kit, Dual Driver and Passenger Note: Does not include spot lamp housing and bulbs	51W	\$273.00	
Spot Lamp – LED Bulb:			
Driver Only (Unity)	51R	<\$155.00> CREDIT	
Driver Only (Whelen)	51T	\$131.00	
Dual (driver and passenger) (Unity)	51S	CONTRACT	<input checked="" type="checkbox"/>
Dual (driver and passenger) (Whelen)	51V	\$165.00	
Body			
Glass – Solar Tint 2 nd Row door glass, Rear Quarter and Liftgate Window (Deletes Privacy Glass)	92G	\$125.00	
Glass – Solar Tint 2 nd Row Only door glass, Privacy Glass on Rear Quarter and Liftgate Window	92R	\$89.00	
Underbody Deflector Plate (engine and transmission shield)	76D	\$350.00	<input checked="" type="checkbox"/>
Wheels			
Wheel Covers (18" Full Face Wheel Cover) Note: Only available with the standard Police wheel, not available with 64E	65L	\$64.00	

Attachment: Vehicle 2 Spec (Approval and Authorization to Purchase Two (2) New Police Ford Interceptor Utility Vehicles)

* = New for this model year

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04/03/20

2021 POLICE INTERCEPTOR UTILITY EQUIPMENT GROUP

PROPRIETARY

SELECT OPTIONS ✓

EQUIPMENT GROUP		
Wheels (continued)		
18" Painted Aluminum Wheel Note: Spare wheel is an 18" conventional (Police) black steel wheel. Not available with 65L.	64E	\$496.00
Audio / Video		
12.1" Integrated Computer Screen • Includes 12.1" touchscreen display in center stack and allows for operation of laptop in remote location to free up cabin space in front passenger area • Includes Audio Video Extender (AVX) box, (2) AVX cables, (2) USB cables and (1) HDMI cable • Includes SYNC 3 @	47E	\$2,838.00
Rear View Camera displayed in rear view mirror (Includes Electrochromic Rear View Mirror) Note: Not recommended with option 47E 12.1" Integrated Computer Screen Note: This option replaces the standard display in the center stack area. Note: Camera can only be displayed in the center stack (std) "OR" the rear view mirror (87R)	87R	STANDARD
Rear Camera On-Demand – allows driver to enable rear camera on-demand	19V	\$240.00
Doors / Locks		
Hidden Door-Lock Plunger w/Rear-door controls inoperable (locks, handles and windows) Note: Not available with 68G – includes all content of 68G Note: Can manually remove window or door disable plate with special tool Note: Locks/windows operable from driver's door switches	52P	\$168.00 / P-67H
Rear-Door controls Inoperable (locks, handles and windows) Note: Not available with 52P. Note: Can manually remove window or door disable plate with special tool Note: Locks/windows operable from driver's door switches	68G	\$78.00
Global Lock / Unlock feature (Door-panel switches will lock/unlock all doors and rear liftgate. Eliminates overhead console liftgate unlock switch and 45-second timer. Also eliminates the blue liftgate release button if ordered with Remote Keyless Entry)	18D	N/C
Remote Keyless-Entry Key Fob (w/o Keypad, less PATS) – (includes 4-key fobs) Note: Available with Keyed Alike, however, key fobs are "not" fobbed alike when ordered with Keyed Alike	55F	\$354.00
Keys (Note: Can be ordered with Remote Keyless-Entry – 55F): Not Available with Perimeter Anti-Theft Alarm (593)		
Keyed Alike – 1435x	59E	\$54.00
Keyed Alike – 1284x	59B	\$54.00
Keyed Alike – 0135x	59D	\$54.00
Keyed Alike – 0576x	59F	\$54.00
Keyed Alike – 1111x	59J	\$54.00
Keyed Alike – 1294x	59C	\$54.00
Keyed Alike – 0151x	59G	\$54.00
Flooring / Seats		
1 st and 2 nd row carpet floor covering (includes floor mats, front and rear)	16C	\$131.00 / P-65U
2 nd Row Cloth Seats	88F	\$64.00 / P-65U
Power passenger seat (8-way) w/2-way manual recline and lumbar	87P	\$340.00
Front Console Plate Delete Note: Not available with option: 67H, 67U, 85R	85D	N/C / P-65U
Rear Center Seat Delete • Deletes the center section of the 2 nd row seat • Includes molded trim floor panel in lieu of center seat section	85S	N/C
Rear Console Plate Note: Not available with option: 65U, 85D	85R	\$46.00 / P-67H / P-67U
Safety & Security		
Ballistic Door-Panels (Level III+) – Driver Front-Door Only ¹	90D	\$1,657.00
Ballistic Door-Panels (Level III+) – Driver & Pass Front-Doors ¹	90E	CONTRACT
Ballistic Door-Panels (Level IV+) – Driver Front-Door Only ²	90F	\$2,523.00
Ballistic Door-Panels (Level IV+) – Driver & Pass Front-Doors ²	90G	\$5,047.00
BLIS@ – Blind Spot Monitoring with Cross-traffic Alert Note: Includes manual fold-away mirrors, w/heat, w/o memory, w/o puddle lamps	55B	\$569.00

total page 3 \$3629.00

¹ Tested and meets the requirements of NIJ Standard 0108.01 Level III:
 • 7.62 x 51 mm 9.7g M80 (.308 Winchester 150gr)
 Per LAPD requirements, they're also designed to withstand special threat rounds:
 • 7.62 x 39 mm MSC 7.9g (Type 56)
 • 5.56 x 45 mm M193 3.36g
 • 5.56 x 45mm M855 4g

² Tested and meets the requirements of NIJ Standard 0108.01 Level IV:
 • .30-06 M2 AP 166gr (7.62 x 63 APM2 10.8g)
 Also designed to withstand special threat rounds:
 • 7.62 x 54R LPS 9.65g
 • 7.62 x 51 mm M61 9.75g (.308 Winchester 150.5gr)
 In addition, Level IV+ includes all of the NIJ Level III and LAPD rounds listed in footnote 1.

* = New for this model year

P = Included in Equipment Group, S = Standard Equipment, O = Optional

Attachment: Vehicle 2 Spec (Approval and Authorization to Purchase Two (2) New Police Ford Interceptor Utility Vehicles)

04/03/20

2021 POLICE INTERCEPTOR UTILITY EQUIPMENT GROUP

PROPRIETARY

SELECT OPTIONS ✓

EQUIPMENT GROUP			
Safety & Security (continued)			
Police Perimeter Alert – detects motion in an approximately 270-degree radius on sides and back of vehicle; if movement is determined to be a threat, chime will sound at level I. Doors will lock and windows will automatically go up at level II. Includes visual display in instrument cluster with tracking.	68B	\$705.00	
Pre-Collision Assist with Pedestrian Detection (includes Forward Collision Warning and Automatic Emergency Braking) Note: Includes unique one-touch temporary disable switch for Law Enforcement use Note: Not available with option 96W	76P	\$151.00	
Mirrors – Heated Sideview Note: Not required when ordering BLIS® (heated mirror is included with BLIS®)	549	\$64.00	
Perimeter Anti-Theft Alarm <ul style="list-style-type: none"> Activated by Hood, Door or Liftgate; when unauthorized entry occurs, system will flash the headlamps, parking lamps and sound the horn Requires Keyless-Entry Key Fob (55F) Note: Cannot be ordered with Keyed-Alike options	593	\$125.00	
Police Engine Idle feature <ul style="list-style-type: none"> This feature allows you to leave the engine running and prevents your vehicle from unauthorized use when outside of your vehicle. Allows the key to be removed from ignition while vehicle remains idling. 	47A	\$273.00	
Reverse Sensing System	76R	CONTRACT	✓
Misc			
Rear Auxiliary Air Conditioning Note: Now available with Cargo Storage Vault (63V).	17A	\$637.00	
Badge Delete <ul style="list-style-type: none"> Deletes the "Police Interceptor" badging on rear liftgate Deletes the "Interceptor" badging on front hood (EcoBoost®) 	16D	N/C	✓
Cargo Storage Vault (includes lockable door and compartment light) Note: Now available with Aux Air Conditioning (17A).	63V	\$255.00	
Class III Trailer Tow Lighting Package (4-pin and 7-pin connectors and wiring)	52T	\$84.00	
H8 AGM Battery (850 CCA/92-amp)	19K	\$114.00	✓
Low-Band Frequency Noise Suppression Kit <ul style="list-style-type: none"> Recommended for agencies that operate radio equipment in the 39-46 MHz frequency range (VHF Low Band – Channels 1-9) Provides noise suppression for in-car two-way radio communication devices in the 39-46 MHz frequency range Note: Noise Suppression Bonds (60R) do not provide adequate noise suppression in this frequency range	68E	\$195.00	✓
Noise Suppression Bonds (Ground Straps) Note: Low-Band Frequency Noise Suppression Kit (68E) recommended for agencies that operate radio equipment in the 39-46 MHz frequency range (VHF Low Band – Channels 1-9)	60R	CONTRACT	✓
100 Watt Siren/Speaker (includes bracket and pigtail)	18X	\$329.00	P-67H
OBD-II Split Connector – Allows up to 2 devices to be connected to the vehicle's OBD-II port	61B	\$57.00	✓

total page 4 \$366.00

Marked patrol vehicle cost

total \$48134.53

doc fee \$ 80.00

Tax \$ 4459.84

total cost \$ 52,674.37

Cost of
Paint door &
Roof rack
TIRE Fee. 8.75
1500.00

* = New for this model year

P = Included in Equipment Group, S = Standard Equipment, O = Optional

Attachment: Vehicle 2 Spec (Approval and Authorization to Purchase Two (2) New Police Ford Interceptor Utility Vehicles)



12755 FOLSOM BOULEVARD
FOLSOM, CA 95630 • (916) 353-2000

DANIEL A. RAIMONDI
Fleet Director

(916) 353-2000, Ext.376
Toll Free 1-800-655-0555
Cell (916) 825-1622
Fax (916) 353-2078
danr@folsomlakeford.com

2021 ORDER 16-18 WEEKS
STATE CONTRACT 1-18-23-14B

9/2/2020

PRODUCTION BEGINS 9/21/2020

K8A	4DR AWD POLICE	
	.119" WHEELBASE	
UM	AGATE BLACK	\$46,343.00
9	CLTH BKTS/VNL R	\$16,913.80 LEHR UP FIT
6	EBONY	\$ 85.00 ADMIN FEE
500A	EQUIP GRP	
	.AM/FM STEREO	\$63,341.80
99W	3.3L HYBRID V6 ENGINE	\$ 5,859.12 TAX @9.25%
44U	10SPD AUTO TRAN	\$ 8.75 CA TIRE FEE
52P	DR LOCK PLUNGER	
	JOB #2 ORDER	\$69,209.67 DELIVERED TO LEHR
67U	ULTIMATE WR KIT	
	.GRILL WIRING	
	.RR MOUNT PLATE	
16D	BADGE DELETE	
17T	CARGO DOME LAMP	
21L	FRONT AUX LIGHT	
425	50 STATE EMISS	
51S	DUAL LED LAMPS	
55B	BLIND SPOT INFO	
59B	KEY CODE 1284X	
60R	NOISE SUPPRESS	
63B	SD MARKER LGHTS	
63L	QTR GLASS LIGHT	
66A	FRONT HDLMP PKG	
66B	TAIL LAMP PKG	
66C	REAR LIGHT PKG	
68G	RR DR/LK INOP	
76D	DEFLECTOR PLATE	
76R	REVERSE SENSING	
86T	RR TAILLAMP HSG	
87R	RR VIEW MIR/CAM	
90G	LH/RH PANEL IV	
153	FRT LICENSE BKT	

LESS \$500.00 DISCOUNT
20 DAY PAYMENT

INCLUDES PAINTED WHITE
ROOF AND 4 DOORS

Attachment: Outfitting Quote in Purchase (Approval and Authorization to Purchase Two (2) New Police Ford Interceptor Utility Vehicles)



Sales Quote

Page: 1

661 Garcia Avenue Pittsburg, CA 94565
Phone: 925-370-2144 Fax: 925-370-2087

Quote Number: 25476
Document Date: 8/20/2020
Terms: Net 30
Payment Method:

Sell City of Campbell
To: Ian White
70 North 1st Street
Campbell, CA 95008
Phone:

Ship Campbell City Of
To: Ian White
290 Dillion Ave
Campbell, CA 95008
Phone:

Ship Via
Location: Lehr - Pittsburg
Blanket PO: B2020084 EXP 6/30/20

Customer ID 6773
SalesPerson Mike McGee

Vehicle Information:

2020 FORD UTILITY, Unit: PATROL, Color: B/W

Item No.	Description	Category	Quantity	Unit Price	Total Price
<hr/>					
Front End Equipment					
<hr/>					
BK2019ITU20	PB450L4 LIGHTED PUSH BUMPER 2020 UTIL OEM - FRONT CORNERS OEM - OEM FRONT LOWER OEM - WIG WAG	SETINA	1	849.15	849.15
EX0011	PATROL POWER HARNESS FRT MNT PI UTIL 2020	PATROLPO	1	625.00	625.00
SA315P	SIREN SPEAKER 100W	WHELENPR	1	195.00	195.00
SAK66D	SPEAKER BRACKET-D/S UTILITY 2020	WHELENPR	1	30.75	30.75
I	INSTALLATION CHARGES	LABOR	9	90.00	810.00
<hr/>					
Side Equipment					
<hr/>					
36204	OEM - MIRROR BEAMS 360 SER 6" DRIVE/FOG LED WHT W/WHT BACKLIGHT	RIGID	1	580.00	580.00
I	REPLACE DS SPOT INSTALLATION CHARGES	LABOR	2	90.00	180.00
<hr/>					
Roof Equipment					
<hr/>					
PT47-EVE-LEHR/C91410	PURSUIT LIGHTBAR 47" CODE 3	CODE 3	1	2,100.00	2,100.00
MB8U	CABLE 17' RG58U SOLID CENTER CSM ANTENNA 4 COMPUTER	RADIO	4	16.50	66.00
I	INSTALLATION CHARGES	LABOR	4	90.00	360.00
<hr/>					
Drivers Compartment					
<hr/>					
CC-UV20-L-18	18" L-SHAPE CONS, 8" SLP, 10" LVL 2020 PI SUV COMES W 18" FACEPLATE	TROY PRO	1	368.25	368.25
AC-ARM-PED-TB	ARM REST INC AC-ARM-BASE AC-FOAM-58	TROY PRO	1	138.75	138.75
FP-USB-2DC	FACE PLATE 2" DC OUTLET INCLUDED	TROY PRO	1	51.00	51.00
C-DMM-3015	SWING UP DEVICE MNT 2020 UTIL	HAVIS	1	401.93	401.93

Attachment: Outfitting Quote - Separate (Approval and Authorization to Purchase Two (2) New Police Ford Interceptor Utility Vehicles)



Sales Quote

661 Garcia Avenue Pittsburg, CA 94565
Phone: 925-370-2144 Fax: 925-370-2087

Quote Number: 25476
Document Date: 8/20/2020
Terms: Net 30
Payment Method:

Sell City of Campbell
To: Ian White
70 North 1st Street
Campbell, CA 95008
Phone:

Ship Campbell City Of
To: Ian White
290 Dillion Ave
Campbell, CA 95008
Phone:

Ship Via
Location: Lehr - Pittsburg
Blanket PO: B2020084 EXP 6/30/20

Customer ID 6773
SalesPerson Mike McGee

Vehicle Information:

2020 FORD UTILITY, Unit: PATROL, Color: B/W

Item No.	Description	Category	Quantity	Unit Price	Total Price
MISC	KM-5001-UNIB CSM - MOTOROLA RADIO CSM - DATA 911 SCREEN CSM - CPU AND WIRING CSM - TASER AXON	OTHER	1	320.00	320.00
CW0411-WR	LED INTERIOR FLUSH MNT 11.8" RED/WHT W/SWITCH	CODE 3	1	109.58	109.58
GK11211B1UHKSSCA	DUAL T-RAIL GUN MT 1 BLACRAC LOCK/1 UNV XL HC KEY	SETINA	1	713.15	713.15
I	INSTALLATION CHARGES	LABOR	16.5	90.00	1,485.00
<hr/> Prisoner Compartment <hr/>					
PK0228ITU20TM	#10VS C2 RP COATED POLY PARTITION TALL MAN	SETINA	1	781.15	781.15
QK0634ITU20	FULL REPL TRANSPORT SEAT CENTER PULL BELTS 2020	SETINA	1	738.65	738.65
PK0316ITU202ND	#12VS COATED POLY REAR PARTITION 2020 UTILITY	SETINA	1	441.15	441.15
<hr/> Back End Equipment <hr/>					
TK1418ITU20	EZ LIFT DUAL DRAWER SYS W/RADIO TRAY	SETINA	1	2,799.20	2,799.20
ELUC3H010R	UNDERCOVER SCREW-IN LED INSERT LIGHT KIT	SOUNDOF	2	89.11	178.22
ELUC3H010B	UNDERCOVER SCREW-IN LED INSERT LIGHT KIT REAR TAIL LAMPS OEM - SPOILER	SOUNDOF	2	89.11	178.22
WK0040ITU20	CARGO WINDOW BARRIER 3PC 2020 UTILITY CSM- SIREN CONTROLLER/AMP/WIRING CSM - MODEM	SETINA	1	313.65	313.65
I	INSTALLATION CHARGES	LABOR	18.5	90.00	1,665.00
INSTALL	INSTALL MATERIALS	OTHER	1	185.00	185.00
F	Shipping Charges	OTHER	1	250.00	250.00

Amount Subject to Sales Tax 16663.80
Amount Exempt from Sales Tax 250.00

Subtotal: \$16,913.80
Total Sales Tax: \$1,541.40

Total: \$18,455.20

Attachment: Outfitting Quote - Separate (Approval and Authorization to Purchase Two (2) New Police Ford Interceptor Utility Vehicles)



*City
Council
Report*

Item: 9
Category: CONSENT CALENDAR
Meeting Date: September 15, 2020

TITLE: 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.

BACKGROUND

The John D. Morgan Park (Budd Avenue) Improvement Project is intended to renovate the children's play lot on the southern end of the park by replacing it with an all-inclusive play area. The project budget is \$2.1 million, comprising of Park Dedication Funds and the Santa Clara County All-Inclusive Playground Grant Program (AIPG) in the amount of \$1.1 million and \$1 million, respectively.

On May 19, 2020, the City Council adopted Resolution 12587 approving the Final Conceptual Design for the John D. Morgan Park (Budd Avenue) Improvement Project 18-PP (Project) with the final design phase beginning immediately thereafter.

DISCUSSION

The final design adheres to the Final Conceptual Design approved by the City Council. Verde Design, Inc. (Verde) has completed the final design, and has prepared the plans, specifications, and engineer's cost estimate (PS&E) for the construction of the Project.

The all-inclusive playground is designed to make it possible for all ages and abilities to play together. The Final Design carries the "Fun in the Forest" theme and features a new three-leveled, 22-foot tall play structure as well as an observation deck. Different zones are created within the playground including swing, sensory, tot, spin and climb

zones. The playground is surrounded by a 48-inch tall fence with two openings: a main entrance close to the Budd parking lot and a second entrance adjacent to the existing picnic area.

Project Schedule

The AIPG Grant Agreement requires the playground to be open for use and the project be fully closed out by November 1, 2021. The following schedule meets the timeline requirements of the grant. The anticipated project schedule is shown below:

City Council Approval of PS&E	September 2020
Bid Advertisement	October 2020
Bid Opening	November 2020
Contract Award	December 2020
Construction	December 2020 – June 2021
Project Close Out	July – October 2021

FISCAL IMPACT

The total project budget is \$2.1 million of which \$1 million is funded by the Santa Clara County AIPG. The engineer's cost estimate for the construction contract is \$1,570,000.

The estimated source and use of funds for this project is as follows:

Source of Funds

Park Dedication Funds	\$ 1,100,000
AIPG	\$ 1,000,000
TOTAL	\$ 2,100,000

Anticipated Use of Funds

Design (Staff & Consultant Design Services)	\$ 300,000
Construction Contract	\$ 1,427,270
Construction Engineering/Inspection/Material Testing	\$ 230,000
Construction Contingency	\$ 142,730
TOTAL	\$ 2,100,000

The attached resolution has been prepared to approve plans and specifications, authorize the advertisement of bids, award the contract, and other associated actions.

ALTERNATIVES

1. Do not approve the plans and specifications and risk losing the County AIPG grant funds.

Prepared by: _____
Fred Ho, Senior Civil Engineer

Reviewed by: 

Todd Capurso, Director of Public Works

Approved by: 

Brian Loventhal, City Manager

Attachment:

- a. JDM Improvement Proj PS&E Approval Resolution

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAMPBELL
APPROVING PLANS AND SPECIFICATIONS, AUTHORIZING THE
ADVERTISEMENT OF BIDS, AND OTHER ASSOCIATED ACTIONS FOR JOHN D.
MORGAN PARK (BUDD AVENUE) IMPROVEMENT PROJECT 18-PP**

WHEREAS, the John D. Morgan Park (Budd Avenue) Improvement Project is intended to renovate the children’s play lot on the southern end of the park by replacing it with an all-inclusive play area; and

WHEREAS, the project budget is \$2.1 million, comprising of Park Dedication Funds and the Santa Clara County All-Inclusive Playground Grant Program (AIPG) in the amount of \$1.1 million and \$1 million, respectively; and

WHEREAS, on May 19, 2020, the City Council adopted Resolution 12587 approving the Final Conceptual Design; and

WHEREAS, the final design adheres to the approved Final Conceptual Design; and

WHEREAS, the plans, specifications, and engineer’s cost estimate (PS&E) for the construction have been prepared.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Campbell approves: 1) plans and specifications and authorizing the advertisement of bids; 2) authorizes 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; 3) authorizes the City Engineer to negotiate and execute contract change orders up to and within the allocated construction contingency; and, 4) authorizes the Public Works Director to reject bids and rebid the project should bids received have unamenable irregularities.

PASSED AND ADOPTED this ____ day of September, 2020, by the following roll call vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS
ABSENT: COUNCILMEMBERS:

APPROVED:

Attest:

Susan M. Landry, Mayor

Andrea Sanders, Deputy City Clerk

Attachment: JDM Improvement Proj PS&E Approval Resolution (JDM Park Project 18-PP)



*City
Council
Report*

Item: 10
Category: UNFINISHED BUSINESS
Meeting Date: September 15, 2020

TITLE: 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.

BACKGROUND

The County Administration has made it a strategic priority to work with cities and local partners to establish scalable programs to help their respective residents isolate if they have tested positive for COVID-19 or quarantine if they have been in close contact with a COVID-19 positive person.

The County is moving towards a broader isolation and quarantine support program that works alongside the countywide Case Investigation and Contact Tracing team (CICT). Most individuals and families will be able to isolate and quarantine sufficiently in their own home without any support from this program. While others have situations that make it very difficult to effectively isolate or quarantine. The goal of the isolation and quarantine support program would be to provide access to a room in which the case or contact may stay and remain separate from other members of the household and have access to one's own bathroom or have the ability to clean after each use. The CICT would refer cases and a program coordinator from the isolation and quarantine support program would make contact to determine eligibility for needs.

The program would provide a resident who tests positive for COVID19 a motel, at home support and/or financial support depending on the qualifying needs assessed by the program coordinator.

DISCUSSION

Staff presented the attached agreement to City Council on September 1, 2020 which outlined the details of the program. The program includes a financial assistance component which provides up to \$5,000 in rental assistance to those who qualify and

are unable to pay their rent if required to isolate. The agreement has \$49,000 allocated specifically towards financial assistance. While this amount is an estimation based on current usage data, the County has set aside Community Development Block Grant (CDBG) funds for the Urban County Cities to be used as a priority before using monies allocated to financial assistance in the agreement. The Urban County Cities are made up of the unincorporated area of the County as well as Campbell, Los Gatos, Saratoga, Morgan Hill, Monte Sereno, Los Altos and Los Altos Hills. The County has set aside \$100,000 from CDBG funds to be used to those who qualify from any of the above cities that enter into an agreement with the County. The County will use these funds as a first in, first out approach to utilize the funding allotment. To date only residents of Morgan Hill and Campbell have sought financial support through this program.

The attached agreement outlines the framework for this program and the estimated share requested from the City of Campbell. The agreement has a not to exceed amount of \$99,183 to provide services based upon the projected costs from August 1 through December 31, 2020. Exhibit D in the attached agreement breaks down the projected costs for Campbell by fixed costs, motel costs, at-home support and financial assistance. The fixed costs for the administrative oversight will be billed to the City while the cost for services will be billed only if used during this timeframe and will not exceed amount listed in agreement. It is not anticipated that the funds allocated to financial assistance will be heavily impacted as they will be offset by CDBG funds until the \$100,000 is exhausted.

Additionally, this program is separate from Project Roomkey and deals specifically with COVID-19 positive cases. Project Roomkey aims to protect vulnerable populations and is a program executed by the County and State. There have not been any discussions between the County and the City at this time in regard to any future funding agreement requests.

FISCAL IMPACT

Should the City Council direct the City Manager to enter into an agreement with the County to fund their isolation and quarantine support program, the total estimated cost is \$99,183 through December 31, 2020. This would support up to 24 Campbell program participants with fixed County overhead costs of \$12,335, as shown in agreement Exhibit D, and estimated variable programs costs of \$86,848, as shown in agreement Exhibit E. Of the estimated variable program costs, \$49,000 could be for direct financial assistance to program participants. If Campbell chose to amend the agreement with the County to remove direct financial assistance, the total estimated cost to support the County program is \$50,183. Please note that should there be a need for these services past December 31, 2020 or the number of actual program participants exceed initial estimates of 24, the City's costs could increase. Likewise, should fewer than 24 Campbell residents participate in the program, the City's costs would be less than the

estimated variable costs. Both extension of the agreement and maximum not-to-exceed cost terms are subject to further discussions and mutual agreement between the City and the County. Staff will return to Council at a later date should the terms of the agreement need to be extended or modified.

\$500,000 is currently appropriated in The FY 2021 Adopted Budget under the COVID-19 budget unit (101.539). These funds have already been utilized for COVID-19 related expenses totaling approximately \$52,000 year-to-date in FY 2021. They are also being considered for continued support of the downtown street closure and revitalization costs in response to COVID-19. Funding the County isolation and quarantine support program would also be an appropriate and intended use of these funds. However, as was presented to Council by staff on August 18, there are also other intended and competing purposes and needs for these limited funds. Nevertheless, some or all of the City's costs to enter in an agreement with the County may be reimbursable at a later date through FEMA and the County would submit that reimbursement on the City's behalf. The City would likely not receive these funds though until several years in the future. Additionally, the County has set aside \$100,000 in Community Development Block Grant (CDBG) funds for the Urban County Cities to be used as a priority before using monies allocated to financial assistance in the agreement.

ALTERNATIVES

1. Do not enter into an agreement with the County of Santa Clara.
2. Provide alternative direction to staff.

Prepared by:



Natasha Bissell, Recreation Services
Manager

Reviewed by:



Natasha Bissell, Recreation Services
Manager

Approved by:



Brian Loventhal, City Manager

Attachment:

- a. City County Revenue Agreement Template Isolation and Quarantine Program

**FUNDING AGREEMENT BETWEEN THE
COUNTY OF SANTA CLARA
AND THE CITY OF CAMPBELL
FOR COUNTYWIDE ISOLATION AND QUARANTINE
SUPPORT PROGRAM**

This Agreement is entered into by and between the **County of Santa Clara** (the “County”) and the **City of Campbell** (the “City”), individually, a “Party” and, collectively, the “Parties,” in order to provide funding for a Countywide Isolation and Quarantine Support Program (“Program”) to be managed by the County.

RECITALS

- A. WHEREAS, on February 3, 2020, the County Health Officer declared a local health emergency, and the County's Director of Emergency Services proclaimed a local emergency, to respond to the Coronavirus Disease (“COVID-19”) pandemic and manage its spread throughout the County; and
- B. WHEREAS, on March 4, 2020, the Governor of California proclaimed a State of Emergency (Executive Order N-25-20) to exist in California because of the threat of COVID-19; and
- C. WHEREAS, on March 16, 2020, the Santa Clara County Public Health Officer issued an Order to all residents to shelter in place and businesses to close except for essential activities, essential services, and governmental services as defined under Section 10 of the Order; and
- D. WHEREAS, on March 19, 2020, the Governor issued an Order (Executive Order N-33-20) that all individuals living in the State of California stay home or at their place of residence, except as needed to maintain continuity of operations for certain critical infrastructure sectors, to protect the public health of Californians, to mitigate the impact of COVID-19, and to ensure the healthcare delivery system is capable of serving all; and
- E. WHEREAS, as a result of the State Executive Orders and their national counterparts and the County Order in response to COVID-19, as may be extended and modified by federal, state, and local authorities, the County and City have identified an urgent need to provide a Countywide Isolation and Quarantine Support Program (“Program”) as part of the response to COVID-19; and,
- F. WHEREAS, the County has established and will operate the Program as described on Exhibit “A” attached hereto and incorporated herein by this reference; and

- G. WHEREAS, the Program assists all residents of Santa Clara County to isolate if they have tested positive for Coronavirus (COVID-19) (“Cases”) or quarantine if they have been in close contact with a COVID-19 positive person (“Contacts”); and
- H. WHEREAS, the U.S. Centers for Disease Control and Prevention defines a “close contact” as “someone who was within six feet of an infected person for at least 15 minutes starting from 48 hours before illness onset until the time the patient is isolated; however, the County Public Health Department’s Special Investigations Unit or Case Investigation and Contact Tracing group (“CICT”) will make determinations based on the circumstances of each interaction; and
- I. WHEREAS, many individuals and their families will be able to isolate or quarantine in their homes without assistance; and
- J. WHEREAS, others have situations that make isolating or quarantining difficult. These challenges include, but are not limited to, overcrowded housing, the lack of paid sick leave, recent unemployment, co-habitation with at-risk individuals, and obligations to care for family members. Primary among these challenges are: 1) access to a room in which the case or contact may stay and remain entirely separate from other members of the household; and, 2) access to one’s own bathroom or the ability to thoroughly clean the bathroom after each use. The County’s CICT group is trained to speak with individuals about what they may need to effectively isolate or quarantine in their own home; and
- K. WHEREAS, it is in the intent of this Agreement that City, along with all other 14 cities within Santa Clara County, will contribute funding to the County to pay the County for its costs in operating the Program.

In consideration of the foregoing Recitals, and the mutual promises and covenants contained in this Agreement, the Parties agree as follows:

AGREEMENT

SECTION 1 TERM

This Agreement is effective August 1, 2020 and will continue thereafter until December 31, 2020, unless extended by mutual consent in writing.

SECTION 2 MAXIMUM FINANCIAL OBLIGATION

As explained in Section 3 below and stated in Exhibit E, City’s maximum financial obligation during the Term of this Agreement is \$99,183.

SECTION 3 ESTIMATE OF COUNTYWIDE NEED AND COST SHARING

To ensure that appropriate services are available to all Santa Clara County residents who need help with isolation or quarantine, it is the intent of this Agreement that the County and all 15 cities within the County would share in the Program's costs on a roughly proportional basis as set forth below.

a) **Estimates of Countywide Need:**

- i) Based upon prior utilization data, the County estimates that during the term of this Agreement, approximately 200 households who are Cases or Contacts will be referred to or will contact the Program weekly. Of the 200 households, it is estimated that approximately 25% (about 50 households) will decline services, be ineligible or referrals that cannot be contacted. Of the remaining households (approximately 150 households) who participate in the Program, 90% (about 135 households) will receive assistance to isolate or quarantine at home and 10% (about 15 households) would temporarily move into a motel. Of all households who enroll in the Program (150 households) each week, about 60% (90 households) are also expected to request and receive rental or financial assistance.
- ii) Of the households participating in the program, it is estimated that approximately 82% will be residents of the City of San José. Residency is determined by the person's or family's home address.
- iii) Exhibit B summarizes the projected needs among residents of each jurisdiction by Program component from August 1 through December 31, 2020, which is approximately 22 weeks. The number of residents by jurisdiction is based on current Program utilization and a minimum of five – one per month – for each jurisdiction. For planning purposes, at least one resident from each jurisdiction would need a motel placement.
- iv) If the person or family is homeless, their residency is determined by the location of their last permanent address or the city or unincorporated area where they spend most of their time.

b) **Cost Sharing:** Exhibit C summarizes the assumptions used to determine the Program's fixed costs, the costs of operating a motel room for one month, at-home support services, and rental or other financial assistance. These are intended to be estimates for budgeting purposes.

- i) **Fixed Costs:** Each jurisdiction would reimburse the County for a portion of the Program's fixed costs regardless of utilization by the jurisdiction's residents. Each jurisdiction's share of the fixed costs is proportional to its share of the countywide population as set forth in Exhibit D. The services associated with these costs are necessary because they allow CICT, providers and residents to access the Program's services.
- ii) **Motel Costs:** Each jurisdiction will contribute to the cost of operating motels for isolation and quarantine based on the proportion of motel nights that its residents use. For example, in a given month, if a San Jose resident stayed in one room for 30 days and a Campbell resident stayed in another room for 30 days – and no other jurisdiction's residents stayed at the site – the costs for

operating that motel site, would be evenly split between the City of San Jose and the City of Campbell.

- iii) **At-Home Support Services:** Each jurisdiction will reimburse the County for the cost of supportive services provided directly to the jurisdiction’s residents while they isolate or quarantine in their own homes.
- iv) **Rental and Financial Assistance.** Each jurisdiction will reimburse the County for the rental or financial assistance provided directly to the jurisdiction’s residents.
- c) **Total Estimated Costs:** Exhibit E summarizes the total estimated cost by jurisdiction. These estimates form the basis for the maximum financial obligation during the Term referenced in Section 1 of this Agreement. If the number of City residents participating in the Program exceeds 50% of the total estimated participation shown in Exhibit B, then the City agrees to confer in good faith with the County on adjustments to the maximum financial obligation, but is under no obligation to commit to any such adjustments.
- d) The County shall submit [INSERT: weekly/monthly] invoices to the City for any eligible cost up to the maximum financial obligation. For example, the County may submit the cost of information and referral for all motel rooms located in the City as a strategy to leverage Federal Emergency Management Agency (FEMA) reimbursements. The County may submit invoices to the City even if FEMA has not made a determination on the County’s request(s) for reimbursement under FEMA’s Public Assistance program. Invoices submitted by County will be supported by backup documentation provided with the invoice.

SECTION 4 ROLES AND RESPONSIBILITIES

County shall operate the Program as indicated in the Program Description attached as Exhibit “A.”

SECTION 5 LEVERAGING AND USE OF FUNDS

- a) The City’s funds may be used for any expenses that are necessary for successful operation of the Program, as described in this Agreement. This includes expenses that may be categorically ineligible for the FEMA Public Assistance program and the portion of expenses that is calculated to be the local match for the FEMA Public Assistance program.
- b) The County will work with City to leverage state and federal funds and to conserve local resources. However, since some funding sources have limitations the County may not be able to true-up costs for each city until well after the Program has ceased operations. Furthermore, based on determinations of the agencies like FEMA, the County may have to allocate certain funding to specific categories of expenses to maximize state and federal funds.

- c) The County will submit requests for reimbursement through the FEMA Public Assistance program. Reimbursements from this program require a 25% match, and not all funding sources can be used as match.
- d) The County intends to use approximately \$250,000 in Community Development Block Grant Coronavirus (CDBG-CV) funds to operate the program and to pay for a portion of costs associated with unincorporated Santa Clara County. The County would use these funds to offset the actual costs to the “Urban County” cities: Campbell, Los Altos, Los Altos Hills, Los Gatos, Monte Sereno, Morgan Hill and Saratoga. The County, on behalf of these cities, receives CDBG funds and administers CDBG-eligible programs. Note that CDBG-CV funds cannot be used for hotel costs and can only be used to support households earning 80% or less of AMI.

SECTION 6 MUTUAL INDEMNIFICATION

To the fullest extent permitted by law, County and City agree that, pursuant to Government Code Section 895.4, each of the Parties hereto shall fully indemnify, defend and hold each of the other Parties, their officers, board members, employees, and agents, harmless from any claim, demand, loss expense or cost, damage or liability imposed for injury (as defined in Government Code Section 810.8) (“Claims”) occurring by reason of the negligent acts or omissions or willful misconduct of the indemnifying party, its officials, officers, employees or agents, under or in connection with or arising out of any work, authority or jurisdiction delegated to such party under this Agreement. No party, nor any official, officer, board member or agent thereof shall be responsible for any damage or liability occurring by reason of the negligent acts or omissions or willful misconduct of the other Parties hereto, their officials, officers, board members, employees, or agents, under or in connection with or arising out of any work authority or jurisdiction delegated to such other Parties under this Agreement.

SECTION 7 TERMINATION FOR CAUSE

Either party may terminate this Agreement at any time for cause upon providing notice and a reasonable opportunity to cure to the other party.

SECTION 8 ASSURANCE

Each Party represents and warrants that it has the authority to enter into this Agreement.

SECTION 9 RELATIONSHIP

Nothing contained in this Agreement shall be deemed or construed by the Parties or any third party to create the relationship of partners or joint ventures between the City and the County.

SECTION 10 ENTIRE AGREEMENT

This instrument contains the entire agreement between the Parties, and no statements, promises or inducements made by either Party or the designated agent of either Party that are not contained in this Agreement shall be valid or binding.

SECTION 11 MODIFICATION

This Agreement may not be enlarged, modified, or altered, except if it is evidenced in writing, signed by the Parties and endorsed to this Agreement.

SECTION 12 INSURANCE

Each Party shall, at its own expense, keep in force during the Term, Workers' Compensation Insurance, insuring against and satisfying each Party's obligations and liabilities under the workers' compensation laws of the State of California, including employer's liability insurance in the limits required by the laws of the State of California.

SECTION 13 SEVERABILITY

If any provision in this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions will nevertheless continue in force without being impaired or invalidated in any way.

SECTION 14 NOTICES

Notices to the Parties in connection with this Agreement shall be given personally or by mail, registered or certified, postage prepaid with return receipt requested. Mailed notices shall be addressed to the parties as follows:

COUNTY OF SANTA CLARA

Office of Supportive Housing

Attn: Consuelo Hernandez

Phone: 408-278-6419

Address: 2310 North First St., Suite 201, San Jose, CA 95131

Email: Consuelo.Hernandez@hhs.sccgov.org

CITY OF CAMPBELL

Attn:

Phone:

Address:

Email:

Notices delivered personally will be deemed communicated as of actual receipt; mailed notices will be deemed communicated on the date of delivery.

SECTION 15 AMENDMENTS

This Agreement may be amended only by a written instrument signed by the Parties.

SECTION 16 WAIVER

No delay or failure to require performance of any provision of this Agreement shall constitute a waiver of that provision as to that or any other instance. Any waiver granted by a Party must be provided, in writing, and shall apply to the specific instance expressly stated.

SECTION 17 GOVERNING LAW and VENUE

This Agreement has been executed and delivered in, and shall be construed and enforced in accordance with, the laws of the State of California. Proper venue for legal action regarding this Agreement shall be in the Santa Clara County.

SECTION 18 COUNTERPARTS

This Agreement may be executed in one or more counterparts, each of which shall be deemed to be an original but all of which together shall constitute one and the same instrument.

SECTION 19 THIRD PARTY BENEFICIARIES

This agreement does not, and is not intended to, confer any rights or remedies upon any person or entity other than the parties.

SECTION 20 CONTRACT EXECUTION

Unless otherwise prohibited by law or County policy, the parties agree that an electronic copy of a signed contract, or an electronically signed contract, has the same force and legal effect as a contract executed with an original ink signature. The term “electronic copy of a signed contract” refers to a transmission by facsimile, electronic mail, or other electronic means of a copy of an original signed contract in a portable document format. The term “electronically signed contract” means a contract that is executed by applying an electronic signature using technology approved by the County.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be entered into as of the day and year of execution of this Agreement.

COUNTY OF SANTA CLARA

CITY OF CAMPBELL

PRINTED NAME
TITLE

PRINTED NAME
City Manager

Date: _____

Date: _____

APPROVED AS TO FORM AND LEGALITY

APPROVED AS TO FORM

Christopher Cheleden
Lead Deputy County Counsel

PRINTED NAME
City Attorney

Date: _____

Date: _____

Attachment: City County Revenue Agreement Template Isolation and Quarantine Program (Authorize City Manager to Enter in to a Funding

EXHIBIT A

PROGRAM DESCRIPTION

The County shall provide the following services and program organization in operating the Program:

Program Coordination:

- **Support Request Line.** The County will provide staff or contractors to receive requests for assistance from Cases, Contacts, medical providers, cities' emergency operations centers, and Public Health unit and community-based organizations (CBOs) via telephone or email. The Program's "call center" would be available seven days a week from 8 am to 5 pm. Voice messages or emails received after hours would be responded to the following day.
- **Coordination.** The team and manager assigned to the Support Request Line would also be responsible for coordinating with the Public Health Special Investigations Group (SIG) and CITC to ensure that all teams are aware of and can take appropriate actions for each case and contact. Continuous coordination with SIG and CITC will be necessary because there may be a lag between the time when SIG or CITC become aware of a case or contact and the time when a case or contact or their medical provider reaches out for assistance. The manager of the team would also be responsible for data collection for reports to the County Administration and participating cities.
- **Resource Coordinators.** Coordinators would be assigned to the Support Request Line and would assess Cases and Contacts for needs and arrange for the services described below.
- **Support at Home.** Even individuals or families who have adequate home settings may need additional assistance including:
 - Transportation to/from medically necessary appointments if the individual is not able to use a private vehicle;
 - Up to three meals per day and/or groceries;
 - Medical screening and connection to medical services; and
 - Weekly laundry services for linens and personal clothing; and, Light case management services to help individuals apply for benefits (e.g., unemployment insurance, CalFresh) and other services.
- **Motels.** Some individuals and/or family members may be placed at a motel to isolate or quarantine until they are cleared to return to their home (including a congregate care setting). The Resource Coordinators would coordinate placement at one or more motels for Cases or Contacts who cannot

remain at home or do not have a home. In addition to typical motel management staff and services, the County would negotiate agreements with the motel(s), contract with a community-based organization to provide onsite coordinators and oversee security. In some cases, the individual may be placed in other non-congregate settings, such as a travel trailer. In these out-of-home settings, the program would also provide transportation, food, health and behavioral health screenings and services, laundry and light case management services, as needed.

- **Rental and Financial Assistance.** If there is a documented need, Cases and Contacts would be eligible for rental and financial assistance up to \$5,000. The rental and financial assistance is limited to households earning 80% or less of the Area Median Income (AMI) adjusted for household size. Rental and financial assistance would primarily be provided by Sacred Heart Community Service (SHCS) under contract with the County. The agreement with SHCS enables that organization to:
 - Issue rental assistance or financial assistance within 72 hours of verifying eligibility;
 - Connect Cases and Contacts to the broader network of homelessness prevention services (e.g., additional rental assistance) which is primarily implemented through the seven CBOs of the Emergency Assistance Network (EAN) and coordinated by SHCS; and,
 - Connect Cases and Contacts to other community resources.

- **Other Services.** Program resource coordinators would also be responsible for arranging access to other services including, but not limited to, childcare, elder care, in-home support services, and, emergency, urgent, and/or ongoing healthcare services.

- **Department of Employment and Benefit Services (DEBS).** The Resource Coordinators would ensure that (eligible) Cases or Contacts would be able to access or sign up for General Assistance, CalWORKs, Medi-Cal, CalFresh, or other benefit programs administered by the County. The Resource Coordinators cannot authorize these benefits directly, but the County's DEBS has assigned an Eligibility Supervisor to:
 - Receive referrals directly from Resource Coordinators;
 - Immediately contact the Case or Contact to help them apply for the appropriate program; and
 - When appropriate, approve the applications for assistance.

- **COVID-19 Assistance Navigation Hotline (CAN-19 Hotline).** For workers who need additional assistance understanding or accessing resources provided through the California Employment Development Department (EDD), such as unemployment insurance, Resource Coordinators would make a connection to the County's CAN-19 Hotline. The CAN-19 Hotline assists in English, Spanish, Vietnamese and Mandarin.

Exhibit B – Projected Needs by Jurisdiction, August 1, 2020 through December 31, 2020

Projection reflects:

- Utilization June 17 through July 31, 2020
- A minimum of 5 households per jurisdiction and at least one motel placement
- 10% of enrollees will need a motel placement and 90% can isolate or quarantine at home
- 60% of all enrollees request rental assistance

	Imputed			60% of Enrollees
	Imputed	At-Home	Total Program	Request Rental
	<u>Motel</u>	<u>Support</u>	<u>Enrollments</u>	<u>Assistance</u>
CAMPBELL	2	22	24	14
CUPERTINO	1	4	5	3
GILROY	4	32	36	22
LOS ALTOS	1	4	5	3
LOS ALTOS HILLS	1	4	5	3
LOS GATOS	1	4	5	3
MILPITAS	2	22	24	14
MONTE SERENO	1	4	5	3
MORGAN HILL	4	32	36	22
MOUNTAIN VIEW	2	22	24	14
PALO ALTO	5	43	48	29
SAN JOSE	270	2430	2700	1620
SANTA CLARA	8	76	84	50
SARATOGA	1	4	5	3
SUNNYVALE	12	108	120	72
UNINCORPORATED	20	184	204	122
TOTAL	335	2995	3330	1997

Exhibit C – Estimate of Costs by Service Component

Activity	Est. Rate / Per Unit Cost	Fixed Costs per Month	Motel Room Cost per Month	At-Home Support Costs per HH	Financial Assistance Cost per HH
Resource Coordinators, Medical Screening, Program Coordination	7.0 FTE (~\$150K per FTE annually)	\$ 87,500	\$ -	\$ -	\$ -
Sacred Heart Staffing, Operations & Overhead	(28500/3) or \$9,500 per month	\$ 9,500	\$ -	\$ -	\$ -
Rental / Financial Assistance	Up to \$5,000 per HH / Avg. \$3,500 per HH	\$ -	\$ -	\$ -	\$ 3,500
Motel Room Rate & Tax	Average of \$107 per night	\$ -	\$ 3,255	\$ -	\$ -
Motel Site Management	\$25,000 per site per month	\$ -	\$ 424	\$ -	\$ -
Information & Referral Services	\$20,833 per site per month	\$ -	\$ 353	\$ -	\$ -
Motel Security	\$48,400 per site per month	\$ -	\$ 820	\$ -	\$ -
Meal Delivery	Three meals \$33 per person per day	\$ -	\$ 1,004	\$ -	\$ -
Groceries	\$50 per person per week, assume 4 ppl	\$ -	\$ -	\$ 400	\$ -
Transportation	Up to \$400 per incident (1.5/mo)	\$ -	\$ 600	\$ 400	\$ -
Laundry Services	\$40 per household per month	\$ -	\$ 40	\$ -	\$ -
Medical & Behavioral Health Services	3 FTE RN per site per month	\$ -	\$ 742	\$ -	\$ -
Administration	18%	\$ 17,460	\$ 1,303	\$ 144	\$ -
Total		\$ 114,460	\$ 8,540	\$ 944	\$ 3,500

Exhibit D – Estimate of Fixed Costs and Share by Jurisdiction

Jurisdictional Share of Monthly Fixed Costs

County Population: 1/1/2020

Source: <http://www.dof.ca.gov/Forecasting/Demographics/Estimates/e-1/>

		FIXED COSTS		
		<u>% of Total</u>	<u>Monthly Fixed Costs</u>	<u>Aug. 1 thru Dec. 31, 2020</u>
Campbell	42,288	2.2%	\$ 2,467	\$ 12,335
Cupertino	59,549	3.0%	\$ 3,474	\$ 17,370
Gilroy	57,084	2.9%	\$ 3,330	\$ 16,651
Los Altos	30,876	1.6%	\$ 1,801	\$ 9,006
Los Altos Hills	8,413	0.4%	\$ 491	\$ 2,454
Los Gatos	31,439	1.6%	\$ 1,834	\$ 9,171
Milpitas	77,961	4.0%	\$ 4,548	\$ 22,741
Monte Sereno	3,594	0.2%	\$ 210	\$ 1,048
Morgan Hill	46,454	2.4%	\$ 2,710	\$ 13,550
Mountain View	82,272	4.2%	\$ 4,800	\$ 23,998
Palo Alto	69,226	3.5%	\$ 4,039	\$ 20,193
San Jose	1,049,187	53.5%	\$ 61,209	\$ 306,044
Santa Clara	129,104	6.6%	\$ 7,532	\$ 37,659
Saratoga	31,030	1.6%	\$ 1,810	\$ 9,051
Sunnyvale	156,503	8.0%	\$ 9,130	\$ 45,651
Unincorporated	86,989	4.4%	\$ 5,075	\$ 25,374
Total	1,961,969	100%	\$ 114,460	\$ 572,300

Exhibit E – Estimate of Total Costs by Program Component for Each Jurisdiction

For Services from August 1, 2020 through December 31, 2020

<u>Jurisdiction</u>	<u>Fixed Costs</u>	<u>Motel Costs</u>	<u>At-Home Support</u>	<u>Financial Assistance</u>	<u>Total by Jurisdiction</u>
Campbell	\$ 12,335	\$ 17,079	\$ 20,768	\$ 49,000	\$ 99,183
Cupertino	\$ 17,370	\$ 8,540	\$ 3,776	\$ 10,500	\$ 40,186
Gilroy	\$ 16,651	\$ 34,159	\$ 30,208	\$ 77,000	\$ 158,018
Los Altos	\$ 9,006	\$ 8,540	\$ 3,776	\$ 10,500	\$ 31,822
Los Altos Hills	\$ 2,454	\$ 8,540	\$ 3,776	\$ 10,500	\$ 25,270
Los Gatos	\$ 9,171	\$ 8,540	\$ 3,776	\$ 10,500	\$ 31,986
Milpitas	\$ 22,741	\$ 17,079	\$ 20,768	\$ 49,000	\$ 109,588
Monte Sereno	\$ 1,048	\$ 8,540	\$ 3,776	\$ 10,500	\$ 23,864
Morgan Hill	\$ 13,550	\$ 34,159	\$ 30,208	\$ 77,000	\$ 154,917
Mountain View	\$ 23,998	\$ 17,079	\$ 20,768	\$ 49,000	\$ 110,846
Palo Alto	\$ 20,193	\$ 42,698	\$ 40,592	\$ 101,500	\$ 204,983
San Jose	\$ 306,044	\$ 2,305,717	\$ 2,293,920	\$ 5,670,000	\$ 10,575,682
Santa Clara	\$ 37,659	\$ 68,318	\$ 71,744	\$ 175,000	\$ 352,721
Saratoga	\$ 9,051	\$ 8,540	\$ 3,776	\$ 10,500	\$ 31,867
Sunnyvale	\$ 45,651	\$ 102,476	\$ 101,952	\$ 252,000	\$ 502,080
Unincorporated	\$ 25,374	\$ 170,794	\$ 173,696	\$ 427,000	\$ 796,864
Total	\$ 572,300	\$ 2,860,797	\$ 2,827,280	\$ 6,989,500	\$ 13,249,877

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City Council Report

Item: 11
 Category: NEW BUSINESS
 Meeting Date: September 15, 2020

TITLE: 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

BACKGROUND

On April 21, 2020, staff provided City Council with an update on the initial fiscal and budgetary impacts due COVID-19 in FY 2020 and FY 2021. At the time of the April 2020 update, staff analyzed major revenue sources and expenditures and advised the Council that the City could experience a General Fund operating deficit of **\$5.0 million** due to COVID-19 in FY 2020. These estimates were based on best assumptions at the time using limited data available and assumed that shelter in place orders would remain in effect for three and a half (3.5) months through June 30, 2020. On May 22, 2020, factoring in revised shelter in place orders, the most current actual revenue and expenditure data available through late April and early May, and cost containment measures enacted, staff advised Council that the City could experience a General Fund operating deficit of **\$4.0 million** due to COVID-19 in FY 2020. The current report before Council will provide a further update to FY 2020 General Fund operating deficit estimates and is in a series of monthly fiscal updates that was recommended by staff during the FY 2021 budget preparation process. The current report will also provide the following:

- A comparison of unaudited General Fund year-end actual revenues and expenditures for FY 2020
- A recommendation and request for authorization to use the General Fund Emergency Reserve to balance unaudited General Fund year-end actual revenues against expenditures in FY 2020

- Discussion of the City's Seven-Year Financial Forecast prepared by staff and sent to Council via e-mail on August 20, 2020
- Discussion on strategies replenishment of General Fund reserves
- An economic update

DISCUSSION

Comparison of Unaudited General Fund Year-End Actual Expenditures and Revenues for FY 2020

Attachment B of this report provides Council with a FY 2019-20 General Fund Financial Status update through June 30, 2020. However, please note that all numbers presented are unaudited actual results and may change upon completion of the City's annual financial audit. As is the normal schedule so as to allow for a sufficient review by the City's external auditors, the City's annual financial audit for FY 2020 will be completed by December 2020; with results presented to the Finance Sub-Committee in January 2021 and the City Council in February 2021.

In summary, when unaudited General Fund year-end actual revenues are compared against expenditures in FY 2020, an operating deficit of approximately **\$4.0 million** results. This is roughly equal to the estimated General Fund operating deficit that was presented to Council in the May 2020 update. However, actual revenues were less than estimates by approximately \$596,000 (1.12%) and these were offset by actual expenditures that were less than estimates by approximately \$631,000 (1.10%). The following will summarize revenue and expenditure results and detail any variances from the May 2020 update:

- **Revenues** – As stated, revenues as whole, were less than estimates by approximately \$596,000 or 1.12%, but as is shown below, some revenue categories exceeded estimates while other revenue categories missed estimates.
 - **Property Tax** – actual unaudited property taxes for FY 2020 exceeded estimates by approximately **\$36,000** or **0.21%**. Staff did not expect property taxes to be negatively impacted by COVID-19 in FY 2020 and this appears to have held true. And since the assessment role for FY 2021 is completed, staff also does not expect property taxes to be negatively impacted by COVID-19 in FY 2021. As of May 8, the County Assessor's Office projected 4.6% property tax growth for Campbell in FY 2021 and this was factored into the Adopted FY 2021 Operating Budget. If the economic impacts of COVID-19 are prolonged, property taxes could be negatively impacted starting FY 2022.
 - **Sales Tax** – actual unaudited sales taxes for FY 2020 were less than estimates by approximately **\$467,000** or **3.24%**. Shelter in place orders combined with a shift in consumer spending to online sales, where the City receives a lower share when compared to in person sales, seems to

have resulted in a greater than expected decline in sales tax revenues. However, detailed sector by sector results won't be made available to the City until October 2020. At that time, staff will review and analyze the detailed results and determine if revisions should be made to sales tax estimates in FY 2021 and in the City's Seven-Year Financial Forecast. However, at this time, there is not sufficient data to make that determination and sales tax may also benefit from the gradual reopening of several business sectors over the last few months. Thus, even detailed sector by sector results for FY 2020 may not provide sufficient data to cause a revision to sales tax estimates in FY 2021 and in the City's Seven-Year Financial Forecast. And lastly, please note that FY 2020 results include \$476,000 in deferred or extended sales tax payments for FY 2020 that the Governor has allowed to be paid late. The California Department of Tax and Fee Administration (CDTFA) has indicated that 16 businesses in Campbell have applied for deferrals (due by July 31, 2021) and 36 businesses have applied for the extensions (due by July 31, 2020).

- **Franchise Taxes** - actual unaudited franchise taxes for FY 2020 were less than estimates by approximately **\$208,000** or **5.57%**. Shelter in place orders and the need by some businesses to shift to remote operations, seems to have resulted in decreased utility usage for electric, gas, and waste. In addition, increased unemployment, seems to have resulted in a decreased consumer usage for cable television and telephones. Staff did not previously expect that Franchise Taxes would be impacted by COVID-19, but there does appear to be a slight decrease when compared to expectations. Franchise taxes are normally the City's fifth largest revenue source and well below property taxes and sales taxes in terms of amount, but staff will continue to monitor this area over FY 2021 and determine if a revision to franchise tax estimates in FY 2021 and in the City's Seven-Year Financial Forecast is warranted.
- **Transient Occupancy Tax** - actual unaudited transient occupancy taxes for FY 2020 were less than estimates by approximately **\$2,000** or **0.05%**. This is virtually identical to staff estimates for FY 2020, which assumed that occupancy rates for all hotels would average 15% and room rates would decrease by at least 10% from April through June 2020. And staff continues to expect that some travel activity will begin to resume once shelter in place orders are eased further in FY 2021. Some travel has already resumed. Nevertheless, transient occupancy taxes are the one City revenue source that is the most susceptible to a prolonged and significant contraction due to COVID-19 and staff will continue to monitor actual results against expected results in FY 2021 and beyond.
- **Other Taxes** - actual unaudited other taxes for FY 2020 were less than estimates by approximately **\$271,000** or **17.34%**. This was mainly due to business license taxes not meeting estimates by approximately \$53,000

and real property transfer taxes not meeting estimates by approximately \$215,000. While more data is needed, the former appears to have been caused both by businesses which have closed and the inability of others to submit timely renewal payments due to City Hall being closed to the public. However, staff is now accepting business license tax payments through mail, in a lock box at City Hall, and over the phone and is looking to implement online payment capabilities in the future. The decrease in real property transfer taxes appears to have been caused by a slowdown in property sales activity in the last quarter of FY 2020, but should begin returning to normal once the ability to have in person property viewings increases. However, staff already reduced its estimate of real Property Transfer Tax revenue by 60% in FY 2021 when compared to the FY 2020 Adopted Budget due to possible decreased sales activity in FY 2021.

- **Licenses & Permits** – actual unaudited licenses & permits for FY 2020 exceeded estimates by approximately **\$392,000** or **17.34%**. With easing of restrictions by the County on construction, the Community Development Department's Building Division resumed processing building and related permits in early May 2020. This resulted in higher than expected revenues in all license & permit categories. However, staff must point out that building permit and other development revenue varies widely from year to year based on planned projects and the City is largely built out. Thus, the City could see fluctuations in building permit revenue in future years and staff will monitor this revenue area to ensure that it continues to meet its expectations.
- **Fines & Forfeitures** – actual unaudited fines & forfeitures for FY 2020 exceeded estimates by approximately **\$66,000** or **44.43%**. This was due to larger than expected receipts from the State and County due to Vehicle Code violations. Nevertheless, fines & forfeitures are normally the City's twelfth largest revenue source and actual receipts in FY 2020 do not significantly impact the General Fund.
- **Investment Income** - actual unaudited investment income for FY 2020 exceeded estimates by approximately **\$157,000** or **32.94%**. However, staff must caution that several accounting entries normally take place in the next several weeks to fully recognize the investment income share of each City fund and the General Fund's final share could increase or decrease in the City's audited financial statements for FY 2020.
- **Intergovernmental Revenue** - actual unaudited intergovernmental revenue for FY 2020 exceeded estimates by approximately **\$60,000** or **7.06%**. This was mainly due to larger than expected receipts from County Arson investigator payments, Successor Agency residual property tax payments, and abandoned vehicle fees. Nevertheless, intergovernmental

revenue is normally the City's tenth largest revenue source and actual receipts in FY 2020 do not significantly impact the General Fund.

- **Charges for Service** - actual unaudited intergovernmental revenue for FY 2020 exceeded estimates by approximately **\$91,000** or **2.39%**. This category includes revenue for Recreation camps, classes, programs, and events and met and slightly exceeded expectations due to new County orders effective as of June 5, which allowed these programs to re-open on a limited basis. Charges for service is normally the City's third largest revenue source and this is welcome news for the General Fund. However, as a whole in Charges for Service, staff continues to estimate a 19.6% decrease in FY 2021 when compared to the FY 2020 Adopted Budget; offset by a decrease in temporary staffing costs to operate Recreation programs.
- **Other Revenue** - actual unaudited other revenue for FY 2020 was less than estimates by approximately **\$33,000** or **1.15%**. This was mainly due to a decrease in facility rental income. Other revenue is normally the City's sixth largest revenue source and staff will continue to monitor them to determine if a revision to other revenue estimates in FY 2021 and in the City's Seven-Year Financial Forecast is warranted.
- **Other Funding Sources** - actual unaudited other funding sources for FY 2020 were less than estimates by approximately **\$418,000** or **14.06%**. This was entirely due to the City not being the administrating agency anymore for the West Valley Sanitation District Clean Water Program JPA. Prior to FY 2020, property tax assessments were received in the Environmental Services Fund (209), transferred to the General Fund (101), and then sent to participating JPA agencies. The City stopped being the administrating agency for the JPA in FY 2020, but this was not finalized when the FY 2020 Budget was adopted and was erroneously included in the May 2020 estimates by staff.
- **Expenditures** - As stated, expenditures as whole, were less than estimates by approximately \$631,000 or 1.10%. Due to cost containment measures enacted in the last quarter of FY 2020, most all departments were under their FY 2020 Adopted Budget appropriations. However, due to a lower than expected shift of normal staffing time to COVID-19 purposes, personnel costs in most all departments slightly exceeded estimates from the May 2020 update. Additionally, COVID-19 costs were less than estimates by \$563,000 or 26.63%. Unaudited expenditures charged to the COVID-19 budget unit (101.539) in FY 2019-20 equaled approximately \$1.6 million and were comprised of the following:
 - Personnel costs (other than overtime): \$1.4 million
 - Overtime: \$0.1 million
 - Supplies and Services: \$0.1 million

Please note that personnel costs charged to the COVID-19 budget unit, except for overtime, would have normally been charged directly to other operating departments and were already accounted for in the FY 2020 Adopted Budget. Therefore, personnel costs charged to the COVID-19 budget unit did not increase the City's expected expenditures for FY 2020. Rather, they were shifted to a different budget unit. However, COVID-19 overtime costs as well as costs for COVID-19 related supplies and services did increase the City's costs in FY 2020.

And lastly, the decrease in unaudited General Fund expenditures in FY 2020 when compared to the May 2020 update was also caused by lower than expected Other Funding Uses and transfers out to support capital projects by approximately \$797,000 or 13.08%. This may be attributable both to a slowdown in project activity and staff capacity due to COVID-19 and actual lower costs. Staff will continue to analyze this area to determine if some capital costs will shift to future fiscal years.

Use of the General Fund Emergency Reserve

As summarized in the previous section, when unaudited General Fund year-end actual revenues are compared against expenditures in FY 2020, an operating deficit of approximately **\$4.0 million** results. To cover this deficit, staff continues to recommend use of the General Fund Emergency Reserve, which had an ending balance of \$5.6 million as of FY 2019. Use of this reserve would leave an ending balance of approximately \$1.6 million in FY 2020. Per Section 20.V.A. of the Council Financial Policies, this reserve is based on 10% of General Fund revenue and it will only be used in the case of dire need as a result of physical or financial emergency as determined by the City Council. This can be thought of as one of the City's "rainy day" funds and the entire purpose for its establishment was to protect the City against fiscal storms. Mitigation of unexpected and significant revenue losses due to a global pandemic and COVID-19 would certainly be an appropriate use of this reserve account. Thus, attached to this report, Council will find a resolution which formally authorizes staff to utilize the General Fund Emergency Reserve in FY 2020. However, since only unaudited FY 2020 General Fund year-end actual revenues and expenditures can be presented at this time, staff also requests a 10% allowance above \$4.0 million should audited actuals increase the General Fund operating deficit in FY 2020. Should audited actuals increase the General Fund operating deficit in FY 2020 by an amount greater than 10% (\$400,000), staff will return to Council for additional authorization.

Council action requested – approve a resolution to utilize the General Fund Emergency Reserve up to ***\$4.4 million*** in FY 2020 to cover an anticipated operating deficit in the General Fund.

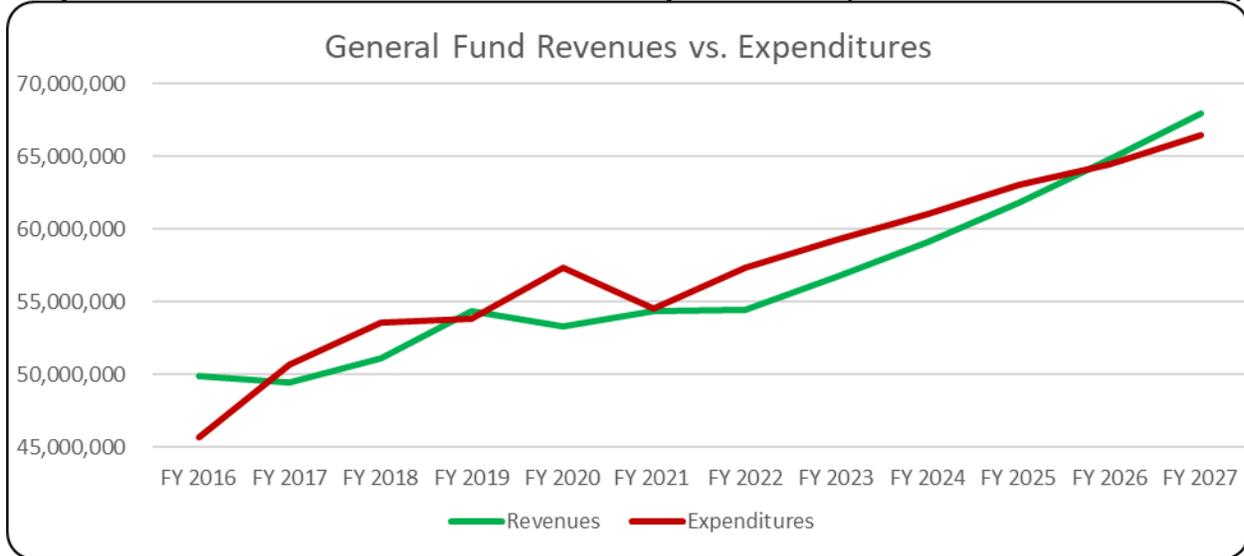
Seven-Year Financial Forecast

Staff prepared a Seven-Year Financial Forecast that covers FY 2021 to FY 2027, and this was e-mailed to the City Council on August 21, 2020. The memo which summarizes the forecast is included with this report as **Attachment C**. As was detailed in the forecast and as shown in Table 1 and Graph 1 below, staff estimates a General Fund operating deficit averaging approximately \$2.1 million from FY 2022 to FY 2025:

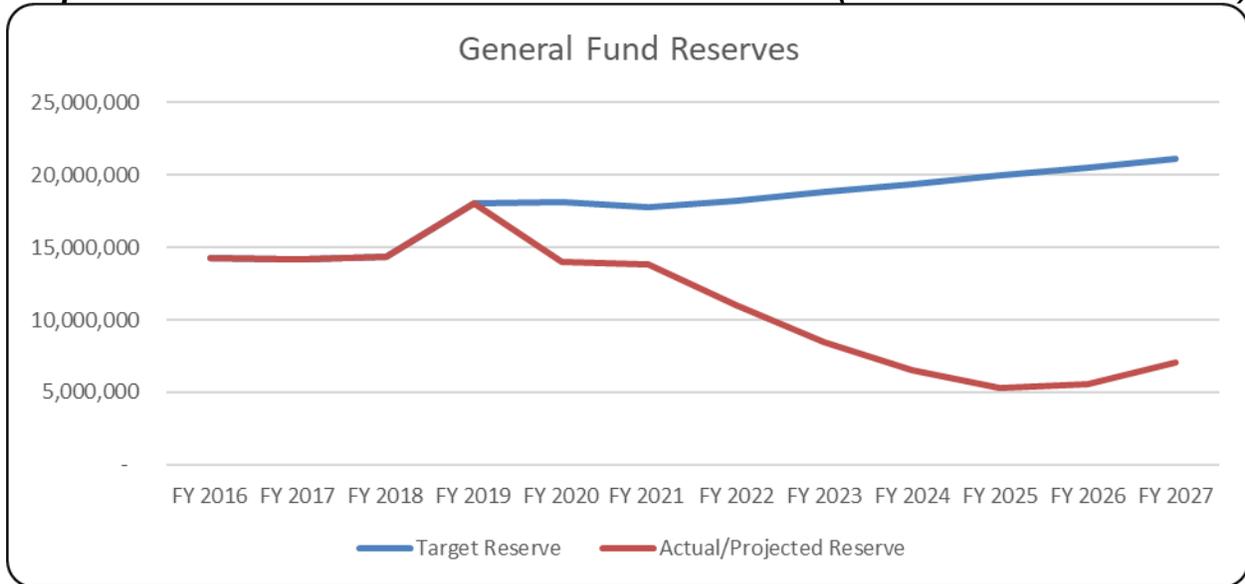
Table 1 – General Fund Revenues vs. Expenditures (Estimated)

	FY 2021	FY 2022	FY 2023	FU 2024	FY 2025	FY 2026	FY 2027
Revenues	54,349,394	54,471,700	56,777,400	59,102,600	61,826,800	64,800,900	67,973,500
Expenditures	54,539,332	57,316,800	59,300,400	61,053,400	63,035,100	64,505,700	66,489,100
Surplus/(Deficit)	(189,938)	(2,845,100)	(2,523,000)	(1,950,800)	(1,208,300)	295,200	1,484,400

Graph 1 – General Fund Revenues vs. Expenditures (Estimated and Historical)



Absent future City action regarding ongoing costs, state or federal stimulus funds, additional revenue sources, or a quicker than expected economic recovery, this could require the City to draw upon its discretionary General Fund reserves in those fiscal years to balance the budget; thereby leaving total General Fund reserves at \$5.3 million and 8.4% of estimated expenditures by the end of FY 2025. Such a potential draw down of General Fund reserves and a comparison to target levels set by City Policy is shown in Graph 2 below:

Graph 2 – Draw Down of General Fund Reserves (Estimated and Historical)

At this point in time, given unaudited FY 2020 results which were close to staff estimates, not yet received detailed sector by sector sales tax data for FY 2020, and limited actual data for FY 2021 which will reflect some recovery in the economy due to the partial reopening of several business sectors, staff does not feel it is warranted to revise the Seven-Year Financial Forecast beyond what has been presented. However, staff is concerned about the potential draw down of General Fund reserves in future fiscal years as well as the necessary draw down of the General Fund Emergency Reserve in FY 2020. As such, the next section of this report will discuss some options to replenish General Fund reserves and limit their use in the future.

Strategies for Replenishment of General Fund Reserves

While the Seven-Year Financial Forecast is one potential scenario and future for the City, there are three ways to balance a city's operating budget:

1. Reduce expenditures
2. Increase revenues
3. Utilize reserve funds

In regard to reducing ongoing expenditures, staff recommends a comprehensive and deliberate review of the City's cost structure during FY 2021 to determine what are essential services and the services that the City would like to continue offering its community in the future. The discussion of ongoing expenditures is further recommended to continue during the preparation of FY 2022 budget and anticipated study sessions and meetings with the Council and the public. Should the economic impacts of COVID-19 be longer than expected or result in the deficits shown in the current Seven-Year Financial Forecast, ongoing costs may need to be reduced as one strategy to minimize future use of General Fund Reserves. Since evaluation of essential services and the City's cost structure is a complicated endeavor, staff is recommending its review over the course of FY 2021. However, should future monthly

fiscal updates indicate a need to reduce ongoing expenditures more quickly, staff will provide such recommendations to Council timely.

In regard to increasing ongoing revenues, some of this will naturally occur as the economy recovers and moves past COVID-19. Some of the recovery has already started to occur as was detailed in staff's August 18, 2020 update to City Council. However, as the Seven-Year Financial Forecast shows, the economic recovery may be slower than what is necessary to balance future fiscal year General Fund revenues against expenditures. Thus, staff would like to begin the discussion with Council on various additional revenue sources such as, but not limited to, a new Utility Users Tax ("UUT"), a new Sales Tax add on, an increase to TOT rates, enforcement of TOT requirements for short-term rentals, and/or a modernization of Business License tax rates as strategies to bridge potential future General Fund operating deficits. Voter approval would be required for all measures identified except enforcement of TOT requirements for short-term rentals, pending further analysis by the City Attorney's Office. Any ballot measures could be placed on future special or regular elections pending Council authorization. While estimates below are very preliminary and would require further analysis, the City might receive the following annual revenue from these potential ballot measures:

- **Utility Users Tax (UUT)** – A UUT could be applied to any and all utility services at whatever rate the City and voters approved and is usually a very stable source of municipal revenue regardless of the economic climate. For example, if applied to gas, electric, telecommunications, and cable television at a 5% rate, staff projects that it could generate \$2.5 to \$3.0 million in new ongoing revenue annually. However, given the decrease in utility usage in several areas as noted previously, a new UUT could generate less than expected.
- **Increase to Transient Occupancy Tax (TOT) Rate** - If desired, staff recommends using any increased revenue to promote local hotels, tourism, travel, retail, and restaurants citywide. For example, a 2% increase in the TOT rate up to 14% total may generate an estimated \$750,000 annually in normal economic conditions. While the hotel industry recovers from COVID-19, a 2% TOT rate increase may generate closer to \$500,000 annually.
- **Sales Tax Add On** – The City currently has a 0.25% Sales Tax Add On that was approved by Campbell voters in 2008 (Measure O). This generated \$2.9 million in FY 2019 and \$2.6 million in FY 2020. Thus, an additional and allowable 0.25% Sales Tax Add, bringing the Campbell Sales Tax rate to 9.50%, could generate between \$2.6 million and \$2.9 million annually.

Additionally, the City may also want to consider looking at its inventory of buildings and land to determine if there are opportunities to sell certain assets; thereby decreasing ongoing maintenance costs, receiving a large upfront influx of real estate revenues and

possible building permit revenue, while still providing exemplary services to the community. As such, staff will request from Council the approval of Request for Proposals (RFPs) for a) Real Estate Appraisal and Marketing Services and b) Facilities Condition Assessments in October 2020. These RFPs are in the Adopted FY 2021 Work Plans for the Finance and Public Works departments.

Council action requested – *begin discussion on increasing ongoing revenues as one way to minimize use of and replenish reserve funds and minimize service level reductions.*

Economic Update

As the country continues to work past COVID-19 and re-open sectors of the economy, retail sales were softer than expected in July, up just 1.2% in the month versus expectations of 2.1%, following an 8.4% increase in June. Excluding autos and gas, retail sales were up 1.5% in July, which was better than expected. Spending at electronics and appliance stores jumped nearly 23% in July, perhaps reflecting increased demand for equipment as many children prepare for remote learning in the fall. Spending on clothing, restaurants, health & personal care, and online retail also increased in July. On a year-over-year basis, retail sales were up 2.7% in July, an improvement from 2.1% in June. Looking ahead, we believe additional federal stimulus support will be necessary to support consumer spending as the labor market is likely to remain weak through the second half of the calendar year. However, at this time, it is still uncertain as to when a future federal stimulus bill may be passed and what it will include. However, as the November 2020 election gets closer, there will be added pressure on Congress and the White House to get a deal done. It is still uncertain though whether such a bill will include any direct assistance to local governments which may offset FY 2020 revenue losses and future anticipated revenue losses. Staff is not currently assuming any such assistance in the Seven-Year Financial Forecast.

In regard to unemployment, California dropped to a rate of 13.3% in July 2020; down from 14.9% in June 2020, but up from 4.0% in July 2019. In Santa Clara County, the rate dropped to 9.3%; down from 10.7% in June 2020, but up from 2.8% in July 2019. And in Campbell, the rate was 8.3% in July 2020; down from 9.5% in June 2020, but up from 2.4% in July 2019. However, as was shared during the August 2020 update, while current unemployment numbers are troubling, unemployment is a lagging indicator of the economy and normally does not cause a recession on its own. And the worst recessions are normally caused by a breakdown in the financial markets as was the case with the Great Recession. Additionally, permanent job losses nationwide are hovering around 2%, which is very similar to the “dot-com” crash of the early 2000’s. Nevertheless, the longer that certain sectors of the economy remain fully or partially closed, temporary job losses could turn into permanent job losses and this will continue to be monitored by staff.

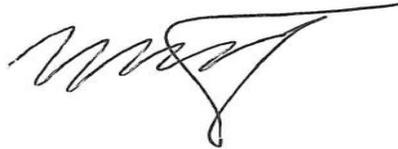
At this time, while there has been a slow down in economic recovery, staff does not recommend further adjustment to the Adopted FY 2021 Budget or the Seven-Year forecast. However, should the economic impacts of COVID-19 greater than expected or

longer in duration, staff will return to Council timely with recommended corrective actions to reduce expenditures or increase revenues.

FISCAL IMPACT

Recommended use of the City's General Emergency Reserve by \$4.0 million will leave an ending balance of approximately \$1.6 million in FY 2020. Staff has also requested authorization for an additional \$400,000 should audited actual results differ from unaudited actual results; thereby decreasing the General Emergency Reserve further to \$1.2 million.

No other actions in this report have a fiscal impact, but should the Council consider any revenue measures, they could have a positive impact on the City's General Fund, decrease future need to utilize reserve funds, and provide means to replenish the current recommended use of reserve funds.



Prepared by:

Will Fuentes, Finance Director

Approved by:



Brian Loventhal, City Manager

Attachment:

- a. Resolution - Use of General Fund Emergency Reserve (FY 2020)
- b. Financial Status Update (General Fund June YE 2020)
- c. Memo (7-Year Forecast)

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAMPBELL
AUTHORIZING THE USE OF THE GENERAL FUND EMERGENCY RESERVE TO
BALANCE REVENUES AGAINST EXPENDITURES IN FISCAL YEAR (FY) 2020**

WHEREAS, the FY 2020 General Fund Adopted Operating Budget was approved by City Council on June 18, 2019 via Resolution 12465, and

WHEREAS, the FY 2020 General Fund Operating Budget was balanced at time of adoption with operating revenues estimated to equal \$55,863,156 and operating expenditures estimated to equal \$55,145,691, and

WHEREAS, the economic impacts of COVID-19 had an immediate and significant impact on General Fund revenue sources in the last quarter of FY 2020, and

WHEREAS, staff has kept Council apprised of the economic impacts of COVID-19 since April 2020 and has estimated a General Fund Operating deficit between \$4.0 million and \$5.0 million in FY 2020, and

WHEREAS, when unaudited General Fund year-end actual revenues are compared against expenditures in FY 2020, an operating deficit of approximately \$4.0 million results, and

WHEREAS, audited General Fund year-end actual results for FY 2020 will not be finalized until December 2020 and may increase the actual General Fund operating deficit in FY 2020, and

WHEREAS, based on these factors, staff recommends and requests authorization to utilize the General Fund Emergency Reserve up to \$4.4 million in FY 2020, and

WHEREAS, per Section 20.V.A. of the Council Financial Policies, staff has determined that this is an appropriate use the General Fund Emergency Reserve, and

WHEREAS, should the final audited FY 2020 General Fund operating deficit exceed \$4.4 million, staff will return to Council at a future date for additional authorization;

NOW, THEREFORE, BE IT RESOLVED, by the City Council that as of September 15, 2020 the amount of up to \$4.4 million is authorized to be used from the General Fund Emergency Reserve to balance General Fund revenues against expenditures in FY 2020.

PASSED AND ADOPTED this day ___ of _____, 2020, by the following roll call vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

APPROVED:

Susan M. Landry, Mayor

Attachment: Resolution - Use of General Fund Emergency Reserve (FY 2020) (September 2020 Fiscal Update)

ATTEST:

Andrea Sanders, Acting City Clerk

Financial Status Update - Fiscal Year (FY) 2019-20

Year-End Un-Audited Actuals - June 30, 2020

GENERAL FUND

	Actual YE 19-20	Budget 19-20	% of Budget	Proj YE 19-20	Actual vs Proj (\$)	Actual vs Proj (%)		YE 18-19	Year over Year	
									YE Growth (\$)	YE Growth (%)
REVENUES										
A - Property Tax	\$ 17,248,697	\$ 16,967,000	101.66%	\$ 17,213,100	\$ 35,597	100.21%	+	\$ 15,646,864	\$ 1,601,832	10.24%
B - Sales Tax	\$ 13,965,745	\$ 15,891,400	87.88%	\$ 14,433,090	\$ (467,345)	96.76%	-	\$ 15,684,222	(1,718,477)	-10.96%
C - Franchise Taxes	\$ 3,527,926	\$ 3,736,800	94.41%	\$ 3,736,000	\$ (208,074)	94.43%	-	\$ 3,515,547	12,379	0.35%
D - Transient Occupancy Tax	\$ 3,144,208	\$ 4,785,400	65.70%	\$ 3,145,800	\$ (1,592)	99.95%	-	\$ 4,768,870	(1,624,662)	-34.07%
E - Other Taxes	\$ 1,290,744	\$ 1,633,500	79.02%	\$ 1,561,440	\$ (270,696)	82.66%	-	\$ 1,254,746	35,998	2.87%
F - Licenses & Permits	\$ 2,481,986	\$ 2,356,500	105.33%	\$ 2,090,252	\$ 391,734	118.74%	+	\$ 2,062,086	419,900	20.36%
G - Fines & Forfeitures	\$ 216,065	\$ 362,300	59.64%	\$ 149,600	\$ 66,465	144.43%	+	\$ 274,478	(58,413)	-21.28%
H - Investment Income	\$ 635,449	\$ 478,000	132.94%	\$ 478,000	\$ 157,449	132.94%	+	\$ 998,446	(362,997)	-36.36%
I - Intergovernmental Revenue	\$ 902,276	\$ 880,470	102.48%	\$ 842,770	\$ 59,506	107.06%	+	\$ 721,568	180,708	25.04%
J - Charges for Service	\$ 3,917,320	\$ 5,444,903	71.94%	\$ 3,826,005	\$ 91,315	102.39%	+	\$ 5,037,369	(1,120,049)	-22.23%
K - Other Revenue	\$ 2,817,188	\$ 3,348,591	84.13%	\$ 2,849,866	\$ (32,678)	98.85%	-	\$ 3,105,671	(288,483)	-9.29%
L - Other Funding Sources	\$ 2,554,251	\$ 3,346,241	76.33%	\$ 2,972,286	\$ (418,035)	85.94%	-	\$ 1,294,246	1,260,005	97.35%
TOTAL REVENUES	\$ 52,701,855	\$ 59,231,105	88.98%	\$ 53,298,209	\$ (596,354)	98.88%	-	\$ 54,364,113	\$ (1,662,257)	-3.06%
EXPENDITURES										
A - City Council	\$ 319,310	\$ 335,772	95.10%	\$ 330,012	\$ (10,702)	96.76%	+	\$ 366,716	\$ (47,406)	-12.93%
B - City Manager's Office	\$ 2,532,532	\$ 2,768,666	91.47%	\$ 2,381,302	\$ 151,230	106.35%	-	\$ 2,589,142	\$ (56,610)	-2.19%
C - Recreation & Community Se	\$ 5,851,584	\$ 7,102,960	82.38%	\$ 5,711,738	\$ 139,846	102.45%	-	\$ 6,663,663	\$ (812,079)	-12.19%
D - Finance	\$ 1,723,301	\$ 1,731,759	99.51%	\$ 1,717,554	\$ 5,747	100.33%	-	\$ 2,056,701	\$ (333,400)	-16.21%
E - Community Development	\$ 3,147,353	\$ 4,090,374	76.95%	\$ 3,135,408	\$ 11,945	100.38%	-	\$ 3,114,633	\$ 32,720	1.05%
F - Legal Services	\$ 593,137	\$ 616,749	96.17%	\$ 564,382	\$ 28,754	105.09%	-	\$ 858,368	\$ (265,232)	-30.90%
G - Public Safety	\$ 28,963,000	\$ 28,806,055	100.54%	\$ 28,540,985	\$ 422,015	101.48%	-	\$ 27,275,036	\$ 1,687,964	6.19%
H - Public Works	\$ 5,271,111	\$ 6,365,393	82.81%	\$ 5,211,849	\$ 59,261	101.14%	-	\$ 5,212,037	\$ 59,074	1.13%
I - Non-Departmental	\$ 1,457,942	\$ 1,898,619	76.79%	\$ 1,538,350	\$ (80,408)	94.77%	+	\$ 1,374,556	\$ 83,386	6.07%
J - COVID-19	\$ 1,551,665	\$ -	>100%	\$ 2,114,866	\$ (563,201)	73.37%	+	\$ -	\$ 1,551,665	>100%
K - Vacancy Savings	\$ -	\$ (757,200)	0.00%	\$ -	\$ -	0.00%	=	\$ -	\$ -	N/A
L - Other Funding Uses	\$ 5,288,514	\$ 6,084,478	86.92%	\$ 6,084,478	\$ (795,964)	86.92%	+	\$ 4,306,206	\$ 982,308	22.81%
TOTAL EXPENDITURES	\$ 56,699,448	\$ 59,043,625	96.03%	\$ 57,330,924	\$ (631,476)	98.90%	+	\$ 53,817,057	\$ 2,882,391	5.36%
Revenues vs. Expenditures	\$ (3,997,593)	\$ 187,480		\$ (4,032,715)				\$ 547,055		

* Note for Revenues: (+) means that projected year-end is greater than projected; (-) means that it is less than projected; and (=) means that it is equal to projected

* Note for Expenditures: (+) means that projected year-end is less than projected; (-) means that it is greater than projected; and (=) means that it is equal to projected

MEMORANDUM


City of Campbell
 Finance Department

To: City Council

Date: August 21, 2020

From: Will Fuentes, Finance Director

Subject: Seven-Year Financial Forecast

Staff has prepared a Seven-Year Financial Forecast that covers FY 2021 to FY 2027. A summary of key highlights will be presented in this memo; with detailed information provided in the attached Excel file under tabs A-1, A-2, and A-3. Please note that the City's fiscal year starts on July 1 and goes to June 30. For purposes of presentation, a fiscal year (FY) is identified by the end of fiscal year. As such, FY 2021 covers the time period of July 1, 2020 to June 30, 2021. All fiscal years presented follow this format.

Below in Table 1, Council will find a summary of projected General Fund revenues compared to expenditures during this time period as well as estimated surpluses or deficits. Please note though that this is only one possible future for the City based on the assumptions detailed and future year trending based off of those assumptions. Should action be taken to reduce expenditures beyond the one-time measures put into place for FY 2021, revenues increase through new or modified sources, or the economic impacts of COVID-19 be less severe or shorter than expected, actual results could deviate significantly from projected results, which are based upon best data as of today:

Table 1 – General Fund Revenues vs. Expenditures (Estimated)

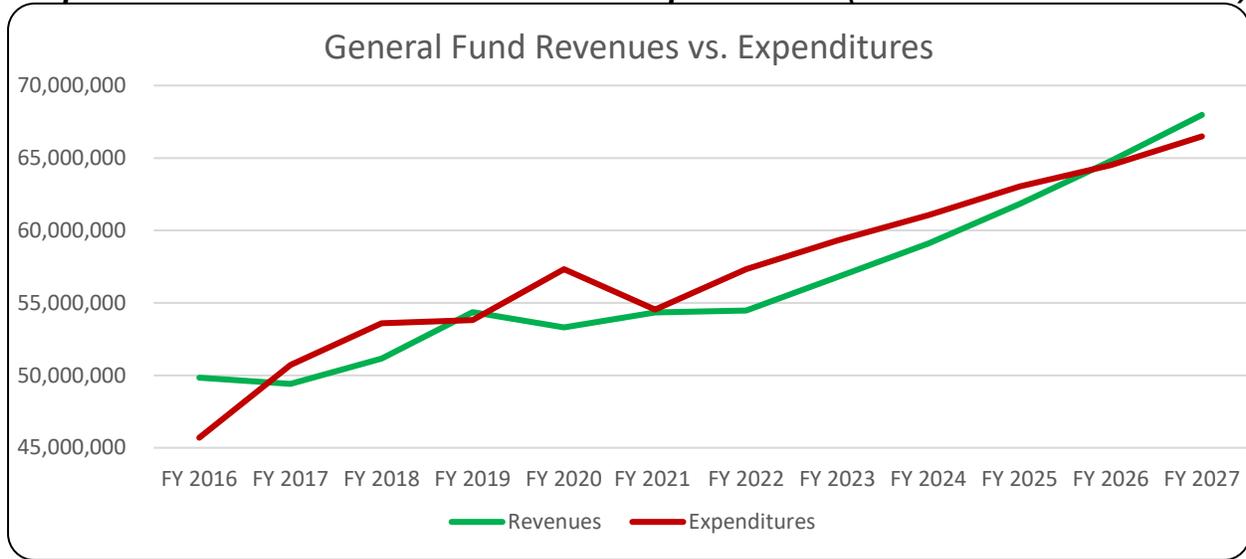
	FY 2021	FY 2022	FY 2023	FU 2024	FY 2025	FY 2026	FY 2027
Revenues	54,349,394	54,471,700	56,777,400	59,102,600	61,826,800	64,800,900	67,973,500
Expenditures	54,539,332	57,316,800	59,300,400	61,053,400	63,035,100	64,505,700	66,489,100
Surplus/(Deficit)	(189,938)	(2,845,100)	(2,523,000)	(1,950,800)	(1,208,300)	295,200	1,484,400

Please note that the FY 2021 Adopted Budget included an estimated General Fund operating deficit of approximately \$1.3 million. However, agreements with City labor groups were approved by City Council on July 21 and will result in estimated savings of \$594,900. Additionally, the City was recently allocated \$522,000 in CARES Act Coronavirus Relief Fund (CRF) monies by the State of California and staff expects that this will be fully received by the end of December 2020. Combined, these two items reduce the General Fund deficit by \$1,116,900 and down to \$189,938 shown above. Council recently approved staff recommendations for budget amendments to formally recognize these items at the August 18 meeting. However, should Council wish to appropriate CRF monies in the future for purposes above and beyond \$500,000 already appropriated in the FY 2020 Adopted Budget for COVID-19 purposes, deficit numbers presented above would increase.

The financial information above is also visually presented in Graph 1 below. In addition to a seven-year forecast, this graph also provides a five-year historical look back:

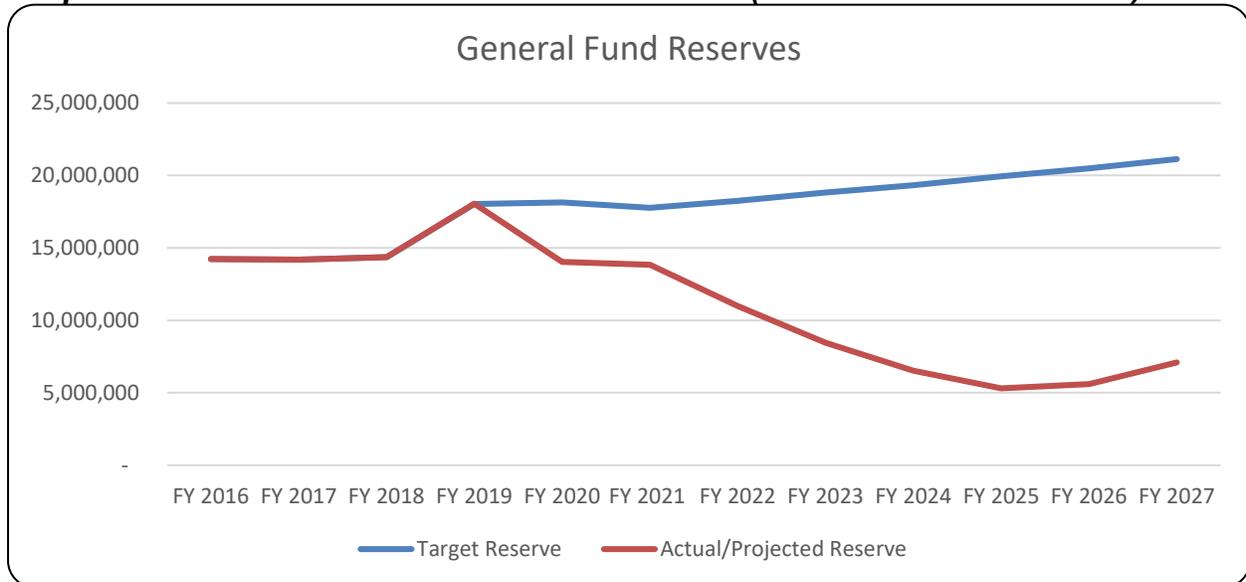
Attachment: Memo (7-Year Forecast) (September 2020 Fiscal Update)

Graph 1 – General Fund Revenues vs. Expenditures (Estimated and Historical)



As is shown in Graph 1 above, staff projects a General Fund operating deficit averaging approximately \$2.1 million from FY 2022 to FY 2025. Absent future City action regarding ongoing costs, state or federal stimulus funds, additional revenue sources, or a quicker than expected economic recovery, this could require the City to draw upon its discretionary General Fund reserves in those fiscal years to balance the budget; thereby leaving total General Fund reserves at \$5.3 million and 8.4% of estimated expenditures by the end of FY 2025. Such a potential draw down of General Fund reserves and a comparison to target levels set by City Policy is shown in Graph 2 below:

Graph 2 – Draw Down of General Fund Reserves (Estimated and Historical)



Attachment: Memo (7-Year Forecast) (September 2020 Fiscal Update)

However, while this is again one potential scenario and future for the City, there are three ways to balance a city's operating budget:

1. Reduce expenditures
2. Increase revenues
3. Utilize reserve funds

Thus, into addition to or as a full or partial replacement for expenditure reductions, the City Council may also want to consider additional revenue sources such as, but not limited to, a new Utility Users Tax ("UUT"), a new Sales Tax add on, an increase to TOT rates, enforcement of TOT requirements for short-term rentals, and/or a modernization of Business License tax rates as strategies to bridge potential future General Fund operating deficits. Voter approval would be required for all measures identified except enforcement of TOT requirements for short-term rentals; pending further analysis by the City Attorney's Office. Should additional revenue sources not be viable options to fully or partially balance the General Fund budget, the City Council would then need to discuss with staff further expenditure reductions and/or use of reserve funds. Staff will provide recommendations on budget strategy during monthly updates to Council in FY 2021 and during the FY 2022 budget development process. As much as feasibly possible, the goal will be to minimize the utilization of reserve funds and to build back up any reserve funds that are expected to be used in FY 2020 and FY 2021.

Table 2 below provides a summary of projected General Fund discretionary reserves over the seven-year forecast from FY 2021 to FY 2027 and takes into account potential surpluses and deficits identified above:

Table 2 – General Fund Discretionary Reserves (Estimated)

	FY 2021	FY 2022	FY 2023	FU 2024	FY 2025	FY 2026	FY 2027
Econ. Fluct.	9,002,849	6,157,749	4,084,749	2,583,949	1,825,649	2,570,849	4,505,249
Emergency	1,553,601	1,553,601	1,553,601	1,553,601	1,553,601	1,553,601	1,553,601
Operating	1,026,759	1,026,759	1,026,759	1,026,759	1,026,759	1,026,759	1,026,759
PERS	2,252,000	2,252,000	1,802,000	1,352,000	902,000	452,000	2,000
Total	13,835,208	10,990,108	8,467,108	6,516,308	5,308,008	5,603,208	7,087,608
% of Expend.	25.4%	19.2%	14.3%	10.7%	8.4%	8.7%	10.7%

Please note that the City's FY 2021 Adopted Budget did not identify the PERS Reserve as a discretionary General Fund Reserve, but its purpose is to mitigate increases to employer contribution retirement rates and its inclusion is appropriate for these discussions. However, staff will be returning to Council later in FY 2021 to discuss a formal plan to address pension and OPEB liabilities. That plan could include a recommendation to pay down unfunded pension liabilities directly to CalPERS and /or to establish a Section 115 pension trust to earn investment income, mitigate future pension rate increases, and pay down unfunded pension liabilities. There are benefits and drawbacks to both strategies.

The following summarizes key assumption made for revenues and expenditures:

REVENUES

- **Property Taxes** - Because the lien date for the FY 2021 tax year is January 1, 2020, prior to the impact of COVID-19, staff does not expect property tax revenues to decline in FY 2021. However, property tax revenues could level off or decrease in future fiscal years in the event that property values decline as a result of COVID-19. In the City's seven-year financial forecast, staff estimates slow growth for property tax revenues in FY 2022, up to the maximum 2% allowed by State law. However, staff estimates that property tax will start returning to normal growth levels in FY 2023 and show 4% growth due to increased turnover of property and reassessment of values at current sales prices. By FY 2027, staff estimates that property tax growth will have fully returned to pre-recessionary growth levels of approximately 7%.
- **Sales and Use Tax** - Sales tax is the City's second largest revenue source. While the City has not yet received complete sales tax numbers for all of FY 2020 and won't until late August 2020, staff is conservatively estimating a 1.8% decrease in FY 2021 when compared to the year-end estimate for FY 2020, which already assumed an 8% decrease from the year-end actuals for FY 2019. In total, this represents a 9.6% reduction over two fiscal years starting in March 2020 and is entirely due to current and ongoing COVID-19 public health orders and the assumption that lower consumer confidence and comfort with being in public may slow retail and other spending. In the seven-year financial forecast, staff estimates slow growth for sales taxes revenues in FY 2022 of 2% above FY 2021. However, staff also estimates that sales tax will start returning to normal growth levels in FY 2023 and show 3% growth due to increased consumer confidence, demand, and spendable income. By FY 2027, Staff estimates that sales tax revenue growth will have returned fully to pre-recessionary growth levels of approximately 5%.
- **Charges for Service** - As a whole in Charges for Service, staff is estimating a 14.5% increase in FY 2021 when compared to the year-end estimate for FY 2020, which had assumed a 21.9% decrease from the year-end actuals for FY 2019. As a result, FY 2021 estimates of \$6.0 million are still below FY 2019 year end actuals of \$6.7 million by 10.6%. In the seven-year financial forecast, staff estimates that revenues from Charges for Service will partially return to pre-recessionary levels in FY 2022 as more fee-based recreation classes, programs, and events return. However, staff estimates that revenues from Charges for Services won't fully return to pre-recessionary levels until FY 2023 due to possible lingering public health impacts relating to COVID-19. This could be offset by continued reductions in temporary staffing cost to operate fee based programs. Thereafter, through fiscal year 2027, staff estimates level 3% annual growth in revenues from Charges for Service.
- **Transient Occupancy Tax (TOT)** - TOT is collected by City hotels on behalf of the City and must be reported on and remitted within 30 days of the close of the

month being reported. Given reduced personal and business travel due to COVID-19, which is expected to continue into FY 2021, staff has estimated a 37% decrease when FY 2021 is compared to the Adopted Budget for FY 2020. However, while staff estimated that occupancy rates for all hotels would average 15% and room rates would decrease by at least 10% from April through June 2020, staff does expect that some travel activity will begin to resume once shelter in place orders are eased further in FY 2021 and COVID-19 is brought better under control. In the seven-year financial forecast, staff estimates that TOT revenue growth will remain significantly depressed for several fiscal years due to decreased consumer comfort regarding leisure travel and an increased reliance of businesses on remote as opposed to in-person meetings. Staff estimates that TOT revenues won't fully return to pre-recessionary levels until FY 2027 and then show level 3% annual growth thereafter. Projected TOT revenues though could be positively impacted by the construction of additional hotels within Campbell and that is not factored into the seven-year financial forecast.

- License and Permits and Other Taxes** - Licenses and Permits and Other Taxes are the City's fifth-largest revenue source. With easing of restrictions by Santa Clara County on construction, the Community Development Department's Building Division resumed processing building and related permits in early May 2020. And based on actual permits processed thus far as well as conversations with local developers, staff expects that most major anticipated development projects will continue in FY 2021. Only one developer indicated that they would not be pursuing their original plans. Thus, staff has projected 56.2% growth in FY 2021 when compared to year-end estimates for FY 2020. In the seven-year financial forecast, staff estimates that revenues from Licenses and Permits and Other Taxes will decrease slightly in FY 2022 since FY 2021 includes one-time development revenue that is not expected to continue into the future. However, when that one-time development revenue is removed, staff estimates level 3% annual growth in revenues from Licenses and Permits and Other Taxes through FY 2027. Should significant new developments be built within Campbell which are not currently known, Licenses and Permits and Other Taxes could increase at a higher rate than what is shown in the seven-year financial forecast.

EXPENDITURES

- Employee Costs** – Staff estimates average annual salary growth of 2.8% through FY 2027 and the return of some frozen vacant permanent positions and some released temporary positions in FY 2022; with a full return in FY 2023. All staffing modifications though will require Council approval and will only be recommended in future budget proposals if staff feels they are appropriate and sustainable. Staff is also accounting for normal medical and dental increases of 4% and 1.5%, respectively, as well as anticipated increases in PERS retirement UAAL rates starting in FY 2023 due to PERS missing its investment target in FY 2020 by 230 basis points. Additionally, while labor concessions of approximately \$595,000 are expected for FY 2021, these savings are not anticipated to continue into the future and a temporary deferral of allowable vacation and sick leave cash outs equaling

approximately \$350,000 will need to be paid back to employees starting in FY 2022. This has been factored into the seven-year forecast.

- **Supplies and Services** – Staff estimates that supplies and services costs that were reduced in FY 2021 will partially return in FY 2022, with a full return in FY 2023. All supplies and services modifications though will require Council approval and will only be recommended in future budget proposals if staff feels they are appropriate and sustainable. Staff is also estimating that the City may need to continue some expenditures for COVID-19 related activities through FY 2022, but at 50% of the \$500,000 level shown in the FY 2021 General Fund budget. Some of these costs may be reimbursable through state or federal funding and staff estimates that they will no longer be necessary after FY 2022. For all other supplies and services costs, staff is estimating level 3% annual growth through FY 2027, consistent with normal and average inflationary growth levels.

Please note that the seven-year financial forecast does not factor in positive nationwide economic news recently published for June 2020, the recent surge in COVID-19 cases starting in July 2020, FY 2020 year-end actual results for expenditures and revenues, or any additional federal stimulus bills being discussed in Congress. If warranted, staff will adjust the seven-year financial forecast further to take into account these factors and discuss the forecast and those changes at the September 15 Council meeting. Staff will also adjust the seven-year financial forecast regularly and timely at other points in the future should new economic data support adjustment. However, at this time, staff does not feel it warranted to adjust the seven-year financial forecast beyond what is presented.

And lastly, as mentioned previously, the detailed seven-year financial forecast is attached to this memo as an Excel spreadsheet. The following items are included within each tab:

A-1 Summary

- Historical and Projected Revenues by Type
- Historical and Projected Expenditures by Type
- Historical and Projected Surpluses and Deficits
- Historical and Projected Draw Downs on General Fund Reserves
- Historical and Projected Comparisons of General Fund Reserves to City Policy

A-2 Revenues

- Detailed Growth Assumptions by General Fund Revenue Account

A-3 Expenditures

- Detailed Growth Assumptions by General Fund Expenditure Account



*City
Council
Report*

Item: 12
Category: NEW BUSINESS
Meeting Date: September 15, 2020

TITLE: 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.

DISCUSSION

Background: At its meeting of July 28, 2020, the Planning Commission exercised its authority to initiate an amendment to the Zoning Code, pursuant to CMC Sec. 21.60.020 (Initiation of Amendment), to update the City's parking standards to allow for reduced requirements for properties near public transportation (reference **Attachment A** – PC Meeting Minutes).

The Commission believes the City's parking standards should take into account proximity to public transportation in recognition of the State's efforts to promote alternative means of transportation. Furthermore, the Commission also believes that the number of parking modification requests approved over the years suggests the standards may need to be updated.

As discussed in the Planning Commission staff report (reference **Attachment B**), staff indicated that this action would need to be supported by the City Council prior to commencing work since the effort would constitute a new Work Plan project.

Considerations: In determining whether to authorize or reject the Planning Commission's initiation of a Zoning Code Amendment, the Council may desire to take into consideration the current urgency necessitating such a change and the status of the General Plan update. In terms of determining whether a change is necessary, the Council may wish to determine whether the City's parking standards are reflective of the parking demands of various land uses. The Commission believes that land uses near transit should have lesser parking requirements and such relief is not reflected in the City's parking ordinance. Rather, the City has relied upon a parking modification process on a case-by-case basis.

Conversely, the Council may desire to consider coordination with the General Plan update process. As the Council is aware, once the General Plan is updated, the next step is to implement it through a comprehensive revision to the Zoning Ordinance. At that time, parking standards relative to proximity to transit opportunities could be taken into consideration.

The last time the City considered a parking ordinance update in 2009, the process took two years. The update involved one City Council study session, six Planning Commission study sessions, and two joint Council/Commission study sessions before a zoning amendment was formally considered.

Similarly, a new parking standards update will likely require multiple study sessions with the Planning Commission, each requiring preparation of a staff memorandum and supporting materials. Once a consensus amongst the Planning Commission has been developed, a check-in meeting with the City Council would be advisable. If directed to continue, staff would need to prepare a draft ordinance, have it reviewed by the City Attorney, and conduct an environmental analysis under CEQA before an update could be formally considered by the Planning Commission and City Council. This work would need to be balanced with ongoing responsibilities of the Community Development Department.

Lastly, the Historic Preservation Board is currently conducting a review and audit of the Mills Act Program. Once that process is completed, the Board will be seeking City Council authorization to expand and restructure the program (i.e., codify clearer criteria, identify specific allowable expenditures, etc.). The Board may also seek Council authorization to perform a minor update to the Historic Preservation Ordinance to widen the eligibility criteria for property listing on the Historic Resource Inventory. If approved by the Council, this work will devote a considerable amount of the senior planner's time.

FISCAL IMPACT

Planning Division staff would need to dedicate time and resources to draft zone text amendments for this new Work Plan. In addition, the City Attorney's office would equally need to find the time to review staff's draft ordinance changes prior to forwarding to the Planning Commission and City Council. Alternatively, the City could hire an independent consultant to prepare the text amendments at an undetermined amount. In both instances, there will be costs for the Council to consider.

Prepared by:



Daniel Fama, Senior Planner

Reviewed by:



Paul Kermoyan, Community
Development Director

Approved by:



Brian Loventhal, City Manager

Attachment:

- a. PC Minutes
- b. PC Staff Report

CITY OF CAMPBELL PLANNING COMMISSION
MINUTES

7:30 P.M.

TUESDAY

JULY 28, 2020
REMOTE ON-LINE ZOOM MEETING

The Planning Commission meeting of July 28, 2020, was called to order at 7:30 p.m. by Chair Krey and the following proceedings were had, to wit:

ROLL CALL

Commissioners Present:	Chair:	Michael Krey
	Commissioner:	Adam Buchbinder
	Commissioner:	Stuart Ching
	Commissioner:	Nick Colvill
	Commissioner:	Terry Hines
	Commissioner:	Andrew Rivlin

Commissioners Absent:	Vice Chair:	Maggie Ostrowski
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Staff Present:	Community	
	Development Director:	Paul Kermoyan
	Senior Planner:	Daniel Fama
	City Attorney:	William Seligmann
	Recording Secretary:	Corinne Shinn

APPROVAL OF MINUTES

Motion: Upon motion by Commissioner Rivlin, seconded by Commissioner Colvill, the Planning Commission minutes of the meeting of July 14, 2020, were approved as submitted. (6-0-1; Vice Chair Ostrowski was absent)

Attachment: PC Minutes (Zoning Code Text Amendment Initiation)

PUBLIC HEARING

Chair Krey read Agenda Item No. 1 into the record as follows:

1. **PLN-2020-80** Public Hearing to Consider Planning Commission Initiation of a Zoning Code Text Amendment (PLN-2020-80) to adopt reduced non-residential parking standards for properties located within proximity of public transportation. Project Planner: *Daniel Fama, Senior Planner.*

Mr. Daniel Fama, Senior Planner, provided the staff report as follows:

- Said that staff is recommending that this proposed Zoning Code Text Amendment (ZCTA) be deferred until the General Plan Update is completed.
- Added that the Planning Commission can initiate such a ZCTA and that request would be run by Council to determine their priorities for such an amendment.
- Stated that the Planning Commission should draw up what it is looking for by identifying goals. Should it be only non-residential parking standards, or should it include residential as well? Should it be areas around mass transportation?
- Asked that the Commission give staff a sense of what there are look for.

Commissioner Colvill:

- Stated his concern that it might be best to wait until the General Plan Update is completed.

Pointed out however that for the previous item heard this evening, that applicant was told to concentrate on the current General Plan.

Director Paul Kermoyan:

- Clarified that for the hotel project just discussed was simply an initial study session discussion by the Planning Commission. Staff recommends that they stick with existing rules and policies within the current codes that exist.
- Reminded that the Planning Commission is identifying that there's a parking standards problem. It is important for the Planning Commission to articulate in its motion why they need a change to the current parking standards.
- Suggested that if the City's future vision changes with the updated General Plan, let that play out.
- Stated that staff is following your (Planning Commission's) lead.
- Reiterated that the City Council determines our projects and priorities.
- Added that we have a Planning Commission that wants to add more to its current workflow but Council dictates to the City Manager what our priorities are.

Commissioner Buchbinder:

- Said that he is inspired to push for this update since the Planning Commission spends a lot of time and energy on processing Parking Modification Permits.
- Assured that it is not his goal to overload staff but thinks that it would be more efficient if there are new parking standards (rules) that are more in tune.
- Asked staff when work began on the currently occurring General Plan update process.

Planner Daniel Fama replied approximately three years ago.

Director Paul Kermoyan clarified that it was since June 2016.

Commissioner Buchbinder asked if the date is known as to when the GP update would be completed.

Director Paul Kermoyan:

- Replied that a draft is complete, and available on the City's website.
- Advised that the GP update will be before Council in September to determine the next steps in the process.
- Stated that final completion is anticipated to be in December depending on which groups should review prior, such as Historic Preservation Board and Civic Improvement Commission.
- Added that there will be more workshops held and the GP will come back to the Planning Commission probably in October. Next it goes to Council with Planning Commission recommendation likely by December.

Commissioner Buchbinder:

- Pointed out that when the General Plan is dopted there will likely be a cascade of changes to support the changes of the GP.
- Added that the GP process is pretty slow therefore they won't update rules until well into next year.

- Stated this need for revised parking standards is an acute issue. Again, it is not his intent to waste anyone's time but rather to make things as straightforward as possible.
- Pointed out that the Intern did the initial parking research.
- Concluded that it is reasonable to ask Council to adjust parking standards. It's worth it.

Director Paul Kermoyan:

- Said that the City's Parking Ordinance provides for the opportunity to apply for a Parking Modification Permit. Is the Commission proposing that with its modifications to parking standards that option should not be included?
- Cautioned that whatever standard the Planning Commission sets, someone will want to modify it.

Commissioner Buchbinder:

- Said that it is his impression that there are currently quite a lot of Parking Modification Permit requests.
- Added it seems that parking is a common reason for an item to even come before the Planning Commission.
- Concluded that any changes to the current standard could require fewer request for a PMP so it will be less often but not never.

Commissioner Hines stated his total support of Commissioner Buchbinder's comments. Parking is the biggest roadblock and a number have been rejected because of parking.

Chair Krey asked staff if the revised GP will come to the Planning Commission for a discussion of all changes.

Planner Daniel Fama replied correct. The Planning Commission will then provide its recommendation to Council for final action.

Chair Krey verified with staff that it will occur this year.

Planner Daniel Fama replied that is up to Council.

Commissioner Rivlin asked what the timing would be for a Zoning Code Text Amendment. How fast can it be done? What is typical?

Planner Daniel Fama said the last Parking Standards update he and Paul completed took two years. It involved a dozen Planning Commission meetings. It is an intensive effort.

Commissioner Colvill asked if the proposed Parking Standard updates would go through a similar process.

Planner Daniel Fama reiterated that a Zoning Code Text Amendment is a very collaborative process. The last one was a pretty complete update that created the concept of allowing a Parking Modification Permit.

Commissioner Colvill asked if the new GP update would include specific Zoning Code updates or will there be more work for the Zoning Codes.

Planner Daniel Fama said that with the new goals, policies and strategies that will be contained within the updated General Plan, staff will have to figure out how those relate to the Zoning Code. Parking also has to be looked at with that process.

Commissioner Colvill said that seems like a long ordeal and he hopes that the General Plan would provide specifics.

Chair Krey said that with the updated General Plan, we will probably be in the same position with the same issues.

Planner Daniel Fama agreed that the Planning Commission will be very busy after the adoption of the updated General Plan.

Chair Krey opened the Public Hearing for Agenda Item No. 1.

Raja Pallela, Campbell Resident:

- Stated his full support for doing this as soon as possible.
- Claimed that the GPAC (General Plan Advisory Committee) seems to be a questionable process with less than fifty percent of its members attending meetings.
- Recounted that he had asked to be added to the notification of GPAC meetings but that did not occur. There have been no updates in the last six months.
- Stated that he sees a lot of projects not coming to Campbell. There are 150 acres not being built upon.
- Pointed out that the Planning Commission brings more projects to the City to help make the City debt-free. The Planning Commission has the power for its standards not to remain in 1986.

Chair Krey closed the Public Hearing for Agenda Item No. 1.

Commissioner Colvill:

- Said that the Commission needs to provide clarity to staff on what the Planning Commission wants to do to make the existing Parking Ordinance (CMC Section 21.28.040) better.
- Said that the Commission should look at that existing Ordinance and provide direct feedback.
- Concluded that staff needs specifics of what is needed to address parking standard concerns.

Commissioner Buchbinder asked if it would make sense to continue this item.

Commissioner Colvill suggested a motion to initiate this Zoning Code Text Amendment providing specific types of changes desired so staff can clarify what order this process should follow. It's important to look at the existing standards.

Director Paul Kermoyan:

- Clarified the process to require the Planning Commission to articulate why it feels that a ZCTA needs to be initiated.

- Added that if Council agrees, staff (himself and Planner Daniel Fama) will meet and set a game plan together and begin issue identification.

Commissioner Colvill asked if the Planning Commission is able to ask Director Paul Kermoyan to look at GP updates together with this proposed Zoning Code Text Amendment of the parking standards.

Director Paul Kermoyan:

- Replied that the GP update is not yet concrete and useable.
- Reiterated that we go with what we know now.
- Clarified that GPAC is not a public meeting.
- Added that Raja Pallela actually signed up for noticing of General Plan (Envision Campbell) public meetings.
- Cautioned that this Zoning Code Text Amendment will take time and require multiple meetings. It's like peeling an onion.

Commissioner Hines:

- Said that he is totally supportive.
- Added that the Planning Commission is trying to take on this topic of parking standards.
- Suggested a motion to initiate a ZCTA.

Commissioner Rivlin asked staff if they need anything further from the Planning Commission. He asked about the pattern of Parking Modification Permits over the last year.

Director Paul Kermoyan:

- Reminded that businesses routinely ask for Parking Modification Permits.
- Agreed that parking can be a factor that could deter businesses.

Commissioner Hines said that the standard for mixed-use (commercial/residential) projects are really adversely impacting such projects.

Commissioner Rivlin:

- Said that parking is an important consideration when processing commercial uses, mixed uses and residential only when multi-family sites.
- Cautioned that people in Campbell will continue to want to have cars for at least the next ten years.
- Supported taking the right steps and he thinks this is the right step.
- Stated by forwarded the Planning Commission request onward to Council, Council can then validate the Planning Commission's concerns.
- Reminded that Light Rail and bus stops can allow developers to do smart growth.

Chair Krey suggested that an alternative Planning Commission action tonight could be to specifically identify desired parking standard changes and ask Council to make this a priority.

Commissioner Hines stated that the Planning Commission's message to the City Council is that the current stringent parking standards are blocking development. That's the way to give feedback to Council.

Commissioner Colvill stated that deregulation is a very important concept that reduces unnecessary regulation that prevents development from occurring.

Commissioner Buchbinder said he agrees with Commissioner Rivlin that it is possible to make mistakes if all types of parking are considered. The original suggestion was for commercial parking only.

Commissioner Rivlin said less car use would only occur once people find it harder to find their cars due to more limited parking thus making it inconvenient to use your car.

Motion: **Upon motion of Commissioner Buchbinder, seconded by Commissioner Colvill, the Planning Commission took minute action to request that the City Council allow the initiation of a Zoning Code Text Amendment (PLN-2020-80) to adopt reduced parking standards for properties located within proximity of public transportation; by the following roll call vote:**

AYES: **Buchbinder, Colvill, Hines, Krey and Rivlin**

NOES: **None**

ABSENT: **Ching and Ostrowski**

ABSTAIN: **None**



CITY OF CAMPBELL • PLANNING COMMISSION
Staff Report • July 28, 2020

PLN-2020-80
PC-Initiated

Public Hearing to Consider a Planning Commission Initiation of a Zoning Code Text Amendment (PLN-2020-80) to adopt reduced parking standards for properties located within proximity of public transportation.

STAFF RECOMMENDATION

That the Planning Commission take the following action:

1. Defer consideration of a Zoning Code Amendment to after adoption of a new Campbell General Plan, as part of a comprehensive Zoning Code update.

ALTERNATIVE ACTION

If the Planning Commission wishes to formally initiate a Zoning Code Text Amendment, it may take the following action:

2. **Make a Motion**, to initiate a Zoning Code Text Amendment (PLN-2020-80) to adopt reduced parking standards for properties located within proximity of public transportation, specifically identifying the types of changes to be developed.

ADMINISTRATIVE PROCEDURE

Pursuant to CMC Sec. 21.60.020 (Initiation of amendment) an amendment to the Zoning Code may be initiated by the City Council or the Planning Commission. However, the City Council must authorize use of staff time and City resources for an ordinance update of this type (which are generally programed into departmental workplans included in the annual budget). Should the Planning Commission initiate the amendment, staff will agendize this matter for the City Council's consideration.

Staff continues to believe that consideration of new parking standards should be deferred until after the new General Plan has been adopted. The purpose of the General Plan is to layout a long-term vision for the City. By incorporating specific goals, policies, and strategies, important changes to the City's Zoning Code can be made in a coordinated manner. However, it is the Planning Commission's prerogative under State law to recommend changes to the City Council that it deems necessary.

DISCUSSION

Background: At its meeting of June 9, 2020, the Planning Commission made a motion directing the Community Development Director to agendize initiation of a Zoning Code Text Amendment to create reduced parking standards for properties located near public transportation. This action followed a Planning Commission study session held on [November 26, 2019](#) on this matter (reference **Attachment 1** – Staff Report). At that meeting, an Economic Development Division intern presented research materials on transit-oriented parking standards. The Commission considered the information and requested that it be forwarded to the GPAC (reference **Attachment 2 – Minutes**).

Current Standards: Notwithstanding the City’s Historic Downtown, all projects are subject to city-wide parking standards. No special consideration is provided to properties located within a master plan (e.g., Winchester Boulevard Master Plan, East Campbell Avenue Master Plan, South of Campbell Avenue (SOCA) Plan, etc.). Reduced parking standards are provided for residential transit-oriented developments (TOD), defined as projects located within ¼ mile of a light-rail station. Additionally, within a mixed-use project, a developer may propose to count up to 50% of the residential guest parking towards the commercial requirement, which would be shared between both uses.

Scope of Amendment: As a Planning Commission initiated action, the Commission’s recommendation to the City Council should provide specific changes to be made. Additionally, the Commission should identify clear and concise goals that the amendment is intended to achieve. In this regard, the following questions are posed to solicit feedback from the Commission:

- Should reduced parking standards be adopted just for non-residential uses? If so, which uses (e.g., restaurants, retail, service, all uses?)
- Should current residential TOD standards also be evaluated?
- Should new standards apply to properties within proximity to just light-rail stations? Or to properties near bus stops with high frequency service (i.e., every 15 minutes)? And/or within a master plan area irrespective of the proximity to public transportation?
- Should proximity to transit be defined as a ½ mile or ¼ mile distance? Should the distance be measured by traversed distance or as the crow flies?
- Should new standards apply automatically by-right? Or should they be made contingent on incorporating defined transportation demand management (TDM) measures (e.g., long-term enclosed bicycle parking, employer-paid transportation passes, carpooling program, etc.)?
- Should new standards be developed just for new land uses establishing in existing buildings (keeping intact the current “speculative” parking requirements for new buildings)? Or should reduced parking standards also apply to new buildings?
- What type of research does the Planning Commission expect from staff?

If the City Council does authorize preparation of an amendment, staff will conduct additional research on comparable parking standards. However, it should be understood that creation of parking standards is not a science in that there is not an inherently correct answer that can be identified through rigorous study. Parking demand is a function of a multitude of factors, some of which are beyond the reach of local governmental authority, such as the relative popularity of particular businesses over others, the presence of competing businesses with the region, etc. Moreover, parking demand is also a function of supply. The concept of [induced demand](#) suggests that provision of additional parking increases motor-vehicle use.

Lastly, identifying the “right” amount of parking is a policy decision, predicated in part to what extent a community wishes to value convenience for motorists over other considerations. Reducing the amount of new parking created reduces construction costs, allows for greater design flexibility, spurs a more efficient use of property, encourages greater use of public transportation, and can result in a more pedestrian-friendly environment. However, the short-term costs may include parking overflow into adjacent residential neighborhoods and a lack of *convenient* parking desired by many business owners.

Attachments:

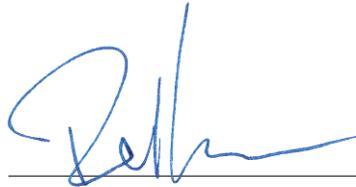
1. Staff Report, dated November 26, 2019
2. Meeting Minutes, dated November 26, 2019

Prepared by:



Daniel Fama, Senior Planner

Approved by:



Paul Kermoyan, Community Development Director



*City
Council
Report*

Item: 13
 Category: COUNCIL COMMITTEE REPORTS
 Meeting Date: September 15, 2020

TITLE: Council Committee Reports

RECOMMENDED ACTION

Report on committee assignments and general comments.

DISCUSSION

This is the section of the City Council Agenda that allows the City Councilmembers to report on items of interest and the work of City Council Committees.

MAYOR LANDRY:

City Atty. Performance/Comp. Subcommittee
 City Clerk Performance/Comp. Subcommittee
 City Mgr. Performance/Comp. Subcommittee
 Economic Development Subcommittee
 Recycling and Waste Reduction Commission of SCC**
 Santa Clara Valley Water District: County Water Commission
 State Route (SR) 85 Corridor Policy Advisory Board
 West Valley Mayors and Managers

Cities Association of Santa Clara County Representative, (Alt.)
 Cities Association Selection Committee & Legislative Action Committee (Alt.)
 Friends of the Heritage Theater Liaison (Alt.)
 SCC CDBG Program Committee** (Alt.)
 Silicon Valley Clean Energy JPA (Alt.)
 Valley Transportation Authority Policy Advisory Committee (Alt.)
 West Valley Clean Water JPA (Alt.)
 West Valley Sanitation District Board (Alt.)
 West Valley Solid Waste Authority JPA (Alt.)

VICE MAYOR GIBBONS:

Association of Bay Area Governments
 Association of Bay Area Governments Executive Committee**
 Campbell Historical Museum & Ainsley House Foundation Liaison
 Cities Association Selection Committee & Legislative Action Committee
 Comprehensive County Expressway Planning Study Policy Advisory Board**
 Education Subcommittee

Legislative Subcommittee

Silicon Valley Clean Energy JPA (SVCEC)

SVCEC Executive Committee**

SVCEC Finance and Audit Subcommittee**

SCC CDBG Program Committee**

County Library District JPA Board of Directors (Alt.)

SCC Emergency Operations Commission (Alt.)**

West Valley Mayors and Managers (Alt.)

COUNCILMEMBER BYBEE

City Atty. Performance/Comp. Subcommittee

City Clerk Performance/Comp. Subcommittee

City Mgr. Performance/Comp. Subcommittee

Downtown Subcommittee

Finance Subcommittee

Friends of the Heritage Theater Liaison

Legislative Subcommittee

Valley Transportation Authority Policy Advisory Committee

Association of Bay Area Governments (Alt.)

Campbell Historical Museum & Ainsley House Foundation Liaison (Alt.)

Comprehensive County Expressway Planning Study Policy Advisory Board**(Alt.)

Santa Clara Valley Water District: County Water Commission (Alt.)

State Route (SR) 85 Corridor Policy Advisory (Alt.)

COUNCILMEMBER RESNIKOFF

Advisory Commissioner Appointment Interview Subcommittee

Cities Association of Santa Clara County Representative,

Education Subcommittee

West Valley Clean Water JPA

West Valley Sanitation District

West Valley Solid Waste Authority JPA

Downtown Subcommittee (Alt.)

Recycling and Waste Reduction Commission of SCC** (Alt.)

Silicon Valley Animal Control Authority Board (SVACA)(Alt.)

COUNCILMEMBER WATERMAN:

Advisory Commissioner Appointment Interview Subcommittee

County Library District JPA Board of Directors

Economic Development Subcommittee

Finance Subcommittee

Silicon Valley Animal Control Authority Board (SVACA)

****appointed by other agencies**

Prepared by:

Andrea Sanders

Andrea Sanders, Deputy City Clerk

City of Campbell

Item #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

**City Council (Remote Meeting)
September 15, 2020**





BACKGROUND

- Due to COVID-19 and in previous updates, staff had estimated a General Fund operating deficit ranging between \$4.0 and \$5.0 million in FY 2020
- Current report provides:
 - Comparison of unaudited General Fund year-end actual revenues and expenditures for FY 2020 as of June 30, 2020
 - Request to use General Fund Emergency Reserve to balance unaudited General Fund year-end actual revenues against expenditures in FY 2020
 - Discussion of the City's Seven-Year Financial Forecast
 - Preliminary discussion on strategies for replenishment of General Fund reserves
 - An economic update



DISCUSSION

- **CLOSEOUT OF FY 2020 – Unaudited**
 - OPERATING DEFICIT (General Fund) - **\$4.0 million** when revenues compared to expenditures
 - REVENUES – Less than May 2020 estimates by **\$596,000** or **1.12%**

(+) Exceeded May 2020 Estimates		(-) Less Than May 2020 Estimates	
Property Tax	+\$36,000 / 0.21%	Sales Tax	-\$467,000 / 3.24%
Licenses & Permits	+\$392,000 / 17.34%	Franchise Taxes	-\$208,000 / 5.57%
Fines & Forfeitures	+\$66,000 / 44.43%	TOT	-\$2,000 / 0.05%
Investment Income	+\$157,000 / 32.94%	Other Taxes	-\$271,000 / 17.34%
Intergovernmental	+\$60,000 / 7.06%	Other Revenue	-\$33,000 / 1.15%
Charges for Service	+\$91,000 / 2.39%	Other Funding	-\$418,000 / 14.06%



DISCUSSION

- **CLOSEOUT OF FY 2020– Unaudited (Continued)**
 - EXPENDITURES – Less than May 2020 estimates by \$631,000 or 1.12%
 - (+) Most all departments under Adopted Budget due to cost containment measures enacted
 - (+) COVID-19 costs were less than May 2020 estimates by \$563,000 or 26.63%
 - (+) Other Funding Uses and transfers out to support capital projects less than May 2020 estimates by \$797,000 or 13.08%
 - (-) COVID-19 costs were approx. \$1.6 million
 - Personnel costs (other than overtime): \$1.4 million
 - Overtime: \$0.1 million
 - Supplies and Services: \$0.1 million



DISCUSSION

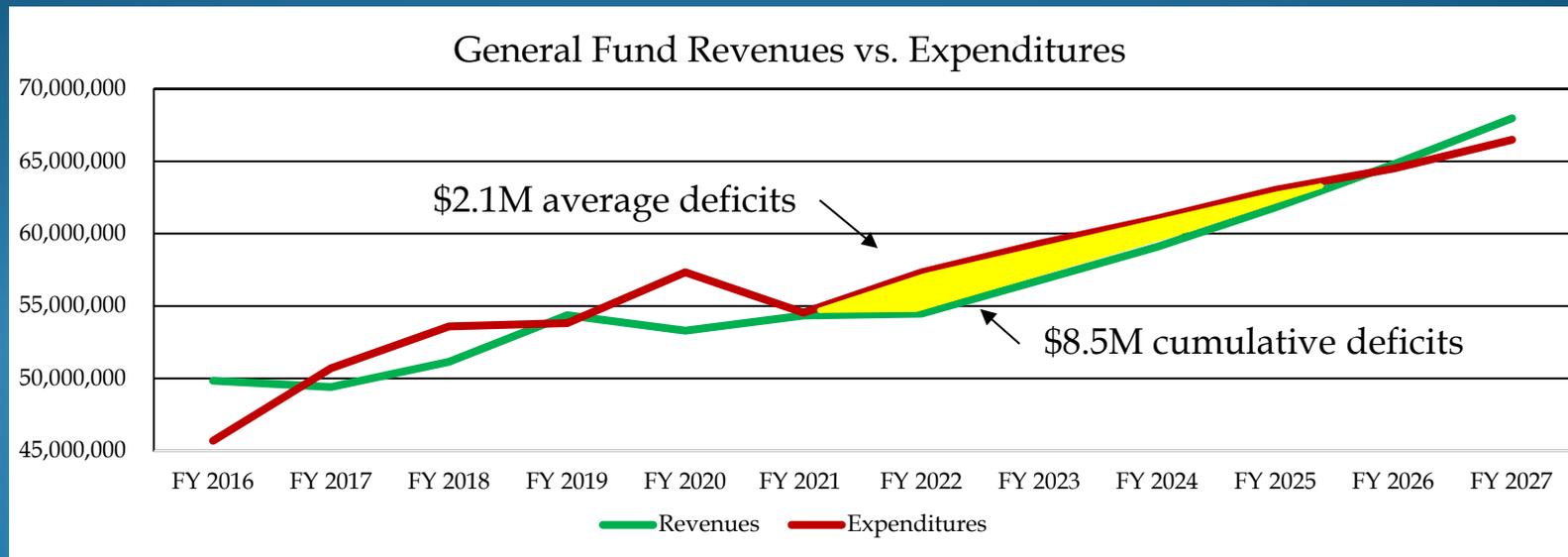
- USE OF GENERAL FUND EMERGENCY RESERVE
 - OPERATING DEFICIT - \$4.0 million unaudited
 - Request to use up to 10% over unaudited operating deficit or \$4.4 million should audited actuals increase operating deficit
 - Will request additional authorization should audited actuals require it and will report back to Council timely should audited deficit be over \$4.0 million
 - Fiscal emergency caused by COVID-19 is an appropriate use of this reserve
 - Attached resolution provides Council authorization



DISCUSSION

• SEVEN-YEAR FINANCIAL FORECAST

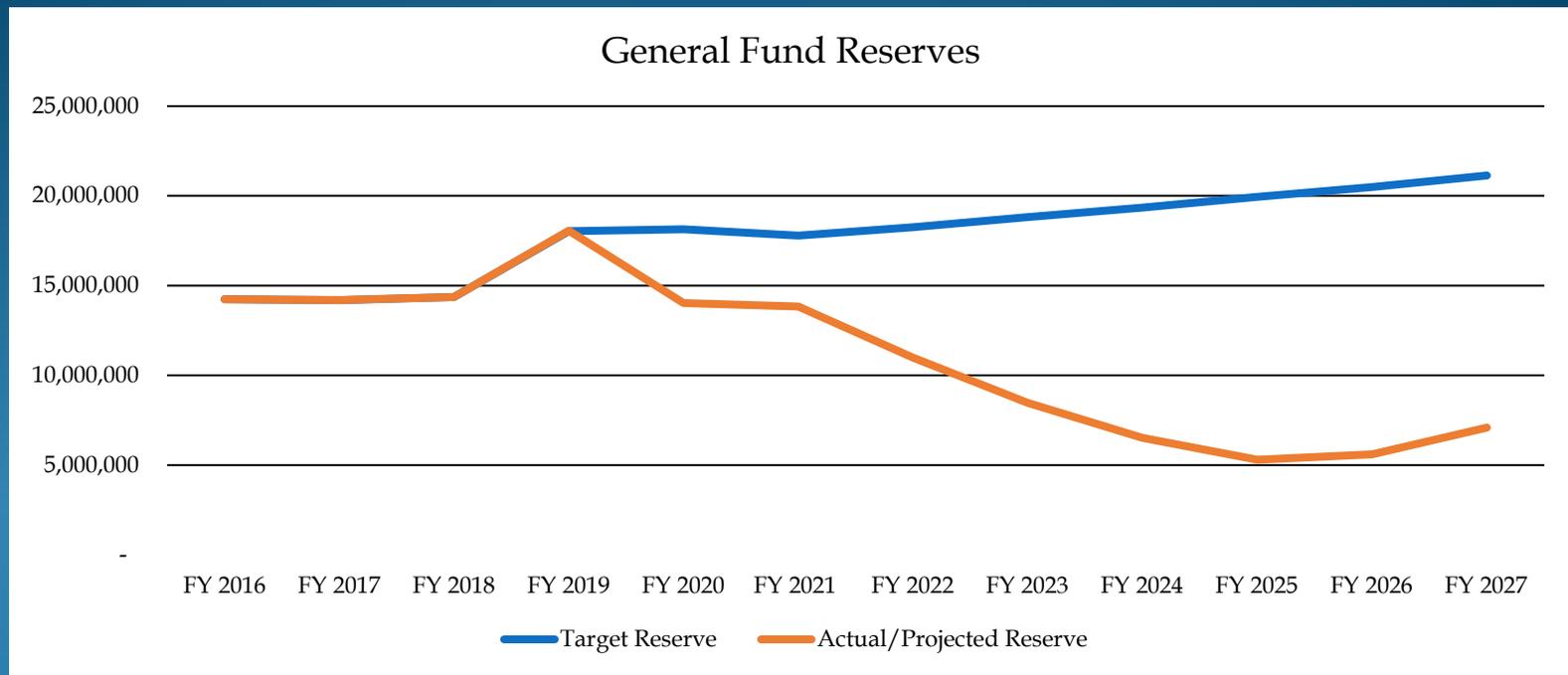
- Detailed General Fund forecast e-mailed to August 21
- One possible future, absent:
 - Future City action regarding ongoing costs
 - State or federal stimulus funds
 - Additional revenue sources
 - Quicker than expected economic recovery





DISCUSSION

- **SEVEN-YEAR FINANCIAL FORECAST (Continued)**
 - Could leave General Fund reserves at \$5.3 million or 8.4% of estimated expenditures by end of FY 2025





DISCUSSION

- **STRATEGIES FOR REPLENISHMENT OF RESERVES**

- Preliminary discussion with Council to be continued throughout FY 2021 and during FY 2022 budget preparation discussions
- Three ways to balance a City's budget:
 1. Reduce expenditures
 2. Increase revenues
 3. Utilize reserve funds
- *Recommend balanced and strategic approach using both #1 and #2, while minimizing #3*



DISCUSSION

- **STRATEGIES FOR REPLENISHMENT OF RESERVES (Continued)**
 - *Staff requests initial Council discussion on potential revenue measures and other ideas to minimize future reserve use and replenish reserves*
 - Potential revenue measures for a future special or regular election
 - Utility Users Tax (UUT) – estimated \$2.5 to \$3.0 million at 5% rate
 - Increase to TOT Rate – estimated \$500,000 to \$750,000 at additional 2% rate (14% total)
 - Sales Tax Add On – estimated \$2.6 to \$2.9 million at additional 0.25% rate (9.50% total)
 - Review of City buildings and land for resale opportunities
 - (+) Influx of real estate proceeds
 - (+) Potential building permit fees from development
 - (+) Potential increase in property tax and sales tax revenues
 - (+) Decrease in regular and deferred maintenance costs
 - (-) Loss of City assets



DISCUSSION

- ECONOMIC UPDATE – *The Good and the Bad*
 - (+) Monthly retail sales up 1.2% from June to July
 - But slower than 8.4% growth May to June
 - Year-over-year, up 2.7% July 2019 to July 2020
 - (+) Unemployment continues to fall in July, but at a slower rate
 - California 13.3% compared to 14.9% in June
 - Santa Clara County 9.3% compared to 10.7% in June
 - Campbell 8.3% compared to 9.5% in June
 - (-) Uncertain nature of next federal stimulus bill
 - (-) Slowed economic growth due to delayed or pulled back re-openings to several business sectors
 - (-) Concern that temporary job losses could turn to permanent job losses
 - Hovering around 2% and similar to “dot-com” crash, but could increase
 - Well over 5% during the “Great Recession”



FISCAL IMPACT

- \$4.4 million total request to utilize General Fund Emergency Reserve in FY 2020
 - \$4.0 million for unaudited General Fund deficit
 - Plus \$0.4 million 10% contingency in case audited results increase deficit
 - Would result in remaining reserve balance of \$1.2 to \$1.6 million
- Future action on costs or revenues could minimize use of and replenish reserves



RECOMMENDATIONS

- That the City Council:
 - #1 - Receive an Update on Unaudited Fiscal Year (FY) 2020 Year-End General Fund Actual Revenues and Expenditures
 - #2 - Approve a Resolution Authorizing the Use of the General Fund Emergency Reserve to Balance Revenues Against Expenditures in FY 2020
 - #3 - Discuss Long-Term Fiscal Projections and Strategies for Replenishment of General Fund Reserves



Q & A



Discussion