



JOINT MEETING OF THE MILPITAS CITY COUNCIL AND THE SUCCESSOR AGENCY OF THE MILPITAS REDEVELOPMENT AGENCY BOARD

AGENDA

TUESDAY, OCTOBER 19, 2021
CITY COUNCIL CHAMBERS, 2nd Floor,
455 E. CALAVERAS BLVD., MILPITAS, CA
6:00 PM (CLOSED SESSION)
7:00 PM (PUBLIC BUSINESS)

For assistance in the following languages, you may call:

Đối với Việt Nam, gọi 408-586-3122

Para sa Tagalog, tumawag sa 408-586-3051

Para español, llame 408-586-3232

The City Council meeting is held in the City Council Chamber at City Hall, 455 E. Calaveras Blvd., Milpitas and via teleconference/Zoom webinar.

You may watch the Council meeting without providing public comment by accessing it via links here.

Meeting shall be livestreamed - Go to:

Facebook: <https://www.facebook.com/CityofMilpitas/>

YouTube: <https://www.ci.milpitas.ca.gov/youtube>

Web Streaming: <https://www.ci.milpitas.ca.gov/webstreaming>

PUBLIC COMMENT INSTRUCTIONS

Oral public comments may be provided live during the City Council meeting in person or by registering for the zoom meeting in advance. To register you will need to provide an email address (not disclosed) and a name. To minimize technical difficulties, please make sure that you have the latest version of the Zoom Application. Below is the link to register for this meeting only:

https://ci-milpitas-ca-gov.zoom.us/webinar/register/WN_2xPrtRfLTfCc8nefs0VnaA

After you register a link will be sent to you to join the City Council meeting in order to give your comments. All registered meeting attendees who wish to speak must click on the "raise hand" icon when the Mayor calls for public comments. If participating by calling in on your phone, dial *9 to use the "raise hand" feature, and when you are called upon, hit *6 to unmute your phone. Your phone number will be displayed in the live meeting. The Mayor will call the speakers to begin.

All comments provided shall be limited to three minutes or less as determined by the Mayor. All members of the public will be limited to one comment per agenda item, and one comment for non-agenda items.

MILPITAS CITY COUNCIL CODE OF CONDUCT

- Be respectful and courteous (words, tone, and body language).
- Model civility.
- Avoid surprises.
- Praise publicly and criticize privately.
- Focus on the issue, not the person.
- Refrain from using electronic devices while on the Council dais.
- Disclose conflicts of interest and affiliations related to agenda items.
- Separate governing from campaigning.
- The Council speaks with one voice after making policy on issues.
- Respect the line between policy and administration.
- Council will hold one another accountable to comply with this Code of Conduct.

CALL MEETING TO ORDER by Mayor and ROLL CALL by City (6:00 PM)

ADJOURN TO CLOSED SESSION

(a) CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957.6

Agency designated representative: Jeannine Seher, Human Resources Director

Employee Organization: LIUNA (MEA, ProTech, Mid-Con), IAFF, MPOA, Unrepresented

CLOSED SESSION ANNOUNCEMENT (7:00 PM)

Report on action taken in Closed Session, if required per Government Code Section 54957.1, including the vote or abstention of each member present

PLEDGE OF ALLEGIANCE

INVOCATION (7:05 PM) - Councilmember Dominguez

PRESENTATIONS

- Breast Cancer Awareness Month (Proclamation)
- Key Presentation to the Family of Dale Flunoy

PUBLIC FORUM (7:15 PM)

Those in the audience and via Zoom are invited to address City Council on any subject not on tonight's agenda. In-person speakers wishing to address the Council are requested, but not required to complete a Speaker Card and submit it to the Mayor. In-person speakers will then be asked to come up to the podium and state their name for the record. Those interested in speaking via Zoom may do so by following the instructions on page one (1) of the agenda. Comments may be limited to three (3) minutes or less at the Mayor's discretion. As an item not listed on the agenda, no response is required from City staff or the Council and no action can be taken. The City Council may instruct the City Manager to place the item on a future meeting agenda.

NOTE: If a member of the public wishes to share any presentation materials for Council consideration, they must be submitted to the Clerk's Office by email to CityClerk@ci.milpitas.ca.gov by 12:00 p.m. on the day of the meeting. No presentations will be accepted in person in the Council Chambers.

ANNOUNCEMENTS AND FUTURE AGENDA ITEMS (7:20 PM)

Members of the City Council or City Manager may make brief announcements at this time. Members of the City Council may also suggest future agenda items at this time. For future agenda items, the City Council shall not debate the topic or engage in discussion but shall simply state a "yes" or "no" as to whether to direct the City Manager to place the item on a future meeting agenda. If a majority of the City Council agrees to place an item on a future meeting agenda, the City Manager shall place the item on a future agenda for City Council discussion.

ANNOUNCEMENT OF CONFLICT OF INTEREST AND CAMPAIGN CONTRIBUTIONS

READING OF THE CITY COUNCIL CODE OF CONDUCT

APPROVAL OF AGENDA

CONSENT CALENDAR (7:30 PM)

Consent calendar items are considered to be routine and will be considered for adoption by one motion. There will be no separate discussion of these items unless a City Councilmember, member of the audience or staff requests the Council to remove an item from (or be added to) the consent calendar. Any person desiring to speak on any item on the consent calendar should ask to have that item removed from the consent calendar.

- C1. Receive City Council Calendars of Meetings for October and November 2021 (Staff Contact: Wendy Wood, City Clerk, 408-586-3001)**

Recommendation: Receive City Council Calendars of Meetings for October and November 2021.

- C2. Receive the Preview List of Anticipated Items for the Next Regular City Council Meeting (Staff Contact: Wendy Wood, City Clerk, 408-586-3001)**

Recommendation: Receive the list of anticipated agenda items for the next regular City Council meeting.

- C3. Receive and Review the List of Agenda Items Requested by City Councilmembers (Contact: Mayor and City Councilmembers, 408-586-3000)**

Recommendation: Review the list of items that have been requested by City Councilmembers and provide direction to staff as necessary. No substantive discussion about any specific item shall occur and the City Council shall hold all debate about the item until it is scheduled as a full agenda item.

- C4. Approve City Council Regular Meeting Minutes of October 5, 2021 and Special Meeting Minutes of October 12, 2021 (Staff Contact: Wendy Wood, City Clerk, 408-586-3001)**

Recommendation: Approve City Council Regular Meeting Minutes of October 5, 2021 and Special Meeting Minutes of October 12, 2021.

- C5. Adopt a Resolution Approving and Recertifying the City of Milpitas' 2021 Sewer System Management Plan Including Revisions to the Overflow Emergency Response Plan (Staff Contact: Tony Ndah, Public Works Director, 408-586-2602)**

Recommendation: Adopt a resolution approving and recertifying the City of Milpitas' 2021 Sewer System Management Plan including revisions to the Overflow Emergency Response Plan.

- C6. Approve and Authorize the City Manager to Execute the First Amendment to the Agreement with the Santa Clara Valley Water for Water District Conservation Program Cost Sharing (Staff Contact: Tony Ndah, Public Works Director, 408-586-2602)**

Recommendation: Approve and authorize the City Manager to execute the first Amendment to the Agreement with the Santa Clara Valley Water District to increase cost-sharing amounts and partner on the Lawn Bust Milpitas Pilot Program.

- C7. Approve and Authorize the City Manager to Execute Amendment No. 2 to the Rental Agreement with PSI Water Technologies Inc. for the Rental of a Monoclor RCS Trailer for a total Amount Not-to-Exceed \$106,380.00 (Staff Contact: Tony Ndah, Public Works Director, 408-586-2602)**

Recommendation: Approve and authorize the City Manager to execute Amendment No. 2 of the Rental Agreement with PSI Water Technologies Inc. for the rental of a Monoclor RCS Trailer for a total amount not-to-exceed \$106,380.00.

- C8. Approve and Authorize the City Manager to Execute Amendment No. 2 with West Coast Arborist, Inc. for City-Owned Tree Maintenance Services for a total Amount Not-to-Exceed \$2,697,550.00 (Staff Contact: Tony Ndah, Public Works Director, 408-586-2602)**

Recommendation: Approve and authorize the City Manager to execute Amendment No. 2 with West Coast Arborist, Inc. for City-owned tree maintenance services for a total annual amount of \$80,000.00 for the remaining two years of the contract, for a total not-to-exceed contract amount of \$2,697,550.00.

- C9. Approve and Authorize the City Manager to Execute the Professional Services Agreement with Raimi + Associates Inc. for Consultant Services for the 2023-2031 Housing Element (Staff Contact: Sharon Goei, Director of Building Safety and Housing, 408-586-3260)**

Recommendation: (1) Approve and authorize the City Manager to execute the Professional Services Agreement with Raimi + Associates Inc. for consultant services for the 2023-2031 Housing Element for a not-to-exceed amount of \$431,710; (2) Authorize the City Manager to execute amendments to the Professional Services Agreement with Raimi + Associates Inc. for a not-to-exceed amount of \$50,000 and approve associated budget appropriation without additional action by the City Council; and (3) Approve budget appropriation in an amount of \$317,332 from Fund 216 fund balance to Fund 216 contractual services.

- C10. Approve Eight (8) City of Milpitas Commission Work Plans for FY 2021-22 (Staff Contact: Walter Rossmann, Deputy City Manager, 408-586-3012; and Ashwini Kantak, Assistant City Manager, 408-586-3053)**

Recommendation: Approve proposed Fiscal Year 2020-21 Work Plans for: Arts Commission; Community Advisory Commission; Library and Education Commission; Parks, Recreation and Cultural Resources Commission; Planning Commission; Senior Advisory Commission; Veterans Commission; Youth Advisory Commission.

- C11. Joint Resolution of the City Council and Successor Agency of the Milpitas Redevelopment Agency Board Approving a \$65,000 Loan Agreement from the City to the Successor Agency and Authorizing Various Financial Actions by the City Manager (Staff Contact: Lauren Lai, Finance Director, 408-586-3111)**

Recommendation: A joint resolution of the City Council and Successor Agency of the Milpitas Redevelopment Agency Board to approve a \$65,000 Loan Agreement from the City to the Successor Agency and authorizing various financial actions by the City Manager.

PUBLIC HEARING (7:35 PM)

- 12. Introduce Ordinance No. 208.54 Amending Various Sections of Title VIII, Chapter 2 of the Milpitas Municipal Code Relating to Sewer Operation and Maintenance (Staff Contact: Tony Ndah, Public Works Director, 408-586-2602)**

Recommendation: (1) Conduct a public hearing and move to close the hearing following comments; (2) City Attorney shall read aloud the title of Ordinance No. 208.54; and (3) Move to waive the first reading beyond the title and introduce Ordinance No. 208.54 amending various sections of Title VIII, Chapter 2 of the Milpitas Municipal Code relating to sewer operation and maintenance.

COMMUNITY DEVELOPMENT (8:15 PM)

- 13. Receive a report on the Homekey project at 1000 Hillview Court. (Staff Contact: Ashwini Kantak, Assistant City Manager, 408-586-3053; Jared Hernandez, Police Chief, 408-586-2406; and Sharon Goei, Building Safety and Housing Director, 408-586-3260)**

Recommendation: Receive a report on the Homekey project at 1000 Hillview Court.

- 14. Receive Mid-Year Report for Unhoused Services (Staff Contact: Sharon Goei, Building Safety and Housing Director, 408-586-3260)**

Recommendation: Receive mid-year report for unhoused services.

- 15. COVID-19 Workforce Recovery Program and American Rescue Plan Act Workforce Development Programming (Staff Contact: Alex Andrade, Director of Economic Development, 408-586-3046)**

Recommendation: (1) Receive and accept a report on the COVID-19 Workforce Recovery Program; (2) Approve the Phase 2 recommendation to implement the Milpitas MyPlan Career Accelerator Program; and (3) Provide direction to staff on potential workforce development programs and initiatives funded through the American Rescue Plan Act.

- 16. Receive a Report on the Proposed Project Proposal for Low and Moderate Income Housing at Turing Apartments Through a California Statewide Communities Development Authority Program and Provide Direction to Staff on Next Steps, If Any (Staff Contacts: Ashwini Kantak, Assistant City Manager, 408-586-3053; and Sharon Goei, Building Safety and Housing Director, 408-586-3260)**

Recommendation: (1) Receive follow-up information on the proposed project proposal for low and moderate income housing at Turing Apartments through a California Statewide Communities Development Authority program; (2) If Council wishes to pursue the proposed project, staff recommends Council (a) require project team to provide needed funding for additional staff, City Attorney, and consultant resources; (b) direct staff to bring back a framework and goals for this type of a moderate income housing program for Council consideration based on staff recommendations and Council input; and (c) direct staff to work with the project team on an agreement that is consistent with the approved framework and goals for a moderate income housing program.

COMMUNITY SERVICES AND SUSTAINABLE INFRASTRUCTURE (10:30 PM)

- 17. Receive Report on the Status of Citywide Landscape and Parks Maintenance and Provide Direction to Staff on Desired Services Levels and Recommended Service Enhancement Strategies (Staff Contact: Tony Ndah, Public Works Director, 408-586-2602)**

Recommendation: (1) Receive Report on the Status of Citywide Landscape and Parks Maintenance; and (2) Provide direction to staff on desired service levels and recommended service enhancement strategies.

ADJOURNMENT (11:00 PM)

KNOW YOUR RIGHTS UNDER THE OPEN GOVERNMENT ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions and other City agencies exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and City operations are open to the people's review. For more information on your rights under the Open Government Ordinance or to report a violation, contact the City Attorney's office at Milpitas City Hall, 455 E. Calaveras Blvd., Milpitas, CA 95035
e-mail: cdiaz@ci.milpitas.ca.gov / Phone: 408-586-3040

The Open Government Ordinance is codified in the Milpitas Municipal Code as Title I Chapter 310 and is available online at the City's website www.ci.milpitas.ca.gov by selecting the Milpitas Municipal Code link.

Materials related to an item on this agenda submitted to the City Council after initial distribution of the agenda packet are available for public inspection at the City Clerk's office at Milpitas City Hall, 3rd floor 455 E. Calaveras Blvd., Milpitas and on City website. City Council agendas and related materials can be viewed online: www.ci.milpitas.ca.gov/government/council/agenda_minutes.asp (select meeting date)

APPLY TO SERVE ON A CITY COMMISSION

Commission application forms are available online at www.ci.milpitas.ca.gov or at Milpitas City Hall. Contact the City Clerk's Office at 408-586-3001 for more information.

If you need assistance, per the Americans with Disabilities Act, for any City of Milpitas public meeting, please call the City Clerk at 408-586-3001 or send an e-mail to CityClerk@ci.milpitas.ca.gov prior to the meeting. You may request a larger font agenda.