



REGULAR MEETING OF THE MILPITAS CITY COUNCIL

AGENDA

TUESDAY, SEPTEMBER 6, 2022

**CITY COUNCIL CHAMBERS, 455 E CALAVERAS BLVD, MILPITAS, CA
7:00 PM (PUBLIC BUSINESS)**

For assistance in the following languages, you may call:

Đối với Việt Nam, gọi 408-586-2400

Para sa Tagalog, tumawag sa 408-586-3051

Para español, llame 408-586-3072

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.milpitas.gov/youtube>

Web Streaming: <https://www.milpitas.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_KttXtzD3Su6CeK39B7ZiVA

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 Acting City Clerk (7:00 PM)

PLEDGE OF ALLEGIANCE

INVOCATION (Councilmember Dominguez)

PRESENTATIONS (7:05 PM)

- Presentation of Homeless Prevention, Unhoused Services and Bicycle Facility Funding by Assembly Member Alex Lee
- National Pain Awareness Month (Proclamation)
- National Suicide Prevention Week (Proclamation)
- National Preparedness Month (Proclamation)
- National Cleanup Day - September 18 (Proclamation)
- National Gymnastics Day - September 18 (Proclamation)

PUBLIC FORUM (7:20 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@milpitas.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 (7:25 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 Calendar of Meetings for September 2022 (Staff Contact: Suzanne Guzzetta, Acting City Clerk, 408-586-3001)**

Recommendation: Receive City Council Calendars of Meetings for September 2022.

- C2. Approve City Council City Council Regular Meeting minutes of August 16, 2022 (Staff Contact: Suzanne Guzzetta, Acting City Clerk, 408-586-3001)**

Recommendation: Approve City Council Regular Meeting minutes of August 16, 2022.

- C3. Receive the Preview List of Anticipated Items for the Next Regular City Council Meeting (Staff Contact: Suzanne Guzzetta, Acting City Clerk, 408-586-3001)**

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

- C4. Receive and Review the List of Agenda Items Requested by City Councilmembers (Contact: Suzanne Guzzetta, Acting City Clerk, 408-586-3001)**

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.

- C5. Reconfirm Findings and Determinations Under Resolution No. 9165 and Assembly Bill 361 for the Continuation of Virtual Meetings of the City Council and Legislative Bodies (Staff Contact: Michael Mutalipassi, City Attorney, 408-586-3040)**

Recommendation: Move to reconfirm findings and determinations under Resolution No. 9165 and Assembly Bill 361 for the continuation of virtual meetings of the City Council and Legislative Bodies.

- C6. Review and Accept the 2022 Legislative Season Action Report and Direct Staff to Issue a Request for Proposals for Federal and State Legislative Advocacy Services (Staff Contact: Ashwini Kantak, Assistant City Manager, 408-586-3053, and Walter C. Rossmann, Deputy City Manager, 408-586-3012)**

Recommendation: Review and accept the Quarterly Legislative Season Action Report and direct staff to issue a request for proposals for Federal and State Legislative Advocacy Services.

- C7. Consider the Recommendations from Mayor Tran for Appointments to the Youth Advisory Commission (Contact: Mayor Tran, 408- 586-3029)**

Recommendation: Receive the recommendation from Mayor Tran and approve appointments to the Youth Advisory Commission.

- C8. Confirm Appointment of Milpitas Unified School District Representative to the Energy and Environmental Sustainability Commission (Contact: Suzanne Guzzetta, Acting City Clerk, 408-586-3001)**

Recommendation: Confirm appointment of Milpitas Unified School District representative Jared Acosta to the Energy and Environmental Sustainability Commission to an unexpired term ending October 2023.

- C9. Approve the 2022 Youth Advisory Commission Scholarship Recipients (Staff Contact: Renee Lorentzen, Director of Recreation and Community Services, 408-586-3409)**

Recommendation: Approve budget appropriation of \$1,500.00 to the Recreation and Community Services Department operating budget for three individual \$500.00 Youth Advisory Commission Community Service Scholarships.

- C10. Adopt a Resolution Approving a Site Development Permit to Develop a New Two-story, Single-family Residence on a Vacant 4.67-acre Lot Located in the R1-H Single-family Residential Zoning District with a Hillside Combining District at 489 Vista Ridge Drive (Staff Contact: Ned Thomas, Planning Director, 408-586-3273)**

Recommendation: Adopt a resolution approving Site Development Permit SD21-0011, subject to the attached Conditions of Approval, for a new two-story, single-family residence on a vacant 4.67-acre lot

located in the R1-H single-family residential zoning district with a hillside combining district at 489 Vista Ridge Drive and making findings of CEQA Exemption.

- C11. Approve Change Order No. 1 to the Contract with Trofholz Technologies for the Installation of Card Access Control and Monitoring Systems at Fire Stations in the Amount of \$39,162.70, Increasing the Total Project Not to Exceed Amount from \$104,324.42 to \$143,487.12 (Staff Contact: Roger Lee, Interim Public Works Director, 408-586-2602 and Chris Schroeder, Purchasing Agent, 408-586-3161)**

Recommendation: (1) Approve Change Order No. 1 to the contract with Trofholz Technologies for the installation of card access control and monitoring systems at Fire Stations in the amount of \$39,162.70, increasing the total project amount not to exceed from \$104,324.42 to \$143,487.12; and (2) Authorize the City Manager to execute one or more additional change orders related to the project to increase the maximum compensation amount to not to exceed \$158,487.12.

- C12. Approve and Authorize the City Manager to Execute the Five-Year General Services Agreement with Aramark Uniform Service for Citywide Uniform, Mat, and Linen Services for the not-to-exceed amount of \$240,916.30 (Staff Contact: Chris Schroeder, Purchasing Agent, 408-586-3161)**

Recommendation: Approve and authorize the City Manager to execute the five-year General Services Agreement with Aramark Uniform Service for Citywide Uniform, Mat, and Linen Services for the not-to-exceed amount of \$240,916.30.

- C13. Approve and Authorize the City Manager to Execute Amendment No. 2 to the Professional Services Agreement with WeHOPE for Mobile Shower, Laundry, and Case Management Services through January 15, 2023 for a Total Contract Amount of Not to Exceed \$86,552.00 (Staff Contact: Alex Andrade, Director of Economic Development, 408-586-3046, and Robert Musallam, Housing and Neighborhood Services Administrator, 408-586-3275)**

Recommendation: Approve and authorize the City Manager to execute Amendment No. 2 to the Professional Services Agreement with WeHOPE for Mobile Shower, Laundry, and Case Management Services through January 15, 2023, in the amount of \$15,000.00, for a total not to exceed contract amount of \$86,552.00.

- C14. Authorize and Approve Out-of-State Travel to Columbus, OH for City Manager Steve McHarris to Attend the Annual Conference of the International City/County Management Association to be held September 17 – 21, 2022. (Staff contact: Ashwini Kantak, Assistant City Manager, 408-586-3053)**

Recommendation: Authorize and approve out-of-state travel to Columbus, OH for City Manager Steve McHarris to attend the Annual Conference of the International City/County Management Association (ICMA) to be held September 17 – 21, 2022, for an estimated not-to-exceed amount of \$3,500.00 under the approved budget for Conferences/Trainings allocation for the City Manager's Office.

COMMUNITY SERVICES AND SUSTAINABLE INFRASTRUCTURE (7:35 PM)

- 15. Review the Proposed Youth Sports Scholarship Program City Council Policy and Provide Feedback to Staff (Staff Contact: Renee Lorentzen, Director of Recreation and Community Services, 408-586-3409)**

Recommendation: Review the proposed Youth Sports Scholarship Program City Council Policy and provide feedback to staff.

LEADERSHIP AND SUPPORT SERVICES (8:00 PM)

- 16. Appoint Members to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) Community Task Force (Staff Contact: Walter Rossmann, Deputy City Manager, 408-586-3012)**

Recommendation: (1) Approve the appointment of four (4) CEDAW Task Force members; and (2) consider Mayor's appointment of a City Councilmember to the CEDAW Task Force and move to confirm the appointment.

- 17. Introduce an Ordinance of the City Council of the City Of Milpitas Adding Chapter 9 ("Use of Rights-of-Way and Public Property") to Title X ("Streets and Sidewalks") of the Milpitas Municipal Code and Adding Section X-10-1.03 to Chapter 10 ("Structures or Objects on Sidewalks or Public Ways") to Title X ("Streets and Sidewalks") of the Milpitas Municipal Code (Staff Contact: Michael Mutalipassi, City Attorney, 408-586-3041)**

Recommendation: Following the City Attorney's reading aloud the title, move to waive the reading beyond the title and introduce an Ordinance of the City Council of the City of Milpitas Adding Chapter 9 ("Use Of Rights-of-way and Public Property") to Title X ("Streets and Sidewalks") of the Milpitas Municipal Code and adding Section X-10-1.03 to Chapter 10 ("Structures or Objects on Sidewalks or Public Ways") to Title X ("Streets and Sidewalks") of the Milpitas Municipal Code.

- 18. Review the List of Agenda Item Requests From Individual Councilmembers and Provide Direction to Staff, Through the Prioritization Process, on Groups 1 Items; Provide Additional Clarification to Staff, If Any, on Group 2 Items and Direct staff to return with a draft City Council Policy titled "City Council Request Prioritization Policy" formalizing the process (Staff Contact: Ashwini Kantak, Assistant City Manager, 408-586-3053; Walter C. Rossmann, Deputy City Manager, 408-586-3012)**

Recommendation: (1) Review list of agenda item requests from individual Councilmembers and provide direction to staff, through the prioritization process, on which Group 1 items should be advanced; (2) Provide additional input to staff, if any, on Group 1 items that received Council direction to advance and all Group 2 items; and (3) Direct staff to return with a draft City Council Policy titled "City Council Request Prioritization Policy".

- 19. Consider Nomination of a Member of the City Council to the Santa Clara County Unhoused Task Force for Appointment by the Santa Clara County Board of Supervisors (Staff Contact: Ashwini Kantak, Assistant City Manager, 408-586-3053)**

Recommendation: Consider Mayor's nomination of a Member of the City Council to the Santa Clara County Unhoused Task Force and move to confirm the nomination for Appointment by the Santa Clara County Board of Supervisors.

ADJOURNMENT (10:30 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: mmutalipassi@milpitas.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.