



# JOINT MEETING OF THE MILPITAS CITY COUNCIL AND THE MILPITAS HOUSING AUTHORITY

**AGENDA**  
**TUESDAY, JUNE 1, 2021**  
**MILPITAS, CA**  
**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

City Council meeting is held via teleconference /Zoom webinar only (no physical meeting space).  
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>

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## **PUBLIC COMMENT INSTRUCTIONS**

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

[https://ci-milpitas-ca-gov.zoom.us/webinar/register/WN\\_v09JM3bLReikcv-xO-vJkA](https://ci-milpitas-ca-gov.zoom.us/webinar/register/WN_v09JM3bLReikcv-xO-vJkA)

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 or staff 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. online written comment form previously used is no longer available for public comment.

### **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 Clerk** (7:00 PM)

**PLEDGE OF ALLEGIANCE**

**INVOCATION** (assigned to Mayor Tran)

**PRESENTATIONS**

- LGBTQ+ Pride Month (Proclamation)
- Philippine Independence Day (Proclamation)

**PUBLIC FORUM**

Those interested are invited to address City Council on any subject not on tonight's agenda, orally via zoom webinar (instructions on page 1). Speakers may provide their name and city of residence for the Clerk's record, and comments may be limited to three minutes or less. 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.

**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 subsequent 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 June 2021 (Staff Contact: Wendy Wood, City Clerk, 408-586-3001)**
- C2. Approve City Council meeting minutes of the May 18, 2021, Regular City Council Meeting (Staff Contact: Wendy Wood, City Clerk, 408-586-3001)**

Recommendation: Approve meeting minutes of the May 18, 2021, Regular City Council Meeting.

- C3. Adopt a Resolution to do a flag raising to commemorate Philippine Independence Day at Cesar Chavez Plaza (Contacts: Mayor Tran, 408-586-3029; and Renee Lorentzen, Recreation and Community Services Director, 408-586-3409)**

Recommendation: Adopt a Resolution to do a flag raising to commemorate Philippine Independence Day at Cesar Chavez Plaza.

- C4. Approve a Budget Amendment to Establish and Fund the Pedestrian Trail Replacement Project Connecting Sinnott, Browne and Murphy Parks (Staff Contact: Renee Lorentzen, Recreation and Community Services Director, 408-586-3409)**

Recommendation: Approve Budget Amendment to Establish and Reallocate \$71,080 unused funds from the Creighton Park Project (CIP 5109) to the Pedestrian Trail Replacement Project (CIP 3492) Connecting Sinnott, Browne and Murphy Parks.

- C5. Approve and Authorize the City Manager to Execute a Master Funding Agreement with the Santa Clara Valley Transportation Authority (VTA) for the 2016 Measure B Bike and Pedestrian Education and Encouragement Program; Establish the Fiscal Year 2021-22 Project Bike and Pedestrian Public Outreach Project (CIP No. 4306); and Approve a FY 2021-22 budget appropriation of \$45,000 for Project No. 4306 funded from Measure B Bike and Pedestrian Education and Encouragement Funding (Staff Contacts: Steve Chan, Transportation and Traffic Manager, 408-586-3324; and Steve Erickson, Engineering Director/City Engineer, 408-586-3301)**

Recommendation: Approve and Authorize the City Manager to Execute a Master Funding Agreement with the Santa Clara Valley Transportation Authority (VTA) for the 2016 Measure B Bike and Pedestrian Education and Encouragement Program; Establish the Fiscal Year 2021-22 Project Bike and Pedestrian Public Outreach Project (CIP No. 4306); and Approve a FY 2021-22 budget appropriation of \$45,000 for Project No. 4306 funded from Measure B Bike and Pedestrian Education and Encouragement Funding.

- C6. Accept Commissioner Resignation (Staff Contact: Wendy Wood, City Clerk, 408-586-3001)**

Recommendation: Accept the resignations of Commissioner Rajani Nair from the Science, Technology and Innovation Commission and Commissioner Benjamin Tang from the Art Commission; and confirm the noticing of the unscheduled vacancies.

- C7. Approve and Authorize the City Manager to Execute Amendment No. 5 to the Cost-Sharing Agreement Among West Valley Sanitation District, Cupertino Sanitary District, County Sanitation District No. 2-3 of Santa Clara County, Burbank Sanitary District, and the City of Milpitas (Staff Contact: Christopher Diaz, City Attorney, 408-586-3040)**

Recommendation: Approve and authorize the City Manager to execute Amendment No. 5 to the Cost Sharing Agreement among West Valley Sanitation District, Cupertino Sanitary District, County Sanitation District No. 2-3 of Santa Clara County, Burbank Sanitary District, and the City of Milpitas.

#### **PUBLIC HEARINGS** (7:45 PM)

- 8. Open the Public Hearing and Adopt Resolutions to Approve the Fiscal Year 2021-22 Operating Budget for the City of Milpitas and the Milpitas Housing Authority, Approve the Fiscal Year 2021-22 Gann Appropriations Limit, Authorize Various Financial Actions, Fiscal Policies and Budget Guidelines, Amend the Classification Plan for Alignment with the FY 2021-22 Budget, the Minimum Wage Increase, and Salary Schedules Consistent with Previous Council Action (Staff Contact: Lauren Lai, Finance Director/Risk Manager, 408-586-3111)**

Recommendations: Open the public hearing and move to close the hearing following any speakers. Adopt the following Resolutions: (1) Joint Resolution of the City Council and Milpitas Housing Authority to approve the Fiscal Year 2021-22 Operating Budget the City of Milpitas and the Milpitas Housing Authority, approve the Appropriations Limit, Fiscal Policies and Budget Guidelines and authorizing various financial actions by the City Manager, including Approving and Authorizing the Execution of Various Contracts and Payments over \$100,000. (2) Amending Resolution No. 1626, the Classification Plan, to authorize additional positions and amend budgeted allocated positions. (3) Amending Resolution No. 1626, the Classification Plan, to adjust the hourly rate ranges for classifications due to a minimum wage increase pursuant to Ordinance No. 292. (4) Amending Resolution No. 1626, the Classification Plan, to adjust the Salary Schedules for all IAFF, Mid-CON, PROTECH, MEA, Miscellaneous Unrepresented and Fire Unrepresented Classifications.

9. **Conduct a Public Hearing and Introduce Ordinance No. 227.8 Amending Chapter 215 (Regulation of Smoking in Certain Places), Title V (Public Health, Safety and Welfare), of the Milpitas Municipal Code Relating to Prohibiting Smoking in Multi-Unit Housing and Certain Outdoor Areas and Making Findings of CEQA Exemption (Staff Contact: Ned Thomas, Planning Director, 408-586-3273)**

Recommendation: (1) Conduct a public hearing and move to close the hearing following comments; (2) City Attorney shall read aloud title of Ordinance No. 227.8; (3) Move to waive the first reading beyond the title and introduce Ordinance No. 227.8 amending Chapter 215, Title V of the Milpitas Municipal Code and making findings of CEQA exemption.

**COMMUNITY SERVICES AND SUSTAINABLE INFRASTRUCTURE** (9:45 PM)

10. **Receive Update on the Beautify Milpitas Program (Staff Contact: Renee Lorentzen, Recreation and Community Services Director, 408-586-3409)**

Recommendation: Receive update on the Beautify Milpitas and provide any additional direction to staff.

**PUBLIC SAFETY** (10:00 PM)

11. **Receive Presentation of Police Department's Response to Mental Health Related Calls (Staff Contact: Jared Hernandez, Acting Chief of Police, 408-586-2402)**

Recommendation: Receive Presentation of Police Department's Response to Mental Health Related Calls.

**REPORTS OF MAYOR & COUNCILMEMBERS** - from assigned Commissions, Committees and Agencies (10:15 PM)

12. **Recommendations from Mayor Tran for Appointments for City Commissions (Contact: Mayor Tran, 408- 586-3029)**

Recommendation: Approve Mayor Tran's recommendations for the following City commissions: Arts Commission; Community Advisory Commission; Economic Development and Trade Commission; Energy and Environmental Sustainability Commission; Library and Education Advisory Commission; Parks, Recreation, and Cultural Resources Commission; Public Safety and Emergency Preparedness Commission; Science, Technology, and Innovation Commission; Veterans Commission; and Youth Advisory Commission; and approve the final appointments.

13. **Receive and Direct Staff on 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 on a form, at a Council meeting, or through the City Manager. Direct items to a City Council Subcommittee, to be placed onto a specific meeting date, or specify alternate direction to staff. 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.

**NEXT AGENDA PREVIEW** (10:25 PM)

14. **Receive Preview List of Anticipated Items for the Next Regular City Council Meeting Scheduled on June 15, 2021 (Staff Contact: Wendy Wood, City Clerk, 408-586-3001)**

Recommendation: Receive list of anticipated agenda items for the June 15, 2021 regular City Council meeting.

**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: [cdiaz@ci.milpitas.ca.gov](mailto: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](http://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](http://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](http://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](mailto:CityClerk@ci.milpitas.ca.gov) prior to the meeting. You may request a larger font agenda.*