

CITY OF MILPITAS MEETING MINUTES

Minutes of: Joint Meeting of the Milpitas City Council and the Milpitas Housing Authority
Date: Tuesday, June 1, 2021
Time: 7:00 PM Open Session
Location: Meeting held via teleconference/zoom webinar online
Milpitas, CA

CALL TO ORDER

Mayor Tran called the joint meeting of the Milpitas City Council and the Milpitas Housing Authority to order at 7:00 PM. City Clerk Wood called the roll. The meeting took place via teleconference/zoom webinar.

PRESENT: Mayor Tran, Vice Mayor Montano, Councilmembers Chua, Dominguez, and Phan

ABSENT: None

PLEDGE

Mayor Tran led all in the Pledge of Allegiance.

INVOCATION

Mayor Tran led the Invocation.

PRESENTATION

Mayor Tran proclaimed the month of June as LGBTQ+ Pride Month, and proclaimed June 12, 2021, as Philippine Independence Day in the City of Milpitas.

PUBLIC FORUM

The following spoke during Public Forum:

1. Voltaire Montemayor
2. Barbara Jo Navarro
3. John Agg

ANNOUNCEMENTS & FUTURE AGENDA ITEMS

Councilmember Chua made the following requests and announcements:

1. The City Manager provide a status update of the request she made regarding an amendment to the affordable housing ordinance to remove the option for the developers to pay fees and have them provide 15 percent affordable housing.
2. Hold a job fair with 20 local businesses and an additional one in the fall, with the Milpitas Chamber of Commerce taking a large role and the City providing support.
3. Announced that San Jose Conservation Corps partnered with the City to pick up mattresses and tires and wanted to thank them and the City's Public Works Department for an excellent job.
4. Presented a video of the Police Department badge pinning ceremony.

Mayor Tran stated his support for law enforcement and expressed his gratitude for the Milpitas S.W.A.T. team that responded to the VTA incident.

Vice Mayor Montano made the following requests:

1. The City create a mural for Veterans.
2. The City partner with the Milpitas Chamber of Commerce to promote the City with events such as an Art and Wine Festival, Rancho Days, Little Cornfield Day, or Frontier Days.

Councilmember Dominguez thanked the Milpitas Police Department for their support and commented on the recent VTA incident.

APPROVAL OF AGENDA

Mayor Tran stated that item 12 will be postponed to the next meeting.

Motion/Second: Mayor Tran / Vice Mayor Montano

Motion carried by a vote of: AYES: 5
NOES: 0

Mayor Tran asked staff to respond to previous speaker Barbara Jo Navarro's comments on item C4.

Recreation and Community Services Director Lorentzen responded.

Mayor Tran moved items 13 and 14, to the consent calendar.

The following items were added to the Consent Calendar:

1. Agenda Item No. 13: Receive and Direct Staff on List of Agenda Items Requested by City Councilmembers
2. Agenda Item No. 14: Receive Preview List of Anticipated Items for the Next Regular City Council Meeting Scheduled on June 15, 2021

Motion: to approve the modified Consent Calendar, including Items No. C1 – C7; Agenda Item No. 13, and 14.

Motion/Second: Mayor Tran / Councilmember Dominguez

Motion carried by a vote of: AYES: 5
NOES: 0

C1. Council Calendar	Received the City Council calendar of upcoming meetings for June 2021.
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C2. Meeting Minutes	Approved the meeting minutes of the May 18, 2021, Regular City Council Meeting.
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C3. Resolution – Flag raising for Philippine Independence Day	Adopted Resolution No. 9073 to do a flag raising to commemorate Philippine Independence Day at Cesar Chavez Plaza.
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C4. Establish and Fund the Pedestrian Trail Replacement Project	Approved a budget amendment to establish and reallocate \$71,080 of unused funds from the Creighton Park Project (CIP 5109) to the Pedestrian Trail Replacement Project (CIP 3492) Connecting Sinnott, Browne, and Murphy Parks.
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C5. Execute a Master Funding Agreement with the Santa Clara VTA for the 2016 Measure B Bike and	Approved and authorized 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; established the Fiscal Year 2021-22 Project Bike and Pedestrian Public Outreach Project (CIP No. 4306); and
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Pedestrian Education and Encouragement Program

approved an 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

Accepted the resignations of Commissioner Rajani Nair from the Science, Technology and Innovation Commission and Commissioner Benjamin Tang from the Art Commission; and confirmed the noticing of the unscheduled vacancies.

C7. Execute Amendment No. 5 to the Cost-Sharing Agreement

Approved and authorized 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

8. Resolutions - 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

City Manager McHarris introduced the item and provided background.

Finance Director Lai presented the proposed Fiscal Year 2021-22 Operating Budget.

Mayor Tran opened the public hearing.

The following spoke during Public Comment:

1. Voltaire Montemayor

Mayor Tran closed the public hearing.

Mayor Tran spoke about the importance of public safety and requested that the City keep the Chief Fire Enforcement Officer position.

Council asked questions and commented on vacant and defunded positions in public safety.

Mayor Tran polled the Council for support to keep the Chief Fire Enforcement Officer position. Roll call as follows:

AYES: 2 (Phan, Tran)
NOES: 2 (Chua, Montano)
ABSTAIN: 1 (Dominguez)

Mayor Tran asked the City Manager to add this discussion to next week's special meeting agenda item.

Councilmember Chua asked for clarification on Exhibit 2 approval of FY2021-22 budgeted contracts/payments over \$100,000.

Finance Director Lai provided clarification.

Mayor Tran requested that the line items be reviewed by the Finance Subcommittee and that the subcommittee report is sent to the City Council.

Councilmember Phan asked about using American Rescue Plan Act (ARPA) funding for some defunded positions.

Mayor Tran asked the City Manager to bring the list of positions back to next week's special meeting agenda item, to see what positions may be eligible for ARPA funding.

Motion: to adopt the following Resolutions: **Resolution No. 9074** a 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, approving 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; **Resolution No. 9075** amending Resolution No. 1626, the Classification Plan, to authorize additional positions and amend budgeted allocated positions. **Resolution No. 9076** 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; and **Resolution No. 9077** 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.

Motion/Second: Mayor Tran / Councilmember Chua

Motion carried by a vote of: AYES: 5
NOES: 0

9. Ordinance - No. 227.8
Amending Chapter 215
(Regulation of Smoking in
Certain Places)

Planning Director Thomas introduced this item. Principal Planner Lee presented the staff report.

Mayor Tran opened the public hearing.

The following spoke during Public Comment:

1. Voltaire Montemayor
2. Vanessa Marvin
3. Amandeep Banwait
4. Maanvi Thawani
5. Carol Baker

Mayor Tran closed the public hearing.

City Attorney read aloud title of **Ordinance No. 227.8**.

Motion: 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.

Motion/Second: Mayor Tran / Councilmember Dominguez

Motion carried by a vote of: AYES: 5
NOES: 0

**COMMUNITY SERVICES &
SUSTAINABLE
INFRASTRUCTURE**

10. Update on the Beautify
Milpitas Program

Recreation and Community Services Director Lorentzen presented an update on the Beautify Milpitas Program.

Council requested that the Beautify Milpitas program be held monthly, include graffiti cleanup, participate in the National Cleanup day in September, and look at collaborating with schools to rotate the dumpster day around the City to bring it into the neighborhoods.

Mayor Tran requested a Neighborhood Beautification day update in August.

The following spoke during Public Comment:

1. Voltaire Montemayor

No motion was made.

PUBLIC SAFETY

11. Presentation of Police Department's Response to Mental Health Related Calls

Acting Police Chief Hernandez gave a presentation on the Police Department's response to mental health related calls.

The following spoke during Public Comment:

1. Voltaire Montemayor

Councilmember Dominguez requested 5150 W&I data updates every three months and would like staff to explore having a phone number for people experiencing mental health or substance abuse crises to call to get a referral for help.

Councilmember Chua requested a presentation on the Police Department's response to substance abuse.

No motion was made.

REPORTS OF MAYOR & COUNCILMEMBERS

12. Recommendations from Mayor Tran for Appointments for City Commissions

This item was postponed to the next meeting during the approval of the agenda and approved as follows.

Motion/Second: Mayor Tran / Vice Mayor Montano

Motion carried by a vote of: AYES: 5
NOES: 0

C13. List of Agenda Items Requested by City Councilmembers

Reviewed the list of items that have been requested by City Councilmembers at a Council meeting, or through the City Manager.

This item was moved onto the Consent Calendar and approved as follows.

Motion/Second: Mayor Tran / Councilmember Dominguez

Motion carried by a vote of: AYES: 5
NOES: 0

NEXT AGENDA PREVIEW

C14. Preview Agenda Items

Received a list of anticipated agenda items for the June 15, 2021, Regular City Council meeting.

This item was moved onto the Consent Calendar and approved as follows.

Motion/Second: Mayor Tran / Councilmember Dominguez

Motion carried by a vote of: AYES: 5
NOES: 0

ADJOURNMENT

Mayor Tran asked everyone to take a moment of silence to remember the people whose lives were lost in the VTA shooting. Mayor Tran adjourned the meeting at 11:14 PM.

The foregoing minutes were approved by Milpitas City Council on June 15, 2021.

Wendy Wood
City Clerk

