

***Draft* CITY OF MILPITAS MEETING MINUTES**

Minutes of: Regular Meeting of the Milpitas City Council
Date: Tuesday, January 19, 2021
Time: 7:00 PM Open Session
Location: Meeting held via teleconference/zoom webinar online
Milpitas, CA

CALL TO ORDER

Mayor Tran called the regular meeting to order at 7:00 PM. Deputy City Clerk Pam Caronongan 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 to the flag.

INVOCATION

Mayor Tran

PUBLIC FORUM

Two residents made comments:

1. Barbara Jo "BJ" Navarro
2. Urvishkumar Mehta

ANNOUNCEMENTS & FUTURE AGENDA ITEMS

Mayor Tran requested staff to contact Government Affairs office at Pacific Gas & Electric (PG&E), obtain PG&E's plan regarding power outages that had and will affect the City, and agendaize the matter so that City Council can receive information from a PG&E representative in the first or second Council meeting in February 2021.

Councilmember Phan commented that families at this time cannot go to hotels due to COVID-19. Councilmember Phan asked staff to investigate providing emergency resources and options for Milpitas families requiring immediate power needs. Additionally, Councilmember Phan requested staff to contact Santa Clara County regarding its vaccine distribution plan including but not limited to having additional testing locations and expediting mass distribution of vaccine in Milpitas.

Councilmember Chua asked City Attorney Chris Diaz's advisement if Milpitas families who currently own Below Market Rate (BMR) homes could sub-lease their rooms without violating the BMR agreement terms. Councilmember Chua commented that if the current BMR rules happen to be against sub-leasing a room or two of the home, can an exception be made due to additional income needs during a pandemic. City Attorney Diaz replied that staff will provide an Information Memorandum to City Council regarding the issue.

Councilmember Chua requested City Manager Steve McHarris to provide an update on how the City is currently managing trash in homeless. Councilmember Chua, as the Council liaison for the Milpitas Library Commission, announced the following:

1. Milpitas Public Library is holding a Fine Free fair where the library encourages the return of any library materials with no imposed fines.

2. Santa Clara County Library and Palo Alto Medical Center is holding a writing contest for 6th to 12th grade students.

Councilmember Dominguez requested staff to bring back Worker Recall Protection for City Council discussion, to be agendaized in the second City Council meeting in February or no later than the first City Council meeting in March 2021.

Vice Mayor Montano announced that Valley Transportation Authority (VTA) Chief Executive Officer Nuria Fernandez resigned from her position to join President Biden's administration as part of the United States Department of Transportation.

Vice Mayor Montano also requested to bring back the Economic Development Corporation for discussion at the next City Council meeting. City Manager McHarris replied that this item will be brought back on January 26, 2021 as part of the Budget Study Sessions.

**ANNOUNCEMENT OF
CONFLICT OF INTEREST
AND CAMPAIGN
CONTRIBUTIONS**

City Attorney Diaz asked the Mayor and City Councilmembers if they had any personal conflicts of interest or reportable campaign contributions. By roll call, no conflicts of interest or contributions were reported.

CODE OF CONDUCT

City Attorney Diaz read aloud the City Council Code of Conduct.

APPROVAL OF AGENDA

Motion: to approve the January 19, 2021 meeting agenda, with modifications as noted for Agenda Item No. 7.

Motion/Second: Mayor Tran / Vice Mayor Montano

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

CONSENT CALENDAR

Motion: to approve the Consent Calendar, including Items No. C1 – C5, C7 – 10, and C12 – C13.

The following agenda items were added to the Consent Calendar:

1. Agenda Item No. 12: Approve and Authorize the City Manager to Execute the Bay Area Air Quality Management District's "Cut the Commute Pledge" and Adopt a Resolution to Support Expanded Telecommuting and Other Measures to Reduce Single-Occupancy Vehicle Trips.
2. Agenda Item No. 13: Approve Updates to the Commissioner Handbook and Commission Bylaws

The following agenda item was removed from the Consent Calendar for further discussion:

1. Agenda Item No. 6: Adopt a Resolution Approving and Authorizing the City Manager to Execute a Ten-Year Service Agreement with Motorola Solutions, Inc.

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 January 2021 and February 2021.
C2. Meeting Minutes	Approved the meeting minutes of the January 5, 2021 Regular and January 12, 2021 Special City Council meetings, as drafted by the Acting City Clerk.
C3. Adopt Ordinance	Moved to waive the second reading beyond the title and adopt Ordinance No. 309 amending various sections of Titles I, IV, V, VIII, X, and XI of the Milpitas Municipal Code to make corrections, clarifications, updates and modifications.
C4. Adopt Resolution	Adopted a Resolution authorizing the purchase of two Skeeter Brush Trucks, LLC Dodge Ram 5500 Type 5 Wildland Engines for the Fire Department from Golden State Fire Apparatus, Inc. through an HGABuy cooperative contract in the amount of \$634,678.36 and approve an appropriation from the Equipment Fund in the amount of \$329,679.
C5. Adopt Resolution	Adopted a Resolution granting acceptance of Well Upgrade - McCandless Well, Project No. 7076, authorizing the City Engineer to file a Notice of Completion, and authorizing the City Engineer to Issue a Notice of Final Acceptance.
6. Adopt Resolution	This agenda item was pulled out from the original Consent Calendar for discussion. Adopted a resolution approving and authorizing the City Manager to execute a ten-year service agreement with Motorola Solutions, Inc. as the sole source vendor for a Local NICE Logging Solution and matching Locution Systems, Inc. Fire Station alerting system and relevant services for the amount not to exceed \$689,069.
C7. Adopt Resolution	Adopted a resolution directing staff to fly City event celebration and/or commemorative flags at various events from February 2021 through December 2021. Per Mayor Tran, the list will be amended to include National Hispanic Heritage Month.
C8. Anton Aspire Project	Approved and authorized the City Manager to execute a Stormwater Management Facilities Operation and Maintenance Agreement for Anton Milpitas 750, LLC for the Anton Aspire Project at 750 E. Capitol Avenue.
C9. West Yost Associates	Approved and authorized the City Manager to execute Amendment No. 3 to the agreement with West Yost Associates in the amount of \$250,000.00, for Construction Support Services for the Main Lift Emissions Control Project, increasing the total not to exceed amount from \$134,340.00 to \$384,340.00 and extending the term of the agreement through June 30, 2022.
C10. Accessible Playgrounds – McCandless Park and Mabel Mattos Elementary	Approved and authorized the City Manager to Execute a First Amendment to the All-Inclusive Playground Funding Agreement with the County of Santa Clara for accessible playgrounds at McCandless Park and Mabel Mattos Elementary School joint use area.

COMMUNITY DEVELOPMENT

11. Milpitas Metro Specific Plan	Received a presentation from staff, Consultant Jane Lin from Urban Field Studio, and Consultant Christina Paul from M-Group. City Council provided feedback and direction on key land use, density and commercial intensity policies to guide preparation of the Draft Milpitas Metro Specific Plan (MMSP).
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The following spoke:

1. Urvishkumar Mehta
2. Frank Bush

City Council spoke in favor of the Milpitas Metro Specific Plan.

Consultant Lin stated that staff, Urban Field Studio, and M-Group will return to update City Council during its Regular Meeting on February 2, 2021. This discussion would cover parks, trails, streetscape, infrastructure, and the Transit Area Development Impact Fee (TADIF).

No motion was made for this agenda item.

COMMUNITY SERVICES AND SUSTAINABLE INFRASTRUCTURE

C12. "Cut the Commute Pledge"

This agenda item was added to the original Consent Calendar.

Approved and authorized the City Manager to execute the Bay Area Air Quality Management District's "Cut the Commute Pledge" and adopt a resolution to support expanded telecommuting and other measures to reduce Single-Occupancy Vehicle trips.

C13. Commissioner Handbook and Commission Bylaws

This agenda item was added to the original Consent Calendar.

Approved Updates to the Commissioner Handbook, Commission Bylaws, and Bylaws Addendums for the Arts and Public Safety and Emergency Preparedness Commissions

REPORTS

14. List of Council requested Agenda Items

Mayor Tran led the review of the list of items presented (list in agenda packet) by staff. City Council received the list from staff.

NEXT AGENDA PREVIEW

15. Preview Agenda Items

Received list of anticipated agenda items for the February 2, 2021 regular City Council meeting.

ADJOURNMENT

Mayor Tran adjourned the meeting at 10:35 PM.

The foregoing draft minutes are respectfully submitted by..

Pam Caronongan
Acting City Clerk