



REGULAR MEETING OF THE MILPITAS CITY COUNCIL

AGENDA
TUESDAY, JANUARY 19, 2021
MILPITAS, CA
7:00 PM

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>

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. Here is the link to register for this meeting only:

https://ci-milpitas-ca-gov.zoom.us/webinar/register/WN_nv02mIUTA-iF21EDjmh_Q

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 Acting City Clerk (7:00 PM)

PLEDGE OF ALLEGIANCE (7:05 PM)

INVOCATION (assigned to Mayor Tran)

PRESENTATIONS

- Martin Luther King Day (January 18)

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 (7:45 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 January and February 2021 (Staff Contact: Pam Caronongan, 408-586-3003)

Recommendation: Receive January 2021 and February 2021 City Council Calendars of Meetings from Acting City Clerk.

C2. Approve City Council meeting minutes of the January 5, 2021 Regular City Council Meeting and January 12, 2021 City Council Special Meeting (Staff Contact: Pam Caronongan, 408-586-3003)

Recommendation: Approve meeting minutes of the January 5, 2021 Regular City Council meeting and January 12, 2021 City Council Special Meeting as drafted by the Acting City Clerk.

C3. Waive the Second Reading and Adopt Ordinance No. 309 to Make Corrections, Clarifications, Updates and Modifications to the Milpitas Municipal Code (Staff Contacts: Christopher Diaz, 408-586-3040 and Ashwini Kantak, 408-586-3053)

Recommendation: Move 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 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 HGACBuy Cooperative Contract in the Amount of \$634,678.36 and related Budget Amendment (Staff Contacts: Rick Frawley, 408-586-2824 and Chris Schroeder, 408-586-3161)**

Recommendation: Adopt 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 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 (Staff Contact: Steve Erickson, 408-586-3301)**

Recommendation: Adopt 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.

- C6. Adopt a resolution approving and authorizing the City Manager to execute a ten-year service agreement with Motorola Solutions, Inc. (Staff Contact: Steven Fox, 408-586-2525)**

Recommendation: Adopt 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 a Resolution Directing Staff to Fly City Event Celebration and/or Commemorative Flags at Various Events from February 2021 through December 2021 (Staff Contact: Renee Lorentzen, 408-586-3409)**

Recommendation: Adopt a resolution directing staff to fly City event celebration and/or commemorative flags at various events from February 2021 through December 2021.

- C8. Approve and Authorize 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 (Staff Contact: Steve Erickson, 408-586-3301)**

Recommendation: Approve and Authorize 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. Approve and Authorize the City Manager to Execute Amendment No. 3 to the Agreement with West Yost Associates for Construction Support Services for Main Lift Emissions Control Project (Staff Contact: Tony Ndah, 408-586-2602)**

Recommendation: Approve and authorize 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. Approve and Authorize 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 (Staff Contact: Renee Lorentzen, 408-586-3409)**

Recommendation:

Approve and Authorize 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 (8:00 PM)

- 11. Conduct Third Study Session on the Milpitas Metro Specific Plan (Update of 2008 Transit Area Specific Plan) with a Presentation, Discussion and City Council direction on Key Plan policies related to Land Use Density and Intensity (Staff Contacts: Ned Thomas, 408-586-3273 and Kevin Riley, 408-586-3292)**

Recommendations:

1. Receive a presentation from staff.
2. Provide feedback and direction on key land use, density and commercial intensity policies to guide preparation of the Draft Milpitas Metro Specific Plan (MMSP).

COMMUNITY SERVICES AND SUSTAINABLE INFRASTRUCTURE (9:15 PM)

- 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 (Staff Contacts: Steve Chan, 408-586-3324 and Jeannine Seher, 408-586-3086)**

Recommendation: 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.

LEADERSHIP AND SUPPORT SERVICES (9:45 PM)

- 13. Approve Updates to the Commissioner Handbook and Commission Bylaws (Staff Contacts: Renee Lorentzen, 408-586-3409 and Ashwini Kantak, 408-586-3053)**

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

REPORTS OF MAYOR & COUNCILMEMBERS (10:15 PM)

- 14. Receive and Direct Staff on List of Agenda Items Requested by City Councilmembers (Contacts: Mayor and City Councilmembers, 408-586-3000)**

Recommendation: Review list of items presented (list in agenda packet) 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)

15. Receive Preview List of Anticipated Items for the Next Regular City Council Meeting Scheduled on February 2, 2021 (Staff Contact: Pam Caronongan, 408-586-3003)

Recommendation: Receive list of anticipated agenda items for the February 2, 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 / 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 408-586-3003 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 pcaronongan@ci.milpitas.ca.gov prior to the meeting. You may request a larger font agenda.