REGULAR MEETING OF THE MILPITAS CITY COUNCIL

For assistance in the following languages, you may call:
Para sa Tagalog, tumawag sa 408-586-3051
Para español, llame 408-586-3232

Councilmember Bob Nuñez will participate by telephone conference
From La Quinta Inn Buena Park
3 Centerpointe Drive, La Palma, CA 90623
714-670-1400

AGENDA

TUESDAY, FEBRUARY 19, 2019
CITY COUNCIL CHAMBERS, 455 E. CALAVERAS BLVD., MILPITAS, CA
6:00 PM (CLOSED SESSION)
7:00 PM (PUBLIC BUSINESS)

CALL MEETING TO ORDER by Mayor and ROLL CALL by City Clerk

ADJOURN TO CLOSED SESSION

(a) CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Pursuant to California Government Code Section 54956.8
Potential Property: APN 086-036-030
Agency negotiator: Julie Edmonds-Mares
Under negotiation: Price and terms of payment

(b) CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
County Sanitation District 2-3, West Valley Sanitation District, Burbank Sanitary District, Cupertino Sanitary District, and City of Milpitas v. City of San Jose, City of Santa Clara
Santa Clara County Superior Court Case No. 18CV325480

(c) PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Pursuant to Government Code Section 54957
Employee Position: City Manager

CLOSED SESSION ANNOUNCEMENT: Report on action taken in Closed Session, if required per Government Code Section 54957.1, including the vote or abstention of each member present

PLEDGE OF ALLEGIANCE

INVOCATION (Councilmember Phan)

PRESENTATION Present Martin Luther King Jr. Unity Poetry contest winners

PUBLIC FORUM
Those in the audience are invited to address City Council on any subject not on tonight's agenda. Speakers must come to the podium, state their name and city of residence for the Clerk's record, and limit spoken remarks to three minutes. As an item not listed on the agenda, no response is required from City staff or the Council and no action can be taken. Council may instruct the City Manager to place the item on a future meeting agenda.

ANNOUNCEMENTS

ANNOUNCEMENT OF CONFLICT OF INTEREST AND CAMPAIGN CONTRIBUTIONS

APPROVAL OF AGENDA

CONSENT CALENDAR
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. If removed, this item will be discussed in the order in which it appears on the agenda.

C1. Receive and Accept City Council calendars for February and March 2019 (Staff Contact: Mary Lavelle, 408-586-3001)

C2. Approve City Council meeting minutes for the dates of January 29 and February 5, 2019 (Staff Contact: Mary Lavelle, 408-586-3001)

Recommendation: To approve the meeting minutes for City Council special meeting held on January 29, 2019 and for the regular meeting date of February 5, 2019.

C3. Adopt a Resolution Amending the Water Supply Agreement with the City and County of San Francisco and the Wholesale Customers in Alameda County, San Mateo County, and Santa Clara County (Staff Contact: Tony Ndah, 408-586-2602)

Recommendation: Adopt a Resolution approving the Amended and Restated Water Supply Agreement between the City and County of San Francisco Wholesale Customers in Alameda County, San Mateo County, and Santa Clara County and authorize the City Manager to execute the agreement.

C4. Authorize the City Manager to Execute Agreement with Alta Planning and Designs for a Trails Master Plan Update and Bikeway and Pedestrian Master Plan Update (Staff Contact: Steve Erickson, 408-586-3301)

Recommendation**:** Approve a budget appropriation of $110,000 from the Surplus Fund FY 2017-18; and authorize the City Manager to execute a consultant services agreement with Alta Planning + Design in the amount of $193,183 for professional services for the Trails and Bikeway Master Plan Update, Capital Improvement Project No. 3448.

C5. Waive the Second Reading and Adopt Ordinance No. 120.48 to Amend Section 6, Chapter 1 of Title VIII of the Milpitas Municipal Code Relating to Water and Recycled Water Service Charges (Staff Contact: Tony Ndah, 408-586-2602)

Recommendation**:** Waive the second reading and adopt Ordinance No. 120.48 amending Section 6, Chapter 1 of Title VIII of the Milpitas Municipal Code relating to water and recycled water service charges.

C6. Waive the Second Reading and Adopt Ordinance No. 208.53 to Amend Section 6, Chapter 2 of Title VIII of the Milpitas Municipal Code Relating to Sewer Service Charges (Staff Contact: Tony Ndah, 408-586-2602)

Recommendation**:** Waive the second reading and adopt Ordinance No. 208.53 amending Section 6, Chapter 2 of Title VIII of the Milpitas Municipal Code relating to sewer service charges.

C7. Approve Out of State Travel for Staff from the Police Department, Information Services and Fire Department to attend a conference and perform an ambulance inspection (Staff Contact: Julie Edmonds-Mares, 408-586-3050)

Recommendation**:** Approve out of state travel for staff from the Police Department and Information Services to attend "CentralSquare 2019" in San Antonio, TX on March 17-20, 2019, and from the Fire Department to conduct final inspection on the new ambulance in Winter Park, FL during March 2019.

C8. Authorize Acceptance of Metropolitan Transportation Commission Pavement Management Technical Assistance Program (P-TAP 20) Grant Funding of $38,500 and Authorize Payment of $7,700 for Local Match (Staff Contact: Steve Erickson, 408-586-3301)

Recommendation**:** Authorize acceptance of Metropolitan Transportation Commission (MTC) Pavement Management Technical Assistance Program (P-TAP 20) grant funding of $38,500 and authorize payment of $7,700 to MTC for P-TAP 20 Local Match.

C9. Approve Creation of a new FY 2018-19 Capital Improvement Program Project No. 4292 for the McCarthy Blvd./Sandisk Dr. Traffic Signal (Staff Contact: Steve Erickson, 408-586-3301)

Recommendation: Approve the creation of one new FY 2018-19 Capital Improvement Program Project No. 4292, approve project plans and specifications, authorize advertisement for bid proposals for McCarthy Boulevard/SanDisk Drive Traffic Signal, and approve a budget appropriation of $750,000 from the McCarthy Business Park Traffic Impact Fee fund the new McCarthy Blvd./Sandisk Dr. Traffic Signal, Project No. 4292.

C10. Receive Preview List for Next Regular Council meeting: March 5, 2019 (Staff Contact: Mary Lavelle, 408-586-3001)

PUBLIC HEARING

11. Review Application, Receive Staff Presentation, Conduct Public Hearing, and Consider Approval of New Bingo License for Milpitas Charity Bingo, Inc. (Staff Contact: Mary Lavelle, 408-586-3001)

Recommendation**:** Review application, receive a staff presentation, conduct a public hearing, and move approval of new Bingo License for Milpitas Charity Bingo, Inc. at 461 S. Milpitas Blvd.

COMMUNITY DEVELOPMENT

12. Receive Report and Provide Direction on Residential Short-Term Rental Regulation Options (Staff Contact: Daniel Degu, 408-586-3054)

Recommendation**:** Discuss and provide direction regarding potential regulation for residential short-term rentals.

COMMUNITY SERVICES AND SUSTAINABLE INFRASTRUCTURE

13. Receive a Staff Presentation and Approve a New FY 2018-19 Capital Improvement Program Project No. 3451, The Pines Pilot Parking Permit Program (Staff Contact: Steve Erickson, 408-586-3301)

Recommendation**:** Receive a staff presentation and approve a new FY 2018-19 Capital Improvement Program Project No. 3451, The Pines Pilot Parking Permit Program, and approve a budget appropriation of $230,000 from FY 2017-18 General Fund Surplus to Project No. 3451.

LEADERSHIP AND SUPPORT SERVICES

14. Receive a Report on Updated Five-Year Projection and General Fund Reserves for Fiscal Year Ended June 30, 2019, Approve Phase II Mid-Year Budget Appropriations and Changes to the FY 18-19 Budget; appropriate FY 18-19 Midyear Phase II Budget adjustments; Adopt a Resolution Amending the City's Classification Plan, Establishing New Classifications, Position Authorizations and Reclassifications for the Human Resources, Police, Fire and Recreation Departments, as Recommended by the Human Resources Director (Staff Contacts: Jim Steele, 408-586-3111 and Jane Corpus, 408-586-3125)

Recommendations:

1. Receive a Report on Updated Five-Year Projection and General Fund Reserves for Fiscal Year Ended June 30, 2019.
2. Approve budget changes to update FY 2018-19 Revenues and Expenditures as presented in this Report; appropriate FY 2018-19 Midyear Phase II Budget adjustments.
3. Adopt a Resolution amending the City's Classification Plan, establishing new classifications, position authorizations and reclassifications for the Human Resources, Police, Fire and Recreation Departments, as recommended by the Human Resources Director.
4. Receive report on use of the contingency reserve.

REPORTS OF MAYOR

15. Consider Mayor's Recommendations for Appointments to City of Milpitas Planning Commission and Re-appoint Two Members of the Milpitas Veterans Commission (Contact: Mayor Tran, 408-586-3029)

Recommendation: Receive Mayor Tran's recommendations, and consider confirming two new appointments by the Mayor to terms on the City of Milpitas Planning Commission, and re-appoint two current members of the Milpitas Veterans Commission to new terms of three years.

16. Consider Mayor's List of City Council Subcommittees and Subcommittee Appointments of City (Staff Contact: Mayor Rich Tran, 408-586-3029)

Recommendation: Consider Mayor Tran's list to have three City Council Subcommittees, to sunset all other subcommittees, and move to approve the Mayor's recommendation for appointments of the Mayor and one Councilmember to those subcommittees.

ADJOURNMENT

NEXT REGULAR CITY COUNCIL MEETING
MARCH 5, 2019

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 agencies of the City exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and the 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 the City website. All City Council agendas and related materials can be viewed online here: 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 mlavelle@ci.milpitas.ca.gov prior to the meeting. You may request a larger font agenda or arrange for mobility assistance. For hearing assistance, headsets are available in the City Council Chambers for all meetings.