MEETING MINUTES
CITY OF MILPITAS

Minutes of:	**Joint Meeting of Milpitas City Council and Public Financing Authority**
Date:	**Tuesday, January 17, 2017**
Time:	**5:00 PM Closed Session / 7:00 PM Open**
Location:	**Council Chambers, Milpitas City Hall, 455 East Calaveras Blvd., Milpitas**

CALL TO ORDER

Mayor Tran called the meeting to order at 5:00 PM. City Clerk Mary Lavelle called the roll.

PRESENT: Mayor Tran, Vice Mayor Grilli, Councilmembers Barbadillo, Nuñez and Phan

ABSENT: None

CLOSED SESSION

City Council convened in Closed Session to discuss two matters listed on the agenda.

City Council then convened in Open Session at 7:15 PM.

ANNOUNCEMENT

No announcement out of closed session.

PLEDGE

Boy Scouts Troop No. 92 led the pledge of allegiance.

INVOCATION

Mayor Tran offered a prayer to start the meeting.

SCHEDULE OF MEETINGS

Council reviewed the Council Calendars/Schedules of Meetings for January and February 2017.

City Manager Tom Williams noted the Milpitas Oversight Board meeting on Monday, January 23, 2017 at 1:30 PM in the Committee Room at City Hall.

PRESENTATIONS

Mayor Tran presented the following:

He proclaimed Martin Luther King Jr. Holiday on January 16, 2017 and the proclamation was accepted by Rev. Jeff Moore of the South Bay NAACP.

Rev. Moore stated that he and the NAACP sought a form of community oversight of the Milpitas Police Department, and Mayor Tran responded that he would support an effort to consider that in some fashion.

He proclaimed January 14–29, 2017 as *Hindu Swayamsevak Sangh Yogathon*. Two gentlemen from the group provided a demonstration of their yoga practice, a sun salutation.

PUBLIC FORUM

Steve Schott from SCS developers, a firm doing business in Milpitas constructing at Piper and Montague, The Edge complex in the TASP area and worth well over $100 million. A pedestrian bridge to the station was a very important improvement. He had heard about grant funding secured for the bridge construction, however, work was five months behind schedule. Easy access to the new BART station would be crucial, so there was a need to move this project forward.

Thelma Batilo, Milpitas resident and member of Milpitas Lions Club, previewed the club's plan to host its 3rd annual "Celebrating Differences" event on April 23, 2017 at the Milpitas Community Center from 2–5 PM for those with developmental disabilities. At the next City Council meeting, the Lions would seek City co-sponsorship of the event.

Emily Goodwin, from the Ygrene energy firm, sought to provide financing to homeowners and commercial businesses to help them upgrade their facilities. The effort was approved by ABAG,

allowing consumer choice via the "PACE" energy finance option, and she was seeking to do business in Milpitas.

Mayor Tran requested to put that topic on a future agenda, and City Manager Tom Williams replied he could bring information at a future meeting.

Voltaire Montemayor, Milpitas resident, spoke about dreams, rain, no floods, love each other.

Councilmember Nuñez asked for information about the pedestrian bridge that was mentioned by the first speaker. Mr. Williams said he could respond by memo on that VTA project.

ANNOUNCEMENTS

Vice Mayor Grilli said, regarding reports of meetings attended by Councilmembers, she would like something at the end of the meeting agendas about what to report. She encouraged all elected officials to attend a hazards disaster response meeting on February 22. She went to the Cities Association of SCC last week and brought a copy of the priorities for that group. She commented about water and the drought, and would like to have a resolution or letter to the City's water wholesalers - once the drought order was lifted - to stop increases of water rates, to get ahead of this issue. Also, she attempted to visit Bob McGuire Park last weekend and found the parking situation out of control. Residents were using streets and the park area for residential parking, when no one was in the park. This matter needed immediate attention.

City Manager Tom Williams responded on the parking issue with staff solutions and replied that staff was aware of the issue and would return to the City Council with a recommendation.

Councilmember Phan reported there were social justice issues to go forward on and he'd attended a conference last week in southern California, with a group of Asian American leaders in local government. This group was building a pipeline in local government to reflect diversity. On the role of local law enforcement reporting to federal authorities, he wanted to have on the agenda next time a resolution to clarify city's stance on reporting to homeland security individuals who are undocumented. He congratulated a Milpitas resident for winning Miss Vietnam California pageant last weekend and asked to have a commendation to her at the next Council meeting.

Councilmember Nuñez had heard about the parking issues at Bob McGuire Park and he looked at Dixon Landing Park too. On Milmont, cars parked all along Dixon Landing Park and he saw trucks out there along that street at night. He'd heard about fees charged at the apartment complex so residents park on the street. He knew of Public Works staff looking at Dixon Landing Park and even at 2:00 AM a City truck was out there.

ANNOUNCEMENT OF CONFLICT OF INTEREST AND CAMPAIGN CONTRIBUTIONS

City Attorney Diaz asked Councilmembers if they had any personal conflicts of interest or reportable campaign contributions. None were reported.

APPROVAL OF AGENDA

Motion: to approve the meeting agenda for January 17, 2017, as amended

Vice Mayor Grilli requested to move the work plans of the Youth Advisory Commission (agenda item no. 8) and Economic Development Commission (agenda item no. 9) to go onto the consent calendar (or, alternately to be heard earlier).

Motion/Second: Vice Mayor Grilli/Councilmember Phan

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

CONSENT CALENDAR

Motion: to approve the consent calendar for January 17, 2017, as amended

Motion/Second: Vice Mayor Grilli/Councilmember Barbadillo

Councilmember Nuñez requested to remove item no. 14 (MOU with IAFF) from consent.

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

MEETING MINUTES Motion: to approve the City Council meeting minutes for January 3, 2017

Motion/Second: Vice Mayor Grilli/Councilmember Phan

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

* 3. Sister Cities Commission	Per Mayor Tran's recommendation, approved appointment of Rhoda Shapiro to serve on the Sister Cities Commission as Alternate No. 2 to term that expires in September 2017.
* 4. MUSD Olympic Games	Approved Recreation Services staff to work on the research of a possible collaboration with the Milpitas Unified School District's student Olympic Games.
* 8. YAC Workplan	Approved 2017 work plan of the Youth Advisory Commission.
* 9. EDC Workplan	Approved 2017 work plan of the Economic Development Commission
*11. Approve Travel	Approved out of state travel for Police and Information Services employees to go to Las Vegas, NV for the purpose of attending TriTech Software Systems annual conference.
*12. Approve Fee Waiver Reimbursement	Approved the request from Sunnyhills Neighborhood Association and directed staff to issue a reimbursement as a fee waiver for Planning and Recreation fees totaling $310.00 for its Halloween Neighborhood Watch event held on Saturday, October 29, 2016.
*15. Joint Resolution	Adopted Resolution No. 8633 of the City Council and No. PFA 19 of the Public Financing Authority authorizing investment of monies in the Local Agency Investment Fund and updating officers' information.
*16. Resolution	Adopted Resolution No. 8634 authorizing the purchase of an emergency back-up generator for the Milpitas Sports Center from Peterson Power Systems, Inc. for the not-to-exceed amount of $115,011 through a cooperative procurement contract, per Milpitas Municipal Code Section I-2-3.08 Cooperative Purchasing.
*19. Agreement	Authorized the City Manager to execute a Storm Water Management Operation and Maintenance Agreement for DR Horton Bay, Inc.

UNFINISHED BUSINESS

1. Minimum Wage

Economic Development Director Edesa Bitbadal provided background and history on the topic of minimum wage, including the status of the study done by the Cities Association of Santa Clara County. That group was seeking county-wide support for $15.00 per hour wage by the year 2019. She explained the current new state law on increasing minimum wage statewide, which would bring the wage to $15.00 per hour by 2023.

Ms. Bitbadal summarized comments received at the last Economic Development Commission meeting, and those Commissioners were primarily not in support of other proposals beyond current state law. She also reported that, locally, two cities had adopted $15 by 2018, two cities had adopted $15 by 2019, and six cities had not adopted the $15 by 2019 Cities Association proposal.

Next, Mayor Tran invited speakers from the audience.

Jessica Lynum, representing Milpitas members of the California Restaurant Association, highlighted the tax producers in the large restaurant segment of the business community in Milpitas. There were more hurdles here, and her association members asked the City Council to vote no on the minimum wage proposal to increase it by 2019. She listed

negative effects to these restaurants if the wage increased too soon. She replied to many questions from Councilmembers.

Tim Howard, Milpitas resident and business owner, said if adopting a higher minimum wage than the state, it would put Milpitas businesses at a competitive disadvantage. Don't go beyond what the state now had in place for all, he urged.

Kay Tan agreed with Ms. Lynum's comments from the CRA. She did not favor a higher minimum wage and it would hurt small business restaurant owners, such as herself. She spoke of wages per hour and tips that wait staff received in California. She responded to questions from Mayor Tran and Councilmember Barbadillo on wages paid above the minimum wage now, and percent of costs at the restaurant that were wages (45%) and how many employees at her restaurant (approximately 50).

Charlene Lai, former restaurant business owner in Milpitas and a property manager for a commercial property, was opposed strongly to the higher minimum wage increase proposal. She gave several reasons from the point of view of a business owner.

Mr. Soo, owner of Milpitas Square and property manager of the center with 60 tenants, where about 25 of those were restaurants, commented on the 40% in minimum wage increase over the past ten years. Compare it to people who shopped within a 10 mile radius of home, and to a nearby community's businesses. He presented (to City Clerk) signed letters of opposition to an increase from about 20 of his center's tenants.

Liz Ainsworth, resident and President of the Milpitas Chamber of Commerce, reported that 55% of the membership was small business. In a letter sent to Council from the Board, it recommended to follow the state-mandated hourly increase each of the coming years (not higher). She referred to businesses that were struggling, with other cost increases recently - not only hourly wages. She detailed impacts that businesses would respond with if that wage increased more than the state's plan. Ms. Ainsworth responded to inquiry from Mr. Nuñez, about effect on various retail businesses, not only restaurants.

Voltaire Montemayor, Milpitas resident, said how hard it was on families. Best workers in the world were here and best small business would survive. Teamwork would not give up or lose businesses.

Councilmember Barbadillo remarked that Ms. Bitbadal's report was based totally on survey results. He wanted to hear about a look at SB 93 (statewide minimum wage increases) and if it had safeguards, so was there more data for other factors such as sales tax or other costs. He asked if she would stand by the staff recommendation when it was based only on the survey reported results earlier.

Robert Marini, Milpitas resident, asked if $15 was the hourly minimum wage only or if it included any benefits added. Mayor Tran replied it was the wage only.

Carmen Montano, Milpitas resident, was glad that this proposal was under consideration which started with her proposal to increase hourly wages for janitors at City Hall. Wages in the Bay Area had not kept up with the cost of living. Families were struggling and this issue was related to the need for affordable housing. Restaurants were doing really well in Milpitas and not hurting. Decent living wage was needed for all local workers in this city.

Mr. Pervaliotis, from Mil's Diner restaurant for over 40 years, spoke about the tips that his servers received (those were very good). Back of the kitchen workers already earned $15.00 per hour and he wanted a combined one hourly minimum wage, for all workers. He spoke of the total per worker (more) he was going to have to pay if the wage went up too quickly to $15 per hour. Tipped employees should not receive any increase, he felt.

Mayor Tran responded to the speaker that it was not legal to pay different hourly minimum wages to different kinds of workers at restaurants (servers v. kitchen workers).

The Mayor was concerned for the workers, not so much the owners. He wished to see more data on the employees of the Milpitas businesses.

Councilmember Nuñez thanked staff for information and noted this was what she brought back after the last Council presentation last year and to the Economic Development Commission. Requests for new information (i.e. on employees) were heard at this meeting and he felt that 98% of all employees would say they wanted a wage increase.

Vice Mayor Grilli thanked Ms. Montano for coming to this meeting, as the two had worked on this topic last year. She'd heard from families trying hard to make ends meet on minimum wage. As she had asked for this to come forward, she would like to bring forward an ordinance for $15 by 2019, with some exemptions for smaller businesses. For example, perhaps give businesses with fewer than 55 employees one more year to come to $15.00 per hour. Maybe form a Council subcommittee to determine the exemptions. This would be her motion.

Councilmember Nuñez supported Ms. Grilli's comments and would second that, with one change. Palo Alto was lobbying at the state level to have total compensation considered. Maybe Milpitas could join in on that effort, to partner on that, if possible.

Councilmember Barbadillo would be in support of a wage increase, but needed to put some triggers in there, with certain dates on that year, if some indicators on the City's data made sure an increase that year could be supported. Perhaps Council could empower the City Manager to suspend the increase one year, if needed, and give small business owners a way to adjust to this.

Vice Mayor Grilli questioned why partnering with Palo Alto was needed and urged to simply wait to see what happens with that.

Mayor Tran would like an exception for small businesses, with fewer employees. It could be based on revenues, less than $250,000, if possible. He did support an acceleration of the minimum wage in Milpitas.

Councilmember Phan thanked all the speakers and noted that he came from a family that ran a restaurant business. He was supportive of an increase in the minimum wage from $15 to 2019, and agreed with the Mayor's remark in support of small businesses. There were ways to reduce operational costs. The City must define exactly what a small business was and the City Attorney could provide that guidance.

Councilmember Nuñez agreed with the motion if it included a subcommittee to work out all the small issues. Vice Mayor Grilli agreed and a subcommittee could be appointed at this meeting.

(1) Motion: to receive the staff report on the issue of minimum wage, and to direct staff to work with a Council subcommittee to review a draft local ordinance to support the $15 per hour minimum wage by the year 2019 (as proposed the Cities Association of Santa Clara County) and for exemptions to the proposed ordinance to come from a City Council subcommittee

Motion/second: Vice Mayor Grilli/Councilmember Nuñez

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

(2) Motion: to form a City Council Subcommittee on minimum wage issue with members Vice Mayor Grilli and Councilmember Phan

Motion/Second: Vice Mayor Grilli/Councilmember Nuñez

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

At 9:51 PM, Mayor Tran announced the City Council would take a short break and then returned to the dais at 10:02 PM.

REPORTS

2. Committee Appointments

Mayor Tran read aloud his list of recommendations of Councilmembers to outside committees and agencies.

Councilmember Phan then requested these changes:

- Change the Santa Clara Valley Transportation Authority Board alternate appointment from himself to Councilmember Nuñez
- Change the appointment for Councilmember liaison to Milpitas Recycling and Source Reduction Advisory Commission from himself to Councilmember Nuñez
- Change the ABAG General Assembly appointment and Cities Association Legislative Action/Cities Selection Committee from Councilmember Barbadillo to Councilmember Phan
- Change the appointment for Councilmember liaison to the Economic Development Commission (approved on January 3) from Councilmember Nuñez to Councilmember Phan

Motion: to receive recommendations from Mayor Tran (listed below) and approve the appointments to outside Committees and agencies, and also include changes as requested by Councilmember Phan (listed above)

Association of Bay Area Governments – General Assembly

- Appointee: Councilmember Phan
- Alternate: Councilmember Barbadillo

League of California Cities – Peninsula Division

- Mayor Tran

Cities Association of Santa Clara County, Board

- Appointee: Vice Mayor Grilli
- Alternate: Mayor Tran

Cities Association, Legislative Action and Cities Selection Committees

- Appointee: Councilmember Phan
- Alternate: Mayor Tran

Santa Clara County Library, Joint Powers Authority Board

- Appointee: Councilmember Barbadillo
- Alternate: Councilmember Phan

Santa Clara Valley Transportation Authority, Board (alternate when needed)

- Appointee: Councilmember Nuñez

Santa Clara Valley Transportation Authority, Policy Advisory Committee

- Appointee: Councilmember Nuñez

Santa Clara Valley Transportation Authority, SV Rapid Transit, Program Working Committee

- Appointee: Councilmember Nuñez

Santa Clara Valley Transportation Authority, SVRT (BART) Policy Advisory Committee

- Appointee: Councilmember Nuñez

Santa Clara Valley Transportation Authority, Administration & Finance Committee

- Appointee: Councilmember Anthony Phan

San Jose Treatment Plant Advisory Committee

- Appointee: Vice Mayor Grilli
- Alternate: Councilmember Phan

Santa Clara Valley Water Commission

- Appointee: Councilmember Barbadillo
- Staff Alternate: Public Works Director Nina Hawk

Silicon Valley Regional Interoperability Authority (SVRIA)

- Appointee: Vice Mayor Grilli - appointed October 2016; term expires 6/30/2019

Bay Area Water Conservation and Supply Agency (BAWSCA) + associated San Francisco Bay Area Regional Water System Financing Authority

- Appointee: Mayor Tran

Milpitas Chamber of Commerce Board of Directors

- Appointee: Councilmember Phan

Terrace Gardens Board of Directors

- Appointee: Councilmember Nuñez

Motion/second: Vice Mayor Grilli/Councilmember Phan

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

5. Topics for Jan. 24

City Manager Williams referred to topics requested in the staff report (five items) for the scheduled special City Council meeting on January 24:

1. Mayor/Council communication and representation of Council/City's position on policies, issues and interest. Protocols regarding social media and representation of individual versus Councils position.
2. City Council Handbook
3. Housing issues
4. Economic Development and Job Creation
5. Social Media policies as elected officials

Councilmember Nuñez referred to his time on the School Board and getting acclimated. He needed to know rules, protocols, and procedures. He'd like to have time at the special meeting to have a priority-setting meeting, establish 3–5 issues to focus on together. He wanted to learn about general law v. charter city status and more about the General Plan.

Vice Mayor Grilli thanked Mr. Nuñez for bringing this forward. She said the Council should probably should have one meeting on protocols and another on goal setting and priorities. She felt the Council could not get it all done in one meeting. She suggested the handbook, social media policies, general law v. charter cities the following week and then hold a separate meeting on goals/priorities.

Vice Mayor Grilli requested to add in the Milpitas Municipal Code. Councilmember Phan said he wanted to add re-branding the City's image.

Motion: to agree on the topics listed for the January 24, 2017 City Council study session meeting at 5:30 PM

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

6. GPAC and CTFWR appointments

Councilmember Nuñez requested to appoint Robert Marini to the Citizens Task Force on Water Rates and Victor San Vicente to the General Plan Advisory Committee

Motion: to appoint Robert Marini (Task Force) and Vicente San Vicente (GPAC)

Motion/second: Councilmember Nuñez/Vice Mayor Grilli

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

Robert Marini, Milpitas resident, thanked Mr. Nuñez for recommending him to go on the task force. He felt there should not be relatives appointed to any city Committees (said former Vice Mayor Carmen Montano appointed her son to the Water Rates Task Force).

City Manager Williams responded to the City Council's questions, and stated the City Attorney could send a memo on the nepotism policy the City had.

Voltaire Montemayor, Milpitas resident, spoke.

7. Police Stance

Police Captain Armando Corpuz reported that the Milpitas Police Department did not report undocumented immigrants to Homeland Security. The local Police Department enforced local and state statutes and therefore did not report immigrant status.

Councilmember Phan wanted to know if that was it an administrative policy.

Captain Corpuz responded that it was a civil violation for federal law, and local police were not mandated to enforce federal law.

City Attorney Diaz further clarified that the police did not report in any way, and it had primarily to do with chain of custody of any individuals brought to the County.

Mayor Tran stated that his concern was about violent criminals.

Councilmember Nuñez reported that he recently went on a ride-along with a police officer. He wondered how long a person was held in the small cell at Milpitas Police. Captain Corpuz replied it varied, from a few minutes to a couple hours.

Mayor Tran thanked staff for the report. No vote was taken.

NEW BUSINESS

10. CDBG Funding Priorities

Housing Manager Tim Wong asked the Council to review the established priorities for Community Development Block Grant spending in the coming fiscal years. He reviewed what those grant funds were for, and on average about $400,000 annually was awarded to the City of Milpitas for assistance to low-income residents. Mr. Wong gave some history on the program to date.

Councilmembers asked questions about some of the non-profit organizations that were funded in the current fiscal year, as displayed on list overhead.

Six items were listed for Public Services and three listed for Capital Services as the priorities for these funds.

Vice Mayor Grilli asked staff to explain the role of Community Advisory Commission, and he said that group of residents was the reviewing body for all the grant applications received by the City, and to make recommendations to the Council.

Councilmember Nuñez wanted more information to understand these categories. He said he would seek more information from staff later on.

Motion: to approve the existing Public Service and Capital Services priorities for CDBG funding

Motion/second: Mayor Tran/Councilmember Barbadillo

Motion carried by a vote of: AYES: 4
NOES: 1 (Nuñez)

ORDINANCE

13. Urgency Ordinance

City Attorney Chris Diaz reviewed status of what had occurred since Proposition 64 was adopted by voters last November. State licensing regulations for marijuana use were being discussed across the state. A prohibition existed in Milpitas currently, and staff's request was to continue that until City Council would give further specific direction for regulation within the City (via a permanent ordinance).

He defined some of the regulating limitations that the City Council could consider in an ordinance, and what areas of the law could not be considered by the Council (i.e. could not ban inside use of marijuana nor growing of plants at residences).

Councilmember Phan referred to a memo from himself and Mr. Nuñez, who wanted to have a Council subcommittee on this issue and to report back in three months with a recommendation to the full Council.

Mr. Diaz explained that at this meeting a temporary ordinance was sought that could only be effective for 45 days. Later, staff would bring a complete permanent ordinance.

Vice Mayor Grilli asked for clarification on what her colleagues wanted. The City Attorney said they wanted a subcommittee to study the issues to determine which issues to be put into a permanent ordinance. She wanted to know what kind of outreach the subcommittee would do with the school district, police and other groups.

Councilmember Phan wanted to prioritize this issue, with regard to revenue, in advance of the budget discussion.

Councilmember Nuñez wanted the school district involved. He did not favor Proposition 64 and would like to work with Mr. Phan to bring it back for discussion to this body. He wanted to have an answer on policy sooner than later.

Vice Mayor Grilli did not support any consulting services with industry experts, as recommended in the memo from Councilmembers Phan and Nuñez.

The Mayor called for comments from the audience.

Michael Tsai, Milpitas resident, commended Vice Mayor Grilli, noting that consultants cost money, and not always needed. He felt the city should be restrictive on marijuana smoking, just like cigarettes which were recently banned at outside dining locations. He wished to speak up on behalf of the police and enforcement. He wanted to keep crime out and opposed marijuana coming in to the city.

Councilmember Phan wanted to make sure they were not violating state or federal laws regarding marijuana, and that was why he sought a consulting expert.

Mayor Tran commented it was smart to adopt an interim urgency ordinance.

City Attorney Diaz read aloud the title of Ordinance No. 291, "An Uncodified Urgency Ordinance of the City Council of the City of Milpitas Enacted Pursuant to California Government Code Section 65858 Establishing a Temporary Moratorium on Marijuana Uses Pending the Enactment of an Update to the City's Municipal Code."

(1) Motion: to adopt interim urgency Ordinance No. 291 establishing a temporary moratorium on marijuana uses pending the enactment of an update to the Milpitas Municipal Code (effective only 45 days)

Motion/second: Mayor Tran/Councilmember Nuñez

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

(2) Motion: to create an ad hoc subcommittee on marijuana topics and to conduct community outreach, and report back to the City Council

Motion/second: Councilmember Phan/Councilmember Nuñez

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

RESOLUTIONS

14. Resolution

Human Resources Director Tina Murphy reviewed and explained the process of arriving at terms of the Memorandum of Understanding with one labor group, the International Association of Fire Fighters Local 1699. The MOU was an 18-month contract, and included two 2% salary increases in January and July 2017. Members could enroll in the City's Delta Dental Plan. It would implement a trial period for a new 2 days on – 4 days off work schedule. Also this agreement would clarify some language in the MOU.

Councilmember Nuñez asked questions about total cost of the contract, to which Ms. Murphy responded.

Motion: to adopt Resolution No. 8634 approving the Memorandum of Understanding between the City of Milpitas and the International Association of Firefighters Local 1699 covering the period of January 1, 2017 through June 30, 2018

Motion/Second: Councilmember Nuñez/Vice Mayor Grilli

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

17. Police Chief

Human Resources Director Tina Murphy explained CalPERS regulations relative to any hiring of retired employees. Those laws were applicable to the staff request to hire Mr. Pangelinan, who retired on December 30, 2016, to return as Police Chief on an interim contract basis, until the City hired a new full time Chief. Otherwise, a 180 day wait period would apply.

Councilmember Nuñez asked if the public would be involved or included in the process for selection of the new police chief. The Human Resources Director replied that they could be, but that was not yet in the confirmed schedule for the hiring process.

Motion: to adopt Resolution No. 8635 appointing Steve Pangelinan to serve as Interim Chief of Police and approve the employment agreement with Mr. Pangelinan pursuant to California Government Code Sections 7522.56 and 21221(h)

Motion/second: Councilmember Barbadillo/Vice Mayor Grilli

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

18. BAWSCA Appointment

City Manager Williams reviewed the appointment made earlier in the meeting, when Mayor Tran was appointed as the City's representative to the Bay Area Water Supply Conservation Agency and the San Francisco Bay Area Regional Water System Finance Authority. A resolution was requested to be adopted to officially confirm that appointment and to send along to the BAWSCA staff.

Motion: to adopt Resolution No. 8636 appointing Mayor Tran to serve as Milpitas' representative on BAWSCA and its finance authority

Motion/second: Vice Mayor Grilli/Councilmember Phan

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

ADJOURNMENT

Mayor Tran adjourned the joint City Council and Public Finance Authority meeting at 11:48 PM.

The foregoing minutes were approved by Milpitas City Council on February 7, 2017.

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Mary Lavelle
Milpitas City Clerk