CITY OF MILPITAS
MEETING MINUTES

Minutes of: **Special Meeting of the Milpitas City Council**
Date: **Tuesday, November 10, 2020**
Time: **6:30 PM Closed Session**
7:00 PM Open Session
Location: **Meeting held via teleconference/zoom webinar online**
Milpitas, CA

CALL TO ORDER

Mayor Tran called the joint meeting to order at 6:30 PM. City Clerk Mary Lavelle called the roll. The meeting took place via teleconference/zoom webinar.

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

ABSENT: None

CLOSED SESSION

City Council convened into Closed Session (online webinar) to discuss one potential litigation matter listed on the agenda.

At 7:02 PM, the Mayor and City Council reconvened for the Open Session.

ANNOUNCEMENT – from Closed Session

City Attorney Chris Diaz stated that City Council gave direction to staff but there was no reportable action taken in Closed Session.

PLEDGE

Mayor Tran led all in the pledge of allegiance to the flag.

PRESENTATION

Mayor Tran proclaimed *Native American Heritage Month* for November 2020.

PUBLIC FORUM

The following residents provided oral comments (in the zoom webinar) limited to one minute, per Mayor Tran.

Karen Friedman	Jen Lee
Voltaire Montemayor	Bill Korbe
Urvishkumar Mehta	Tom Lin
Jade Dang – Milpitas Families First	Tina
Anupam Khanuja	Jackie Romero
Jessica Yu	Geeta Khanuja
Janice Breaux	Andre Krammer
Hsia	Yang Liao
Michael Mendizabal	Anh Bui
Jayant Shekhar	Joe Lubis

ANNOUNCEMENTS

City Manager Steve McHarris noted the recent uptick in Covid19 cases in Santa Clara County, encouraging all to follow guidelines including wearing masks.

Recreation Director Renee Lorentzen announced a Veterans Day virtual event on November 11, including a YouTube program to honor veterans who had served.

Mayor Tran informed the public that the City of Milpitas was not a member of Silicon Valley Organization (SVO).

Councilmember Dominguez requested a new item for the next Council meeting: to revisit the City Council Housing Subcommittee and dismantle it, and to instead bring back that topic to the City Council. She wanted all of the Council to work together to help the unhoused community. Four members agreed, while Councilmember Montano was opposed.

Councilmember Phan requested an agenda item to revisit contract provisions of executive staff, as an extension of prior discussions. He wanted to make it clear this was not a discussion of performance or salary and was to be supportive of staff, to ensure executive staff had stability needed to continue doing good work alongside the City Council. This related only to the City Manager and City Attorney. City Attorney Diaz noted this would be a Closed Session item. Mayor Tran and Councilmember Montano were opposed.

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, the following was reported by elected officials.

Councilmember Phan and Vice Mayor Nuñez reported each had received a contribution from the Santa Clara County and San Benito County Building Trades Council (related to item no. 9, project labor agreement).

Councilmember Dominguez stated she served on a countywide Unhoused Task Force.

CODE OF CONDUCT

City Attorney read aloud the City Council Code of Conduct.

APPROVAL OF AGENDA

Motion: to approve the November 10, 2020 meeting agenda, as amended

Councilmember Phan requested to move item no. 9 to be heard before item no. 8.

Motion/Second: Mayor Tran/Councilmember Dominguez

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

CONSENT CALENDAR

Motion: to approve the consent calendar, including items no. C1 – C6

Motion/Second: Vice Mayor Nuñez/Councilmember Montano

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

C1. Council Calendar

Received the City Council calendar of upcoming meetings for November 2020.

C2. Meeting Minutes

Approved meeting minutes of the October 15, 22, 26 and 28 Special City Council and October 20, 2020 Joint City Council/Milpitas Municipal Financing Authority meetings.

C3. Resolution

Adopted Resolution No. 9014 authorizing the City to continue participation in the Cities Association of Santa Clara County Planning Collaborative (related to housing) and to provide $10,000 to continue consultant services to support the Collaborative. Approved a budget amendment to appropriate $10,000 from the Affordable Housing fund.

C4. Resolution

Adopted Resolution No. 9015 granting acceptance of Soil Vapor Intrusion Mitigation Measures for Sal Cracolice Building, Project No. 3406, authorizing the City Engineer to file a Notice of Completion, and authorized him to issue a Notice of Final Acceptance after the one-year warranty.

C5. Resolution — Adopted Resolution No. 9016 approving the Calif. Department of Forestry and Fire Protection Contractor Certification Clauses for Services Agreement and authorizing the City Manager to execute the agreement, for the Milpitas Fire Department.

C6. Accept Grant — Accepted the Racing Hearts Foundation Grant in the amount of $29,777.44 for the purchase of Automated External Defibrillators (AEDs) and approved a budget appropriation into the Milpitas Police Department's FY 2020-21 operating budget.

COMMUNITY DEVELOPMENT

7. Plan for Homeless — Director of Building Safety and Housing Sharon Goei made a presentation concerning homeless or unhoused individuals, with a description of existing services, assessment of residents, outreach and assessment strategy. Staff recommended a contract with Santa Clara County – Office of Supportive Housing for a multidisciplinary team, funded by Housing Authority funds of $200,000.

Santa Clara County staff Kathryn Kaminski was in the zoom meeting, and answered various questions from the Mayor and Councilmembers, and explained the County's "HEAT" teams.

Mayor Tran invited public comments.

The following residents addressed City Council:

Tom Valore
Urvishkumar Mehta
Jayant Shakar
Andre Kramer
Loreto Dimaandal
Voltaire Montemayor
Lisa
Jackie Romero
Rekha Pardeshi
Bill Korbe
Jen Lee
Tom Lin
Penny L
Jessica Yu
Ina
Yang Liao
Jammie Schletzbaum
Allysson McDonald
Veronica Salce
Mike Smith
Ling Kong
Christina Yeh
Yolanda Garcia

At 10:40 PM, Mayor Tran made a motion not to spend $200,000 on assessments as recommended by staff, and to spend those funds on hotel vouchers for homeless people in Milpitas, after going through an assessment by the County, i.e. to direct staff to return with information on how to do this. No second was made to his motion.

Motion: to approve and authorize the City Manager to execute an agreement with the County of Santa Clara for homeless outreach, assessment, and street-based case management services, in a form approved by the City Attorney

Motion/Second: Councilmember Dominguez/Vice Mayor Nuñez

Motion carried by a vote of:
AYES: 4
NOES: 0
ABSTAIN: 1 (Tran)

Milpitas Housing Manager Adam Marcus made a presentation on basic need services for the homeless in Milpitas, with preliminary concepts on a short term basis, including hygiene services, meals, safe parking and sleeping, before case management. Ms. Goei presented some potential new initiatives on assistance to homeless in Milpitas, based on previous Council direction.

Mayor Tran invited additional public comments on the second staff presentation. Residents Christina, Urvishkumar Mehta, Jackie Romero, Allysson McDonald and Rekha Pardeshi commented.

The Mayor and City Councilmembers responded to the potential initiatives that were identified, supporting several of them for further review.

Mayor Tran asked for this topic to return at the first City Council meeting in December, and then adjourned the meeting. The staff report was heard, while no vote was taken on mentioned initiatives.

LEADERSHIP

Items No. 8 through No. 14 were not heard.

8. Purchasing Ordinance

9. Project Labor Agreement

REPORTS

10. Council Sponsored Events, and US Census

11. Cap on Business Rents

12. Council Ideas to Assist

13. Safety Event

14. List of Council requested Agenda Items

NEXT AGENDA PREVIEW

15. Preview Agenda Items

Received list of anticipated agenda Items for the next regular City Council meeting scheduled for November 17, 2020.

ADJOURNMENT

Mayor Tran adjourned the special meeting at 11:53 PM.

The foregoing minutes were approved by Milpitas City Council on November 17, 2020.

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Mary Lavelle
City Clerk