



SPECIAL MEETING OF THE MILPITAS CITY COUNCIL

AGENDA

TUESDAY, DECEMBER 12, 2023

CITY COUNCIL CHAMBER, 455 E. CALAVERAS BLVD, MILPITAS, CA
5:30 PM

For assistance in the following languages, you may call:

Đối với Việt Nam, gọi 408-586-2400

Para sa Tagalog, tumawag sa 408-586-3051

Para español, llame 408-586-3072

The City Council meeting is held in the City Council Chamber at City Hall, 455 E. Calaveras Blvd., Milpitas and via teleconference/Zoom webinar.

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.milpitas.gov/youtube>

Web Streaming: <https://www.milpitas.gov/webstreaming>

PUBLIC COMMENT INSTRUCTIONS

Oral public comments may only be provided live during the City Council meeting in person. 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. Members of the public may submit written comments by email to CityClerk@milpitas.gov

The meeting will be streamed via Zoom for viewing purposes only. To watch via Zoom, please register at:

https://ci-milpitas-ca-gov.zoom.us/webinar/register/WN_BTXRuJacQOSG5SaK3m8LIA

NOTE: If a member of the public wishes to share any presentation materials for Council consideration, they must be submitted to the Clerk's Office by email to CityClerk@milpitas.gov by 12:00 p.m. on the day of the meeting. No presentations will be accepted in person in the Council Chambers.

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 City Clerk (5:30 PM)

ADJOURN TO CLOSED SESSION

(a) CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957.6

Agency designated representative: Rick Bolanos, LCW

Bargaining unit: LIUNA, UPEC (Pro-Tech, MEA, MidCon), IAFF, MPOA

(b) CONFERENCE WITH LEGAL COUNSEL – Anticipated Litigation

Significant Exposure to Litigation Pursuant to Government Code Section 54956.9(d)(2)

Facts and circumstances related to Claim against the City

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 (Vice Mayor Chua)

PRESENTATIONS

PUBLIC FORUM (6:00 PM)

Members of the public are invited to speak on any item that does not appear on today's agenda. Comments will be limited to three minutes or less at the Mayor's discretion. When called to speak, you are encouraged to state your name for the record. As an item not listed on the agenda, no action can be taken, however the City Council may instruct the City Manager to place the item on a future meeting agenda.

ANNOUNCEMENT OF CONFLICT OF INTEREST AND CAMPAIGN CONTRIBUTIONS

READING OF THE CITY COUNCIL CODE OF CONDUCT

APPROVAL OF AGENDA

CONSENT CALENDAR (6:05 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 Calendar of Meetings for December 2023 and January 2024 (Staff Contact: Suzanne Guzzetta, City Clerk, 408-586-3001)

Recommendation: Receive City Council Calendar of Meetings for December 2023 and January 2024.

C2. Approve City Council City Council Meeting Minutes of December 5, 2023 (Staff Contact: Suzanne Guzzetta, City Clerk, 408-586-3001)

Recommendation: Approve City Council Meeting minutes of December 5, 2023.

C3. Receive the Preview List of Anticipated Items for the Next Regular City Council Meeting (Staff Contact: Suzanne Guzzetta, City Clerk, 408-586-3001)

Recommendation: Receive the list of anticipated agenda items for the next regular City Council meeting.

C4. Receive and Review the List of Agenda Items Requested by City Councilmembers (Staff Contact: Suzanne Guzzetta, City Clerk, 408-586-3001)

Recommendation: Review the list of items that have been requested by City Councilmembers and provide direction to staff as necessary. 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.

C5. Accept Commissioner Resignation (Staff Contact: Suzanne Guzzetta, City Clerk, 408-586-3001)

Recommendation: Accept the resignation of Peter Felix from the Parks, Recreation and Cultural Resources Commission effective January 1, 2024, and direct the City Clerk to post the notice of unscheduled vacancy.

C6. Approve Appointments to the Cities Association of Santa Clara County Joint Powers Authority (Staff Contact: Matt Cano, Deputy City Manager, 408-586-3012)

Recommendation: (1) Approve the appointment of Mayor Montano as board member to the Cities Association of Santa Clara County Joint Powers Authority; and (2) Approve the appointment of Vice Mayor Chua as alternate board member to the Cities Association of Santa Clara County Joint Powers Authority.

C7. Approve and Authorize the City Manager to Negotiate and Execute Amendment No. 2 to the Professional Services Agreement with David J. Powers & Associates, Inc. in an Amount Not-to-Exceed \$400,000.00 for Completing the Environmental Review pursuant to the National Environmental Policy Act (NEPA) and requirements of the California Department of Transportation Office of Local Assistance (Caltrans) for S. Milpitas Blvd Vehicle Bridge at Penitencia Creek, Project No. 2016 (Staff Contact: Matt Cano, Deputy City Manager / Interim City Engineer, 408-586-3012)

Recommendation: Approve and authorize the City Manager to negotiate and execute Amendment No. 2 to the Professional Services Agreement with David J. Powers in an amount not-to-exceed \$400,000.00 for completing the environmental review pursuant to the National Environmental Policy Act (NEPA) and requirements of the California Department of Transportation Office of Local Assistance (Caltrans) for S. Milpitas Blvd Vehicle Bridge at Penitencia Creek, Project No. 2016.

C8. Approve and Authorize the City Manager to Execute the Five-Year Software as a Service (SaaS) Agreement with Tyler Technologies for Financial System Enterprise Resource Planning (ERP) and Human Resources Information System (HRIS) (Staff Contact: Lauren Lai, Finance Director 408-586-3111; and Vicky Lien, Acting Human Resources Director 408-586-3085)

Recommendation: Approve and authorize the City Manager to execute the five-year Software as a Service Agreement with Tyler Technologies for Financial System Enterprise Resource Planning (ERP) and Human Resources Information System (HRIS) for an amount not to exceed \$2,123,588 and delegate authority to the City Manager for additional optional 5 years and change order authority up to 10%.

C9. Report on Bids and Adopt a Resolution Authorizing the City Manager to Award the Construction Contract to PCD in the Amount of \$835,768.08 for the Council Chamber AV System Replacement Project (Staff Contact: Daniel Nam, Information Technology Director, 408-586-2712)

Recommendation: (1) Receive report on bids and adopt a resolution authorizing the City Manager to award a construction contract to the lowest responsible and responsive bidder, PCD, in the amount of \$835,768.08 for the Council Chamber AV System Replacement Project, including \$752,559.08 for the Council Chamber AV replacement and \$83,209.00 for the Committee Conference Room AV

replacement; and (2) Authorize the City Manager to negotiate and execute contract change order(s) in an aggregate amount not to exceed \$79,231.92 for the Council Chamber AV System Replacement Project.

C10. Adopt a Resolution Authorizing the City Manager to Execute the Sole Source Services Agreement with Flock Group Inc. for Automated License Plate Reader (ALPR) Cameras in an Amount Not-to-Exceed \$732,000.00 (Staff Contact: Jared Hernandez, Chief of Police, 408-586-2406)

Recommendation: Adopt a resolution authorizing the City Manager to execute the extension of the Sole Source Services Agreement with Flock Group, Inc. for Automated License Plate Reader (ALPR) Cameras in an amount not-to-exceed \$732,000, which includes a contingency of \$91,500.00; and Authorize the Chief of Police to execute contract change orders in an aggregate amount not to exceed \$91,500.00.

C11. Approve Three Utility Boxes for Repainting During FY 2024 (Staff Contact: Renee Lorentzen, Recreation and Community Services Director, 408-586-3409; and Tegan McLane, Recreation and Community Services Assistant Director, 408-586-3212)

Recommendation: Approve locations for three (3) Utility Box murals for the FY 24 Mural Program.

LEADERSHIP AND SUPPORT SERVICES (6:15 PM)

12. Adopt a Resolution to Amend the City of Milpitas' Classification Plan to Establish the Classifications of City Engineer and Public Works Division Manager, Aligned with the Realignment of the Engineering and Public Works Departments (Staff Contact: Matt Cano, Deputy City Manager, 408-586-3012; and Christian Di Renzo, Public Works Director, 408-586-2602)

Recommendation: Adopt a resolution to amend the City of Milpitas' Classification Plan to establish the classification of City Engineer, reclassify CIP Manager and Transportation & Traffic Manager to Public Works Division Manager – Engineering, reclassify one Public Works Manager to Public Works Division Manager – Operations, and delete the classifications of Engineering Director and Assistant City Engineer.

13. Elect Vice Mayor (Contact: Matt Cano, Deputy City Manager, 408-586-3012)

Recommendation: Move to nominate and appoint by majority vote the Vice Mayor for the City of Milpitas to serve a one year term.

ANNOUNCEMENTS AND FUTURE AGENDA ITEMS (7:15 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. 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 whether to move the item forward. If a majority of the City Council agrees to move the item forward, the City Manager shall place the item on a future agenda.

ADJOURNMENT (7:30 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: mmutalipassi@milpitas.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.milpitas.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.milpitas.gov/129/Agendas-Minutes (select meeting date)

APPLY TO SERVE ON A CITY COMMISSION

Commission application forms are available online at www.milpitas.gov or at Milpitas City Hall.
Contact the City Clerk's Office at 408-586-3001 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 CityClerk@milpitas.gov prior to the meeting. You may request a larger font agenda.