



REGULAR MEETING OF THE MILPITAS CITY COUNCIL AND HOUSING AUTHORITY



AGENDA

TUESDAY, JUNE 18, 2024

CITY COUNCIL CHAMBER, 455 E. CALAVERAS BLVD, MILPITAS, CA

5:30 PM (CLOSED SESSION)

7:00 PM (PUBLIC BUSINESS)

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

** To access written translation during the meeting, scan the QR Code.*

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, unless the City Council approves remote public comment. 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 unless the City Council approves remote public comment. To watch via Zoom, please register at:

https://ci-milpitas-ca-gov.zoom.us/webinar/register/WN_OnIA8_x-QSKWq6Blpkxk_Q

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 (7:00 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) PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Pursuant to California Government Code Section 54957

Position: City Attorney

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 Lien)

PRESENTATIONS (7:05 PM)

- Parks and Recreation Month (Proclamation)

PUBLIC FORUM (7:10 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 (7:15 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 June, July and August 2024 (Staff Contact: Suzanne Guzzetta, City Clerk, 408-586-3001)

Recommendation: Receive City Council Calendar of Meetings for June, July, and August 2024.

C2. Approve City Council City Council Meeting Minutes of May 21, June 4, and June 11, 2024 (Staff Contact: Suzanne Guzzetta, City Clerk, 408-586-3001)

Recommendation: Approve City Council Meeting minutes of May 21, June 4, and June 11, 2024.

- 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. Consider the Recommendation from Mayor Montano for Appointments to City Commissions (Contact: Mayor Montano, 408-586-3024)**

Recommendation: Receive the recommendation from Mayor Montano and approve appointments to City Commissions.

- C6. Adopt a Resolution Delegating Authority to the City Manager or Designee to Approve and Execute Project-Related Documents and Urgent Administrative Items During the City Council Summer Recess (Staff Contact: Matt Cano, Assistant City Manager, 408-586-3012)**

Recommendation: Adopt a resolution delegating authority to the City Manager, or their designee, to approve and execute project-related documents, including contract documents, and urgent administrative items during the City Council and City of Milpitas Housing Authority summer recess from the last City Council meeting held in June through August 13, 2024.

- C7. Approve a Community Investment Fund Grant for Milpitas Unified School District Adult Education for Workforce Development and Educational Services (Staff Contact: Alex Andrade, Director of Economic Development, 408-586-3046; Margaret Tamisiea, Senior Special Projects Associate, 408-586-3047)**

Recommendation: Approve a Community Investment Fund grant that provides workforce development and educational services in the amount of \$29,000 for Milpitas Unified School District Adult Education to support the early childhood education paraprofessional training program.

- C8. Approve an Amendment to the Agreement with Housekeys to Execute a One-Year Extension for Administration of the Below Market Rate Homeownership Program (Staff Contact: Alex Andrade, Economic Development Director, 408-586-3046; and Robert Musallam, Housing and Neighborhood Services Administrator, 408-586-3275)**

Recommendation: Accept and approve a budget appropriation of \$150,000 from the Housing Authority Fund and authorize the City Manager or designee to execute an amendment to the agreement with Housekeys exercising a one-year contract option for administration of the Below Market Rate Homeownership Program.

- C9. Approve an Agreement with WeHOPE for Homeless Outreach, Assessment, and Case Management Services (Staff Contact: Alex Andrade, Economic Development Director 408-586-3046; and Robert Musallam, Housing Division Manager 408-586-3275)**

Recommendation: 1) Approve a one-year professional services agreement with WeHOPE in the amount of \$199,933 for Homeless Outreach, Assessment, and Case Management Services; (2) authorize the appropriation of \$6,597.74 from the Housing Authority Fund; and (3) authorize the City Manager, and/or designee, to execute the contract with WeHOPE.

- C10. Approve an Amendment to the Professional Services Agreement with Ascent Environmental for Consultant Services Related to Preparation of the Gateway-Main St. Specific Plan (Staff Contact: Jay Lee, Planning Director, 408-586-3077)**

Recommendation: (1) Approve an amendment to the Professional Services Agreement with Ascent Environmental for consultant services related to preparation of the Gateway-Main St. Specific Plan, extending the contract timeline for professional services without incurring any additional costs; and (2) Authorize the City Manager to execute the amended agreement.

- C11. Waive the Second Reading and Adopt Ordinance No. 38.855 Amending the Zoning Ordinance (Title XI, Chapter 10 of the Milpitas Municipal Code) and the Zoning Map to create the new Business Park Research and Development Zone and Metro Area Zones (Staff Contact: Jay Lee, Planning Director, 408-586-3077)**

Recommendation: (1) Determine that the EIR Addendum adequately analyzes the potential environmental impacts associated with the proposed Zoning Amendments and is in compliance pursuant to CEQA Guidelines §15162 and §15164; and (2) Move to waive the second reading and adopt Ordinance No. 38.855 approving Zoning Text and Zoning Map Amendment No. ZA24-0002 to create the new Business Park Research and Development Zone and Metro Area Zones.

- C12. Approve an Agreement with Rexel for Variable Frequency Drive Preventative Maintenance Services (Staff Contact: Christian Di Renzo, Public Works Director, 408-586-2602)**

Recommendation: Approve and authorize the City Manager to execute a Maintenance Services Agreement with Rexel for variable frequency drive preventative maintenance services in the amount of \$252,263.59 for a five-year period, subject to the annual appropriation of funds.

- C13. Approve the Santa Clara Countywide Food Recovery Program Memorandum of Understanding (Staff Contact: Christian Di Renzo, Public Works Director, 408-586-2602; and Elaine Marshall, Deputy Public Works Director, 408-586-2603)**

Recommendation: Authorize the City Manager to sign a Memorandum of Understanding between the Santa Clara County Recycling and Waste Reduction Technical Advisory Committee member jurisdictions establishing ongoing management and operation of the edible food recovery program to comply with the requirements of Senate Bill 1383 (California's Short-Lived Climate Pollutant Reduction Strategy).

- C14. Approve and Authorize the City Manager to Execute an Amended Stormwater Management Facilities Operation and Maintenance Agreement for Toll West Coast, LLC for the Parkside Project at 1980 and 1992 Tarob Court and 551 Lundy Place (Staff Contact: Christian Di Renzo, Public Works Director, 408-586-2602; and Michael Silveira, City Engineer, 408-586-3303)**

Recommendation: Approve and authorize the City Manager to execute an amendment to the Stormwater Management Facilities Operation and Maintenance Agreement for Toll West Coast, LLC for the Parkside Project at 1980 and 1992 Tarob Court and 551 Lundy Place.

- C15. Adopt a Resolution to Approve Project Conceptual Design and Authorize a Cooperative Purchase Agreement with Williams Scotsman, Inc., through a Cooperative Procurement Contract Solicited by Region 4 Educational Service Center, for Fire Station No.1 Modular Building, Project No. 3465 (Staff Contact: Christian Di Renzo, Public Works Director, 408-586-2602; and Michael Silveira, City Engineer, 408-586-3303)**

Recommendation: Adopt a resolution to (1) approve project conceptual design; (2) authorize the City Manager to execute a cooperative purchase agreement with Williams Scotsman, Inc., through a

cooperative procurement contract solicited by Region 4 Educational Service Center, in an amount not-to-exceed \$818,894; and (3) authorize the Public Works Director to negotiate and execute contract change order(s) in an aggregate amount not to exceed \$100,000 for Fire Station No.1 Modular Building, Project No. 3465.

- C16. Approve the Final Map, Tract No. 10622, and Approve a Subdivision Improvement Agreement between the City of Milpitas and Pulte Home Company, LLC for a Residential Project at 1355 California Circle (Staff Contact: Christian Di Renzo, Public Works Director, 408-586-2602; and Michael Silveira, City Engineer, 408-586-3303)**

Recommendation: (1) Approve the Final Map, Tract No. 10622, including all offers of dedications as stated and depicted on the final map upon completion and acceptance of improvements; and (2) Approve and authorize the City Manager to execute the Subdivision Improvement Agreement between the City of Milpitas and Pulte Home Company, LLC, for a Residential Project at 1355 California Circle.

- C17. Consider Fee Waiver Requests from Show Up and Love and SHEKonnnect (Staff Contact: Renee Lorentzen, Recreation and Community Services Director, 408-586-3409)**

Recommendation: (1) Approve a fee waiver of \$945 for the Show Up and Love 2nd Annual BBQ Cookoff for Love on July 14, 2024; and (2) Approve a fee waiver of \$282 for the SHEKonnnect Teen Girls Living Skills Workshop.

- C18. Adopt Resolutions of the Milpitas Housing Authority and City Council of the City of Milpitas Authorizing a Subordination Agreement for the 355 Sango Court Permanent Loan Conversion (Staff Contact: Robert Musallam, Housing and Neighborhood Services Administrator, 408-586-3275)**

Recommendation: (1) Adopt a resolution of the Milpitas Housing Authority authorizing a Subordination Agreement for the 355 Sango Court Permanent Loan Conversion; and (2) Adopt a resolution of the City Council of the City of Milpitas authorizing a Subordination Agreement for the 355 Sango Court Permanent Loan Conversion.

PUBLIC HEARINGS (7:30 PM)

Members of the public may be allotted up to three (3) minutes or less at the Mayor's discretion, to comment on any public hearing item. Applicants/Appellants and their representatives may be allotted up to a total of ten (10) minutes for opening statements and up to a total of five (5) minutes maximum for closing statements. Items requested/recommended for continuance are subject to Council's consent at the meeting.

- 19. Conduct a Public Hearing and Adopt a Resolution on the 2024 Weed Abatement Assessments (Staff Contact: Arthur Belton, Deputy Fire Chief / Fire Marshal, 408-586-3384)**

Recommendation: Conduct a public hearing and adopt a resolution confirming the 2024 Weed Abatement Assessment Report and the Assessment List to be entered into the tax assessment rolls.

- 20. Conduct a Public Hearing to Approve the Allocations for the FY2024-25 Community Development Block Grant, and the Corresponding Annual Action Plan (Staff Contact: Alex Andrade, Economic Development Director, 408-586-3046; and Robert Musallam, Housing Division Manager, 408-586-3275)**

Recommendation: (1) Conduct a public hearing; (2) Adopt the FY2024-25 Annual Action Plan with recommended allocation amounts; (3) Authorize the City Manager, or designee, to make any necessary changes to the approved FY2024-25 Annual Action Plan as needed to comply with CDBG submission guidelines; and (4) Authorize the City Manager, or designee, to execute CDBG agreements with the approved subrecipients, and amend the CDBG agreements as needed to comply with CDBG guidelines.

21. Adopt a Resolution Approving the Fiscal Year 2024-25 User and Regulatory Fee Schedule (Staff Contact: Luz Cofresí-Howe, Finance Director, 408-586-3111)

Recommendation: Conduct a public hearing and adopt a resolution approving the Fiscal Year 2024-25 User and Regulatory Fee Schedule.

ANNOUNCEMENTS AND FUTURE AGENDA ITEMS (9:30 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 (9:35 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/government/council/agenda_minutes.asp (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.