



REGULAR MEETING OF THE MILPITAS CITY COUNCIL AND HOUSING AUTHORITY

MINUTES
TUESDAY, JUNE 18, 2024

The City Council of the City of Milpitas convened on the regular City Council meeting day in a Joint Meeting of the Milpitas City Council and Housing Authority on June 18, 2024, in the City Council Chamber, 455 E. Calaveras Blvd, Milpitas, CA, and via teleconference/Zoom webinar.

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

Mayor Montano called the Regular City Council meeting to order at 5:31 PM. Roll Call was taken by City Clerk Guzzetta.

PRESENT: Mayor Montano, Vice Mayor Chua, Councilmember Barbadillo (5:36 PM), Councilmember Lien, Councilmember Phan (5:32 PM)

ABSENT: None.

Assistant City Attorney Creech briefed the City Council on the items on the Closed Session agenda.

The City Council adjourned to Closed Session at 5:33 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

The City Council reconvened at 7:48 PM.

CLOSED SESSION ANNOUNCEMENT:

Assistant City Attorney Creech noted there was nothing to report out.

PLEDGE OF ALLEGIANCE

Mayor Montano led the pledge of allegiance.

INVOCATION

Councilmember Lien provided the invocation.

PRESENTATIONS

Mayor Montano, joined by the City Council, presented a proclamation in recognition of Parks and Recreation Month.

PUBLIC FORUM

There were the following public speakers:

1. Victor Robles
2. Pujitha Jammula
3. Voltaire Montemayor
4. Amy Chen
5. Jaria Jaug
6. Rahul Peravali
7. Ankit Gosalia
8. Prashanth
9. Amit Banjara
10. Sidarshan Kandaswamy
11. Naveen Bojjireddy
12. Vineet Pai
13. Pallavi Pandit
14. Carol Chang
15. Sreeja Pavulari

ANNOUNCEMENT OF CONFLICT OF INTEREST AND CAMPAIGN CONTRIBUTIONS

Assistant City Attorney Creech asked the Mayor and City Councilmembers if they had any personal conflicts of interest. By roll call, there were no conflicts of interest. Assistant City Attorney Creech asked the Mayor and City Councilmembers if they had any reportable campaign contributions. By roll call, there were no reportable campaign contributions.

READING OF THE CITY COUNCIL CODE OF CONDUCT

Vice Mayor Chua read the City Council Code of Conduct.

APPROVAL OF AGENDA

After discussion, motion: to approve the agenda.

Motion/Second: Vice Mayor Chua / Councilmember Lien

Motion carried by the following:

AYES: Mayor Montano, Vice Mayor Chua, Councilmember Barbadillo, Councilmember Lien,
Councilmember Phan

NOES: None

CONSENT CALENDAR

There were no public speakers.

After discussion, motion: to approve the Consent Calendar.

Motion/Second: Vice Mayor Chua / Councilmember Barbadillo

Motion carried by the following:

AYES: Mayor Montano, Vice Mayor Chua, Councilmember Barbadillo, Councilmember Lien,
Councilmember Phan

NOES: None

1. **Receive City Council Calendar of Meetings for June, July and August 2024 (Staff Contact: Suzanne Guzzetta, City Clerk, 408-586-3001)**

Received City Council Calendar of Meetings for June, July, and August 2024.

2. **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)**

Approved City Council Meeting minutes of May 21, June 4, and June 11, 2024.

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

Received the list of anticipated agenda items for the next regular City Council meeting.

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

Reviewed the list of items that have been requested by City Councilmembers and provided direction to staff as necessary.

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

Received the recommendation from Mayor Montano and approved appointments to City Commissions:

Economic Development and Trade Commission

1. Appointed Jacob Sanchez to the Real Estate representative position with a term ending April 30, 2027.

6. **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)**

Adopted **Resolution No. 9342 / HA 34** 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.

7. **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)**

Approved 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.

8. **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)**

Accepted and approved a budget appropriation of \$150,000 from the Housing Authority Fund and authorized 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.

9. **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)**

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

10. **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)**

(1) Approved 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) Authorized the City Manager to execute the amended agreement.

11. **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)**

(1) Determined 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) Waived the second reading and adopted **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.

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

Approved and authorized 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.

13. **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)**

Authorized 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).

14. **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)**

Approved and authorized 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.

- 15. 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)**

Adopted **Resolution No. 9343** 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.

- 16. 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)**

(1) Approved 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) Approved and authorized 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.

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

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

- 18. 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)**

(1) Adopted **Resolution No. HA 35** of the Milpitas Housing Authority authorizing a Subordination Agreement for the 355 Sango Court Permanent Loan Conversion; and (2) Adopted **Resolution No. 9344** of the City Council of the City of Milpitas authorizing a Subordination Agreement for the 355 Sango Court Permanent Loan Conversion.

PUBLIC HEARINGS

- 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)**

City Manager Thomas introduced the item. Deputy Fire Chief / Fire Marshal Belton presented the report.

Councilmember Phan left the meeting at 8:19 PM.

Mayor Montano opened the public hearing.

There were the following public speakers:

1. Carol Chang
2. Voltaire Montemayor

Mayor Montano closed the public hearing.

After discussion, motion: to adopt **Resolution No. 9345** confirming the 2024 Weed Abatement Assessment Report and the Assessment List to be entered into the tax assessment rolls.

Motion/Second: Councilmember Lien / Councilmember Barbadillo

Motion carried by the following:

AYES: Mayor Montano, Vice Mayor Chua, Councilmember Barbadillo, Councilmember Lien

NOES: None

ABSENT: Councilmember Phan

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)

City Manager Thomas introduced the item. Economic Development Director Andrade provided preliminary remarks and Housing Administrator Robert Musallam presented the report.

Mayor Montano opened the public hearing.

There were the following public speakers:

1. Angelica Holguin
2. Erica Villa
3. Cynthia Melchor
4. Alaina Schroeder
5. Michelle Schroeder
6. Marina Sanchez
7. Samantha Pimentel
8. Carol Conn
9. Michele Lew
10. Voltaire Montemayor

Mayor Montano closed the public hearing.

Vice Mayor Chua questioned Project Sentinel regarding the number of individuals served. Project Sentinel clarified that the lower number was due to the proposed funding. The Vice Mayor asked staff about the availability of \$30,000 in old coronavirus funds. Housing Official Musallam explained that until regulatory clarity is achieved, the funds should remain untouched to avoid risks. He also suggested that reallocating these funds should be directed towards economic development or capital projects, as the city is already maxed out on the 15% cap for social services funding, with high demand exceeding available funds. He provided additional context on Project Sentinel, explaining that changes in HUD requirements now separate funding for landlord-tenant services and fair housing, leading to Project Sentinel competing for the same limited funds as other public services. Vice Mayor Chua advised revisiting the issue in August, when additional community development funds might be available. Councilmember Barbadillo inquired about the micro enterprise grant assistance program. Economic Development Director Andrade provided background information on the program, highlighted its impact,

and offered detail on program monitoring.

Vice Mayor Chua praised the success of the microenterprise grant program, noting its positive impact on small businesses in Milpitas. She spoke on concerns from struggling childcare businesses due to layoffs and transitional kindergarten issues and urged developing a strategy to support them directly. Economic Development Director Andrade suggested the possibility of replicating the ARPA-funded program that prioritized daycare centers, emphasizing the need to ensure income qualifications. Vice Mayor Chua appreciated the response and urged quick action.

Mayor Montano questioned the lack of funding for PRAGNYA, which serves children with neurological disorders. Housing Official Musallam noted that PRAGNYA, now based in San Jose, is a young nonprofit needing more time to comply with CDBG requirements, so funding was paused to work with them offline. The Mayor requested allocating \$5,000 to PRAGNYA through CDBG funds, emphasizing the importance of supporting educational services for parents of children with special needs.

Vice Mayor Chua suggested the request to allocate \$5,000 to PRAGNYA would impact the public service funding cap. Housing Official Musallam confirmed that and noted it would require taking funds from another allocation. The Vice Mayor suggested addressing this during the Community Investment Fund discussions instead of reallocating existing funds, and the Mayor agreed.

Councilmember Barbadillo inquired about the Mayor's request asked and the staff response. Mayor Montano confirmed the funding request would be revisited during the Community Investment Fund discussions in August. City Manager Thomas noted that discussion would be held in August. Councilmember Barbadillo then asked to consider, at the same time, the Knights of Columbus funding request, highlighting their long-term community service in Milpitas, particularly their annual Thanksgiving dinner.

Vice Mayor Chua made a motion: to Adopt the FY2024-25 Annual Action Plan with recommended allocation amounts; 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 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.

Motion/Second: Vice Mayor Chua/Councilmember Lien

Motion carried by the following:

AYES: Mayor Montano, Vice Mayor Chua, Councilmember Barbadillo, Councilmember Lien

NOES: None

ABSENT: Councilmember Phan

Vice Mayor Chua asked to include Project Sentinel, Pragnya, and the Knight's of Columbus funding requests as part of consideration for funding through the Community Investment Fund, clarifying that the request was not part of the motion.

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)

City Manager Thomas introduced the item. Finance Director Cofresí-Howe presented the report.

Mayor Montano opened the public hearing.

There were the following public speakers:

1. Voltaire Montemayor

Mayor Montano closed the public hearing.

After discussion, motion: to adopt **Resolution No. 9346** approving the Fiscal Year 2024-25 User and Regulatory Fee Schedule..

Motion/Second: Councilmember Barbadillo/Councilmember Lien

Motion carried by the following:

AYES: Mayor Montano, Vice Mayor Chua, Councilmember Barbadillo, Councilmember Lien

NOES: None

ABSENT: Councilmember Phan

ANNOUNCEMENTS AND FUTURE AGENDA ITEMS

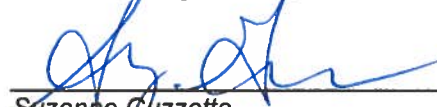
City Manager Thomas announced the City Council Chamber would be upgraded over the legislative break.

Mayor Montano asked to include an advertisement for the Stars and Strides Community Run on the display. She also announced the Annual State of the City address on June 27, 2024.

ADJOURNMENT

Mayor Montano adjourned the meeting at 9:26 PM.

The foregoing minutes were approved by the Milpitas City Council on August 13, 2024.



Suzanne Guzzetta
Milpitas City Clerk