



REGULAR MEETING OF THE MILPITAS CITY COUNCIL

MINUTES

TUESDAY, SEPTEMBER 17, 2024

The City Council of the City of Milpitas convened on the regular City Council meeting day in a Regular Meeting of the Milpitas City Council on September 17, 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 6:01 PM. Roll Call was taken by City Clerk Guzzetta.

PRESENT: Mayor Montano, Vice Mayor Chua (6:01 PM), Councilmember Barbadillo (6:02 PM),
Councilmember Lien, Councilmember Phan

ABSENT: None

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

The City Council adjourned to Closed Session at 6:02 PM.

ADJOURN TO CLOSED SESSION

(a) CONFERENCE WITH LEGAL COUNSEL - Anticipated Litigation

Anticipated Litigation Pursuant to Government Code § 54956.9(d)(4)
City as Plaintiff

CLOSED SESSION ANNOUNCEMENT:

The City Council reconvened at 7:12 PM.

Assistant City Attorney Creech had nothing to report out.

PLEDGE OF ALLEGIANCE

Councilmember Lien led the pledge of allegiance.

INVOCATION

Councilmember Phan provided the invocation.

PRESENTATIONS

Mayor Montano presented a Key to the City to Dr. Ramesh Japra.

PUBLIC FORUM

There were the following public speakers:

1. Paul Horsager
2. Jean R

3. Laurie Matthews
4. Alicia S.
5. Eric Matthews
6. Sue
7. Dennis Jamison
8. Voltaire Montemayor

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: Mayor Montano / Vice Mayor Chua
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: Councilmember Lien / Councilmember Barbadillo
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 September and October 2024 (Staff Contact: Suzanne Guzzetta, City Clerk, 408-586-3001)**

Received City Council Calendar of Meetings for September and October 2024.

2. **Approve City Council City Council Meeting Minutes of September 3, 2024 (Staff Contact: Suzanne Guzzetta, City Clerk, 408-586-3001)**

Approved City Council Meeting minutes of September 3, 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. Adopt Ordinance 314, Adding Chapter 15 (“Residential Trespass, Canvassing and Solicitation”) to Title V (“Public Health, Safety and Welfare”) of the Milpitas Municipal Code Relating to Solicitation on Residential Property (Staff Contact: Michael Mutalipassi, City Attorney, 408-586-3040)

(1) Waived second reading and adopted **Ordinance 314**, which would add Chapter 15 to Title V of the Milpitas Municipal Code to prohibit the trespass of canvassers, solicitors and others on residential property; and, (2) Made findings of exemption from environmental review pursuant to CEQA Guidelines §§15061(b)(3), 15183, 15305, and 15378.

6. Appointment of Voting Delegates for the Annual California League of Cities Conference (Staff Contact: Matt Cano, Assistant City Manager, 408-586-3012)

Appointed Mayor Carmen Montano as the City’s voting delegate and City Manager Ned Thomas as the alternate voting delegate for the 2024 Annual League of California Cities Conference.

7. Adopt a Resolution Approving the City of Milpitas Investment Policy for Fiscal Year 2024-25 (Staff Contact: Luz Cofresi-Howe, Director of Finance, 408-586-3111)

Adopted **Resolution No. 9354** approving the City of Milpitas Investment Policy for FY 2024-25.

8. Authorize the City Manager to Execute an Agreement with Staples Contract & Commercial LLC for Office Supplies (Staff Contact: Luz Cofresi-Howe, Finance Director, 408-586-3111)

Authorized the City Manager to execute an agreement with Staples Contract & Commercial LLC for Office Supplies through a Sourcewell Cooperative Procurement Agreement for a five-year period in a not-to-exceed amount of \$725,000.

9. Adopt a Resolution Granting Acceptance of the Alviso Adobe House HVAC System, Project No. 5055, Authorizing the City Engineer to File a Notice of Completion, and Authorizing the City Engineer to Issue a Notice of Final Acceptance After the One-Year Warranty Period (Staff Contact: Christian Di Renzo, Public Works Director, 408-586-2602; and Michael Silveira, City Engineer, 408-586-3303)

Adopted **Resolution No. 9355** granting acceptance of the Alviso Adobe House HVAC System, Project No. 5055, authorizing the City Engineer to file a Notice of Completion and authorizing the City Engineer to issue a Notice of Final Acceptance after the one-year warranty period.

10. Receive an Update on the Security Improvements at the McCarthy Ranch Sewer Lift Station (Main Lift) and Determine that the Condition Continues to Constitute an Emergency (Staff Contact: Christian Di Renzo, Public Works Director, 408-586-2602)

(1) Received an update on the security improvements at the McCarthy Ranch Sewer Lift Station; and
(2) Determined by a four-fifths vote that the condition continues to constitute an emergency.

PUBLIC HEARINGS

11. Conduct a Public Hearing and Approve the Draft FY 2023-2024 Community Development Block Grant (CDBG) Consolidated Annual Performance and Evaluation Report (CAPER) (Staff Contact:

Robert Musallam, Housing Official, 408-586-3275)

Housing Official Musallam presented the report.

Mayor Montano opened the public hearing.

There were the following public speakers:

1. Angelica Holguin
2. Alaina Purcell
3. Jonathan
4. Georgia

Mayor Montano closed the public hearing.

Vice Mayor Chua expressed her thanks to the non-profits in attendance and to Housing staff.

After discussion, **motion:** to approve the draft FY 2023-2024 Community Development Block Grant (CDBG) Consolidated Annual Performance and Evaluation Report (CAPER); and authorize the City Manager, or designee, to make any necessary changes and submit the approved draft FY 2023-2024 CAPER to the U.S. Department of Housing and Urban Development (HUD) to comply with CDBG requirements.

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

LEADERSHIP AND SUPPORT SERVICES

12. Review the List of Agenda Item Requests From Individual Councilmembers and Provide Direction to Staff Through the Council-Approved Prioritization Process (Staff Contact: Matt Cano, Assistant City Manager, 408-586-3012)

Assistant City Manager Cano presented the report and provided direction on the prioritization process.

Vice Mayor Chua added clarification on Item CC 03 (Animal Cruelty), and also asked to research resident concerns about the proliferation of feral cats in certain areas of the city.

There were the following public speakers:

1. Voltaire Montemayor

In Round 1, the City Council voted to prioritize the following items:

CC 01 - Accessory Dwelling Unit Ordinance to Allow Condominium Conversions

CC 02 - Explore potential purchase of property on Main Street

Vice Mayor Chua asked the City Council to also consider prioritizing CC 03 - Humane Treatment of Animals. There was unanimous consensus to prioritize CC 03.

Councilmember Lien asked that in consideration of the ADU Ordinance, the City look into location and parking availability. In the potential purchase of property on Main Street, she asked for information regarding zoning and whether it would generate revenue and/or jobs.

Vice Mayor Chua asked for information on possible funding for the potential purchase of the Main Street property.

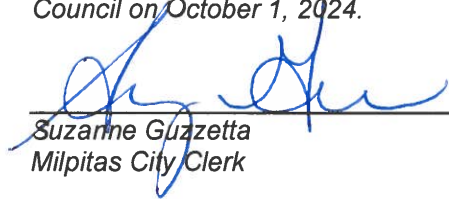
ANNOUNCEMENTS AND FUTURE AGENDA ITEMS

City Manager Thomas announced the upcoming Lantern Festival and highlighted several additional Recreation and Community Services projects.

ADJOURNMENT

Mayor Montano adjourned the meeting at 8:26 PM.

The foregoing minutes were approved by the Milpitas City Council on October 1, 2024.



Suzanne Guzzetta
Milpitas City Clerk