



REGULAR MEETING OF THE MILPITAS CITY COUNCIL



AGENDA

TUESDAY, NOVEMBER 19, 2024

CITY COUNCIL CHAMBER, 455 E. CALAVERAS BLVD, MILPITAS, CA
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_xl1YH-wuQSCAW2QiTTquVQ

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

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 (7:05 PM)

- Nurse Practitioner Week (Proclamation)
- Small Business Saturday (Proclamation)

PUBLIC FORUM (7:15 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 (7:20 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 November and December 2024 (Staff Contact: Suzanne Guzzetta, City Clerk, 408-586-3001)

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

C2. Approve City Council City Council Meeting Minutes of November 5, 2024 (Staff Contact: Suzanne Guzzetta, City Clerk, 408-586-3001)

Recommendation: Approve City Council Meeting minutes of November 5, 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 Recommendations from Mayor Montano for Appointments to City Commissions (Contact: Mayor Carmen Montano, 408-586-3024)

Recommendation: Receive recommendations from Mayor Montano and approve recommendations for appointments to City Commissions.

C6. Approve City Council Meeting Schedule for 2025 (Staff Contact: Suzanne Guzzetta, City Clerk, 408-586-3001)

Recommendation: Approve the 2025 Milpitas City Council meeting schedule, with any changes requested at the City Council meeting.

C7. Accept the FY 2023-24 Commissioners Annual Report for Six (6) Commissions and Approve Commission Work Plans for FY 2024-25 (Staff Contact: Suzanne Guzzetta, City Clerk, 408-586-3001)

Recommendation: (1) Accept the 2023-24 Commissioners Annual Report; and (2) Approve proposed Fiscal Year 2023-24 Work Plans for (a) Community Housing Commission, (b) Economic Development and Trade Commission, (c) Energy and Environmental Sustainability Commission, (d) Planning Commission, (e) Public Safety and Emergency Preparedness Commission, and (f) Science, Technology, and Innovation Commission.

C8. FY 2024-25 1st Quarter Financial Status Report for the Quarter Ended September 30, 2024 (Staff Contact: Luz Cofresí-Howe, Finance Director, 408-586-3111)

Recommendation: Review the FY 2024-25 Quarterly Financial Status Report for the quarter ended September 30, 2024.

C9. Authorize the City Manager to Execute an Agreement with ClearSource Financial Consulting for a Comprehensive Fee Study for Implementation in FY 2025-2026 (Staff Contact: Luz Cofresí-Howe, Finance Director, 408-586-3111)

Recommendation: Authorize the City Manager to execute an agreement with ClearSource Financial Consulting for a Comprehensive Fee Study for implementation in FY 2025-2026 for an amount not-to-exceed \$77,520 without the need for further competitive procurement.

C10. Approve and Authorize the City Manager or Designee to Execute a Two-Year Professional Services Agreement with TDG Engineering, Inc. for a Milpitas Gateway-Main Street Sense of Place Plan (Staff Contact: Luz Cofresí-Howe, Finance Director, 408-586-3111; and Jay Lee, Planning Director, 408-586-3077)

Recommendation: (1) Adopt a resolution to accept a grant award of \$600,000 from the Metropolitan Transportation Commission, RFP No. 24-134, (2) Approve and authorize the City Manager or designee to negotiate and execute, with the approval of the City Attorney, a two-year Professional Services Agreement with TDG Engineering, Inc. for a Milpitas Gateway-Main Street Sense of Place Plan in an amount not to exceed \$420,000; and (3) Delegate authority to the City Manager or designee to extend the term of the Agreement and execute amendments up to 10% as required for work completion.

C11. Adopt a Resolution Approving a Memorandum of Understanding Between the City of Milpitas and International Association of Firefighters Local 1699 (IAFF) (Staff Contact: Kelli Parmley, Human Resources Director, 408-586-3086)

Recommendation: Adopt a resolution approving a Memorandum of Understanding between the City of Milpitas and International Association of Firefighters Local 1699 (IAFF) covering the period of July 1, 2024 through June 30, 2027.

- C12. Adopt a Resolution to Approve Project Plans and Award the Construction Contract to WestRock Engineering for the Water Valves Project for the Dempsey Road Water Line Replacement, Project Nos. 7100 and 7118 (Staff: Christian Di Renzo, Public Works Director, 408-586-2602; and Michael Silveira, City Engineer, 408-586-3303)**

Recommendation: (1) Adopt a resolution to approve Water Valves Project plans and specifications; (2) Award the construction contract to WestRock Engineering in a total amount of \$445,000; (3) Authorize the City Manager to execute a construction contract with WestRock Engineering; and (4) Authorize the Public Works Director to negotiate and execute contract change order(s) in an aggregate amount not to exceed \$89,000 for the Water Valves Project for the Dempsey Road Water Line Replacement, Project Nos. 7100 and 7118.

- C13. Adopt a Resolution to Approve Project Specifications and Award Construction Contract to Sterndahl Enterprises, Inc. for the 2024 Annual Street Pavement Restriping Project, CIP No. 4295 (Staff Contact: Christian Di Renzo, Public Works Director, 408-586-2602)**

Recommendation: Adopt a resolution to (1) Approve project contract documents and specifications, (2) Award a construction contract to the lowest responsible and responsive bidder, Sterndahl Enterprises, Inc. in an amount not to exceed \$862,506 for the 2024 Annual Street Pavement Restriping Project, (3) Authorize the City Manager to execute the construction contract with Sterndahl Enterprises, Inc.; and (4) Authorize the Public Works Director to negotiate and execute contract change order(s) in an aggregate amount not-to-exceed \$86,250 and total project cost of \$948,756.

- C14. Authorize the City Manager to Execute an Agreement with MISCOwater for the Purchase and Rebuild of Channel Monster Grinders (Staff Contact: Christian Di Renzo, Public Works Director, 408-586-2602)**

Recommendation: (1) Authorize the City Manager to execute an agreement with MISCOwater for the purchase and rebuild of Channel Monster Grinders in the amount of \$308,090; and (2) Authorize the City Manager to negotiate and execute contract change order(s) in an aggregate amount not to exceed \$30,809, for a total contract amount not to exceed \$338,899.

- C15. Authorize the City Manager to Negotiate and Execute Necessary Documents to Effectuate the Purchase of Fleet Vehicles (Staff Contact: Luz Cofresí-Howe, Finance Director, 408-586-3111; and Christian Di Renzo, Public Works Director, 408-586-2602)**

Recommendation: (1) Approve a one-time waiver of the City of Milpitas Municipal Code Municode Section I-2-3.01(c) – Selection of Solicitation Method Procurements; and (2) Authorize the City Manager to engage with local dealerships and execute any documents necessary to effectuate the purchase of approved FY24-25 fleet vehicles in an amount not-to-exceed \$822,500.

- C16. 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)**

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

- C17. Approve Milpitas Arts and Culture Grant Request for Sunnyhills Neighborhood Association**

Juneteenth Event (Staff Contact: Renee Lorentzen, Recreation and Community Services Director, 408-586-3409; and Tegan McLane, Assistant Recreation and Community Services Director, 408-586-3212)

Recommendation: Approve a Milpitas Arts and Culture in-kind grant request from Sunnyhills Neighborhood Association for the use of Sunnyhills Albert Augustine Jr. Memorial Park for a Juneteenth Celebration on June 21, 2025.

- C18. Approve Parks and Recreation and Community Services Programs Donation for a Memorial Bench in Honor of David Volberg (Staff Contact: Renee Lorentzen, Recreation and Community Services Director, 408-586-3409)**

Recommendation: Approve the Parks and Recreation donation for a memorial bench for David Volberg at Sunnyhills Albert Augustine Jr. Memorial Park.

- C19. Approve Parks and Recreation and Community Services Programs Donation for a Memorial Bench in Honor of Paul Michael Schooss (Staff Contact: Renee Lorentzen, Recreation and Community Services Director, 408-586-3409)**

Recommendation: Approve the Parks and Recreation donation for a memorial bench for Paul Michael Schooss at Murphy Park.

- C20. Consider One Donation Request from the Knights of Columbus (Staff Contact: Renee Lorentzen, Recreation and Community Services Director, 408-586-3409)**

Recommendation: Approve a donation request of \$500 for the Knights of Columbus Annual Thanksgiving Dinner and Food Distribution event on November 28, 2024.

PUBLIC HEARINGS (7:25 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.

- 21. Adopt a Resolution Certifying Election Results and Adding the Properties Located at 470, 480, 490 and 500 Wool Drive into Community Facilities District No. 2005-1 (Annexation No. 24) (Staff Contact: Christian di Renzo, Public Works Director, 408-586-2602; and Michael Silveira, City Engineer, 408-586-3303)**

Recommendation: Following receipt of election results from the City Clerk, adopt a resolution certifying election results and adding the properties located at 470, 480, 490 and 500 Wood Drive into Community Facilities District No. 2005-1 (Annexation No. 24).

COMMUNITY DEVELOPMENT (8:00 PM)

- 22. Economic Development Strategy and Economic Indicators Update (Staff Contact: Alex Andrade, Economic Development & Strategic Initiatives Director, 408-586-3046; and Kal Zubair, Economic Development Specialist, 408-586-3008)**

Recommendation: Receive Economic Development Strategy and Economic Indicators Update.

ANNOUNCEMENTS AND FUTURE AGENDA ITEMS (8:30 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 (8:35 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.