



# REGULAR MEETING OF THE MILPITAS CITY COUNCIL

**MINUTES**  
**TUESDAY, OCTOBER 15, 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 October 15, 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, Councilmember Barbadillo (6:03 PM), Councilmember Lien, Councilmember Phan

**ABSENT:** None

City Attorney Michael Mutalipassi briefed the City Council on the Closed Session agenda.

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

## **ADJOURN TO CLOSED SESSION**

### **(a) PUBLIC EMPLOYEE ANNUAL PERFORMANCE EVALUATION**

Pursuant to California Government Code Section 54957  
Position: City Manager

## **CLOSED SESSION ANNOUNCEMENT:**

The City Council reconvened at 7:02 PM.

City Attorney Mutalipassi had nothing to report out.

## **PLEDGE OF ALLEGIANCE**

Mayor Montano led the pledge of allegiance.

## **INVOCATION**

Mayor Montano provided the invocation.

## **PRESENTATIONS**

Mayor Montano and the Milpitas City Council presented proclamations in recognition of Domestic Violence Awareness Month, Breast Cancer Awareness Month, and Diwali. They also presented Keys to the City to Milpitas US Olympians, and certificates in recognition of the Milpitas High Cross Country Coaches and Team Captains.

## **PUBLIC FORUM**

There were the following public speakers:

1. Voltaire Montemayor

## **ANNOUNCEMENT OF CONFLICT OF INTEREST AND CAMPAIGN CONTRIBUTIONS**

City Attorney Mutalipassi asked the Mayor and City Councilmembers if they had any personal conflicts of interest. By roll call, there were no conflicts of interest. City Attorney Mutalipassi 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: Councilmember Lien / Councilmember Barbadillo  
by the following:

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

NOES: None

## **CONSENT CALENDAR**

Vice Mayor Chua asked to defer Item C12 to December.

There were no public speakers.

After discussion, motion: to defer Item c12 to a City Council meeting in December and approve the Consent Calendar.

Motion/Second: Vice Mayor Chua / Mayor Montano

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 October and November 2024 (Staff Contact: Suzanne Guzzetta, City Clerk, 408-586-3001)**

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

2. **Approve City Council City Council Meeting Minutes of October 1, 2024 (Staff Contact: Suzanne Guzzetta, City Clerk, 408-586-3001)**

Approved City Council Meeting minutes of October 1, 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. **Authorize and Approve Travel by City Manager Ned Thomas to Pasadena, California to Attend the California City Management Foundation New and Future City Manager Seminar on November 6-8, 2024; and to Roseville, California to Attend the California Police Chiefs Association 2024 Workers Comp Summit on November 21, 2024 (Staff Contact: Matt Cano, Assistant City Manager, 408-586-3012)**

Approved travel by City Manager Ned Thomas to the California City Management Foundation New and Future City Manager Seminar in Pasadena, California on November 6 to 8, 2024; and California Police Chiefs Association 2024 Workers Comp Summit in Roseville, California on November 21, 2024, for a total not-to-exceed amount of \$1,500.

6. **Authorize the City Manager to Amend a Professional Services Agreement with Blais and Associates for Citywide Grant Consulting Services (Staff Contact: Matt Cano, Assistant City Manager, 408-586-3012)**

Authorized the City Manager to amend a professional services agreement with Blais and Associates for Citywide Grant Consulting Services in an amount not-to-exceed \$150,000 for a total not-to-exceed agreement amount of \$240,000.

7. **Authorize the City Manager to Execute a Five-Year Agreement for Recruitment and Employee Onboarding Management Software with Governmentjobs.com, Inc., dba NEOGOV (Staff Contact: Luz Cofresi-Howe, Finance Director, 408-586-3111; and Kelli Parmley, Human Resources Director, 408-586-3086)**

Authorized the City Manager to execute a five-year agreement through July 24, 2029, for recruitment and employee onboarding management software with Governmentjobs.com, Inc., dba NEOGOV, in an amount not-to-exceed \$245,819.

8. **Accept the 2024 Bulletproof Vest Partnership Grant and Approve a Related Budget Appropriation (Staff Contact: Jared Hernandez, Chief of Police, 408-586-2406)**

(1) Authorized the City Manager to accept the 2024 Bulletproof Vest Partnership Grant in the amount of \$6,278.81; and (2) Approved a related budget appropriation.

9. **Authorize the City Manager to Award an Agreement to Holiday Lights LLC for the Installation and Removal of Tree Lights at the City Hall Complex (Staff Contact: Christian Di Renzo, Public Works Director, 408-586-2602; and Luz Cofresi-Howe, Finance Director, 408-586-3111)**

(1) Approved 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) Authorized the City Manager to award an agreement to Holiday Lights LLC for the installation and removal of tree lights at the City Hall Complex for the 2024 holiday season in an amount not-to-exceed \$78,315.

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.

11. **Consider a Fee Waiver Request from the Joseph Bettencourt Foundation (Staff Contact: Renee Lorentzen, Recreation and Community Services Director, 408-586-3409)**

Approved a fee waiver of \$950 for the Joseph Bettencourt Foundation Annual Halloween Party Fundraiser at the Milpitas Senior Center on October 26, 2024.

- 12. Receive a Report on Milpitas HOPE Suicide Prevention Task Force Activities since September 2022 (Staff Contact: Renee Lorentzen, Recreation and Community Services Director, 408-586-3409)**

Deferred to December.

- 13. Accept the FY 2023-24 Commissioners Annual Report for Six (6) Commissions and Approve Six (6) Commission Work Plans for FY 2024-25 (Staff Contact: Renee Lorentzen, Recreation and Community Services Director, 408-586-3409)**

(1) Accepted the FY 2023-24 Commissioners Annual Report; and (2) Approve proposed FY 2024-25 Work Plans for: (a) Arts Commission; (b) Library and Education Commission; (c) Parks, Recreation and Cultural Resources Commission; (d) Senior Advisory Commission; (e) Veterans Commission; and (f) Youth Advisory Commission.

### **COMMUNITY SERVICES AND SUSTAINABLE INFRASTRUCTURE**

- 14. Update on Street Sweeping Pilot Project Expansion (Staff Contact: Christian Di Renzo, Public Works Director, 408-586-2602; and Elaine Marshall, Deputy Public Works Director, 408-586-2603)**

City Manager Thomas introduced the item. Assistant Public Works Director Marshall provided introductory remarks and Solid Waste Program Manager Khuu-Seeman presented the report.

There were the following public speakers:

1. Voltaire Montemayor

Vice Mayor Chua voiced support for the program based on visible improvements in pilot areas.

Mayor Montano initially expressed surprise that less than 50% of surveyed areas wanted the program expanded, suggesting it should expand for environmental reasons.

Councilmember Barbadillo raised questions about metrics for success beyond moving cars, and suggested supplementing with community clean-up efforts.

After discussion, motion: to (1) Accept the staff presentation on the Street Sweeping Pilot Program, (2) Approve addition of two areas to the Parking Prohibited Street Sweeping Program; and (3) Approve reappropriation of \$300,000 from CIP 3455 Street Sweeping Pilot to CIP 4295 Street Pavement Restriping Program.

Motion/Second: Vice Mayor Chua / Councilmember Phan

Motion carried by the following:

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

NOES: Mayor Montano

### **LEADERSHIP AND SUPPORT SERVICES**

- 15. Adopt a Resolution Approving the FY 2024-25 Development and Storm Impact Fee Schedule for the Transit Area Specific Plan (TASP) Impact Fee, the Calaveras Boulevard Widening Traffic Impact Fee, and the Storm Drain Fee (Staff Contact: Luz Cofresí-Howe, Finance Director, 408-586-3111)**

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

There were the following public speakers:

1. Voltaire Montemayor

Vice Mayor Chua started by asking for clarification on how much additional revenue the proposed 3.59% fee increases would generate annually. Finance Director Cofresí-Howe explained that the increase was tied specifically to the construction cost index for the San Francisco area, not the general consumer price index and noted the difficulty of estimating exact revenue impact.

Councilmember Lien requested that staff provide a comparison of these fees to what other nearby cities charge and asked where the citation revenue collected from the street sweeping pilot program goes.

Councilmember Phan questioned why the current proposed fee increases were not accompanied by an updated nexus study. City Manager Thomas noted a new study is under way. Councilmember Phan voiced concerns about the TASP fee increase.

Councilmember Barbadillo asked after what core metrics were used to evaluate the fees. He requested a feasibility analysis showing that the fee increases would not deter incoming businesses from developing in the area.

Councilmember Phan stated he was not comfortable with the new fees applying to projects already entitled or that had been submitted for approval. He requested staff analyze exactly which pipeline projects would be impacted by the increases and when fees get locked in.

Councilmember Lien suggested bringing this item back at a future date.

Finance Director Cofresí-Howe summarized the questions brought up during the discussion including additional analysis on the impact on pipeline projects, fee comparisons with other cities, and an explanation of the 3.59% fee increase calculation.

After discussion, motion: to defer to a future meeting date.

Motion/Second: Councilmember Lien / Vice Mayor Chua

Motion carried by the following:

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

NOES: None

## **ANNOUNCEMENTS AND FUTURE AGENDA ITEMS**

City Manager Thomas announced the Milpitas Community Concert Band Halloween concert on October 25th at 7:30 PM including a kids' costume parade. He also provided, in response to a request from Councilmember Lien, a brief status update on the city's vacancies. He noted a more detailed report would be provided the Human Resources Director at a future City Council meeting, and offered individual Council briefings for further information.

Councilmember Lien requested that the upcoming HR report include details on the city's hiring procedures, location for posting vacancies, and number of positions filled by staff from San Jose to ensure fairness for Milpitas residents.

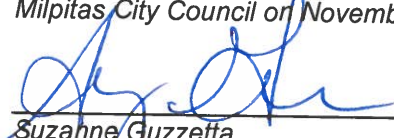
Mayor Montano asked for a feasibility study for a potential pickleball field at Dixon Landing Park. There was a

3-2 consensus to add the item to the prioritization list (Noes: Chua, Phan).

**ADJOURNMENT**

Mayor Montano adjourned the meeting at 9:16 PM.

*The foregoing minutes were approved by the  
Milpitas City Council on November 5, 2024.*



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Suzanne Guzzetta  
Milpitas City Clerk