



SPECIAL MEETING OF THE MILPITAS CITY COUNCIL



AGENDA

TUESDAY, DECEMBER 10, 2024

CITY COUNCIL CHAMBER, 455 E. CALAVERAS BLVD, MILPITAS, CA
5:30 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_11nHaEqKSzKepSRPKszaqQ

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 (5:30 PM)

PLEDGE OF ALLEGIANCE

INVOCATION (Councilmember Lien)

AGENDA ITEMS

1. **Receive Report of Municipal Election Results of November 5, 2024, and Adopt a Resolution to Certify Final Results of Candidate and Ballot Measure Election (Staff Contact: Suzanne Guzzetta, City Clerk, 408-586-3001)**

Recommendation: (1) Receive the report of election results and voter turnout; and (2) Adopt a resolution confirming the official canvass of election returns and declaring the results of the General Municipal Election held on November 5, 2024.

2. **Presentation to Outgoing Councilmember and Remarks**
3. **Ceremonial Swearing-In of Re-Elected and Newly Elected City Officials**
 - Mayor Carmen Montano
 - City Councilmember Evelyn Chua
 - City Councilmember William Lam

<i>**The City Council Will Recess to a Reception and then Reconvene at 7:00 PM **</i>
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4. **Elect New Vice Mayor (Contact: Mayor Carmen Montano, 408-586-3029)**

Recommendation: Receive recommendation from Mayor Montano of one City Councilmember to serve as Milpitas Vice Mayor for one year and move to approve the new Vice Mayor.

PUBLIC FORUM (7:05 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 (7:10 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.

- C5. **Receive City Council Calendar of Meetings for December 2024 and January 2025 (Staff Contact: Suzanne Guzzetta, City Clerk, 408-586-3001)**

Recommendation: Receive City Council Calendar of Meetings for December 2024 and January 2025.

- C6. Approve City Council Meeting Minutes of December 3, 2024 (Staff Contact: Suzanne Guzzetta, City Clerk, 408-586-3001)**
- Recommendation: Approve City Council Meeting minutes of December 3, 2024.
- C7. 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.
- C8. 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.
- C9. 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.
- C10. Consider Mayor's Appointments of City Councilmembers as Liaisons to City Commissions, City Subcommittees, and Outside Agency Boards and Committees (Contact: Mayor Carmen Montano, 408-586-3024)**
- Recommendation: Consider Mayor's appointments of City Council members to liaisons of City Commissions, City Subcommittees, and outside agencies, boards and committees, and move to confirm those appointments.
- C11. Consider Fee Waiver Requests from Kiwanis Club of Milpitas, Police Activity League Knights, and Milpitas Youth Soccer League (Staff Contact: Renee Lorentzen, Recreation and Community Services Director, 408-586-3409)**
- Recommendation: (1) Approve a fee waiver of \$945 for the Annual Kiwanis Crab Feed Fundraiser on February 7, 2025, at the Milpitas Community Center, (2) Approve a fee waiver of \$436 for the annual Police Activity League (PAL) Knights Football end of season banquet on January 10, 2025, at the Milpitas Community Center; and (3) Approve a fee waiver of \$545 for the annual Milpitas Youth Soccer League (MYSL) volunteer appreciation dinner on December 15, 2024, at the Milpitas Community Center.
- C12. Review and Accept the Development Impact Fee Annual and Five-Year Reports for the Calaveras Boulevard Widening Traffic Impact Fee, Transit Area Specific Plan Impact Fee, and Storm Drainage Improvement Fee (Staff Contact: Luz Cofresí-Howe, Finance Director, 408-586-3111)**
- Recommendation: (1) Review and accept the Development Impact Fee Annual and Five-Year Reports consistent with the Mitigation Fee Act for the Calaveras Boulevard Widening Traffic Impact Fee, Transit Area Specific Plan (TASP) Impact Fee, and Storm Drainage Improvement Fee for the fiscal year ended June 30, 2024; and (2) Adopt a resolution making all findings required by the Mitigation Fee Act (AB1600).

LEADERSHIP AND SUPPORT SERVICES (7:15 PM)

13. Introduce an Ordinance to Make Corrections, Clarifications and Minor Updates and Modifications to the Milpitas Municipal Code (Staff Contact: Matt Cano, Assistant City Manager, 408-586-3012)

Recommendation: Following the City Attorney's reading of the title, move to waive the first reading beyond the title and introduce Ordinance No. 315 amending various sections of the Milpitas Municipal Code to make corrections, clarifications, minor updates and modifications.

ANNOUNCEMENTS AND FUTURE AGENDA ITEMS (7:30 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 (7:35 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.