



REGULAR MEETING OF THE MILPITAS CITY COUNCIL

MINUTES
TUESDAY, NOVEMBER 19, 2024

The City Council of the City of Milpitas convened in a Regular Meeting on November 19, 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 7:00 PM. Roll Call was taken by City Clerk Guzzetta.

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

ABSENT: None

PLEDGE OF ALLEGIANCE

Mayor Montano led the pledge of allegiance.

INVOCATION

Vice Mayor Chua provided the invocation.

PRESENTATIONS

Mayor Montano, joined by the City Council, presented proclamations in recognition of Nurse Practitioner Week and Small Business Saturday.

PUBLIC FORUM

There were the following public speakers:

1. Michael Tsai
2. 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

Mayor Montano 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 the following public speakers:

1. Voltaire Montemayor
2. Michael Tsai
3. Gabe Borland, IAFF President

After discussion, motion: to approve the consent calendar, hearing Item C20 separately but as part of the consent calendar.

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

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

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

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

Approved City Council Meeting minutes of November 5, 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.

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

Received recommendations from Mayor Montano and approved recommendations for appointments to City Commissions:

Arts Commission

1. Appoint Ashraya Siruvole as a Non-Voting Student member with a full term ending October 2027.
2. Reappoint Giuliana Brahim to a full term ending October 2027.
3. Reappoint Jamie Hekkelman to a full term ending October 2027.

Energy and Environmental Sustainability Commission

1. Reappoint Jared Acosta as the Schools Representative to an unexpired term ending October 2026.
2. Reappoint Lisa Oliver to a full term ending October 2027.

3. Reappoint Tara Tony as a Non-Voting Student member with a full term ending October 2027.
4. Appoint Anuradha Sankaran to an unexpired term ending October 2025.

Library and Education Advisory Commission

1. Reappoint Therese Hoang to a full term ending June 2027.
2. Appoint Barbara Martens as Alternate No. 2 with a full term ending June 2027.

Parks, Recreation, and Cultural Resources Commission

1. Appoint Olania Castillo to an unexpired term ending June 2026.

Public Safety and Emergency Preparedness Commission:

1. Appoint Norma Morales to a full term ending June 2027.

Veterans Commission

1. Promote Leo Garcia to Alternate No. 1 with an unexpired term ending February 2028.

Youth Advisory Commission:

1. Appoint Samyuktha Rangarajan to an unexpired term ending September 2025.

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

Approved the 2025 Milpitas City Council meeting schedule.

7. 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)

(1) Accepted the 2023-24 Commissioners Annual Report; and (2) Approved proposed Fiscal Year 2024-25 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.

8. 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)

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

9. 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)

Authorized 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.

10. 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)

(1) Adopted **Resolution No. 9363** to accept a grant award of \$600,000 from the Metropolitan Transportation Commission, RFP No. 24-134, (2) Approved and authorized 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) Delegated 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.

- 11. 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)**

Adopted **Resolution No. 9364** 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.

- 12. 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)**

(1) Adopted **Resolution No. 9365** to approve Water Valves Project plans and specifications; (2) Awarded the construction contract to WestRock Engineering in a total amount of \$445,000; (3) Authorized the City Manager to execute a construction contract with WestRock Engineering; and (4) Authorized 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.

- 13. 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)**

Adopted **Resolution No. 9366** 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.

- 14. 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)**

(1) Authorized 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) Authorized 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.

- 15. 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)**

(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 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.

- 16. 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.

- 17. 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)**

Approved 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.

- 18. 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)**

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

- 19. 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)**

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

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

Councilmember Barbadillo disclosed his membership in the Knights of Columbus and recused himself from the discussion and stepped out at 7:41 pm.

After discussion, motion: to approve a donation request of \$500 for the Knights of Columbus Annual Thanksgiving Dinner and Food Distribution event on November 28, 2024.

Motion/Second: Vice Mayor Chua / Mayor Montano

Motion carried by the following:

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

NOES: None

ABSTAIN: Councilmember Barbadillo

PUBLIC HEARINGS

- 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)**

City Manager Thomas introduced the item. Principal Civil Engineer Valderrama presented the report.

Mayor Montano opened the public hearing.

There were the following public speakers:

1. Voltaire Montemayor

Mayor Montano closed the public hearing.

City Clerk Guzzetta canvassed the vote and reported that all votes were in favor of the annexation and all the propositions approved.

After discussion, motion: to receive election results from the City Clerk, adopt **Resolution No. 9367** 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)..

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

COMMUNITY DEVELOPMENT

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)

City Manager Thomas introduced the item. Economic Development and Strategic Initiatives Director Andrade presented the report.

Vice Mayor Chua asked for clarification on the next steps after the annexation and getting site development/building permits and expressed frustration about lack of clear checklists/timelines for permit processes based on resident feedback. She requested a study/analysis be done on improving and streamlining the permit process

Council Member Lien asked for an explanation of the differences between Class A, B, and C commercial real estate and what the plan is to grow and balance jobs and housing in the city.

Council Member Barbadillo questioned if the 2020 Economic Development Strategy was effectively implemented based on the presented indicators. He asked how the Economic Development office works with Planning to preserve employment lands when rezoning happens and wanted to see comparisons to neighboring cities' financial performance metrics like sales tax. The Councilmember followed up by suggesting the Economic Development office should have more say when Planning makes zoning changes that convert employment lands.

Mayor Montano expressed concern that the city relies too heavily on property tax over sales tax for revenue and requested comparisons to other similarly-sized cities to benchmark revenue sources. She suggested "out of the box" thinking with incentives and marketing to attract more businesses and making Main Street an "entertainment district" as a draw for businesses.

There were the following public speakers:

1. Michael Tsai
2. Voltaire Montemayor
3. Ray Magalang
4. Dexter Lat

ANNOUNCEMENTS AND FUTURE AGENDA ITEMS

There were the following announcements and requests for future agenda items:

Vice Mayor Chua made the following requests:

- 1) Bring back a study or analysis of the permit process. There was unanimous consensus to add the item to the prioritization list.
- 2) Staff organize a job fair for City job openings. There was unanimous consensus to add the item to the prioritization list.

Councilmember Lien thanked residents for their support of Measure J.

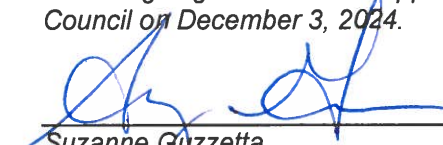
Councilmember Barbadillo requested an update on the library renaming process. City Manager Thomas noted that a report would be coming to the City Council in December.

Mayor Montano asked that staff look into potential impact fees for heavy vehicle transportation using city roads. There was consensus to add the item to the prioritization list (4-1. Noes: Phan).

ADJOURNMENT

Mayor Montano adjourned the meeting at 9:26 PM.

The foregoing minutes were approved by the Milpitas City Council on December 3, 2024.



Suzanne Guzzetta
Milpitas City Clerk