



REGULAR MEETING OF THE MILPITAS CITY COUNCIL



AGENDA

TUESDAY, MARCH 4, 2025

CITY COUNCIL CHAMBER, 455 E. CALAVERAS BLVD, MILPITAS, CA

6:00 PM (CLOSED SESSION)

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_D431XVcxQa-k89BliEtU5g

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 (6:00 PM)

ADJOURN TO CLOSED SESSION

(a) PUBLIC EMPLOYEE APPOINTMENT AND HIRING

Pursuant to Government Code Section 54957(b)(1):
Employee Position: Interim City Manager.

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 (Mayor Montano)

PRESENTATIONS (7:05 PM)

- Bill Hare (Certificate)
- National Women's History Month (Proclamation)
- Youth Art Month (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 March 2025 (Staff Contact: Suzanne Guzzetta, City Clerk, 408-586-3001)

Recommendation: Receive City Council Calendar of Meetings for March 2025.

C2. Approve City Council Meeting Minutes of February 11 and 18, 2025 (Staff Contact: Suzanne Guzzetta, City Clerk, 408-586-3001)

Recommendation: Approve City Council Special Meeting minutes of February 11 and 18, 2025 and Regular Meeting minutes of February 18, 2025.

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: Receive the list of items that have been requested by City Councilmembers and received consensus in previous meetings to date.

- C5. Authorize and Approve Travel Requests to Sacramento, California, by Mayor Montano, Councilmember Chua, Councilmember Lien, and Councilmember Lam to Attend the League of California Cities 2025 City Leaders Summit from April 23 to 25, 2025 (Staff Contact: Matt Cano, Assistant City Manager, 408-586-3012)**

Recommendation: Authorize and approve travel to Sacramento, California, by Mayor Carmen Montano, Councilmember Evelyn Chua, Councilmember Hon Lien, and Councilmember William Lam to attend the League of California Cities 2025 City Leaders Summit from April 23 to 25, 2025, for a total estimated amount of \$6,621, budgeted under the Individual Elected Official Allocation for Conferences/Meetings/Trainings.

- C6. Adopt a Resolution Expressing Support for the City of Milpitas to Fully Fund Metro Tango Subdistrict Park from TASP Impact Fees per the Outdoor Recreation Legacy Partnership Grant Application Requirement (Staff Contact: Christian Di Renzo, Public Works Director, 408-586-2602; and Michael Silveira, City Engineer, 408-586-3303)**

Recommendation: Adopt a resolution expressing support by the City of Milpitas to fully fund Metro Tango Subdistrict Park, Project No. 2023, in the amount of \$10 million from TASP Impact Fees per the Outdoor Recreation Legacy Partnership Grant Application requirement.

- C7. Adopt a Resolution Initiating Proceedings for the Annual Levy and Collection of Assessments and Ordering the Preparation of the Annual Engineer's Report for Landscaping and Lighting Maintenance Assessment District No. 95-1, McCarthy Ranch, for Fiscal Year 2025-26 (Staff Contact: Christian Di Renzo, Public Works Director, 408-586-2602; and Michael Silveira, City Engineer, 408-586-3303)**

Recommendation: Adopt a resolution initiating proceedings for the annual levy and collection of assessments and ordering the preparation of the Annual Engineer's Report for Landscaping and Lighting Maintenance Assessment District No. 95-1, McCarthy Ranch, for Fiscal Year 2025-26.

- C8. Adopt a Resolution Initiating Proceedings for the Annual Levy and Collection of Assessments and Ordering the Preparation of the Annual Engineer's Report for Landscaping and Lighting Maintenance Assessment District No. 98-1, Sinclair Horizon, for Fiscal Year 2025-26 (Staff Contact: Christian Di Renzo, Public Works Director, 408-586-2602; and Michael Silveira, City Engineer, 408-586-3303)**

Recommendation: Adopt a resolution initiating proceedings for the annual levy and collection of assessments and ordering the preparation of the Annual Engineer's Report for Landscaping and Lighting Maintenance Assessment District No. 98-1, Sinclair Horizon, for Fiscal Year 2025-26.

- C9. 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.

PUBLIC HEARINGS (7:30 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.

10. **Adopt a Resolution Approving an Economic Development Incentive Agreement with Rivian, LLC for the Operation of an Industrial Facility Located at 755 Yosemite Drive (Staff Contact: Alex Andrade, Economic Development & Strategic Initiatives Director, 408-586-3046; and Luz Cofresi-Howe, Finance Director, 408-585-3111)**

Recommendation: (1) Conduct a public hearing as required by Government Code Section 53083 for the proposed Economic Development Subsidy Report; and (2) Adopt a resolution approving an Economic Development Incentive Agreement by and between the City of Milpitas and Rivian, LLC for the operation of an industrial facility located at 755 Yosemite Drive and authorize the City Manager to execute the agreement.

11. **2025 Weed Abatement Public Hearing and Resolution Adoption to Abate the Weeds (Staff Contact: Arthur Belton, Deputy Fire Chief/Fire Marshal, 408-586-3384)**

Recommendation: (1) Conduct a public hearing; and (2) Adopt a resolution directing the County of Santa Clara Consumer and Environmental Protection Agency Weed Abatement Program to abate the nuisance, keep an account of the cost, and embody such account in a report and assessment list to the City Council in accordance with the Milpitas Municipal Code.

COMMUNITY DEVELOPMENT (8:30 PM)

12. **Receive an Overview of the Public Review Draft of the Full Updated Zoning Ordinance (Phase 2 of the Comprehensive Zoning Ordinance Update) and Provide Comments to Staff (Staff Contact: Jay Lee, Planning Director, 408-586-3077; and Holly Pearson, Senior Special Projects Associate, 408-609-0072)**

Recommendation: Receive an overview of the Public Review Draft of the full updated Zoning Ordinance (Phase 2 of the Comprehensive Zoning Ordinance Update) and provide comments.

LEADERSHIP AND SUPPORT SERVICES (9:30 PM)

13. **FY 2024-25 2nd Quarter Financial Status Report for the Quarter Ended December 31, 2024 (Staff Contact: Luz Cofresi-Howe, Finance Director, 408-586-3111)**

Recommendation: Review the FY 2024-25 Quarterly Financial Status Report for the quarter ended December 31, 2024.

14. **Review Fiscal Year 2024-25 Mid-Year Report, Adopt a Resolution Approving FY2024-25 Mid-Year Budget Amendments, and Adopt a Resolution Amending Resolution No. 1626, the Classification Plan, to Approve and Adopt the Pay Schedule titled "New Job Classifications/Salary Table" (Staff Contact: Luz Cofresi-Howe, Finance Director, 408-586-3111)**

Recommendation: (1) Review Fiscal Year 2024-25 Mid-Year Report; (2) Adopt a resolution approving FY2024-25 Mid-Year Budget Amendments; and (3) Adopt a resolution amending Resolution

No. 1626, the Classification Plan to approve and adopt the pay schedule titled “New Job Classifications/Salary Table,” and amend budgeted allocated positions.

ANNOUNCEMENTS AND FUTURE AGENDA ITEMS (10:30 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 (10:35 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.