



REGULAR MEETING OF THE MILPITAS CITY COUNCIL



AGENDA

TUESDAY, APRIL 15, 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_mMBJ2n4mS1yJhzdBtk6OYw

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

(b) CONFERENCE WITH LABOR NEGOTIATOR

Pursuant to Government Code Section 54957.6
Agency's Designated Representative(s): Christopher Creech, Assistant City Attorney
Employee Organization(s): Unrepresented – Interim City Manager

(c) CONFERENCE WITH LABOR NEGOTIATOR

Pursuant to Government Code Section 54957.6
Agency's Designated Representative(s): Matt Cano, Assistant City Manager
Employee Organization(s): Unrepresented – City Attorney

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 (Councilmember Chua)

PRESENTATIONS (7:05 PM)

- National Public Safety Telecommunicators Week – April 14-20 (Proclamation)
- Earth Day - April 22 (Proclamation)
- Arts, Culture & Creativity Month (Proclamation)
- American Muslim Appreciation & Awareness Month (Proclamation)
- Synopsys Championship Science Fair 2024 STEM Winners (Certificate)

PUBLIC FORUM (7:20 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 (7:25 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 (Staff Contact: Suzanne Guzzetta, City Clerk, 408-586-3001)

Recommendation: Receive City Council Calendar of Meetings for April and May 2025.

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

Recommendation: Approve City Council Meeting minutes of April 1, 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 Request for Mayor Montano to Atlanta, GA (Staff Contact: Matt Cano, Assistant City Manager, 408-586-3012)

Recommendation: Authorize and approve travel to Atlanta, GA for Mayor Carmen Montano, to attend the NALEO 42nd Annual Conference to be held on July 22–24, 2025, for an estimated not-to-exceed amount of \$3200 budgeted under the Individual Elected Official allocation for Conferences/Meetings/Trainings.

C6. Adopt a Resolution Releasing Unclaimed Checks with a Value Less than \$15 (Staff Contact: Luz Cofresi-Howe, Finance Director, 408-586-3111)

Recommendation: (1) Adopt a resolution releasing Unclaimed Checks with a value less than \$15; and (2) Transfer a total of \$308.54 in Unclaimed Checks to the General Fund.

C7. Receive and Approve the Calendar Year 2024 Controlled Equipment Annual Report (Staff Contact: Jared Hernandez, Chief of Police, 408-586-2406)

Recommendation: Receive and approve the Calendar Year 2024 Controlled Equipment Annual Report.

C8. Approve and Authorize the City Manager, or Designee, to Execute Amendment No. 1 to the Funding Agreement between the City of Milpitas and the Santa Clara Valley Transportation Authority for the Calaveras Boulevard Widening Project, CIP No. 4258 (Staff Contact: Christian Di Renzo, Public Works Director, 408-586-2602)

Recommendation: Approve and authorize the City Manager, or designee, to execute Amendment No. 1 to the Funding Agreement between the City of Milpitas and the Santa Clara Valley Transportation Authority for the Calaveras Boulevard Widening Project, CIP No. 4258.

C9. Adopt a Resolution to Approve Project Plans and Specifications, and Award Construction Contract to GSW Construction, Inc. for the McCandless Well Facility, Project No. 7076 (Staff Contact: Christian Di Renzo, Public Works Director, 408-586-2602)

Recommendation: (1) Adopt a resolution to approve the project plans and specifications, (2) Award the construction contract to GSW Construction, Inc. in the total amount of \$5,336,500, (3) Authorize the City Manager to execute the construction contract with GSW Construction, Inc.; and (4) Authorize the Public Works Director to negotiate and execute contract change order(s) in an aggregate amount not to exceed \$800,000 for the McCandless Well Facility, Project No. 7076.

C10. Approve Personnel Realignment to Meet Department Operations (Staff Contact: Christian Di Renzo, Public Works Director, 408-586-2602)

Recommendation: (1) Approve the deletion of a vacant Principal Engineer position and the addition of a Public Works Division Manager – Engineering position in the Utility Engineering Division of Public Works; and (2) Approve the deletion of a vacant Senior Public Works Lead position and the addition of a Maintenance Supervisor position in the Utility Maintenance division of Public Works.

C11. Adopt a Resolution Authorizing the Purchase of a Sewer Closed Circuit Television Truck from U-Rock Utility Equipment through a Sourcewell Cooperative Purchase Agreement (Staff Contact: Christian Di Renzo, Public Works Director, 408-586-2602)

Recommendation: Adopt a resolution authorizing the purchase of a sewer closed circuit television camera truck for the Public Works Department from U-Rock Utility Equipment through a Sourcewell Cooperative Purchase Agreement in an amount not-to-exceed \$372,368.81.

C12. 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.

C13. Consider a Fee Waiver Request from the Samuel Ayer High School Alumni Association (Staff Contact: Renee Lorentzen, Director of Recreation and Community Services, 408-586-3409)

Recommendation: Approve a fee waiver of \$1,500 for the Samuel Ayer High School Alumni Association 25th Annual All Class Reunion Picnic at Murphy Park on September 20, 2025.

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.

14. Adopt a Resolution to Amend the Site Development Permit and Approve a Density Bonus Permit to Modify the Design and Unit Configuration of a Building at 1355 California Circle (Staff Contact: Jay Lee, Planning Director, 408-586-3077)

Recommendation: (1) Conduct a public hearing; and (2) Adopt a resolution to amend the Site Development Permit and approve a Density Bonus Permit for an apartment building at 1355 California Circle, subject to findings and conditions of approval.

15. Adopt a Resolution Approving a General Plan Amendment to Update the Town Center and Neighborhood Commercial Mixed-Use (NCMU) Descriptions and Introduce an Ordinance Approving a Zoning Amendment to Establish the NCMU District and Update the Existing Town Center District to Create Housing Opportunity Districts (Staff Contact: Jay Lee, Planning Director, 408-586-3077)

Recommendation: (1) Conduct a public hearing and determine that the EIR Addendum and Supplemental Letter to the Addendum adequately analyze the potential environmental impacts associated with the proposed General Plan and Zoning Amendments and are in compliance pursuant to CEQA Guidelines §15162 and §15164, (2) Adopt a resolution approving General Plan Text and Map Amendment No. GP24-0001 to update the Town Center (TWC) and Neighborhood Commercial Mixed-Use (NCMU) descriptions and amend the land use designation of certain parcels; and (3) Waive the first reading beyond the title and introduce Ordinance No. 38.857 approving Zoning Text and Zoning Map Amendment No. ZA24-0001 to establish the Neighborhood Commercial Mixed-Use (NCMU-1,2,3) district and subdistricts, and update the existing Town Center (TC districts to establish the subdistricts (TC-1,2,3).

COMMUNITY SERVICES AND SUSTAINABLE INFRASTRUCTURE (8:30 PM)

16. Receive a Presentation on the Draft Public Art Master Plan (Staff Contact: Renee Lorentzen, Recreation and Community Services Director, 408-586-3409)

Recommendation: Receive a presentation on the draft Public Art Master Plan and provide feedback on key strategies to staff.

LEADERSHIP AND SUPPORT SERVICES (9:00 PM)

17. Adopt a Resolution Appointing an Interim City Manager (Staff Contact: Kelli Parmley, Human Resources Director, 408-586-3086)

Recommendation: (1) Adopt a resolution to appoint an Interim City Manager effective on approval and until a permanent City Manager is appointed, (2) Approve and authorize the Mayor to execute an employment agreement on behalf of the City, and (3) Authorize the Assistant City Manager or designee to take such other actions as necessary and appropriate to carry out the purpose of this appointment.

ANNOUNCEMENTS AND FUTURE AGENDA ITEMS (9:30 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 (9:35 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.