



REGULAR MEETING OF THE MILPITAS CITY COUNCIL



AGENDA

TUESDAY, MAY 20, 2025

CITY COUNCIL CHAMBER, 455 E. CALAVERAS BLVD, MILPITAS, CA
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_HveNjPjaQSy9ZQkF2orP6w

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 (7:00 PM)

PLEDGE OF ALLEGIANCE

INVOCATION (Vice Mayor Barbadillo)

PRESENTATIONS (7:05 PM)

- Asian American, Native Hawaiian, and Pacific Islander Heritage Month (Proclamation)
- Public Works Week - May 18-24, 2025 (Proclamation)
- National Police Week (Proclamation)
- Employee Recognition (Certificate)

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 (Staff Contact: Suzanne Guzzetta, City Clerk, 408-586-3001)

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

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

Recommendation: Approve City Council Meeting minutes of May 6 and 13, 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. Confirm Milpitas Unified School District Appointment to the Economic Development and Trade Commission (Staff Contact: Suzanne Guzzetta, City Clerk, 408-586-3001)

Recommendation: Receive and confirm the Milpitas Unified School District appointment to the Economic Development and Trade Commission.

C5. Veterans Commission Term Realignment (Contact: Suzanne Guzzetta, City Clerk, 408-586-3001)

Recommendation: (1) Approve a staggered term end date structure for the Veterans Commission to promote continuity of service and leadership; and (2) Adjust the Veterans Commission's term expiration dates from February to March, aligning with a proposed quarterly commission recruitment cycle.

- C6. Approve an Amendment to the Professional Services Agreement with TDG Engineering, Inc., for the 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)**

Recommendation: Approve and authorize the City Manager, or designee, to execute an amendment to the Professional Services Agreement with TDG Engineering, Inc., in the amount of \$71,138 with additional authority to approve changes of up to 10% as required to complete the work, for a total not-to-exceed amount of \$78,250.

- C7. Authorize the City Manager, or Designee, to Execute a Five-Year Agreement with PSI Water Technologies, Inc. for Maintenance and Related Services of the City Microclor On-Site Hypochlorite Generation Systems (Staff Contact: Luz Cofresí-Howe, Finance Director, 408-586-3111; and Christian Di Renzo, Public Works Director, 408-586-2602)**

Recommendation: Authorize the City Manager, or designee, to execute a five-year agreement with PSI Water Technologies, Inc. for maintenance and related services of the City Microclor On-Site Hypochlorite Generation Systems in an amount not-to-exceed \$200,000, subject to the annual appropriation of funds.

- C8. Waive the Second Reading and Adopt Ordinance No. 317 to Adopt by Reference the Mapping of Fire Hazard Severity Zones as Issued by the California Department of Forestry and Fire Protection (Staff Contact: Jason Schoonover, Fire Chief, 408-586-2811; and Arthur Belton, Deputy Fire Chief/Fire Marshal, 408-586-3384)**

Recommendation: (1) Waive the second reading; and (2) Adopt Ordinance No. 317 to adopt by reference the mapping of fire hazard severity zones, as issued by the California Department of Forestry and Fire Protection.

- C9. Adopt a Resolution Authorizing an Application to the Home Investment Partnerships Program (HOME) (Staff Contact: Sarah Balcha, Acting Housing Official, 408-586-3268)**

Recommendation: (1) Adopt a resolution authorizing an application to the HOME Program; and (2) Authorize the City Manager, or designee, to execute a standard agreement, any amendments thereto, and any related documents necessary to participate in the HOME Program.

- C10. Adopt a Resolution to Accept the Completed Public Improvements for the Chick-fil-A Calaveras & Hillview #04483 Project, Approve a Reduction of the Faithful Performance Bond for the Project, and Authorize the City Engineer to Release the Remaining Portion of the Bond after the One-Year Warranty Period (Staff Contact: Christian Di Renzo, Public Works Director, 408-586-2602; and Michael Silveira, City Engineer, 408-586-3303)**

Recommendation: (1) Adopt a resolution to accept the completed public improvements for the Chick-fil-A Calaveras and Hillview #04483 Project, (2) Approve a reduction of \$47,500.00 in the faithful performance bond; and (3) Authorize the City Engineer to release the remaining portion of the bond after the one-year warranty period without further City Council action, provided all required warranty work has been completed to the satisfaction of the City Engineer.

- C11. Receive an Update on the Completed Security Improvements at the McCarthy Ranch Sewer Lift Station (Main Lift) and Determine that the Condition No Longer Constitutes an Emergency (Staff**

Contact: Christian Di Renzo, Public Works Director, 408-586-2602)

Recommendation: (1) Receive an update on the completed security improvements at the McCarthy Ranch Sewer Lift Station; and (2) Determine by a four-fifths vote that the condition no longer constitutes an emergency and, therefore, terminate the emergency action.

C12. Receive an Update on the Water Main Repairs on Curtis Avenue and Yosemite Drive and Determine that the Condition Constitutes an Emergency (Staff Contact: Christian Di Renzo, Public Works Director, 408-586-2602)

Recommendation: (1) Receive an update on the Water Main Repairs on Curtis Avenue and Yosemite Drive; and (2) Determine by a four-fifths vote that the condition constitutes 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.

13. Adopt a Resolution to Deny a Minor Site Development Permit and Zoning Variance for a Covered Deck in the Side Yard Setback at 860 Evans Road (Staff Contact: Jay Lee, Planning Director, 408-586-3077)

Recommendation: (1) Conduct a public hearing, (2) Consider the project to be categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15303(a) (New Construction or Conversion of Small Structures) and Section 15305 (Minor Alterations in Land Use Limitations); and (3) Adopt a resolution denying the recommendation of the Planning Commission to approve Minor Site Development Permit No. MS24-0257 and Zoning Variance No. VA25-0001 for the property located at 860 Evans Road.

COMMUNITY SERVICES AND SUSTAINABLE INFRASTRUCTURE (8:00 PM)

14. Consider Approval of Hall Park Court Priority Use and Program Plan (Staff Contact: Renée Lorentzen, Director of Recreation and Community Services, 408-586-3409)

Recommendation: Approve conversion of two of the four Hall Park Tennis Courts to six (6) pickleball courts and direct staff on proposed site adjustments.

LEADERSHIP AND SUPPORT SERVICES (8:30 PM)

15. Review the List of New Workplan Item Requests from Individual Councilmembers and Provide Direction to Staff Through the Council-Approved Prioritization Process (Staff Contact: Matt Cano, Assistant City Manager, 408-586-3012)

Recommendation: (1) Review list of workplan item requests from individual Councilmembers and provide direction to staff, through the prioritization process, on which Group 1 items should be advanced; (2) Provide additional input to staff, if any, on Group 1 items that received Council direction to advance; and (3) By majority vote, approve the list as so prioritized.

ANNOUNCEMENTS AND FUTURE AGENDA ITEMS (9:00 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.

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: ccreech@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.