REGULAR MEETING OF THE MILPITAS CITY COUNCIL

MINUTES
TUESDAY, APRIL 15, 2025

The City Council of the City of Milpitas convened in a Regular Meeting of the Milpitas City Council on April 15, 2025, 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 6:01 PM. Roll Call was taken by City Clerk Guzzetta.

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

ABSENT: None

Acting City Attorney Creech briefed the City Council on the Closed Session.

There were no public speakers.

The City Council adjourned to Closed Session at 6:04 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:

The City Council reconvened at 7:17 PM.

Acting City Attorney Creech reported that the City Council selected Deanna Santana as Interim City Manager (Vote: 4-1. Noes: Lien).

PLEDGE OF ALLEGIANCE

Vice Mayor Barbadillo led the pledge of allegiance.

INVOCATION

Councilmember Chua provided the invocation.

PRESENTATIONS

Mayor Montano, joined by the City Council, presented certificates to the Synopsys Championship Science Fair Winners, and proclamations in recognition of National Public Safety Telecommunicators Week, Earth Day, Arts, Culture & Creativity Month, and American Muslim Appreciation & Awareness Month.

PUBLIC FORUM

There were the following public speakers:
1. Elijah Keyes
2. Voltaire Montemayor
3. Christina Ramos
4. Sreeja Pavuluri

ANNOUNCEMENT OF CONFLICT OF INTEREST AND CAMPAIGN CONTRIBUTIONS

Acting 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. Acting City Attorney Creech asked the Mayor and City Councilmembers if they had any reportable campaign contributions. By roll call, there was one reportable campaign contribution. Mayor Montano disclosed receiving a $150 campaign contribution in July 2024 from Deanna Santana, who was being considered for the interim city man

READING OF THE CITY COUNCIL CODE OF CONDUCT

Vice Mayor Chua read the City Council Code of Conduct.

APPROVAL OF AGENDA

Councilmember Chua asked to hear Item 17 immediately following the Consent Calendar.

After discussion, motion: to approve the agenda, hearing Item 17 immediately following the Consent Calendar.

Motion/Second: Councilmember Chua / Vice Mayor Barbadillo
Motion carried by the following:
AYES: Mayor Montano, Vice Mayor Barbadillo, Councilmember Chua, Councilmember Lam, Councilmember Lien
NOES: None

CONSENT CALENDAR

There were no public comments.

After discussion, motion: to approve the Consent Calendar.

Motion/Second: Councilmember Lien / Vice Mayor Barbadillo
Motion carried by the following:
AYES: Mayor Montano, Vice Mayor Barbadillo, Councilmember Chua, Councilmember Lam, Councilmember Lien
NOES: None

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

   Received City Council Calendar of Meetings for April and May 2025.

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

   Approved City Council Special and Regular Meeting minutes of April 1, 2025.

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)**

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

5. **Authorize and Approve Travel Request for Mayor Montano to Atlanta, GA (Staff Contact: Matt Cano, Assistant City Manager, 408-586-3012)**

   Authorized and approved 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.

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

   (1) Adopted **Resolution No. 9398** releasing Unclaimed Checks with a value less than $15; and (2) Transferred a total of $308.54 in Unclaimed Checks to the General Fund.

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

   Received and approved the Calendar Year 2024 Controlled Equipment Annual Report.

8. **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)**

   Approved and authorized 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.

9. **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)**

   (1) Adopted **Resolution No. 9399** 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.

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

(1) Approved 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) Approved 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. Adopted **Resolution No. 9400.**

11. **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)**

Adopted **Resolution No. 9401** 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.

12. **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.

13. **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)**

Approved 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.

LEADERSHIP AND SUPPORT SERVICES

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

Assistant City Manager Cano introduced the item.

There were the following public speakers:
1. Voltaire Montemayor
2. Reed

Councilmember Lien expressed concerns about the cost given the city's budget deficit.

After discussion, motion: to (1) Adopt **Resolution No. 9402** 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.

Motion/Second: Councilmember Chua / Vice Mayor Barbadillo
Motion carried by the following:
AYES: Mayor Montano, Vice Mayor Barbadillo, Councilmember Chua, Councilmember Lam
NOES: Councilmember Lien

PUBLIC HEARINGS

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)

Assistant City Manager Cano introduced the item. Senior Planner Fossati presented the report.

Mayor Montano opened the public hearing

There were the following public speakers:
1. Ashit G
2. Kiran Karadi
3. Amber Wong
4. Shalini Varma
5. Anoop Prabhu
6. Archana Bhattarai
7. Ankith G.S.
8. Venkatesh Bhattad
9. Padma
10. Vikas

Mayor Montano closed the public hearing.

Jim Sullivan from Pulte Homes provided additional details on the changes and rationale. Several members of the public spoke in opposition, citing concerns about traffic, school overcrowding, and impacts on the neighborhood.

Council members asked questions about traffic impacts, school capacity, noise, and parking. Staff and the applicant addressed these concerns, noting that environmental studies had been done previously and mitigation measures were in place. The school district had indicated they could accommodate new students.

Councilmember Chua disclosed meeting with Jim Sullivan in February. She asked questions of the applicant and staff, and clarified that this project was helping meet the city's affordable housing requirements.

Mayor Montano emphasized the need for housing that teachers and other workers could afford.

After discussion, <u>motion:</u> to (1) Conduct a public hearing; and (2) Adopt **Resolution No. 9403** 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.

Motion/Second: Councilmember Lien / Councilmember Chua
Motion carried by the following:

AYES:	Mayor Montano, Vice Mayor Barbadillo, Councilmember Chua, Councilmember Lam, Councilmember Lien
NOES:	None

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)

Planning Director Lee introduced the item. Principal Planner VanHua and Consultant Chris Sensenig presented the report.

Mayor Montano opened the public hearing.

There were the following public speakers:
1. Johnny Reed
2. Sharmila Vidyadhara
3. Yaohua Li
4. Rajendra Chayapathi
5. Nilam Khacharia
6. Sanket Gandhi
7. Rahul Peravali
8. Prasad Deshpande
9. Sayar Anantapally
10. Manali Desai
11. Sushma Pac
12. Nikunj Vaidya
13. Vijay Kumar Rajendrarad
14. Chandana Rathan
15. John Love
16. Pallavi Pandit
17. Sujita
18. Kalpesh
19. John Paul Duya
20. Jelanie Duya
21. Padma
22. Pranav Bhole
23. Mahesh Patil
24. Ashit Ghovesie
25. Amber Wong
26. Shalini Varma
27. Voltaire Montemayor
28. Milan Shah
29. Member of the public

Mayor Montano closed the public hearing.

Councilmembers asked questions about traffic, school capacity, and potential development timelines. Staff explained that actual development could take years and would be subject to further review. They emphasized that not approving the plan could lead to loss of local control through "builder's remedy" provisions in state law.

After extensive discussion, the council expressed understanding of community concerns but felt the plan was necessary to maintain local control and meet state requirements.

After discussion, motion: to (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 **Resolution No. 9404** 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).

Motion/Second: Vice Mayor Barbadillo / Councilmember Lien
Motion carried by the following:

AYES:	Mayor Montano, Vice Mayor Barbadillo, Councilmember Chua, Councilmember Lam, Councilmember Lien
NOES:	None

Acting City Attorney Creech announced that it was past 11:00 PM and would require a motion and vote to take up the next agenda item. Councilmember Chua made a motion: to continue past 11:00 PM. The motion was seconded by Councilmember Lien. Upon a call for the vote, there was unanimous support (Vote: 5-0).

COMMUNITY SERVICES AND SUSTAINABLE INFRASTRUCTURE

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

Recreation Director Lorentzen introduced the item. Consultant Amanda Golden from Designing Local Amanda presented the report.

There were the following public speakers:
1. Voltaire Montemayor
2. Member of the public
3. Member of the public

Councilmember Chua appreciated the incorporation of community feedback and praised the varied projects and themes, particularly those involving practical art installations in parks and public spaces. Vice Mayor Barbadillo highlighted the importance of art in enriching community life and was keen on seeing wide participation from local artists. Councilmember Lam was eager to see the plan implemented and looked forward to the revitalization it would bring across the community. Mayor Montano noted her previous efforts in establishing the city's art ordinance and supported expanding initiatives that promote and integrate art even further in Milpitas.

ANNOUNCEMENTS AND FUTURE AGENDA ITEMS

Assistant City Manager Cano announced an upcoming community budget town hall and annual commissioners recognition event.

Council Member Chua requested bringing back the posting of colors by Boy Scouts at council meetings. There was unanimous consent in support of the item.

ADJOURNMENT

Mayor Montano adjourned the meeting at 11:29 PM.

The foregoing minutes were approved by the Milpitas City Council on May 6, 2025.

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Suzanne Guzzetta
Milpitas City Clerk