REGULAR MEETING OF THE MILPITAS CITY COUNCIL

MINUTES

TUESDAY, MAY 20, 2025

The City Council of the City of Milpitas convened in a Regular Meeting of the Milpitas City Council on May 20, 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

Vice Mayor Barbadillo called the Regular City Council meeting to order at 7:06 PM. Roll Call was taken by City Clerk Guzzetta.

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

PLEDGE OF ALLEGIANCE

The City Council led the pledge of allegiance.

INVOCATION

Councilmember Lien provided the invocation

PRESENTATIONS

Vice Mayor Barbadillo, joined by the City Council, presented proclamations in recognition of Asian American, Native Hawaiian, and Pacific Islander Heritage Month, Public Works Week, and National Police Week. The City Council also recognized city employees for 5, 10, 15, 20, and 25 years of service.

PUBLIC FORUM

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

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 (Absent: Montano). Acting 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 (Absent: Montano).

READING OF THE CITY COUNCIL CODE OF CONDUCT

Councilmember Lam read the City Council Code of Conduct.

APPROVAL OF AGENDA

After discussion, motion: to approve the agenda.

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

CONSENT CALENDAR

There were no public speakers.

After discussion, motion: to approve the Consent Calendar.

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

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

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

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

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

   Received and confirmed the Milpitas Unified School District appointment of Chris Norwood to the Economic Development and Trade Commission.

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

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

6. **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)**

   Approved and authorized 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.

7. **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)**

   Authorized 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.

8. **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)**

   (1) Waived the second reading; and (2) Adopted **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.

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

   (1) Adopted **Resolution No. 9417** authorizing an application to the HOME Program; and (2) Authorized the City Manager, or designee, to execute a standard agreement, any amendments thereto, and any related documents necessary to participate in the HOME Program.

10. **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)**

    (1) Adopted **Resolution No. 9418** to accept the completed public improvements for the Chick-fil-A Calaveras and Hillview #04483 Project, (2) Approved a reduction of $47,500 in the faithful performance bond; and (3) Authorized 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.

11. **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)**

    (1) Received an update on the completed security improvements at the McCarthy Ranch Sewer Lift Station; and (2) Determined by a four-fifths vote that the condition no longer constitutes an emergency and terminated the emergency action.

12. **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)**

    (1) Received an update on the Water Main Repairs on Curtis Avenue and Yosemite Drive; and (2) Determined by a four-fifths vote that the condition constitutes an emergency.

PUBLIC HEARINGS

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)

Interim City Manager Santana introduced the item. Associate Planner Baez presented the report.

The applicants presented their case, stating that the property had been subdivided before current zoning rules were in place. They argued that the proposed deck would not obstruct views or negatively impact neighbors. The applicants expressed that other suggested alternatives would not meet their needs for daily use and enjoyment of their property.

Vice Mayor Barbadillo opened the public hearing.

There were the following public speakers:
1. Voltaire Montemayor

Vice Mayor Barbadillo closed the public hearing.

Council members discussed the application, asking questions about setback requirements, alternatives, and potential impacts. There was debate about balancing property owners' desires with zoning regulations and hillside preservation goals.

The applicant provided remarks in response to council discussion.

After discussion, motion: to 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 Adopt **Resolution No. 9419** 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.

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

COMMUNITY SERVICES AND SUSTAINABLE INFRASTRUCTURE

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)

Interim City Manager Santana introduced the item and Recreation and Community Services Director Lorentzen presented the report.

There were the following public speakers:
1. Van Leong
2. Prashanth Kumar
3. Sujee Manayan
4. Melissa Perreira

5. Malia Toy
6. K.S.
7. Joon Viswanathan
8. Ben Zang
9. Vikas S
10. Henry Soo
11. Stephen Balsbaugh
12. Voltaire Montemayor
13. Gino Ralapagos
14. Kimberly

Councilmembers engaged in a detailed discussion regarding the proposal to convert tennis courts to pickleball courts at Hall Park. Several concerns were raised, including noise mitigation, parking limitations, and the potential for finding alternative locations for pickleball courts.

Councilmember Lien emphasized the importance of mutual respect between pickleball players and neighbors, urging players to adhere to court hours and parking guidelines. She reminded players to maintain neighborly conduct by respecting the peace and quiet of the nearby residents.

Councilmember Lam expressed the necessity of finding a balance between accommodating the popular sport of pickleball and addressing the issues of noise and increased traffic faced by residents living close to the park. He suggested exploring the possibility of establishing indoor pickleball courts as a solution.

Councilmember Chua raised the idea of conducting a study on Dixon Landing Park to assess its potential as a permanent venue for pickleball, thereby offering the sport a more suitable and dedicated home.

Additionally, the council discussed the need for improved signage and parking solutions, such as tandem parking and emergency vehicle access, to alleviate some of the traffic-related concerns.

Councilmember Lam made a motion: to approve all staff recommendations related to the Hall Park pickleball item—such as additional sound damping panels, parking improvements, court queuing systems, and safety fence adjustments—but specifically to not make the six pickleball courts permanent. He expressed a preference to continue with the current portable net setup to maintain flexibility while implementing mitigation efforts and monitoring conditions further.

Assistant City Manager Cano sought clarification and confirmed that the intent was to stripe half of the court areas for pickleball courts striped and to use portable nets (i.e., no permanent net installation) while proceeding with the proposed mitigation measures.

City Attorney Christopher Creech restated the motion to approve staff to move forward with the mitigation measures specified in the staff report (including noise reduction and parking improvements), with the addition of signage improvements; Direct staff to bring forward in the Capital Improvement Program budget both the $100,000 originally proposed for the Hall Park improvements and additional funding for further study of the longer-term options, including possibly permanent pickleball courts and alternative locations such as indoor and outdoor sites.

Councilmember Chua seconded the motion, including the amendments related to signage and further study.

After discussion, motion: to approve staff to move forward with the mitigation measures specified in the staff report (including noise reduction and parking improvements), with the addition of signage improvements; Direct staff to bring forward in the Capital Improvement Program budget both the $100,000 originally proposed for the Hall Park improvements and additional funding for further study of the longer-term options

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

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

LEADERSHIP AND SUPPORT SERVICES

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)

Interim City Manager Santana introduced the item and Assistant City Manager Cano presented the report. Two new items were up for prioritization:

CC01 - Review of the bingo ordinance. Upon a call for consensus to move the item forward, it failed to pass (Vote: 1-3-1. Noes: Chua, Lam, Lien; Absent: Montano).
CC02 - Consider support for a policy or program regarding fentanyl. Upon a call for consensus to move the item forward, there was unanimous support (Vote: 4-0-1. Absent: Montano).

There were the following public speakers.
1. Voltaire Montemayor

ANNOUNCEMENTS AND FUTURE AGENDA ITEMS

There were no announcements.

ADJOURNMENT

Vice Mayor Barbadillo adjourned the meeting at 10:29 PM.

The foregoing minutes were approved by the Milpitas City Council on June 3, 2025

Suzanne Guzzetta
Milpitas City Clerk