



SPECIAL MEETING OF THE MILPITAS CITY COUNCIL

MINUTES
TUESDAY, AUGUST 12, 2025

The City Council of the City of Milpitas convened in a Special Meeting of the Milpitas City Council on August 12, 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 5:31 PM. Roll Call was taken by City Clerk Guzzetta.

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

ABSENT: None

The city council adjourned to Closed Session at 5:33 PM.

ADJOURN TO CLOSED SESSION

(a) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant Exposure to Litigation Pursuant to Government Code Section 54956.9(d)(2)
Facts and circumstances related to a Public Records Act request.
City as Defendant.

CLOSED SESSION ANNOUNCEMENT:

The City Council reconvened in open session at 6:48 PM.

Acting City Attorney Creech had nothing to report out from Closed Session.

PLEDGE OF ALLEGIANCE

Vice Mayor Barbadillo led the pledge of allegiance.

INVOCATION

Councilmember Lam provided the invocation.

PRESENTATIONS

There were no presentations.

PUBLIC FORUM

There were the following public speakers:

1. Voltaire Montemayor

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. Councilmember Lien disclosed receiving a \$250 contribution from John of Mission Peak Homes within the past 12 months, related to item C12 on the consent calendar. By roll call, there were no other reportable campaign contributions.

READING OF THE CITY COUNCIL CODE OF CONDUCT

Councilmember Chua read the City Council Code of Conduct.

APPROVAL OF AGENDA

After discussion, motion: to approve the agenda.

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

Councilmember Lam requested to pull items C7 and C10 from the consent calendar for separate discussion.

Acting City Attorney Creech advised taking a separate vote on item C12 to allow Councilmember Lien to recuse herself due to her campaign contribution disclosure.

After discussion, motion: To approve the consent calendar except for items C7, C10, and C12.

Motion/Second: Councilmember Chua / Vice Mayor Barbadillo

Vote: 5-0.

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

Councilmember Lien recused herself and stepped off the dais for Item C12 due to her previously disclosed campaign contribution.

After discussion, motion: to approve Item C12.

Motion/Second: Vice Mayor Barbadillo / Councilmember Chua

Motion carried by the following:

AYES: Mayor Montano, Vice Mayor Barbadillo, Councilmember Chua, Councilmember Lam

NOES: None

ABSTAIN: Councilmember Lien

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

Received City Council Calendar of Meetings for August 2025.

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

Approved City Council Meeting minutes of June 17, 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. **Report Back on City Manager Activity During Summer Recess (Staff Contact: Matt Cano, Assistant City Manager, 408-586-3012)**

(1) Accepted the report on City Manager Activity during the City Council Summer Recess and confirm continuing authority to complete ongoing work, and; (2) Authorized the City Manager, or designee, to continue to negotiate and execute under City Manager Summer Recess Authority: (a) a Professional Services Agreement with The Lew Edwards Group for business license tax reform ballot measure communications services in an amount not-to-exceed \$113,500; and (b) Professional Services Agreements with professional services firms for organizational assessment services, and adjust the scope(s) of services, not-to-exceed amount(s) and term(s) of performance between individual firms as required in amounts that may exceed \$100,000, subject to budgetary appropriations.

6. **Award a Bid and Authorize the City Manager to Negotiate and Execute an Agreement with Technology, Engineering & Construction, Inc., dba TEC Accutite, for Aboveground/Underground Storage Tank Maintenance, Repair, and Related Services (Staff Contact: Luz Cofresi-Howe, Finance Director, 408-586-3111; and Christian Di Renzo, Public Works Director, 408-586-2602)**

Awarded a bid and authorized the City Manager, or designee, to (1) Negotiate and execute a Maintenance Services Agreement with Technology, Engineering & Construction, Inc., dba TEC Accutite, for aboveground/underground storage tank maintenance, repair, and related services for an initial one-year term and a maximum compensation of \$200,000; and (2) Exercise up to four additional one-year options with annual increases, if requested by vendor, limited to 3% or Consumer Price Index (CPI), whichever is less, for a total five-year contract not-to-exceed amount of \$1,061,827, subject to the appropriation of funds.

8. **Adopt a Resolution to Approve Project Plans and Specifications, Award Bid to Square Signs LLC, and Authorize the City Manager to Negotiate and Execute an Agreement for Scoreboard Replacement Services (Staff Contact: Luz Cofresi-Howe, Finance Director, 408-586-3111; and Christian DiRenzo, Public Works Director, 408-586-2602)**

Adopted **Resolution No. 9441** to (1) Approve project plans and specifications; (2) Award Bid to Square Signs LLC; and (3) Authorize the City Manager, or designee, to negotiate and execute a Construction

Agreement with the lowest responsive and responsible bidder, Square Signs LLC, for scoreboard replacement services in an amount not to exceed \$250,000, subject to the appropriation of funds.

9. **Adopt a Resolution to Increase Appropriation for the Annual Wholesale Water Purchase from Santa Clara Valley Water District (Staff Contact: Luz Cofresi-Howe, Finance Director, 408-586-3111; and Christian Di Renzo, Public Works Director, 408-586-2602)**

Adopted **Resolution No. 9442** to increase appropriation for the Annual Wholesale Water Purchase from the Santa Clara Valley Water District by \$446,073.32.

11. **Adopt a Resolution Authorizing the City Manager to Accept the California Highway Patrol Cannabis Tax Fund Grant Program Award, Approve the Purchase of the Grant-Approved Specialty Vehicle, Enter into the Resultant Grant Agreement and other Ancillary Documents as Needed, and Approve the Related Budget Appropriation (Staff Contact: Jared Hernandez, Chief of Police, 408-586-2406)**

(1) Adopted **Resolution No. 9443** authorizing the City Manager, or designee, to accept the California Highway Patrol Cannabis Tax Fund Grant Program Award in the amount of \$248,547, (2) Approve the purchase of the grant-approved specialty vehicle, (3) Enter into the resultant grant agreement and other ancillary documents as needed; and (4) Approve the related budget appropriation in the amount of \$248,547 to the State Grants Police Department Fund.

12. **Approve and Authorize the City Manager to Execute an Improvement Agreement between the City of Milpitas and Mission Peak Homes, Inc. for a Residential Project at 470-500 Wool Drive (Staff Contact: Christian Di Renzo, Public Works Director, 408-586-2602; and Michael Silveira, City Engineer, 408-586-3303)**

Approved and authorized the City Manager, or designee, to execute an Improvement Agreement between the City of Milpitas and Mission Peak Homes, Inc., for a residential project at 470-500 Wool Drive.

13. **Adopt a Resolution Authorizing the City Manager to Negotiate and Execute a Purchase and Sale Agreement with Santa Clara Valley Water District for Property Acquisition for South Milpitas Boulevard Road Extension, Project No. 2016 (Staff Contact: Christian Di Renzo, Public Works, 408-586-2602; and Michael Silveira, City Engineer, 408-586-3303)**

Adopted **Resolution No. 9444** to authorize the City Manager to (1) Negotiate and execute the Purchase and Sale Agreement with Santa Clara Valley Water District for the acquisition of approximately 18,920 square foot of Assessor's Parcel Number 086-37-018 in the amount of \$270,000, (2) Negotiate and grant a Watershed Easement Agreement on said Purchase and Easement Agreement on 1841 Tarob Court to Santa Clara Valley Water District, (3) Negotiate and accept Easement Agreement from Anton Milpitas, LLC (1828 South Milpitas Boulevard) and The Harlowe, LLC (1821 South Milpitas Boulevard); and (4) Find that the purchase is in conformance with the Milpitas General Plan for South Milpitas Boulevard Road Extension, CIP No. 2016.

PUBLIC HEARINGS

14. **Conduct a Public Hearing, Adopt a Resolution Approving General Plan Amendment GP25-0001, and Introduce an Ordinance Approving Zoning Text Amendment and Zoning Map Amendment ZA25-0001 to Comprehensively Update the Zoning Ordinance (Staff Contact: Jay Lee, Planning Director, 408-586-3077)**

Interim City Manager Santana introduced the item. Planning Director Lee presented the report, joined by Special Projects Associate Holly Pearson and Liebert Cassidy Whitmore Consultant Jen Murillo.

Mayor Montano opened the public hearing.

There were the following public speakers:

1. Yolie Garcia
2. Voltaire Montemayor

Mayor Montano closed the public hearing.

Councilmember Montano asked whether floor area ratio (FAR) standards could be revised in the future. Holly Pearson, Planning Project Manager, explained that revisions would require a general plan amendment followed by zoning adjustments.

Mayor Montano raised concerns about potential conflicts with SB 63. Planning Director Jay Lee stated that state law supersedes local ordinances where applicable and that the ordinance was drafted to maintain compliance while preserving local control where possible.

Councilmember Lien raised questions about the letter received from the California Housing Defense Fund regarding accessory dwelling unit (ADU) regulations. Planning Director Lee responded that staff believe the regulations comply with state law and recommended review by the Department of Housing and Community Development.

Acting City Attorney Creech read aloud the title of the ordinance.

After discussion, motion: to (1) Conduct a public hearing and determine that the Environment Impact Report (EIR) Addendum adequately analyzes the potential environmental impacts associated with the proposed General Plan and Zoning Amendments and is in compliance pursuant to CEQA Guidelines §15162 and §15164; (2) Adopt **Resolution No. 9445** approving General Plan Amendment No. GP25-0001; and (3) Waive the first reading beyond the title and Introduce **Ordinance No. 38.858** approving Zoning Text and Zoning Map Amendment No. ZA25-0001 to comprehensively update the Zoning Ordinance and to achieve consistency between the General Plan Land Use Element, Zoning Ordinance, and Zoning Map.

Motion/Second: Councilmember Chua / Councilmember Lien

Motion carried by the following:

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

NOES: None

ITEMS PULLED FROM CONSENT CALENDAR

7. **Award a Bid to Holiday Lights, Inc. and Authorize the City Manager to Negotiate and Execute an Agreement for the Annual Install/Removal of City-Owned Holiday Lights (Staff Contact: Luz Cofresí-Howe, Finance Director, 408-586-3111; and Christian Di Renzo, Public Works Director, 408-586-2602)**

Councilmember Lam expressed concerns about the cost of \$75,000 per year for five years for holiday light installation and removal on five trees at City Hall. He questioned the justification for this expense given the limited scope of work. Assistant City Manager Cano and Public Works Director Di Renzo explained that the work involves two days for installation and two days for removal, including

equipment rental, traffic control, permitting for Caltrans right-of-way, after-hours work, and proper storage of lights.

Vice Mayor Barbadillo questioned whether the City could use their own resources to handle the task and was skeptical of the \$75,000 cost, suggesting alternatives should be considered.

Councilmember Chua suggested reducing the number of trees decorated or finding other ways to reduce costs while maintaining the holiday spirit.

Interim City Manager Santana suggested bringing back options that could create a holiday environment at a lower cost, potentially redirecting savings to holiday activities and programs.

The council agreed to defer the item and directed staff to:

- Explore lower-cost alternatives for holiday decorations
- Consider decorating fewer trees or using different decoration methods
- Look into past decorations on Calaveras Boulevard medians
- Provide a breakdown of current holiday decoration plans and budgets
- Present options for creating a festive atmosphere within more limited resources

After discussion, motion: to not approve awarding the bid and to direct staff to explore additional proposals, including negotiating with the current bidder.

Motion/Second: Councilmember Chua / Councilmember Lam

Motion carried by the following:

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

NOES: None

10. Receive Report on Workforce Housing Rental Assistance, Approve Programmatic Updates, and Approve Additional Appropriation from the Affordable Housing Community Benefit Fund for the Workforce Housing Rental Assistance Program Round Two (Staff Contact: Matt Cano, Assistant City Manager, 408-586-3012; and Sarah Balcha, Senior Administrative Analyst, 408-586-3268)

Councilmember Lam asked about the use of a third-party administrator, program deadlines, and eligibility changes. Senior Administrative Analyst Balcha explained the role of FORWARD in administering the program, described funding timelines, and outlined proposed updates to broaden eligibility while prioritizing Milpitas residents.

Mayor Montano inquired about fraud prevention and the impact of state housing laws, with Ms. Balcha and Planning Director Lee providing responses. Councilmember Lam suggested varying assistance amounts, which staff noted could create administrative challenges. Assistant City Manager Cano clarified that Milpitas residents would be prioritized.

Council directed staff to continue using a third-party administrator, implement fraud prevention measures, cap payments at actual rent amounts, limit eligibility to Milpitas residents, conduct service evaluations, and return with a report on homeless outreach services funded under the program.

After discussion, motion:to (1) Receive report and approve Workforce Housing Rental Assistance

Program programmatic updates; and (2) Approve and authorize the City Manager, or designee, to allocate an additional appropriation of \$20,000 from the Affordable Housing Community Benefit Fund to FORWARD for administration of round two of the Workforce Housing Rental Assistance Program with direction to continue using a third-party administrator, implement fraud prevention measures, cap payments at actual rent amounts, limit eligibility to Milpitas residents, conduct service evaluations, and return with a report on homeless outreach services funded under the program.

Motion/Second: Councilmember Lam / Councilmember Lien
by the following:

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

NOES: None

There were the following public speakers:

1. Voltaire Montemayor

ANNOUNCEMENTS AND FUTURE AGENDA ITEMS

City Manager Santana reported that National Night Out was a success, with 28 neighborhood gatherings held throughout the city. She also announced that Mayor Montano would attend the VTA Policy Advisory Committee meeting on August 14 to support the VTA staff recommendation for full funding of the City's Smart Commuter program.

There were the following Councilmember Requests:

- Councilmember Chua requested that staff explore a program similar to San Leandro's, which provides Ring doorbell cameras to residents. There was unanimous consensus to add to the prioritization list.
- Councilmember Lam proposed expanding the Milpitas SMART program to include service to the San Jose Airport, with a suggested \$10 fare for airport trips. There was unanimous consensus to add to the prioritization list.

Mayor Montano shared her positive experience participating in National Night Out and noted the strong turnout and positive community engagement with first responders. She also requested that staff address widespread weed overgrowth throughout the city, which has generated numerous resident complaints.

ADJOURNMENT

Mayor Montano adjourned the meeting at 9 PM.

The foregoing minutes were approved by the Milpitas City Council on September 2, 2025.



Suzanne Guzzetta
Milpitas City Clerk