



REGULAR MEETING OF THE MILPITAS CITY COUNCIL



AGENDA

TUESDAY, MAY 5, 2026

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

5:30 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_YMaMzI3ISg-4Bgnmgmv5Bq

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.
- Use electronic devices appropriately 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 (5:30 PM)

ADJOURN TO CLOSED SESSION

(a) CONFERENCE WITH LABOR NEGOTIATOR

Pursuant to Government Code Section 54957.6
Agency's Designated Representative(s): Jared Hernandez, Acting City Manager, Matt Cano, Assistant City Manager, Rick Bolanos, Liebert Cassidy Whitmore
Employee Organization(s): Professional and Technical Employees, Mid-Management and Confidential Employees, Milpitas Employees Association, International Association of Firefighters, Milpitas Police Officers Association, Unrepresented Employees

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 (Mayor Montano)

PRESENTATIONS

- Building Safety Month (Proclamation)
- Older Americans Month (Proclamation)
- Affordable Housing Month (Proclamation)
- National Small Business Week

PUBLIC FORUM

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

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 2026.

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

Recommendation: Approve City Council Meeting minutes of April 21, 2026.

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. Approve Updating the Name of the Science, Technology and Innovation Commission to the Technology Commission (Staff Contact: Suzanne Guzzetta, City Clerk, 408-586-3001)

Recommendation: Approve updating the name of the Science, Technology and Innovation Commission to the Technology Commission.

C6. Waive the Second Reading and Adopt Ordinance No. 128.13 Amending Chapter 14 of Title I of the Milpitas Municipal Code Regarding the Salaries of the Milpitas Mayor and City Council (Staff Contact: Matt Cano, Assistant City Manager, 408-586-3012)

Recommendation: Move to waive the second reading and adopt Ordinance No. 128.13 amending Chapter 14 Title I of the Milpitas Municipal Code to revise language relating to Mayor and City Council salaries.

C7. Approve the Second Amendment to the Professional Services Agreement with Berry, Dunn, McNeil & Parker LLC for Enterprise Resource Planning Consulting Services (Staff Contact: Luz Cofresi-Howe, Finance Director, 408-586-3111; and Kelli Parmley, Human Resources Director, 408-586-3086)

Recommendation: Approve and authorize the City Manager, or designee, to execute the Second Amendment to the Professional Services Agreement with Berry, Dunn, McNeil & Parker LLC for Enterprise Resource Planning Consulting Services in the amount of \$229,800 in an amount not-to-exceed \$1,215,800.

C8. Adopt a Resolution Updating and Establishing Various User and Regulatory Fees for 607 of 659 Fees Reviewed as Part of the FY 2026-27 User and Regulatory Fee Study, Effective July 6, 2026 (Staff Contact: Luz Cofresi-Howe, Finance Director, 408-586-3111)

Recommendation: Adopt a resolution updating and establishing user and regulatory fees for 607 of 659 fees examined in the FY 2026-27 fee study, effective July 6, 2026, and establishing an annual inflationary adjustment framework subject to City Council confirmation each fiscal year.

C9. Adopt a Resolution to Accept the Improvements, and Authorize the City Engineer to File a Notice of Completion and Issue a Notice of Final Acceptance after the One-Year Warranty Period for Dempsey Road Water Line Replacement (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 improvements; and (2) Authorize the City Engineer to file a Notice of Completion and issue a Notice of Final Acceptance after the one-year warranty period for Dempsey Road Water Line Replacement, CIP Nos. 7100 and 7118.

- C10. Adopt a Resolution to Approve Project Plans and Specifications, Award Construction Contract to DeSilva Gates Construction LLC for Street Resurfacing Project 2026, and Approve Budget Amendment for Street Resurfacing Project FY2024-25 (Staff Contact: Christian Di Renzo, Public Works Director, 408-586-2602; and Michael Silveira, City Engineer, 408-586-3303)**

Recommendation: Adopt a Resolution to: (1) Approve Project plans and specifications; (2) Award the construction contract to the lowest responsible and responsive bidder DeSilva Gates Construction LLC in the amount of \$3,630,558; (3) Authorize the City Manager, or designee, to execute the construction contract with DeSilva Gates Construction LLC; (4) Authorize the Public Works Director to negotiate and execute contract change order(s) in an aggregate amount not-to-exceed \$545,000 for the Street Resurfacing Project 2026, CIP Nos. 3426, 3440, 4283, and 4307; and (5) Approve a budget amendment to appropriate funding from CalRecycle in the amount of \$375,000 for the Street Resurfacing Project FY2024-25, CIP Project No. 4300.

- C11. Adopt a Resolution Designating Street Resurfacing Project 2026-27, CIP No. 4308 to be Partially Funded by California Senate Bill 1 - The Road Repair and Accountability Act of 2017 (Staff Contact: Christian Di Renzo, Public Works Director, 408-586-2602; and Michael Silveira, City Engineer, 408-586-3303)**

Recommendation: Adopt a resolution designating Street Resurfacing Project 2026-27, CIP No. 4308 to be partially funded by California Senate Bill 1 - The Road Repair and Accountability Act of 2017.

PUBLIC HEARINGS

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.

- 12. Conduct a Public Hearing and Adopt a Resolution Approving the Proposed 2027-2031 Capital Improvement Program (Staff Contact: Christian Di Renzo, Public Works Director, 408-586-2602 and Michael Silveira, City Engineer, 408-586-3303)**

Recommendation: Conduct a public hearing and adopt a resolution approving the 2027-2031 Capital Improvement Program.

- 13. Receive a Presentation on the FY 2026–27 Proposed Operating Budget and Provide Direction; and Receive the Annual AB 2561 Report on Vacant Positions and Recruitment and Retention Efforts (Staff Contact: Luz Cofresí-Howe, Finance Director, 408-586-3111; Kelli Parmley, Human Resources Director, 408-586-3086)**

Recommendation: Receive a presentation on the FY 2026–27 Proposed Operating Budget and provide direction; and Receive the report regarding Local Public Employees Vacant Positions, including recruitment and retention efforts and identification of potential hiring process obstacles, to meet AB 2561 Reporting Requirements.

COMMUNITY DEVELOPMENT

- 14. Adopt the Innovation District Parks and Trails Master Plan (Staff Contact: Jay Lee, Planning Department, 408-586-3077)**

Recommendation: Adopt a resolution to adopt the Innovation District Parks and Trails Master Plan.

LEADERSHIP AND SUPPORT SERVICES

15. **Approve Changes to the City Council Procedures and Protocols Handbook to Incorporate Changes to Local Ordinance and State Statute, Including the Adoption of a Meeting Technology Disruption Policy as Required by SB 707 (Staff Contact: Suzanne Guzzetta, City Clerk, 408-586-3001; and Christian Curtis, City Attorney, 408-586-3041)**

Recommendation: Approve changes to the City Council Procedures and Protocols Handbook to incorporate changes to Local Ordinance and State Statute, including the adoption of a Meeting Technology Disruption Policy as required by SB 707 (Durazo).

ANNOUNCEMENTS AND FUTURE AGENDA ITEMS

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

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: ccurtis@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 408-586-3005 or send an e-mail to CityClerk@milpitas.gov prior to the meeting. You may request a larger font agenda.