

**MEETING MINUTES  
CITY OF MILPITAS**

**Minutes of:** Regular Meeting of Milpitas City Council  
**Date:** Tuesday, February 6, 2007  
**Time:** 6:30 PM  
**Location:** Council Chambers, Milpitas City Hall,  
455 East Calaveras Blvd., Milpitas

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**ROLL CALL**

Mayor Esteves called the meeting to order at 6:30 PM.

**PRESENT:** Mayor Esteves, Vice Mayor Livengood, Councilmembers Giordano, Gomez and Polanski. Mr. Gomez arrived at 6:35 PM.

**ABSENT:** None

**CLOSED SESSION**

Mayor Esteves publicly stated the Council would immediately convene in Closed Session for a conference with Labor Negotiators for Collective Bargaining: City Negotiators Carmen Valdez and Art Hartinger, with employee group International Association of Fire Fighters (IAFF)

The Council convened in Open Session at 7:00 PM.

**CLOSED SESSION  
ANNOUNCEMENT**

City Attorney Steve Mattas announced that Council previously approved on 8/01/2006 a settlement in the matter of City of Milpitas Redevelopment Agency v. Winsor (two cases), related to property acquired for the new Library project in the mid-town area. It voted unanimously on a settlement of property acquisition for \$1,553,221, plus interest payments of \$23,221. In addition, the Council previously approved on 2/16/2006 a property acquisition in the City of Milpitas v. Kennedy/Witt matter for \$169,000, and \$32,000 to additional owner Mr. Yen, and those amounts were exclusive of interest.

**PLEDGE**

Boy Scouts Troop No. 92 Color Guard led the Pledge of Allegiance.

**INVOCATION**

Councilmember Giordano introduced Pastor Nate Hartkey from the Mount Olive Lutheran Church, who then provided an invocation.

**MINUTES**

MOTION: approve minutes of January 16 and 28, 2007 City Council meetings, as amended

City Clerk Lavelle announced a correction on a vote recorded in the draft January 16 minutes. City Attorney Mattas noted that the minutes of the Closed Session on January 28 reflected the Council's action taken on that date.

Motion/Second: Councilmember Polanski/Vice Mayor Livengood

Motion carried by a vote of: AYES: 5  
NOES: 0

**SCHEDULE OF MEETINGS**

MOTION: to approve the Schedule of Meetings (Monthly Planner), as amended

Councilmember Livengood would attend the Treatment Plant Advisory Committee on February 8<sup>th</sup> for its monthly meeting at 4:30 PM at San Jose City Hall.

Mayor Esteves noted that the Council's Library Subcommittee would meet February 28 at 5:30 pm followed by the Utility Rate Subcommittee at 6:30 pm.

Councilmember Polanski noted that tentatively, February 22 at 6:30 PM would be the Council's Capital Improvements Program Subcommittee meeting.

City Manager Williams highlighted the scheduled City Council special meeting for the budget study session on Tuesday, February 27, at 6:00 PM.

Motion/Second: Councilmember Giordano/Councilmember Polanski

Motion carried by a vote of: AYES: 5  
NOES: 0

## PRESENTATIONS

Mayor Esteves proclaimed the following:

**"Silicon Valley Reads Month"** in Milpitas for the month of February 2007. A proclamation was accepted by Linda Arbaugh, Milpitas Librarian. The Mayor encouraged all to read the selected novel Tortilla Curtain by T.C. Boyle, the book chosen for the program this year.

12<sup>th</sup> Anniversary Rotary Club's **Gene Schwab "Service Above Self" Award Winner Kathy Ynegas**, lead Document Processing Technician in the City Clerk's office, was announced. Rotary Club President Mike Berlinsky presented the award plaque to this year's winner. Mayor Esteves also read aloud the names of nine nominees: Phil Dye, Brian Hinkley, Cynthia Maxwell, Daniel Nam, Esteban Ontiveros, Felix Reliford, Liz Del Sol, Vency Woo, and Kathleen Yurchak.

A Certificate of Appointment was presented by Mayor Esteves to new **Sister Cities Commissioner Maria Magdalena Ortega**, originally from Jalisco, Mexico. She thanked the Mayor and hoped to initiate a Sister City for Milpitas in Mexico in the future.

## PUBLIC FORUM

**Dennis Smith**, 500 Glenmoor Circle, previously spoke to the Council a year ago, and said he had a soft spot for first responders. He asked the Council to set aside a day to honor first responders one day per year in Milpitas, and appreciated the Council for their time.

**Daniel McCall**, San Jose resident, addressed the Council on variety of subjects for three minutes.

## ANNOUNCEMENTS

**Councilmember Giordano** responded to Mr. Smith and asked the City Manager to have staff to look into his idea and get back to Council with consideration on how to implement it.

## ANNOUNCEMENT OF CONFLICT OF INTEREST

None

## APPROVAL OF AGENDA

Motion: to approve the agenda as submitted

Motion/Second: Vice Mayor Livengood/Councilmember Giordano

Motion carried by a vote of: AYES: 5  
NOES: 0

## CONSENT CALENDAR

Motion: to approve the Consent Calendar (items noted with \*asterisk), as amended

Councilmember Gomez asked to remove Item No. 1 from consent, for a separate vote.

Motion/Second: Vice Mayor Livengood/Councilmember Giordano

Motion carried by a vote of: AYES: 5  
NOES: 0

\* **6.** 2007 Community Advisory Commission Work Plan Approved the 2007 Community Advisory Commission Work Plan.

- \* **8.** Resolution Granting Initial Acceptance Project No. 8161 and Project No. 4229      Adopted Resolution No. 7650 granting initial acceptance of Projects No. 8181 and No. 4229, subject to one-year warranty period, and reducing the faithful performance bond to \$17,274.51.
- \* **9.** Resolution Granting Initial Acceptance Project No. 6079      Adopted Resolution No. 7651 granting initial acceptance of Project No. 6079, Main Sewage Pump Station Access Improvements, Phase II, subject to one-year warranty period, and reducing the faithful performance bond to \$22,691.95.
- \* **10.** Resolution Approving the Agreement with CHP for Joint Use of Weapons Firing Range      Adopted Resolution No. 7652 approving the agreement with the California Highway Patrol for joint use of the Weapons Firing Range; and, authorized the City Manager to execute the agreement with CHP, subject to the approval as to form by the City Attorney.
- \* **11.** Resolution Approving the Response to the Santa Clara County Civil Grand Jury      Adopted Resolution No. 7653 approving the response to the Presiding Judge of the Superior Court of Santa Clara County, regarding the Report on Reducing Language Barriers in Domestic Violence Calls.
- \* **12.** Resolution Certifying and Annexing Tract 9775 to CFD      Adopted Resolution No. 7654 certifying and annexing Tract 9775 to Community Facilities District No. 2005-1, Project No. 3204.
- \* **13.** Award Construction Contract for Ball Park Fence Field Extension      Awarded the Construction Contract for Project No. 5064, Ball Park Fence Field Extension to Central Fence Co. in the amount of \$96,163.87.
- \* **14.** Approve Paragon Subdivision Improvement Agreement, Final Map and Public Improvement Plans      Approved the public improvement plans and final map for Paragon Housing, Project No. 3204; and authorized the City Manager to execute the secured Subdivision Improvement Agreement, subject to the approval of the City Attorney as to form.
- \* **15.** Approve Permittee Dedication and Improvement Agreement with two men      Approved the Permittee Dedication and Improvement Agreement with Hercules L. Bacus and Brian T. Brager for Project No. 2452 (undergrounding of overhead wires and offsite improvement plans for 1416, 1430 and 1444 Calle Oriente), and authorized City Manager to execute the agreement, subject to approval as to form by the City Attorney.
- \* **16.** Approve Services Agreement with Cayenta Inc. to Upgrade the Systems      Authorized the City Manager to execute a contract with Cayenta, Inc. to provide services for the purpose of upgrading Cayenta Utilities to version 7.4, and Cayenta Financials to version 7.3 for the total not-to-exceed amount of \$72,000.
- \* **17.** Agreement Amendment No. 2 with Consolidated Engineering Lab. Services      Authorized the City Manager to execute Agreement Amendment No. 2 with CEL for an amount not-to-exceed \$550,000 for Materials Testing and Inspection Services, and extend the end date for Materials Testing and Inspection Services to April 18, 2008 for current and future CIP and private development projects.
- \* **18.** Authorization to Send RFQs for Planning Services      Authorized staff to issue the Request for Qualifications for contract planning services for the Planning Division.

**JOINT REDEVELOPMENT AGENCY AND CITY COUNCIL MEETING**

- RA 1. CALL TO ORDER**      Mayor/Agency Chairman Esteves called to order the regular meeting of the Milpitas Redevelopment Agency, meeting jointly with the City Council, at 7:28 PM.
- RA 2. ROLL CALL**      **PRESENT:** Mayor/Chair Esteves, Vice Mayor/Vice Chair Livengood and Agency/Councilmembers Giordano, Gomez, and Polanski  
  
**ABSENT:** None
- RA 3. MEETING MINUTES**      Motion: approve the Redevelopment Agency minutes of January 16, 2007, including joint meeting with the City Council, as submitted  
  
Motion/Second: Agency/Councilmember Giordano / Agency/Councilmember Polanski

Motion carried by a vote of: AYES: 5  
NOES: 0

**RA 4.** Approval of Agenda and Consent Calendar

Motion: approve the agenda and Agency consent calendar (items with asterisk\*)

Motion/Second: Vice Chair/Vice Mayor Livengood /Agency/Councilmember Giordano

Mayor Esteves requested Item No. RA7 come off consent.

Motion carried by a vote of: AYES: 5  
NOES: 0

**RA 5.** Progress Report on new Library and Parking Garage

Capital Improvement Program Manager Mark Rogge noted that construction by S.J. Amoroso on the new library began recently. This evening, he sought input on a groundbreaking ceremony to happen after the rainy season, perhaps in March or later. The project proceeded within budget at this time.

Mr. Rogge presented several suggestions for the opening of the library, as discussed at the Library Subcommittee including a time capsule, a sand box, books as door prizes, golden shovels, and before/after photos. He reported further that construction on the related parking garage, in the midtown area, was on schedule and within costs to date.

Mayor Esteves inquired of staff whether input was solicited from others such as the Library Advisory Commission on ideas for the groundbreaking ceremony. Yes, replied staff, including the Parks, Recreation and Cultural Resources Commission, the Library Advisory Commission, and Milpitas Librarian Linda Arbaugh.

Vice Mayor Livengood felt it made sense to wait until April or so, with less rain at that time and suggested an event on the weekend to maximize turnout. Mr. Rogge suggested the last Saturday in April on the 28<sup>th</sup>.

Councilmember Polanski agreed with a weekend, but noted Little League would be in season, while in March not so many activities at schools and no holidays. She liked the idea of commemorative bookmarks. Also, she strongly suggested working with the Library staff to coordinate and liked most of the suggestions offered.

Motion: receive progress report from staff on the new Library and Parking Garage

Motion/Second: Vice Mayor Livengood/Councilmember Polanski

Motion carried by a vote of: AYES: 5  
NOES: 0

**RA 6.** Financial Status Report for Six Months ended 12/31/06

Finance Director Emma Karlen provided many statistics, showing the economy was in recovery mode, with unemployment, as an example, lower than one year ago with moderate job growth, per the Association of Bay Area Governments. The soft housing market had an impact on the economy and fewer home equity lines were utilized.

Sales tax and Transfer Occupancy Tax revenue were anticipated to be 8% and 10% higher than originally projected, and those were coupled with some expenditure segments that were slightly higher than planned (so it was a wash).

Ms. Karlen discussed staff's recommendation of deferring the loan payment of Redevelopment Agency funds to the City's General Fund, as had been done for the last two years. She further identified RDA Project Fund status, anticipated to be reduced by about \$1 million at the end of the Fiscal Year.

She brought to the Council's attention key dates upcoming in 2007, for budget planning activities: on February 27, Council would hold a budget workshop, on April 17 Council was to review the draft CIP Program, on May 8 (and May 10 if needed) would be budget hearings, and then on June 5, the budget was scheduled for adoption.

Vice Mayor Livengood asked about the City's financial reserves. The Finance Director reported those were at approximately \$30 million. That amount was appropriately within the 15% required in the City and would not be used to balance the budget, for the second year in a row.

Council did not vote on the informational staff report, and thanked staff for the update.

**RA 7. FY 06-07 Mid-Year Budget Modifications**

Finance Director Emma Karlen reviewed the request for budget adjustments requested by City departments. Eleven items were identified in the agenda staff report.

Mayor Esteves requested information on two items (No. 1 and 2) in the written staff report, relative to Bingo games and the Senior Nutrition program. Ms. Karlen responded on the second one that 50% of the program was funded by the County.

Also, Mayor Esteves inquired about Item No. 8, regarding funds for the Fire Department overtime budget. She explained that the Fire Department deployed some staff to help with Hurricane Ernesto clean-up effort, so as a result the Federal Emergency Management Agency provided a reimbursement back to the City from the federal government.

Fire Chief Frank addressed the City Council to explain status of the current overtime budget for the Fire Department.

Councilmember Gomez understood the mid-year adjustments, but he requested an explanation on No. 6, regarding gateway signs. The Finance Director noted it was a recommendation from the Economic Development Commission with economies of scale to be realized, so the sign project was requested to be moved earlier to occur in the current fiscal year rather than waiting for the next budget cycle.

Motion: approve the Fiscal Year 2006-07 mid-year budget appropriations, as itemized in the budget change form (in the Agency/Council agenda packet).

Motion/Second: Vice Mayor Livengood/Councilmember Polanski

Motion carried by a vote of: AYES: 5  
NOES: 0

**\* RA 8. Quarterly Investment Portfolio Status Report**

Received the investment report for the quarter ended December 31, 2006.

**\* RA 9. Release of Agreement for KB Home/Elmwood property**

Authorized the Agency Executive Director to execute all documents necessary to release the agreement affecting real property related to KB Home's Elmwood Property, Parcel D, subject to approval as to form by the Agency Attorney.

**\* RA 10. Partial Certificate of Completion for Project No. 3160**

Authorized the Agency Executive Director to execute the Partial Certificate of Completion for certain lots with Tract No. 9698 for residential units for KB Home Project No. 3160, subject to approval of the City Attorney as to form.

**RA 11. ADJOURNMENT**

Chair/Mayor Esteves adjourned the Redevelopment Agency meeting at 8:01 PM.

**REPORT OF OFFICERS, COMMISSIONS & COMMITTEES**

**1. Mayor Esteves' Recommendations for**

Councilmember Gomez wanted to approve all recommended appointments, with the exception of the Alternate No. 2 on the Community Advisory Commission.

## Commission Appointments

Mayor's recommendations for City of Milpitas Commissions included:

### Community Advisory Commission

Re-appointed Joselito Abelardo to a term that expires in January 2011.

Re-appointed Reena Choudhury as Alternate No. 1 to a term expires in January 2009.

### Parks, Recreation and Cultural Resources Commission

Appointed Robert Burrill as Alternate No. 1 to a term that expires in June 2008.

Newly appointed Tim Chang as Alternate No. 2 to a term that expires in June 2007.

### Senior Advisory Commission

Appointed Florentino Menor as a regular member to term that expires December 2008.

Appointed Bernice Wrinkle as Alternate No. 1 to a term that expires in December 2007.

Newly appointed Estrella Gilana as Alternate No. 2 to a term that expires in December 2008.

Motion: move to approve all Appointments and Re-appointments to Commissions above (with no appointment made for the Alternate No. 2 position on CAC)

Councilmember Gomez stated he was not favorable to reappoint the current CAC Alternate No. 2 member and referred to activity that had occurred in the City during the last election.

Motion/Second: Councilmember Gomez/Councilmember Giordano

Motion carried by a vote:

AYES: 3

NOES: 2 (Esteves, Polanski)

Councilmember Polanski felt it was unethical to use the re-appointment of a Commissioner as an election-related issue, especially now that the election was over.

Mayor Esteves stated it was opening a can of worms, suggested a look at other Committees, this was very personal, and he felt so embarrassed at this process.

## 2. Mayor's Recommendation for Planning Commissioner

Mayor Esteves recommended one candidate for the Planning Commission.

Planning Commission: Appoint Russel Bargstadt to a term that would expire in December of 2009.

Motion: to approve the Mayor's recommendation to the Planning Commission

Vice Mayor Livengood and Councilmember Gomez expressed their support for Mr. Bargstadt as a future Planning Commissioner, but that they were also satisfied with the currently serving Commissioner Mr. Ali-Santosa.

Motion/Second: Mayor Esteves/Councilmember Polanski

Motion failed on a vote of:

AYES: 2 (Esteves, Polanski)

NOES: 3

## 3. Sunshine Committee proposal

Councilmember Polanski had written and distributed a memo dated February 3 to her colleagues with three options for a Sunshine Committee, from which she read aloud.

Mayor Esteves thanked Ms. Polanski for bringing this issue forward. He chose to read a portion of a letter he received from the President of the League of Women Voters of Santa Clara County, with its concerns and support for open government which would be open and transparent to its citizens.

Vice Mayor Livengood inquired of the Mayor, who were the two residents appointed initially to serve on the Open Government Commission? Mayor Esteves replied Mr. Jim Rabe and Ms. Dinah Cassibang.

Vice Mayor Livengood commented that Councilmember Polanski's memo was well thought out, and thanked her for her effort on this important topic, as he too wanted to consider a citizens committee as she proposed. First, he sought a recommendation from the Open Government Subcommittee, as part of a workplan. He could not decide at this meeting, while noting the City could not have the Milpitas Post represent the media, for example, though maybe the First Amendment Coalition or the League of Women Voters could be represented. With more work to do, he wanted first to go back to the subcommittee and seek a recommendation. It was important to get to a 5-0 vote on a proposal on this topic. Mr. Livengood was not prepared to adopt anything at this meeting, stating Mr. Gomez was the author of the adopted Open Government ordinance and wished to hear from him.

Councilmember Polanski appreciated the Vice Mayor's comments and thanked him for his remarks. For transparency, to go back to a subcommittee when there were factions on the City Council, with two years gone by, and in January the subcommittee was made permanent, for it to go back to a Subcommittee made up of two people who were in the factions was not acceptable. This needed discussion openly - not in a small subcommittee. She hoped for a commitment that there would be a citizens committee that would be as fair as possible. Mr. Livengood said the Mayor could allow each Councilmember to appoint one member each, unlike the usual method of appointment.

Councilmember Giordano reported that there had been several open government issues since she had been on the Council, for example: Terrace Gardens Board met in open public forums, posting of Council agendas happened earlier, City Council calendars were posted online, and a far reaching ordinance was adopted. She felt the previous Ethics Panel was biased, so she did not want to have a repeat of that panel. In concept, she agreed with the citizens sunshine committee, but in Milpitas the Council was not capable of achieving a "non-political" group.

Mayor Esteves stated "it's ridiculous" to have a subcommittee made up of politicians. His desire was for a committee of citizens on the issue of open government, so he agreed with Ms. Polanski's proposal, especially where each Councilmember could appoint one member to the committee.

Vice Mayor Livengood reiterated that he came to the meeting with an open mind, and did not agree with the Mayor's attitude. He had the same right as Ms. Polanski to come forward with his own idea, which was to start with the Subcommittee. He was trying to find common ground and was willing to come up with a process that worked.

Councilmember Polanski agreed that the public was watching, the press was watching, things were reported, that Council did work together on a lot of items, but also "butt heads" on other issues. She knew she was on the losing end of any vote tonight. The Council needed to work through it and compromise. So, if her idea went back to the Open Government Subcommittee, and then could have all Councilmembers receive its proposal within 60 days, she would vote for that plan and make a motion.

Vice Mayor Livengood offered that the subject could return at the second meeting in April specifically, and that would give the Subcommittee a chance to meet and present a recommendation to the Council.

Mayor Esteves stated he wanted to be more decisive here, in voting on Councilmember Polanski's proposal.

Motion: move that a Citizens Sunshine Committee and its makeup go to the Open Government Subcommittee at its next meeting, then return to Council by the second City Council meeting in April with a recommendation and allow the Mayor and other Councilmembers to present other views and ideas

Motion/Second: Councilmember Polanski/Vice Mayor Livengood

Motion failed on a vote of: AYES: 2 (Polanski, Livengood)  
NOES: 3

The Mayor then invited persons from the audience who wanted to speak on this issue to come to the podium.

#### Speakers

**Jerry Epps** felt it should be a very simple process, but it was divisive due to political factions. He told City Council that more people voted against them than voted for them, in the last election. It seemed very simple to put together an ordinance or a citizens committee and should be motivated by wanting the best for the citizens of Milpitas. He instructed Council to do something positive.

**Linda Rabe**, said she had the chance to vote for everyone on the Council, at one time or another. Council had created an ethics ordinance or open government ordinance in the past. She expected it would be Council's job to oversee government.

**Heidi Pham**, an American citizen who came here 31 years ago, read in the Milpitas Post a lot of political goings-on happening in the City Hall and felt bitter. She saw the political minority/majority and told Mr. Gomez that she did support democracy. In the future, she would run against anybody that did not support the City. If two people try to control the Committee, it was obvious. Mercury News talked about this issue. She worked for the County probation office, and felt so sad for Milpitas people. In 2008, people of Milpitas would change this, and talked about the total number of votes in last November's election.

**Tim Howard**, was right that the public was laughing at the City Council, wished he had a box of pacifiers, Council was acting like babies, and he asked them to stop bickering with citizens laughing at them.

**Harriet McGuire**, came to support Councilmember Polanski, thought she had a good plan, to come up with a plan that worked for all and expected that Council would do something that worked, something soon and not wait 6 – 8 months.

Councilmember Polanski said the committee name was optional as well, whether it was Citizens Open Government Committee or a Transparency Committee or her idea, Sunshine Commission. She was willing to work with Vice Mayor Livengood on this issue, and on whatever came back to Council from the Open Government Subcommittee.

### Public Art Committee

#### 4. Public Art Master Plan

Economic Development Director Diana Whitecar, the new staff liaison to the Public Art Committee, was excited to work with the Public Art Committee on the Master Plan and future activity. She recognized Mr. Bill Foulk, the Chairman of the PAC, and several Commissioners in the audience.

Key to the Master Plan were four main actions and staff would help to implement the Master Plan. She referred to the staff report, with regard to two art pieces at the new library, work with the EDC for better directional signage in the City, and place art at City Hall. She would be working with Mark Rogge on the art planned for the new Library.

Vice Mayor Livengood asked about library art. What about presentations of art in the parking garage? Ms. Whitecar replied that might be a different project altogether, and

she would get together with Mark Rogge to discuss. Mr. Livengood stated the City was seeking consistency in artwork throughout the midtown.

Councilmember Polanski was pleased with the Master Plan and for the collaboration with the Economic Development Commission, too.

Motion: move approval of the Public Art Master Plan, and direct the Committee to finalize the plan including budget identification, scopes of work and implementation timelines.

Motion/Second: Councilmember Polanski/Councilmember Giordano

Motion carried by a vote of: AYES: 5  
NOES: 0

**5. No expansion of Public Art Program**

Ms. Whitecar next presented the recommendation from the Public Art Committee, and noted that Julie Cherry was the Fundraising Subcommittee Chair. The PAC had two fundraising ideas: (1) creation of an art cookbook and (2) the “Tea in the Trees” event over December holiday season, which together could raise \$5,000 – 7,000 for art and its maintenance.

**Linda Rabe**, Commissioner, said the Arts Commission moved the “Tea in the Trees” event over to the PAC to meet its fundraising obligation. Committee members desired approval of the cookbook event immediately and planned to have it completed and available at the Literary Tea event offered by the Alliance for the Arts in the fall.

**Bill Foulk** thanked the City Council for its support of the arts and noted that Linda Rabe was Chair of the Master Plan Subcommittee. One item was a request to put off the effort to expand public art to the private sector this year and wait until next fiscal year (not ready for that yet).

Councilmember Gomez asked staff for clarification of the motion.

Motion: receive Public Art Fundraising report and accept the Public Art Committee’s recommendation to postpone expansion of the Public Art program to the private sector at this time

Motion/Second: Councilmember Gomez/Councilmember Polanski

Motion carried by a vote of: AYES: 5  
NOES: 0

**ORDINANCE**

**7. Introduce Ordinance 48.18**

City Engineer Greg Armendariz introduced the City’s new Principal Utility Engineer Kathleen Phalen. She came to Milpitas from the City of Belmont, with 21 years of professional experience as a civil engineer, with emphasis on water and wastewater treatment.

Ms. Phalen explained the request to amend existing municipal code that regulated the frequency of collection of waste disposal from trash compactors. The period of time for an exemption that previously existed was over, so the amendment would simplify the code.

She read the title “An Ordinance of the City of Milpitas amending an existing subsection to Chapter 200 of Title V of the Milpitas Municipal Code entitled Weekly Disposal.”

(1) Motion: waive the first reading beyond the title of Ordinance No. 48.18

Motion/Second: Councilmember Polanski/Vice Mayor Livengood

Motion carried by a vote of: AYES: 5  
NOES: 0

(2) Motion: Introduce Ordinance No. 48.18

Motion/Second: Councilmember Polanski/Vice Mayor Livengood

Motion carried by a vote of: AYES: 5  
NOES: 0

**RESOLUTIONS**

Five items were adopted on the Consent Calendar.

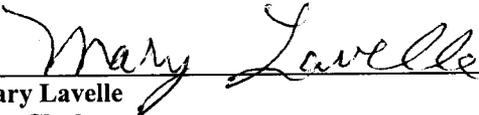
**BIDS AND CONTRACTS**

Six items were adopted on the Consent Calendar.

**ADJOURNMENT**

Mayor Esteves adjourned the meeting at 9:02 PM.

**The foregoing minutes were approved by the Milpitas City Council as submitted on February 20, 2007.**

  
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Mary Lavelle  
City Clerk