

PUBLIC FORUM

Mark Henning, Milpitas resident of 76 years, commented that the thoughtful memorial threw him off. He had thought about the constitution, separation of church and state, men who prayed together, and the Library of Congress. He came before Council to recommend changing the name of the city from Milpitas to Sunflower, California.

Delores Hovey, Friendly Village resident, asked about the appointments to the Mobile Home Park Rental Review Board. Mayor Esteves told her she could speak when that agenda item was heard.

Richard Hillyard, Friendly Village resident, moved there recently because he found it affordable, in part due to the rent control, for himself and his mother. He cannot afford the rent increase.

Rudy Stefanel, Friendly Village resident, saw a big divide between the park owner and the residents. It was not friendly, a "we-they" set up, and wished the owner could know the residents. For him, it's about a 50% rent increase and an issue of fairness.

Ronald Richard, Friendly Village resident of 20 years, for some it was a 90% increase and that was too much. He can make it with a 30% increase, but was concerned about those who could not.

Dan Pham, Friendly Village resident of ten years, lived with his family there. Rent had gone up since he lived there. The CPI percent increase was ok, but not the amount newly proposed.

Phil Kaneeny, Friendly Village resident of 41 years, wanted to understand the people were not interested in the income, but rather want to overturn the rent control in Milpitas.

Robert Marini, Milpitas resident, spoke about the new park proposed next to the Milpitas Library. There were already many parks in the City, and those used water. Perhaps there were more parks than needed. He also wanted the new Senior Center to be open on the weekends.

Councilmember Giordano recommended Mr. Marini take a look at the adopted Parks Master Plan.

Michelle Lu, Friendly Village resident, recently moved there within four years. She wanted enforcement of rent control in Milpitas, since the proposed rent increase was unreasonable.

A woman, Friendly Village resident, spoke on behalf of the elderly who lived at the park but were sick and could not attend. The rent increase was very unfair and unhelpful.

Carol Colojay, Friendly Village resident of 17 years, felt the owner company Santiago flagrantly disregarded the rent control ordinance, and did not handle basic services and safety with regard to water line, sewer line, and electricity lines. Many residents simply cannot afford the increase.

Toni Perrina, Friendly Village resident, wanted to support neighbors who spoke. After she lost a large house previously owned, she chose Friendly Village as a place to go with her kids. They need to provide a "five star" mobile park for the amount of the increase.

Dennis Knight, Friendly Village resident of 15 years, commented on the corporation's treatment of the people who lived there and the general population. He quoted from the notification letter.

Rosemary Wood, Friendly Village resident of 17 years, lived on a fixed income with her daughter. She would not be able to manage the amount of rent increase.

Gerry Knight, Friendly Village resident, had a fire at her home three years ago, due to the electric meter shorting. She stated the park got rid of the meter that evening, so the insurance investigator could not find it.

Tracy Hunter, Friendly Village resident, knew that people there were living within their means for the most part. Also, it would be difficult to sell a mobile home right now.

Brin Shaw, Friendly Village resident of eight years, worked at the VA in Palo Alto, and had to stop working recently, due to a major back injury. She had 43 years of work in the government, but she cannot pay the rent increase and can't afford to buy a home.

Councilmember Gomez noted many issues were brought up at this meeting, some of them were code issues that need attention. He asked the City Manager if staff could meet with the residents of any mobile home park and agendize the matter for the City Council. The Chief Building Official stated he could return at the next Council meeting with his report, if desired.

Mayor Esteves remarked to the speakers, that if they have input for an agenda item, they may contact the City Manager Tom Williams, who provided his phone number.

Mayor Esteves asked City Attorney Ogaz to speak on the process. Mr. Ogaz explained that a petition was filed at City Hall, and there was a 45 day period to conduct a hearing (prior to September 28). Once the Board positions were filled, they would schedule a hearing. The Board would make a decision on the petition filed, and any decision could then be appealed to the City Council.

Denise Wong, Friendly Village resident, had a fire at her home also. She took photos of all the things that need to be fixed. She gave a disk to the Fire Marshal and he let it go. The park was actually a fire hazard, and she will send those photos to Mr. Gomez, if he was willing to receive those, and he indicated he would.

A woman, Friendly Village resident, stated she was disabled and on social security income. Electrical wires were put in near a water line and that was not good. She mentioned some decisions of the property manager.

Mario, Friendly Village resident, stated the amount of rent increase was too much and not fair. The owners did not need that money, while he did for classes, food and transportation.

Terry Rennick, Milpitas resident of many years, commented that mobile home owners would try to sell the homes, if the rent increase was approved. She had lived at Friendly Village more than 15 years and noted many hazards at the park.

ANNOUNCEMENTS

Councilmember Giordano asked colleagues to adjourn in memory of fallen soldiers, as she mentioned earlier. She commented an e-mail from Betty Yee, about a tax scam targeted to senior citizens and asked the Mayor if he could ask for a report back from Dr. Mujtaba of the Volunteer Income Tax Assistance program about that issue.

ANNOUNCEMENT OF CONFLICT OF INTEREST

None.

APPROVAL OF AGENDA

Motion: to approve the agenda, as amended

City Manager asked that Item No. 5 be removed from the agenda, due to recent court ruling.

Motion/Second: Vice Mayor McHugh/Councilmember Gomez

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

CONSENT CALENDAR

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

Mayor Esteves requested removal of agenda items No. 2 and No. 11.

Motion/Second: Councilmember Giordano/Councilmember Polanski

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

2. Commission Appointments

Mayor Esteves removed this item from consent calendar in order to allow speakers from the audience.

Delores Hovey, resident of Friendly Village Mobile Home Park, inquired about the appointment of members to the Mobile Home Park Rental Review Board. They need to be aware of history with the owner of the park and the history of attempts to raise rent in the past. She commented that was why there was rent control in Milpitas. She wished to know if everything would be resolved by September 28 (45 days after their petition was filed) or if that date could be extended. She asked if residents should hire a lawyer, and sought guidance and help from City Council.

Vice Mayor McHugh asked about the Board members, and the possibility of appeal to the Council. The City Attorney responded that a hearing date should be able to be scheduled within the timeframe required.

Councilmember Gomez asked about representation for residents. Mr. Ogaz replied that residents may have whoever they choose speak for them.

Mayor Esteves commented about the residents who applied for the Board vacancies and he interviewed all of those. He recommended three of four people who applied.

Motion: to appoint the following:

Arts Commission/Public Art Committee: newly appoint Nicole Phan as Alternate No. 2 to a term that expires in October 2011.

Library Advisory Commission: re-appoint Marie Pham as Alternate No. 2 to a term that expires in June 2013.

Mobile Home Park Rental Review Board: newly appoint Huy Bui to a term that expires in June 2014, and Demetrio Nitafan to a term that expires in June 2013. Newly appoint Mila Garcia as Alternate Member to a term that expires in June 2012.

Youth Advisory Commission: re-appoint Isaiah Daniels to a term that ends in September 2012.

Motion/Second: Vice Mayor McHugh/Councilmember Giordano

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

3. Councilmember Giordano

Councilmember Giordano stated her position regarding Library Advisory Commission liaison from the Council, and that she believed it was best for the City to have the same Council member serve as liaison to both the Library Advisory Commission and the Santa Clara County Joint Powers Authority. Presently, she was on the Joint Powers Authority, while the Mayor was the current liaison to the Library Commission.

Mayor Esteves responded that there could be reassignments after one year, since the date he last made appointments of Council liaisons to Commissions.

Motion: to note receipt and file the report from Councilmember Giordano

Motion/Second: Councilmember Polanski/Councilmember Gomez

Motion carried by a vote of: AYES: 4
NOES: 1 (Giordano)

NEW BUSINESS

4. Economic Development

Economic Development Manager Diana Barnhart discussed current business activity in the City, including commercial activity (e.g. Big Bear Diner and King Egg Roll restaurants), research and development, and housing planning and development. A German firm, Zollner Electronics, planned to set up its U.S. business operations in Milpitas soon. She noted recent positive economic indicators, with good general retail sales and increasing hotel room sales.

City Manager Williams noted the decrease in property tax revenue, which frankly offset some of the positive news reported.

Councilmember Polanski referred to a news article on specialty food markets and asked if the City was pursuing some of these. Staff would be meeting with the broker for Whole Foods in Fremont.

Councilmember Giordano asked about vacancy rates at Milpitas hotels, the trends and where the City was going. Ms. Barnhart responded that she could report on it next time.

Motion: to receive the Economic Development monthly update from the Economic Development Manager

Motion/Second: Vice Mayor McHugh/Councilmember Gomez

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

ORDINANCES

One ordinance was adopted on the consent calendar.

5. Ordinance No. 282 regarding redevelopment

This item was removed from the agenda (due to the action of the California Superior Court on August 12, regarding a stay on action by Redevelopment Agencies in California).

RESOLUTION

One resolution was adopted on the consent calendar.

BIDS/CONTRACTS

Three items were approved on the consent calendar.

11. SIA and Tract Map for Los Coches residential project

Mayor Esteves requested more information regarding bike lanes along Los Coches in this new project. Planning Director James Lindsay responded about room for a bike lane shared with parking spaces on both sides in the planned residential development. Also, Engineer Fernando Bravo came to the podium to answer the Mayor's detailed questions.

Mayor Esteves expressed his concern for the safety of children, and the need for bike lanes for safety, not solely bike routes.

Councilmember Giordano felt it was a good point made by the Mayor. Maybe there was a need to bring this topic to Bicycle Pedestrian Advisory Commission for a recommendation to add this route onto the Bike Master Plan.

Motion: approve and authorize the execution of a Subdivision Improvement Agreement, covenants for an Encroachment Permit, a Stormwater Management Facilities Operation and Maintenance Agreement and approve the Final Map (Tract 10077) with street names and Public Improvement Plans No. 2-1142 for the Los Coches Residential Project

Motion/Second: Vice Mayor McHugh/Councilmember Giordano

Motion carried by a vote of: AYES: 4
NOES: 1 (Esteves)

DEMAND

One demand for payment was approved on the consent calendar.

ADJOURNMENT

Mayor Esteves adjourned the City Council meeting at 9:23 PM, in memory of recently deceased US Navy Seals in Afghanistan.

The foregoing minutes were approved by the Milpitas City Council as submitted on September 6, 2011.



Mary Lavelle
City Clerk