

Draft **MEETING MINUTES**
CITY OF MILPITAS

Minutes of: Regular Meeting of Milpitas City Council
Date: Tuesday, September 4, 2012
Time: 6:00 PM
Location: Council Chambers, Milpitas City Hall,
455 East Calaveras Blvd., Milpitas

ROLL CALL

Mayor Esteves called the meeting to order at 6:00 PM. City Clerk Lavelle noted the roll.

PRESENT: Mayor Esteves, Vice Mayor McHugh, Councilmembers Giordano, and Polanski

ABSENT: Councilmember Gomez was absent at Roll Call, and arrived at 6:01 PM

CLOSED SESSION

City Council convened in Closed Session to discuss labor negotiations with all employee groups, and real property negotiation regarding 1740-1830 McCandless Drive.

City Council then convened in Open Session at 7:07 PM.

ANNOUNCEMENT

No announcement out of Closed Session.

PLEDGE

Boy Scouts Troop No. 92 presented the colors and led the pledge of allegiance.

INVOCATION

Mayor Esteves offered a prayer to start the meeting.

MINUTES

Motion: to approve the City Council meeting minutes of August 21, 2012, as submitted

Motion/Second: Councilmember Giordano/Councilmember Polanski

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

SCHEDULE OF MEETINGS

Motion: to approve the Council Calendars/Schedule of Meetings for September, as submitted

Motion/Second: Councilmember Gomez/Councilmember Polanski

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

PRESENTATION

Mayor Esteves presented the following:

1) Commendation to the India Community Center for its "ArtICculators," accepted by Mr. Mit Shah, on the Toastmasters Club that promotes public speaking and leadership.

2) Proclaimed *National Preparedness Month* for September 2012, accepted by Office of Emergency Services staff Sean Simonson, SAFE team leader and Fire Service volunteers.

3) Proclaimed 2nd Third World Independent Film Festival Weekend to be held September 21-23, 2012 at the Century 20 Great Mall cinemas, accepted by Lorna Garcia.

PUBLIC FORUM

Robert Marini, Milpitas resident, addressed the City Council on sewer charges, with a reference to figures in multi-family home units in the City.

Natalie Gonzalez, 1199 Belbrook in Milpitas, expressed concern for the safety of residents. She had lived in the City more than 42 years. After learning that the City was considering outsourcing

police, she wondered if collaboration between Police and Fire service had been discussed. She did not favor outsourcing these City services.

ANNOUNCEMENTS

Vice Mayor McHugh noted last meeting's 3-2 vote to send out the RFP for contracting out police services, and felt that was not the right move for the City. He wanted to urge a public vote on the issue, to seek public input pro and con from the community's citizens.

Councilmember Polanski announced that the next meeting of Parks, Recreation and Cultural Resources Commission would be held next Monday, September 10 at the Community Center (changed due to last Monday's holiday).

ANNOUNCEMENT OF CONFLICT OF INTEREST

None.

APPROVAL OF AGENDA

Motion: to approve the agenda, as amended

City Attorney Mike Ogaz requested the Council to remove agenda item no. 7 (marquee request for film festival) from the agenda. He had reviewed regulations for use of the marquee sign and it was for City events only, while any exceptions to that had no established criteria.

Councilmember Giordano requested to remove agenda item no. 3 (request for possible joint meeting of School Board and City Council), to postpone and perhaps revisit it in 90 days.

Motion/Second: Councilmember Giordano/Vice Mayor McHugh

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 to remove item no. 9 (response to Grand Jury report) from consent. He had one question on agenda item no. 10 (reassignment of solar power purchase agreement) on why City was assigning it to another company and staff explained.

Vice Mayor McHugh requested an answer later on the utility account write-offs for 2010 and 2011 and why there was one that was closed in 2008.

Motion/Second: Councilmember Giordano/Councilmember Polanski

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

* 1. Odor Control Report Received the August 2012 odor report.

* 2. Commission Appointments Approved the following appointments, recommended by Mayor Esteves:

Sister Cities Commission: re-appointed Massoud Arefi as a member to a term that expires in September 2015.

Youth Advisory Commission:

Re-appointed Monica La as a member to a term that expires in September 2013.
Re-appointed Isaiah Rigmaiden-Daniels as a member to a term that expires in September 2013.
Re-appointed Randolph Abaya as a member to a term that expires in September 2013.
Re-appointed Jose Ajero III as a member to a term that expires in September 2013.
Re-appointed Pilar Ferguson as a member to a term that expires in September 2013.
Re-appointed Sahil Sandhu as a member to a term that expires in September 2013.
Appointed Cindy Wang as a regular member to a term that expires in September 2013.
Newly appointed Sabina King as a regular member to a term that expires in September 2013.
Newly appointed Sabrina Leon as a regular member to a term that expires in September 2013.

Re-appointed Sahil Hansalia to Alternate No. 1 to a term that expires in September 2013.
Re-appointed Veronica Wang to Alternate No. 2 to a term that expires in September 2013.
Re-appointed Arjun Goyal to Alternate No. 3 to a term that expires in September 2013.

- * 5. Fire Dept. CAD Integration Accepted monies from the Santa Clara County and approved a budget appropriation for \$10,180 for the implementation costs and first year maintenance of the CAD system to the Fire Department budget for FY 2012-13.
- * 6. Fee Waiver Request for Festival of Trees Approved Milpitas Parks and Recreation Foundation's request for facility rental fee waiver and in-kind donation of equipment and staffing totaling \$1,793.75 for fifth Annual Festival of Trees Gala Fundraiser event in the Milpitas City Hall Rotunda scheduled on December 13, 2012.
- * 7. Approve Marquee Request This item was removed from the agenda.
- * 8. Approve Write offs Approved the write-offs of utility accounts receivable for the fiscal year ended June 30, 2012.
- *10. Power Purchase Agreement with Fresh Air Energy Authorized the City Manager to execute a power purchase assignment agreement from Fresh Air Energy-II, LLC to Integrys Solar, LLC, subject to approval as to form by the City Attorney.
- *11. 4th Amendment to Contract with Renne, Sloan Approved Amendment No. 4 to contract with law firm of Renne, Sloan, Holtzman & Sakai, LLP authorizing \$15,000 to be added to existing contract for legal services.

UNFINISHED BUSINESS One item was approved on the consent calendar.

REPORT

- 3. Request for joint meeting with School District Board This item was removed from the agenda, for consideration in 90 days.

NEW BUSINESS Five items were approved on the consent calendar.

- 4. Housing Update Report Principal Housing Planner and Acting Planning Director Felix Reliford reported to the City Council on the status of major housing development projects in the City at this time. He later identified where affordable housing units were planned within approved projects.

Mr. Reliford identified and reviewed status of the following:

- 1) Coyote Creek Townhomes residential development project on Murphy Ranch Rd. with 285 units
- 2) Fairfield Murphy Ranch with 374 multi-family units
- 3) Sinclair Renaissance development on Sinclair Frontage Road, with 80 homes.
- 4) Landmark Tower at the former Billings Chevrolet site, an 18-story building with 375 dwelling units planned.
- 5) Apex project with 366 dwelling units on Great Mall Parkway at Abel, under construction next to Centria West development.
- 6) Milpitas Station near Montague Expressway not yet built with 303 units.
- 7) Robson Homes development on the site of a former rolling skating rink, off Calaveras Blvd. (behind Shell) with 83 homes.
- 8) Citation Homes on Piper Drive with 732 units in two buildings on 16 acres.
- 9) Shea Homes on the former Mattson site at Main and S. Abel St. with 204 (not built)
- 10) Harmony project, south of Integral, with 276 units by D.R. Horton.
- 11) Trumark project, west of the proposed school site, with 134 units on Montague Expressway.
- 12) Capitol Towers planned across from the to-be-constructed BART station, with 382 units in three stacked tall 12-story buildings.
- 13) Integral Properties, just south of Great Mall, the largest of all with 1,154 dwelling units and many features over 23 acres.

Those identified represented a total over five years of 3,643 new housing units, mostly within the Transit Area Specific Plan and the Midtown Plan areas.

