



**MILPITAS CITY COUNCIL MEETING AGENDA
TUESDAY, OCTOBER 16, 2012**

**455 EAST CALAVERAS BLVD, MILPITAS, CA
6:00 P.M. (CLOSED SESSION) • 7:00 P.M. (PUBLIC BUSINESS)**

SUMMARY OF CONTENTS

- I. CALL TO ORDER/ROLL CALL by the Mayor (6:00 p.m.)**
- II. ADJOURN TO CLOSED SESSION**
- CONFERENCE WITH LABOR NEGOTIATORS - COLLECTIVE BARGAINING**
Pursuant to California Government Code §54957.6, City Negotiator: Carmen Valdez
Employee Groups: Milpitas Employees Association (MEA), Mid-Management/Confidential (UPEC),
Milpitas Professional and Technical Group (ProTech), Milpitas Police Officers Association (MPOA),
International Association of Fire Fighters (IAFF)
Under Negotiation: Wages, Hours, Benefits, and Working Conditions
- CONFERENCE WITH LEGAL COUNSEL**
Pursuant to California Government Code §54856.9(c)
Anticipated Litigation: City as Plaintiff or Defendant
- III. CLOSED SESSION ANNOUNCEMENTS:** Report on action taken in Closed Session, if required pursuant to
Government Code Section 54957.1, including the vote or abstention of each member present
- IV. PLEDGE OF ALLEGIANCE (7:00 p.m.)**
- V. INVOCATION (Vice Mayor McHugh)**
- VI. APPROVAL OF COUNCIL MEETING MINUTES – October 2, 2012**
- VII. SCHEDULE OF MEETINGS – COUNCIL CALENDARS for October and November 2012**
- VIII. PRESENTATIONS**
- Proclaim *Help People with Intellectual Disability Days*
 - St. John's Knights of Columbus Council #5796 – October 19-21, 2012
 - St. Elizabeth Knights of Columbus Council #8747 – October 19-21, 2012
 - Presentation of a *Key to the City* to visiting officials from the Milpitas Sister City of Dagupan City,
Philippines, assemble on first floor City Hall rotunda for a cultural exchange and short performance
by City of Dagupan Delegation
- IX. PUBLIC FORUM**
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- Members of the audience are invited to address the Council on any subject not on tonight's agenda. Speakers must come to the podium, state their name and city of residence for the Clerk's record, and limit their remarks to three minutes. As an unagendized item, no response is required from City staff or the Council and no action can be taken; however, the Council may instruct the City Manager to agendize the item for a future meeting.
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- X. ANNOUNCEMENTS**
- XI. ANNOUNCEMENT OF CONFLICT OF INTEREST**

XII. APPROVAL OF AGENDA

XIII. CONSENT CALENDAR (Items with asterisks*)

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 member of the City Council, 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. If removed, this item will be discussed in the order in which it appears on the agenda.

XIV. UNFINISHED BUSINESS

- * 1. **Receive Report on Compensation Adjustment for the On-Call Pavement Repair Contract with DRT Paving & Grading, Inc. (Staff Contact: Chris Schroeder, 586-3161)**

XV. REPORTS OF OFFICERS

- * 2. **Consider Mayor's Recommendation for Reappointment to the Recycling and Source Reduction Advisory Commission (Contact: Mayor Esteves, 586-3029)**
- 3. **Consider Council Action to Reprimand Councilmember Giordano for Violating the Oath of Office as a Councilmember (Contact: Councilmember Polanski, 586-3024)**

XVI. NEW BUSINESS

- * 4. **Adopt City Council Regular Meeting Schedule for 2013, including Adjustments in January and July (Staff Contact: Mary Lavelle, 586-3001)**
- * 5. **Remove One Member of Sister Cities Commission Due to Lack of Attendance (Staff Contact: Mary Lavelle, 586-3001)**
- * 6. **Adopt the Plan for Transit Area Specific Plan Streetscape Elements (Staff Contact: Sheldon Ah Sing, 586-3278)**

XVII. ORDINANCES

- 7. **Waive the First Reading and Introduce Ordinance No. 283 Requiring a Vote of the People Before Outsourcing Public Safety Services (Staff Contact: Bryan Otake, 586-3040)**
- * 8. **Waive the Second Reading and Adopt Ordinance No. 76.15 Amending the Milpitas Municipal Code to Change Business License Procedures (Staff Contact: Emma Karlen, 586-3145)**

XVIII. RESOLUTIONS

- * 9. **Adopt a Resolution Annexing Certain Real Property into Community Facilities District No. 2008-1; Authorize Execution of a Subdivision Improvement Agreement and Related Infrastructure Documents and Approve Final Maps (Tract No. 10137) and Plans for the Harmony Residential Development, Project No. 2709 (Staff Contact: Jeff Leung, 586-3326)**
- 10. **Adopt a Resolution Amending Personnel Rules and Regulations, Concerning Section 10.00 on Training (Contacts: Councilmember Polanski, 586-3024 or Tom Williams, 586-3050)**
- 11. **Adopt a Resolution to Ban City Councilmember's from Receiving Lodging Reimbursements for Events within 60 Miles of Milpitas (Contact: Councilmember Giordano, 586-3032)**

XIX. BIDS AND CONTRACTS

- * 12. **Authorize the City Engineer to Execute a Contract Change Order with Bay Cities Paving and Grading, Inc. for Street Resurfacing Project No. 2013, Milpitas Boulevard between Gibraltar Drive and Beresford Court, Projects No. 4261, No. 4268 and No. 3403 (Staff Contact: Steve Chan, 586-3324)**
- * 13. **Authorize the City Attorney to Execute a Contract for Attorney Services with Burke, Williams and Sorensen, LLP, and Approve Accompanying Appropriation Request (Staff Contact: Bryan Otake, 586-3040)**
- * 14. **Authorize City Staff to Execute a Letter Agreement and Guarantee for Attorney Services with Goldfarb & Lipman (Staff Contact: Michael Ogaz, 586-3040)**

XX. DEMANDS

- * 15. **Receive Report of Emergency Repair of the Dempsey Road Water Main, Approve a Budget Appropriation from the Water Fund, and Authorize Staff to Pay Repair Work Invoices in an Amount Not to Exceed \$50,000 (Staff Contact: Kathleen Phalen, 586-3345)**
- * 16. **Approve Payment to Tritech for the Annual Renewal of Software Support Services for the 911 Dispatch System for the Not-To-Exceed Amount of \$97,772.17 (Staff Contact: Chris Schroeder, 586-3161)**

XXI. ADJOURNMENT

**NEXT REGULARLY SCHEDULED COUNCIL MEETING:
TUESDAY, NOVEMBER 6, 2012 AT 7:00 P.M.**

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, boards, and other agencies of the City exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and the 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: mogaz@ci.milpitas.ca.gov / Fax: 408-586-3056 / 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.ci.milpitas.ca.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 the City website.

All City Council agendas and related materials can be viewed online here:
www.ci.milpitas.ca.gov/government/council/agenda_minutes.asp (select meeting date)

APPLY TO BECOME A CITY COMMISSIONER!

Current vacancies exist on the:
Public Art Committee (Alliance for the Arts member)
Economic Development Commission (hotel representative & retail representative)
Sister Cities Commission

Commission application forms are available online at www.ci.milpitas.ca.gov or at Milpitas City Hall.
Contact the City Clerk's office (586-3003) for more information.

If you need assistance, per the Americans with Disabilities Act, for any City of Milpitas public meeting, call the City Clerk at (408) 586-3001 or send an e-mail to mlavelle@ci.milpitas.ca.gov prior to the meeting. You may request a larger font agenda or arrange for mobility assistance. For hearing assistance, headsets are available in the Council Chambers for all meetings.

AGENDA REPORTS

XIV. UNFINISHED BUSINESS

- * 1. **Receive Report on Compensation Adjustment for the On-Call Pavement Repair Contract with DRT Paving & Grading, Inc. (Staff Contact: Chris Schroeder, 586-3161)**

Background: On October 2, 2012, City Council awarded the contract for On-Call Pavement Repair at Various City of Milpitas Sites to DRT Paving and Grading, Inc. Staff's recommendation to the Council included authorizing the City Manager to grant increases pursuant to the contract without further City Council action. Staff wishes to clarify the terms of the increases as follows:

"Compensation Adjustment

This Agreement shall be subject to adjustment annually on the anniversary date. Any price increase shall be subject to past performance and the changes for the past year for the Contractor's industry. Contractor shall provide proof of the prior four (4) quarters of industry price changes 30 days prior to the annual contract execution date for price negotiation, provided that no such annual adjustment may exceed the amount of five percent (5%)."

Fiscal Impact: None.

Recommendation: Receive staff report on compensation adjustment for the on-call pavement repair contract with DRT Paving & Grading Inc.

XV. REPORTS OF OFFICERS

- * 2. **Consider Mayor's Recommendation for Reappointment to the Recycling and Source Reduction Advisory Commission (Contact: Mayor Esteves, 586-3029)**

Background: Mayor Esteves recommends to reappoint Madan Arora (Alternate No. 2) to a term that will expire in October 2014.

Recommendation: Receive Mayor's recommendation and move to approve reappointment to the Recycling and Source Reduction Advisory Commission.

- 3. **Consider Council Action to Reprimand Councilmember Giordano for Violating the Oath of Office as a Councilmember (Contact: Councilmember Polanski, 586-3024)**

Recommendation: Hear report of Councilmember Polanski. Take action, as desired.

XVI. NEW BUSINESS

- * 4. **Adopt City Council Regular Meeting Schedule for 2013, including Adjustments in January and July (Staff Contact: Mary Lavelle, 586-3001)**

Background: The Milpitas Mayor and City Council are requested to consider and adopt their meeting schedule for 2013. Regarding the City Council's summer time meeting dates, it has been recent tradition to cancel both of the July regular Milpitas City Council meetings.

Also, the first Tuesday in January next year falls on the New Year's Day holiday. Therefore, the first meeting of the year may be moved to an alternate date, or canceled. Possible alternate dates could be Wednesday, January 2, or Tuesday, January 8 or another date later in January.

City staff has begun to prepare year-long calendars for next year and has inquired of the City Council as to what schedule will be followed in 2013. Staff requests that the City Council act on

an affirmative meeting schedule for 2013 for its regular business meetings.

Recommendation: Move to approve the 2013 regular City Council meeting schedule, including (1) cancel the first meeting in January 2013, due to the New Year's Day holiday, and (2) cancel the July 2013 City Council meetings.

* **5. Remove One Member of Sister Cities Commission Due to Lack of Attendance (Staff Contact: Mary Lavelle, 586-3001)**

Background: Commissioner Maria Magdalena Ortega has not attended the last five meetings of the Sister Cities Commission, with six unexcused absences over the last year. Ms. Ortega has not attended any meeting of the Commission since February. While the City Clerk did send a letter of inquiry to her in US mail on July 20, 2012, no response was received. No reply to staff sending the agendas and minutes to her each month via e-mail was received. The City Council appointed her as a voting member on Sister Cities Commission in May of 2008, and initially appointed her as an alternate member in January of 2007.

Commission By-laws state:

Members and alternates are expected to attend all meetings. When any member or alternate has three or more unexcused absences in a 12-month period, the Commission shall forward this information to the City Council for review and possible removal of the member or alternate from the Commission. Any member or alternate of the Commission may be removed from office by a majority vote of the City Council at a regularly scheduled Council meeting.

Recommendation: Due to her unexcused absences and per Commission by-laws, vote to remove Ms. Maria Magdalena Ortega as a voting member of the Sister Cities Commission, thus creating a vacancy with an expiration date in September 2014.

* **6. Adopt the Plan for Transit Area Specific Plan Streetscape Elements (Staff Contact: Sheldon Ah Sing, 586-3278)**

Background: In June 2008, the City Council adopted the Transit Area Specific Plan, which includes the vision for 7,109 dwelling units, 993,843 square feet of office and 287,075 square feet of retail space over a 437 acre area. The plan also anticipates 36 acres of public park land. The transit area is intended to be a cohesive neighborhood with consistent focus towards walking and transit usage. The planning area is divided by creeks, roadways, railways and various developed parcels. As a planning strategy, the specific plan created sub-districts with specific planning and vision criteria to take advantage of local characteristics.

While the specific plan contains cross sections of streets identifying the various streetscape elements and fixtures, such as trees, street lighting, trash receptacles, benches, and bicycle racks, only trees and street lighting are specified in detail. Since the City is embarking on utilizing LED technology for street lights within the Transit Area, the street light standards specified are incompatible with the technology. Furthermore, several development projects are in review for building permits and it is important to have a consistent streetscape element plan in place.

Taking into consideration the vision of the specific plan, staff compiled a streetscape element plan (copy in agenda packet materials) that includes LED street lighting that is consistent in design with what was adopted with the specific plan, trash and recycling receptacles, benches, bicycle racks and lighted bollards.

The Transportation & Land Use Subcommittee reviewed the plan at its September 25, 2012 meeting and recommended approval of the plan to the full City Council.

Fiscal Impact: None.

Recommendation: Adopt the plan for Transit Area Specific Plan Streetscape Elements.

XVII. ORDINANCES

7. Waive the First Reading and Introduce Ordinance No. 283 Requiring a Vote of the People Before Outsourcing Public Safety Services (Staff Contact: Bryan Otake, 586-3040)

Background: At the City Council meeting of October 2, 2012, the Council gave direction to the City Attorney to prepare an ordinance that would require any attempt to outsource Milpitas Public Safety personnel to be first brought to the voters. Accompanying this report is the proposed ordinance. It is recommended that such an ordinance be placed in Title VI, Personnel, within the Milpitas Municipal Code.

Fiscal Impact: None immediately. There may be a potential future impact if outsourcing is considered at some point.

Recommendations:

1. Waive the first reading beyond the title of Ordinance No. 283.
2. Move to introduce Ordinance No. 283.

*** 8. Waive the Second Reading and Adopt Ordinance No. 76.15 Amending the Milpitas Municipal Code to Change Business License Procedures (Staff Contact: Emma Karlen, 586-3145)**

Background: On October 2, 2012, the City Council introduced Ordinance No. 76.15 amending the Milpitas Municipal Code regarding business license procedures. With minor, nonsubstantive typographical corrections, Ordinance No. 76.15 is now ready for a second reading and adoption.

Fiscal Impact: None.

Recommendations:

1. Waive the second reading of Ordinance No. 76.15.
2. Move to adopt Ordinance 76.15, amending the Milpitas Municipal Code to change business license procedures.

XVIII. RESOLUTIONS

*** 9. Adopt a Resolution Annexing Certain Real Property into Community Facilities District No. 2008-1; Authorize Execution of a Subdivision Improvement Agreement and Related Infrastructure Documents and Approve Final Maps (Tract No. 10137) and Plans for the Harmony Residential Development, Project No. 2709 (Staff Contact: Jeff Leung, 586-3326)**

Background: On November 15, 2011, the City Council approved the Tentative Map, Use Permit and Site Development Permit for the Harmony residential project of 276 townhomes and condominiums located on 12 acres off 1700 block of McCandless Drive. The development has on-site private streets and related on-site private utilities (potable water, sanitary sewer, storm drain, lighting, etc.). The public improvements are McCandless Drive frontage improvements (City utility connections, traffic signal at McCandless Drive and project main entrance, and recycled water main extension along McCandless Drive), on-site public storm drain replacement improvement and trail improvements along the project boundary on Santa Clara Valley Water District related to this project.

The developer has petitioned the City to annex the Project properties into Community Facilities District No. 2008-1 (CFD 2008-1). State law and Resolution No. 7816 (adopted by the City Council on January 6, 2009) authorize the City to complete such annexation upon the property

owner's written unanimous consent without further public hearing or formal election. Annexation into CFD 2008-1 will subject the properties to a special tax to pay for certain City services. The written consent and other legally required documents are attached to the resolution (included in the Council agenda packet).

The developer also submitted the final map and public improvement plans, and executed the subdivision improvement agreement and related agreements (storm water management facilities operation and maintenance agreement, on-site private utilities covenant agreement and right of way encroachment permit agreement) for the project. The public improvements plan and final map are available for review in the office of the City Engineer. Staff reviewed the documents and finds they satisfy the City's requirements for this project.

On February 14, 2012, the Council's Rules Subcommittee reviewed the street name list. The proposed private street names are Lee Way, DeLong Lane, and Currin Circle, which are from the approved street name list.

Fiscal Impact: None.

Attachments:

1. Community Facility District Resolution
2. Subdivision Improvement Agreement
3. Stormwater Management Facilities Operation and Maintenance Agreement
4. On-site private utilities covenant agreement
5. Right of way encroachment permit agreement
6. Final Map, titlesheet
7. Public Improvement Plans, titlesheet
8. Street Names Exhibit

Recommendations:

1. Adopt a resolution annexing properties known as Harmony Project into Community Facility District 2008-1.
2. Approve and authorize the execution of a subdivision improvement agreement, storm management facilities operation and maintenance agreement, on-site private utilities covenant agreement, right of way encroachment permit agreement.
3. Approve the final map (Tract No. 10137) with the recommended street names and public improvement plans.

10. Adopt a Resolution Amending Personnel Rules and Regulations, Concerning Section 10.00 on Training (Contacts: Councilmember Polanski, 586-3024 or Tom Williams, 586-3050)

Background: Pursuant to Section 10.03.2 of the City of Milpitas adopted Personnel Rules and Regulations, elected and appointed officials including Commissioners are eligible for reimbursement of training costs. The definition of training programs for which costs are reimbursed pursuant to sections 10.03.2 and 10.03.4 of the regulations include up to six (6) college semester units at any given time. The purpose of this resolution is to amend Section 10 and remove elected and appointed officials from eligibility of cost reimbursement for college and university courses.

Fiscal Impact: An annual savings of approximately \$1,400 per eligible participant.

Recommendation: Receive report and consider adoption of resolution.

11. Adopt a Resolution to Ban City Councilmember's from Receiving Lodging Reimbursements for Events within 60 Miles of Milpitas (Contact: Councilmember Giordano, 586-3032)

Background: Current provisions of the City Council Handbook allow for reimbursement of travel expenses including lodging. The purpose of this item is to amend the policy to ban reimbursement of lodging expenses for events attended by City Council members within a 60 mile radius of Milpitas.

Fiscal Impact: Approximate annual savings of \$2,000.

Recommendation: Receive report, and consider adopting resolution amending City Council Handbook regarding travel reimbursement for City Councilmembers.

XIX. BIDS AND CONTRACTS

- * **12. Authorize the City Engineer to Execute a Contract Change Order with Bay Cities Paving and Grading, Inc. for Street Resurfacing Project No. 2013, Milpitas Boulevard between Gibraltar Drive and Beresford Court, Projects No. 4261, No. 4268 and No. 3403 (Staff Contact: Steve Chan, 586-3324)**

Background: The City Council awarded this project to Bay Cities Paving and Grading, Inc. on May 1, 2012. The project provides for the repair of base failures on the street, the installation of a 2-inch rubberized asphalt overlay, miscellaneous concrete work, and roadway marking improvements.

As an addition to this contract, staff recommends replacing damaged pavement along the designated bike lane on southbound McCarthy Boulevard between Ranch Drive and the northerly City limits; removing the existing concrete median islands on Milpitas Boulevard at Yosemite Drive to gain the necessary lane width to extend bike lane to the southerly end of the project limits; and installing new bike lane signs along this newly extended section. Completing this work to construct this Class II bike lane as a change order to this contract will be less expensive than doing it as a separate project. The bike lane is identified in the Council Approved Bikeway Master Plan. Staff negotiated a change order with the contractor for a cost not to exceed \$60,245.00 for this additional work, which is considered reasonable.

Fiscal Impact: None. Sufficient funds are available in the project budget for the additional costs associated with this change order.

Recommendation: Authorize the City Engineer to execute the contract change order for Bay Cities Paving and Grading, Inc. in the amount not to exceed \$60,245.00 for Projects No. 4261, No. 4268 and No. 3403.

- * **13. Authorize the City Attorney to Execute a Contract for Attorney Services with Burke, Williams and Sorensen, LLP, and Approve Accompanying Appropriation Request (Staff Contact: Bryan Otake, 586-3040)**

Background: In late September of this year, the City was served with two lawsuits filed by the owners of the Friendly Village Mobile Home Park seeking an order declaring the City's mobile home rent control ordinance unconstitutional and claiming economic damages. This contract is to provide a defense to the lawsuits on behalf of the City, its Council, and the Rental Review Board. In addition, an appropriation of \$75,000 to cover the cost of this contract is requested.

Fiscal Impact: Appropriation of \$75,000 from the contingency reserve fund.

Recommendation: Authorize execution of contract with Burke, Williams and Sorensen, LLP, in an amount not to exceed \$75,000 and approve appropriation in that amount.

- * **14. Authorize City Staff to Execute a Letter Agreement and Guarantee for Attorney Services with Goldfarb & Lipman (Staff Contact: Michael Ogaz, 586-3040)**

Background: The City requires specialized legal assistance to navigate the obligations and responsibilities of the wind down of redevelopment agencies under ABX1 26 and AB 1484. To this end, City staff requests authorization to enter into a contract with the law firm of Goldfarb & Lipman for \$30,000 for legal services related to the wind down of the former Milpitas Redevelopment Agency, plus the provision of an additional guarantee for payment by City funds not to exceed \$30,000 for services provided by that law firm to the Milpitas Economic Development Corporation.

Fiscal Impact: None. There are sufficient funds in the City Attorney's Office budget.

Recommendation: Authorize execution of Letter of Agreement and Guarantee, in a combined payment and guarantee amount not to exceed \$60,000.

+ **XX. DEMANDS**

- * **15. Receive Report of Emergency Repair of the Dempsey Road Water Main, Approve a Budget Appropriation from the Water Fund, and Authorize Staff to Pay Repair Work Invoices in an Amount Not to Exceed \$50,000 (Staff Contact: Kathleen Phalen, 586-3345)**

Background: Pursuant to state public contracting law and Council Resolution No. 7779, the Director of Public Works must report all emergency public works repairs to the City Council. At about 10:00 AM on September 26, 2012, the Dempsey Road twelve-inch diameter cast iron water transmission main ruptured near Edsel Road causing a significant system water pressure drop and outages in the area bounded by Calaveras Blvd. to the north, I-680 to the west, Landess Ave. to the south, and Piedmont Road to the east. The Public Works crew isolated the failed pipe section within the hour and set up temporary water by-passes to serve impacted residential customers that afternoon. Closing shut-off valves restored system pressure except for the isolation zone at the break (between 123 and 500 Dempsey Road) which was restored at 5:00 AM the following morning. The pipe blow-out caused street flooding and damaged the street pavement, curb, gutter, sidewalk, and a private walkway.

Due to the size of the repair and the urgent need to restore water supply to the neighborhood, the Director of Public Works authorized Preston Pipeline to make emergency repairs. Preston and City crews worked to repair the water main through the night and Preston completed the remaining pavement and sidewalk restoration work the following week. Preston has not yet submitted invoices for this work, but based on the company's known deployment of workers and equipment, the cost should not exceed \$50,000.

Fiscal Impact: An appropriation from the Water Fund in the amount of \$50,000 is needed because there are not sufficient funds in the Public Works operating budget for this emergency work.

Recommendations:

1. Receive Director's report of Dempsey Road water main emergency repair work.
2. Approve a budget appropriation from the Water Fund in the amount of \$50,000.
3. Authorize staff to pay Preston Pipeline for the emergency repair of the Dempsey Road water main in an amount not to exceed \$50,000.

- * **16. Approve Payment to Tritech for the Annual Renewal of Software Support Services for the 911 Dispatch System for the Not-To-Exceed Amount of \$97,772.17 (Staff Contact: Chris Schroeder, 586-3161)**

Background: In accordance with Milpitas Municipal Code (Title I, Chapter 2), Purchasing staff submits the following payment request over \$20,000 to the City Council for approval.

\$96,772.17 to Trittech for the annual renewal of software support for the 911 dispatch system. The renewal amount is \$7,994.85 less than last year due to the Police Department's decision to not renew the VisiCAD Protocol Module. This payment request is in accordance with the Renewal of Software Support Agreement and the Support Renewal Termination Request Quote (copy included in the agenda packet).

Fiscal Impact: None. Funds are available from the Information Services operating budget for Fiscal Year 2012-13 for this service.

Recommendation: Approve the payment request to Trittech for the annual renewal of software support services for the 911 dispatch system at the Police Department for the not-to-exceed amount of \$96,772.17.

XXI. ADJOURNMENT

**NEXT REGULARLY SCHEDULED COUNCIL MEETING:
TUESDAY, NOVEMBER 6, 2012 AT 7:00 P.M.**