Draft MEETING MINUTES
CITY OF MILPITAS

Minutes of:	**Joint Meeting of Milpitas City Council, Housing Authority and Successor Agency**
Date:	**Tuesday, February 19, 2013**
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 6:18 PM. City Clerk Lavelle noted the roll.

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

ABSENT: Councilmember Gomez

CLOSED SESSION

City Council convened in Closed Session to discuss labor negotiations and one litigation matter.

City Council then convened in Open Session at 7:00 PM.

ANNOUNCEMENT

None

PLEDGE

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

INVOCATION

Councilmember Giordano offered a prayer to start the meeting.

MINUTES

Motion: to approve meeting minutes of February 5, 2013 City Council meeting, as submitted

Motion/Second: Councilmember Giordano/Vice Mayor Polanski

Motion carried by a vote of:
AYES: 4
NOES: 0
ABSENT: 1 (Gomez)

SCHEDULE OF MEETINGS

Motion: to approve the Council Calendars/Schedule of Meetings for February and March 2013, as amended

City Manager Tom Williams added two items: Coyote Watershed Committee was moved to Thursday, February 28 at 9:30 AM, and the Alviso Adobe Park opening was scheduled for Saturday, March 16 at 10:00 AM. He announced that the tribute to former Mayor Ben Gross was planned on Saturday at 12:00 noon.

Motion/Second: Vice Mayor Polanski/Councilmember Giordano

Motion carried by a vote of:
AYES: 4
NOES: 0
ABSENT: 1 (Gomez)

PUBLIC FORUM

Carol Kassab, CEO of Milpitas Chamber of Commerce, invited all to the upcoming Auction & Crab Feed on Friday, March 1, 2013 at 6:00 PM at Napredak Hall in San Jose.

Robert Marini, Milpitas resident, spoke about sewer rates and displayed information that he felt supported the idea that customers were being overcharged by the City for sewer service.

ANNOUNCEMENTS

Vice Mayor Polanski invited all this Sunday, February 24 from 1:00 - 3:00 PM to Christ Community Church for refresher training for SAFE members and CPR graduates.

ANNOUNCEMENT OF CONFLICT OF INTEREST

None.

APPROVAL OF AGENDA

Motion: to approve the agenda, as submitted

Motion/Second: Vice Mayor Polanski/Councilmember Giordano

Motion carried by a vote of: AYES: 4
NOES: 0
ABSENT: 1 (Gomez)

CONSENT CALENDAR

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

City Manager Williams recommended placing HA2 (Resolution) on consent. Also, he noted that for agenda Item No. 7 (new ProTech MOU) the fiscal impact was $128,000 approximately. For agenda item No. 16 (CSG contract amendment), add "Approve Budget Appropriation" to the staff recommendation for Council action.

Mayor Esteves asked, regarding the proposed new Youth Advisory Scholarship Program, who would select the winners and staff replied that Commissioners would do so.

Motion/Second: Councilmember Giordano/Vice Mayor Polanski

Motion carried by a vote of: AYES: 4
NOES: 0
ABSENT: 1 (Gomez)

* 1. Commission Appointments	Appointed the following Commissioners, per Mayor's recommendation: Community Advisory Commission: newly appointed Ms. Van Lan Truong as Alternate No. 3 to a term that will expire in January 2014. Senior Advisory Commission: re-appointed Bal Daquigan and Amanda Santos to terms that expire in December 2014. Telecommunications Commission: re-appointed Debra Whitlock Lax to a term that will expire in January 2015.
* 2. 2013 PRCRC Work plan	Approved 2013 Parks, Recreation and Cultural Resources Commission work plan.
* 3. YAC Scholarship program	Approved the new Youth Advisory Commission scholarship program and application.
* 4. Accept Assistance to Firefighters Grant for radios	Accepted the regional Assistance to Firefighters Grant toward the cost to purchase portable radios for the Fire Department, and authorized the expenditure of $34,596.25 (City of Milpitas portion of the cost).
* 6. Resolution for new MOU with Mid-Management	Adopted Resolution No. 8228 approving the Memorandum of Understanding between the United Public Employees of California (UPEC) Local 792 AFL-CIO for the Mid-Management and Confidential bargaining unit and the City of Milpitas for the period January 1 – December 31, 2013.
* 7. Resolution for new MOU with Professional Technical	Adopted Resolution No. 8229 approving the Memorandum of Understanding between the Milpitas Professional and Technical Group (ProTech) and the City of Milpitas for the period of January 1 through December 31, 2013, at a cost of approximately $128,000.

* 8. Resolution Initial Accepting Project No. 4268	Adopted Resolution No. 8230 granting initial acceptance of the Street Resurfacing Project 2013 No. 4268, subject to a one year warranty period and reduction of the faithful performance bond to $84,183.
* 9. Resolution Initial Accepting Project No. 7102	Adopted Resolution No. 8231 granting initial acceptance of Ayer Reservoir & Pump Station Emergency Repairs Project No. 7102, subject to a one year warranty period and reduction of the faithful performance bond to $50,091.
*10. Resolution Initial Accepting Project No. 9002	Adopted Resolution No. 8232 granting initial acceptance of Wrigley Ford Creek Maintenance Project No. 9002, subject to a one year warranty period and reduction of the faithful performance bond to $30,343.33.
*11. Resolution for Summit Uniforms contract	Adopted Resolution No. 8233 authorizing the City Manager to execute a separate contract with the vendor Summit Uniforms for Police Department uniforms, selected by the originating agency, the City of Sunnyvale, and incorporating by reference the original solicitation, terms, conditions, and pricing for annual not-to-exceed amount of $17,000.
*12. Resolution for Peelle Technologies contract	Adopted Resolution No. 8234 authorizing the City Manager to execute a separate contract with the vendor Peelle Technologies, selected by the originating agency, the City of Dublin, and incorporating by reference the original solicitation, terms, conditions, and pricing for the annual not-to-exceed amount of $85,000.
*14. Award Bid for Police Vehicle	Awarded the bid for a 2013 Ford Taurus police interceptor Frontier Ford for the not-to-exceed amount of $30,375.25.
*15. Agreement with HT Harvey & Associates	Approved and authorized the City Manager to execute an agreement with HT Harvey & Associates in the not to exceed amount of $97,000, Project No. 3700, subject to approval as to form by the City Attorney.
*16. 5th Amendment to Contract with CSG	Approved a budget appropriation and authorized the City Manager to execute the fifth amendment to the contract with CSG Consultants Inc. for fire inspection and plan review services for an increase of $120,360 and a total amount-not-to-exceed $242,760 annually (which includes the original contract amount of $122,400).
*17. Agreement with Renne Sloan law firm	Authorized the City Attorney to execute the contract for Attorney Services with the law firm of Renne Sloan Holtzman Sakai LLP, in the amount of $50,000.
*18. Authorize Standstill Agreement	Authorized the City Manager to execute a Stand Still Agreement on behalf of the City, and that the Board of the Successor Agency to the former Redevelopment Agency move to authorize its Executive Officer to execute the Stand Still Agreement on behalf of the Successor Agency to the former Milpitas Redevelopment Agency.

JOINT HOUSING AUTHORITY AND CITY COUNCIL MEETING

HA1. Call to Order/Roll Call	This occurred jointly with start of meeting at 7:00 PM.
***HA2.** Amendments to Agreement for Coyote Creek	On consent, adopted Resolution No. HA 7 approving amendments to the Regulatory Agreement for the Coyote Creek residential development project, releasing 37 moderate-income housing units for an in-lieu housing fee of $1,480,000.
HA3. Adjourn	This occurred jointly with adjournment of City Council meeting.

REPORTS	Three items were approved on consent calendar.
NEW BUSINESS	One item was approved on consent calendar.
RESOLUTIONS	Eight resolutions (including Housing Authority) were adopted on consent calendar.

5. Demolition of Buildings at McCandless Drive

Principal Planner Felix Reliford discussed recently identified problems at property on McCandless Drive on parcels owned by the City of Milpitas. Staff recommended urgent demolition of the facilities due to increasing activity there.

Mayor Esteves asked how the demolition would take care of dumping issue. Staff responded that all debris on site would be removed in addition to the building material. City Manager Williams added that the property would be fenced in. There was potential later to turn it into a turf/park area for minimal recreation use, as an interim park/green space, using Development Impact Fees for parks. He also mentioned that if used with a public purpose, that could help if any attempt was made to claw back by the state.

Councilmember Montano asked if there was any plan to trim the vegetation there, and staff replied some trees would be removed. City Manager added the City would trim trees and would maintain some of them to enhance a future park.

Mayor Esteves inquired about funding for this urgent action. Mr. Williams replied that City-budgeted housing and park funds would pay for demolition.

Motion: to adopt Resolution No. 8227 by urgent action to permit Public Works Director to direct the demolition of City-owned buildings at 1650-1690 and 1740-1830 McCandless Drive, due to health and safety reasons

Motion/Second: Councilmember Giordano/Councilmember Montano

Motion carried by a vote of: AYES: 4
NOES: 0
ABSENT: 1 (Gomez)

BID/CONTRACTS

Five items were approved on consent calendar.

13. Update on Alviso Adobe Project

Engineer Michael Boitnott presented a current update on the Alviso Adobe structure renovation and park improvements project at the historic site in Milpitas. He defined Phases I through V, and announced the upcoming Park Opening and Ribbon Cutting ceremony on Saturday, March 16 at 10:00 AM. A total of $5,594,272 in budgeted costs was expended so far through Phase IV. Informational signs would be installed around the park site, and these were displayed overhead.

City Manager Williams noted the request by Councilmember Montano to add additional displays, with more historic information on the site, prior even to the Alviso Adobe's existence. He looked forward to developing more historic information for display.

Mayor Esteves identified that funds could be spent on signs outdoors now, or perhaps the Council should consider that the interior of the house which would identify information about the Spanish/Mexican era of 1820s to 1850s.

Vice Mayor Polanski remarked that it took since 1996 to get to this point with Alviso Adobe, to get funding for the park and renovations so far. It was going to take a while to gain more than $1 million to complete the interior renovations, so she valued the historic signs now. Councilmember Giordano agreed with moving forward now with signs. Ms. Polanski recommended that any new signs with historic information go before Parks, Recreation and Cultural Resources Commission for input.

Motion: to receive a staff progress report; to approve the request by Councilmember Montano for installation of Spanish/Mexican displays and signs on the park grounds; and, to approve and authorize the City Manager to execute an agreement with Page & Turnbull, in the not to exceed amount of $150,000 for Spanish/Mexican era park displays and signs for Project No. 5055, subject to approval as to form by the City Attorney

Motion/Second: Councilmember Montano/Vice Mayor Polanski

Motion carried by a vote of: AYES: 4
NOES: 0
ABSENT: 1 (Gomez)

ADJOURNMENT Mayor Esteves adjourned the meeting at 8:07 PM.

Meeting minutes respectfully submitted by
Mary Lavelle, City Clerk