

**MEETING MINUTES
CITY OF MILPITAS**

Minutes of: Regular Meeting of Milpitas City Council
Date: Tuesday, January 21, 2014
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 Mary Lavelle noted the roll.

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

ABSENT: Councilmember Giordano was absent at roll call and arrived at 6:05 PM.

CLOSED SESSION

City Council convened in Closed Session to discuss litigation and a property matter.

City Council then convened in Open Session at 7:02 PM.

ANNOUNCEMENT

No announcement out of Closed Session.

PLEDGE

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

INVOCATION

Councilmember Montano offered a prayer to start the meeting.

MINUTES

Motion: to approve meeting minutes of January 7, 2014 City Council meeting, as amended

City Clerk Mary Lavelle added the name of Vice President Rob Ridge of Varsity Facility Services, on page 6, item no. 10.

Motion/Second: Vice Mayor Polanski/Councilmember Giordano

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

SCHEDULE OF MEETINGS

Motion: to approve Council Calendars/Schedule of Meetings for January and February 2014

Motion/Second: Councilmember Giordano/Vice Mayor Polanski

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

PRESENTATIONS

Mayor Esteves commended and thanked four members of the Community Advisory Commission, for their success securing a grant for "2014 Invest from the Ground Up" program lead by California Urban Forests Council and the Western Chapter of the International Society of Arboriculture. Honored were: Van Lan Truong, Jacqueline Holland, Samantha Beard (CAC Chair) and Ray Maglalang.

PUBLIC FORUM

Robert Marini, Milpitas resident, asked the City Council to start off the year by abiding by state laws. He sought resolution of the issue of overcharging for water and sewer service. He referred to Dispute Resolution Procedure via the local courts and he could sue the City. Also, he believed that the Minuteman had nothing to do with the history of Milpitas.

ANNOUNCEMENTS

Vice Mayor Polanski highlighted the upcoming 60th Anniversary celebration events and thanked all residents and guests who planned to attend the Gala celebration on Saturday night. She invited

all citizens to attend Family Day on Sunday afternoon, from 1 to 5 PM. Robson Homes was announced as an additional sponsor. She thanked the Milpitas Post newspaper for the wonderful calendar put together with historic photographs.

Mayor Esteves thanked the planning committee and sponsors for supporting the 60th anniversary City events.

**ANNOUNCEMENT OF
CONFLICT OF INTEREST
AND CAMPAIGN
CONTRIBUTIONS**

City Attorney Ogaz asked City Councilmembers if they had any personal conflicts of interest or reportable campaign contributions. None were reported.

APPROVAL OF AGENDA

Motion: to approve the agenda, as submitted

City Manager Williams requested, only if removed from consent, to move item no. 8 to the front of the agenda. Following that if discussed, Councilmember Gomez would depart due to illness.

Motion/Second: Vice Mayor Polanski/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 Montano asked to remove item no. 5 (public library plaque) from consent. Mayor Esteves requested to pull item no. 7 (Resolution on tree planting) from consent.

Motion/Second: Vice Mayor Polanski/Councilmember Giordano

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

Councilmember Gomez then departed the meeting at 7:28 PM.

*** 1. Planning Commission**

Per Mayor's recommendation, approved appointments to Milpitas Planning Commission:

Reappointed Sudhir Mandal as a regular member to a term that will expire in December 2016.

Appointed Demetress Morris as a full, voting member to a term that will expire in December 2016.

Newly appointed Hon Lien as Alternate Member to a term that will expire in December 2015.

*** 2. Commission Appointments**

Per Mayor's recommendation, approved the following:

Emergency Preparedness Commission:

Appointed Nasir Lalani as a regular member to a term that will expire in June 2015.

Appointed Evelyn Chua as Alternate No. 1 to a term that will expire in June 2015.

Newly appointed Jonathan Nakapalau as Alternate No. 2 to a term that will expire in June 2015.

Senior Advisory Commission:

Reappointed Karen Adams as a regular member to a term that will expire in Dec. 2015.

Telecommunications Commission:

Reappointed Niranjana Gupta as a regular member to a term that will expire in Jan. 2016.

*** 3. Approve/Accept donation**

Approved and accepted the donation from Milpitas Historical Society to the City of Milpitas of historical farm equipment for the Alviso Adobe Park in honor of long time resident Mabel Mattos.

- * 4. Field Allocation Process change Approved the Parks, Recreation and Cultural Resources Commission’s recommendation to reduce the required percentage of Milpitas residents to use sports playing fields from 75% to 51% per team or group, and to clarify that the Youth Sport User Fee only applies to Tier 2.

- * 8. Resolution on Salary Compaction issues Adopted Resolution No. 8337 amending the Classification Plan to adjust salary ranges for City of Milpitas unrepresented management classifications and allow the City Manager to increase salaries at his discretion.

- *10. Amendment to Agreement with Vali Cooper Approved Amendment No. 1 to the agreement with Vali Cooper & Associates in the amount of \$75,000 for the Silicon Valley Berryessa BART Extension Project No. 4265.

- *11. Amendment to Agreement with CSG Authorized the City Manager to execute the first amendment to Agreement with CSG for fire inspection and plan review services for an increase of \$116,800 and a total amount-not-to-exceed \$280,000 annually (including original contract amount of \$163,200).

- *12. Emergency Repair to Community Center
 1. Received a report from the Public Works Director per Resolution No. 7779 and Public Contracts Code Section 22050 for emergency public works repair to the Milpitas Community Center Auditorium.
 2. Authorized staff to pay emergency repair work invoices to B.T. Mancini Company Inc. in an amount of \$51,079.00 from CIP 3406.
 3. Authorized staff to pay emergency repair work invoices to Michael Dovgan doing business as A Plus Painting in an amount of \$29,582.00 from CIP No. 3406.

REPORT OF COMMISION

- 5. Approve Library Plaque Councilmember Montano removed this item from the consent calendar to request a slight change. She was present at the last Library Commission meeting where this plaque was discussed concerning recognition of members on a subcommittee of the Commission at that time (early 2000’s). She reported that the reference on the plaque should be Library Advisory Commission Ad Hoc Committee.

Motion: 1) to change the wording on the plaque to reflect Library Advisory Commission Ad Hoc Committee; 2) to approve a budget appropriation of \$3,000 from Measure I TOT Fund to the City Council Community Promotions Unallocated budget; and 3) to approve placement of a new plaque at the Milpitas Public Library honoring individuals who had the initial vision for planning and constructing the Milpitas Public Library

Motion/Second: Councilmember Montano/Councilmember Giordano

AYES: 4
 NOES: 0
 ABSENT: 1 (Gomez)

NEW BUSINESS

- 6. Presentation on Two Planning Study Areas Planning Director Steve McHarris introduced this topic, describing steps that had taken place to date between City of Milpitas Planning staff and California Polytechnic State University – Planning Department professors and students, and between those persons and the City of Milpitas Planning Commission. An earlier version of this presentation was made to the Planning Commission last fall, garnering an enthusiastic response. Mr. McHarris introduced Senior Planner Scott Ruhland, Dr. Dandekar and Dr. Del Rio from the University. The presentation focused on the two Milpitas study areas: California Circle as well as Main Street at Serra.

Dr. Hema Dandekar, Director of the University’s Urban Planning Department, provided detailed explanation on the process of assessment the students went through, to come up with proposals for the two study areas. She explained how the case studies were

conducted by seven groups of 4-5 students each. Lessons learned for application by City decision makers, especially the City Council, were identified.

Dr. Vicente Del Rio displayed the specified, named visions that the student groups created, with visual and photographic displays. He went through each of the seven groups' visions with colored plans and some detailed visuals. He also showed movie images prepared by the students of the seven concepts.

Mayor Esteves thanked the two presenters from Cal Poly.

Vice Mayor Polanski thanked the Cal Poly students and officials for the detailed information and hard work by the students. She was impressed with the vision proposals.

Councilmember Montano thanked Cal Poly for "crash course" in urban planning. She wondered if the students would move in to Milpitas, and then determine what was needed in this City. A different perspective was useful to consider and she particularly appreciated the "circle" concept for California Circle area.

Mayor Esteves was grateful to the students for their efforts. An "anchor" site would be important on each site, he noticed. He thought students maximized the land use on each proposed vision. How to work with owners of the real estate would be important, as well as how to fund the specific projects within the vision proposals.

City Manager Tom Williams thanked the two professors, students, and City staff for the outstanding work done on the materials presented at this meeting. Great ideas were presented that could be implemented in the future in Milpitas.

Councilmember Giordano remarked on the innovation, freshness, and newness that she witnessed in the presentation. Council and City leaders needed new folks with the younger generation's ideas for the City.

Mayor Esteves invited speakers from the audience.

Robert Marini, Milpitas resident, watched the presentation and felt there was not enough comment on Police and Fire needed to serve new areas of California Circle from I-880. There was a need to look at more safety issues.

Ray Maglalang, Milpitas resident, liked the designs. He was concerned for California Circle and its proximity to Dixon Landing. It was close to the dump (Newby Island landfill) and there was a bad smell in that area.

Liz Ainsworth, Milpitas resident and Chamber of Commerce President, really liked the concepts and visions. She was especially impressed with the focus on the business aspect of the possible plans.

Motion: to receive a presentation on the planning vision results of two study areas of the City: California Circle and Main Street at Serra Way, having provided comments on the vision concepts

Motion/Second: Councilmember Giordano/Vice Mayor Polanski

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

RESOLUTIONS

7. Resolution on Tree Planting Mayor Esteves removed this item from consent calendar and asked for the cost to care for a tree, over time. Director of Public Works/City Engineer Jeff Moneda responded: the cost would be \$500 per tree, every five years.

The Mayor asked Felix Reliford, staff liaison to the Community Advisory Commission, if this item was on the workplan for Commission this year. Mr. Reliford replied yes, and more grants would be pursued for tree planting.

Speaker Robert Marini, Milpitas citizen, commented on the present water shortage in the state. He complained of leaves from trees found on the ground on Arizona Avenue.

Motion: to adopt Resolution No. 8336 authorizing the acceptance of 100 donated trees from California Urban Forest Council and 24 trees provided by Lyon Communities

Motion/Second: Councilmember Giordano/Vice Mayor Polanski

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

9. 014 Cost Allocation Plan

Finance Director Emma Karlen explained the purpose of preparing the new Cost Allocation Plan for the City. The last one was done in 2007. She described calculating both direct and indirect costs for providing all City services, across the board for all departments. This calculation allowed for staff to arrive at specific proposed hourly rates to charge customers based on true costs. This was what staff recommended that the Council approve at this meeting, and then later when each Fiscal Year's budget was introduced, new fee adjustments based on costs might also be adopted.

Vice Mayor Polanski agreed with looking at costs each year and to make adjustments when needed annually.

Councilmember Montano inquired about indirect costs versus direct costs. Ms. Karlen explained further to her.

Mayor Esteves asked about fee increases that were likely based on this new cost allocation plan. Ms. Karlen replied that it was a little too early to reply, while she would likely know more at budget time.

Speaker Robert Marini, Milpitas resident, wondered about fees and how the new cost allocation plan was used to calculate water costs to provide the service.

Motion: to adopt Resolution No. 8338 approving the 2014 Cost Allocation Plan and methodology

Motion/Second: Vice Mayor Polanski/Councilmember Giordano

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

ADJOURNMENT

Mayor Esteves adjourned the meeting at 9:09 PM.

The foregoing minutes were approved by the Milpitas City Council on February 4, 2014.


Mary Lavelle
Milpitas City Clerk