

City Council

Jose Esteves, Mayor

Carmen Montano, Vice Mayor

Garry Barbadillo, Councilmember

Debbie Indihar Giordano, Councilmember

Marsha Grilli, Councilmember



NOTICE OF SPECIAL MEETING

NOTICE IS HEREBY GIVEN that a Special Meeting of the Milpitas City Council is scheduled for 6:30 PM, Monday, May 11, 2015 at Milpitas City Hall, 455 East Calaveras Boulevard, Milpitas, CA in the City Council Chambers on the second floor. Following is the agenda:

SPECIAL MEETING AGENDA

MONDAY, MAY 11, 2015

6:30 PM Closed Session

7:00 PM Open Session

Milpitas City Hall

City Council Chambers, 2nd Floor

455 East Calaveras Boulevard

Milpitas, CA 95035

I. CALL TO ORDER/ROLL CALL by the Mayor

II. ADJOURN TO CLOSED SESSION (6:30 p.m.)

CONFERENCE WITH LEGAL COUNSEL, ANTICIPATED LITIGATION

Pursuant to California Government Code Section 54956.9 - City as Defendant

III. CLOSED SESSION ANNOUNCEMENT: 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. APPROVAL OF AGENDA

VI. ANNOUNCEMENT OF CONFLICT OF INTEREST AND CAMPAIGN CONTRIBUTIONS

VII. PUBLIC FORUM

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 item not listed on the agenda, no response is required from City staff or the Council and no action can be taken. However, City Council may instruct the City Manager to place the item on a future meeting agenda.

VIII. CAPITAL IMPROVEMENT PROGRAM

1. Review the Draft 2015-2020 Capital Improvement Program (CIP) Report and Provide Staff with Direction and Comments (Staff Contact: Steven Machida, 408-586-3355)

IX. UNFINISHED BUSINESS

2. **Receive Update of the Odor Report (Staff Contact: Steven Machida, 408-586-3355)**
3. **Receive a Report Regarding International Park in Milpitas, and Direct Staff to Conduct Outreach and Prepare Feasibility Study (Staff Contact: Tim Wong, 408-586-3286)**

X. ADJOURNMENT

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 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 / 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 SERVE ON A CITY COMMISSION

Current vacancies on:
Community Advisory Commission
Sister Cities Commission
Veterans Commission

Commission application forms are available online at www.ci.milpitas.ca.gov or at Milpitas City Hall. Contact the City Clerk's office at 408-586-3003 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 City Council Chambers for all meetings.

AGENDA REPORTS

1. Review the Draft 2015-2020 Capital Improvement Program (CIP) Report and Provide Staff with Direction and Comments (Staff Contact: Steven Machida, 408-586-3355)

Background: The Draft 2015-2020 Capital Improvement Program (CIP) document was prepared by staff and distributed to the City Council. Projects are arranged into six main categories: Community Improvements, Parks, Streets, Water, Sewer, and Storm Drain. The document includes a summary by categories, and individual proposed project descriptions. Previously funded projects are also summarized. The value of capital projects proposed to be budgeted in fiscal year 2015-16 is \$22,421,960.

The Parks, Recreation and Cultural Resources Commission reviewed the Parks projects on March 2, 2015 and recommend those projects for approval by Council. The City Council Finance Subcommittee reviewed the Draft 2015-2020 CIP on March 18 and 25, 2015 and recommended the Council approve it. On April 8, 2015, the Planning Commission reviewed the Draft 2015-2020 CIP document and found it in conformance with the General Plan.

A staff presentation of Draft CIP highlights will be provided at the Council meeting. Based upon Council direction, the Draft CIP will be revised and prepared as the Preliminary CIP document, which will then be presented to Council at the budget hearing in May for approval.

NOTE: in the City Council's agenda packet, there is a memo from the Assistant City Manager responding to several requests for information made at the previous Budget Study Session held on April 7, 2015.

Recommendations:

1. Review the Draft 2015-2020 Capital Improvement Program and provide staff with direction and comments.
2. Provide direction to analyze an increase in sales tax and/or Transient Occupancy Tax ("TOT") as a funding mechanism that would include hiring a consultant to survey voters and conduct public outreach.

2. Receive Update of the Odor Report (Staff Contact: Steven Machida, 408-586-3355)

Background: From March 21 through April 12, 2015, the Bay Area Air Quality Management District (BAAQMD) forwarded 91 complaints originating in Milpitas: 44 identified a garbage odor, 5 identified a sewage odor, 40 did not identify an odor source, and 2 identified a mixed odor source. As of the last Council update, the City's odor reporting website received 40 reported complaints.

Recommendation: Receive the update of the odor control report.

3. Receive a Report Regarding International Park in Milpitas, and Direct Staff to Conduct Outreach and Prepare Feasibility Study (Staff Contact: Tim Wong, 408-586-3286)

Background: On August 19, 2014, the City Council received a report outlining the request by several cultural organizations representing different countries to develop an international park. Organizations evincing interest in a park include a Filipino group, the Indian community, the Korean Language & Culture Foundation, and the Vietnam Neighborhood Association of Milpitas and Berryessa. Staff met with representatives of these organizations and based on these discussions, identified a possible site location. Tom Evatt Park, due to its central and accessible midtown location, was recommended for initial consideration. The City Council directed staff to meet with various City Commissions for review and input, and return to City Council with recommendations.

Based upon City Council direction, staff prepared an International Park concept plan. The conceptual plan identifies equally sized public spaces to accommodate an educational non-political theme of culture, arts, history, architecture, geography, and native plants for each participating international group within the portion of the Tom Evatt Park, east of Main Street. The concept could be expanded to the west side of Main Street dependent on other organizations' participation and interest. The park, east of Main Street, is approximately 0.37 acres, while the portion of the park between Main Street and South Abel Street is approximately 0.93 acres. The park west of Abel Street is 3.118 acres.

On March 2, 2015, staff met with the Parks, Recreation and Cultural Resources Commission (PRCRC) to review the conceptual plan. PRCRC comments were positive regarding repurposing the park for an international theme. Specific comments identified the need to address parking demand for associated international events, and to provide equally sized space for group participation.

On March 26, 2015, staff met with the Sister Cities Commission to review the conceptual plan. Sister City Commission comments were similarly positive to the PRCRC. Their comments also recommended the need to address parking for associated international events and to provide equally sized space for group participation.

Further specific recommendations included:

- Sister City should provide the initial overview review of all proposals, particularly for appropriateness. Commission will serve as a resource, and opportunity to review and recommend to PRCRC.
- PRCRC should have the primary review and recommendation responsibility.
- City Council should be the final decider, especially for non-political appropriateness.
- Should apply universal "Sister City" identification at the site. Add prestige to Sister City
- Overall project concept will help activate Main Street.
- Parking is an issue. Accessibility concern due to parking constraints. Parking opportunity on west side of Main Street using wider areas closer to Abel Street.
- Identify gathering areas within the park.
- Flag Poles per City Flag Ordinance (When representatives are in town).
- South Main Street pedestrian crossing, traffic calming, convertible street, pedestrian beacon.
- On April 1, 2015, staff met with the Community Advisory Commission to review the conceptual plan. Community Advisory Commission comments were similarly positive to the other commissions in repurposing the park for an international theme.

Specific comments received included:

- Concentrate on public outreach program.
- Provide clear steps to the process of participant plans and responsibilities.
- Utilize census data and consider population size for group representation
- Provide playground area for children.
- Include monuments, icons, small replicas, flags, small structures.
- Consider shared common area that everyone can use together rather than boundary areas or delineated areas. This makes it easier for new groups to be added later.
- Provide restroom facilities
- Provide picnic area.

Staff recommends that the City Council receive the Commission input and direct staff to further refine the concept of an International Park. Staff will collaborate with these interested groups to prepare a feasibility study and preliminary plan. Work product will include administrative policies and procedures for the park and specifications for size of designated international group areas within the park.

Alternatives:

- Not to repurpose Tom Evatt Park and have the park continue with its existing use.
- Direct staff to identify alternative park locations.
- Take no further action regarding development of an International Park.

Fiscal Impact: Up to \$50,000 to be reimbursed by participating organizations.

Recommendation: Direct staff to further refine the International Park concept with additional public participation and prepare a feasibility study and a preliminary plan.