

**MEETING MINUTES
CITY OF MILPITAS**

Minutes of: Regular Meeting of Milpitas City Council
Date: Tuesday, October 18, 2016
Time: 6:00 PM Closed Session / 7:00 PM Open
Location: Council Chambers, Milpitas City Hall,
455 East Calaveras Blvd., Milpitas

CALL TO ORDER Mayor Esteves called the meeting to order at 6:01 PM. City Clerk noted the roll.

PRESENT: Mayor Esteves, Vice Mayor Montano, Councilmembers Barbadillo, Giordano and Grilli

ABSENT: None

CLOSED SESSION City Council convened in Closed Session to discuss three matters listed on the agenda.

City Council then convened in Open Session at 7:39 PM.

ANNOUNCEMENT No announcement out of closed session.

PLEDGE Boy Scouts Troop No. 92 led the pledge of allegiance.

INVOCATION Councilmember Marsha Grilli invited Imam Abdul Khan to offer a prayer.

MEETING MINUTES Motion: to approve the minutes of October 4, 2016 City Council meeting

Motion/Second: Councilmember Grilli/Councilmember Barbadillo

Motion carried by a vote of: AYES: 4
NOES: 0
ABSTAIN: 1 (Giordano)

SCHEDULE OF MEETINGS Motion: to approve Council Calendars/Schedule of Meetings for October and November 2016

Motion/Second: Councilmember Giordano/Vice Mayor Montano

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

PRESENTATIONS Mayor Esteves proclaimed Freedom from Workplace Bullies Week accepted by Human Resources Director Tina Murphy. He also proclaimed Filipino American History Month, accepted by Filipino residents Evelyn Chua and Councilmember Garry Barbadillo.

Annual Neighborhood Beautification Awards were presented, in coordination with Neighborhood Preservation staff Kamille Singh, to homeowners and property owners. The Mayor invited all to a reception in the second floor lobby following the award presentation. City Council returned at 8:26 pm to the dais to continue the meeting.

PUBLIC FORUM None.

ANNOUNCEMENT Councilmember Giordano congratulated Mayor Esteves and Councilmember Grilli for being selected as one of the best elected officials in the City of Milpitas in Milpitas Post newspaper.

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

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

APPROVAL OF AGENDA

Motion: to approve the meeting agenda, as amended

City Manager Tom Williams asked to remove items from the agenda: No. 4 (Sunnyhills fee waiver) and No. 9 (Amendment No. 4 to Agreement with HF&H).

Motion/Second: Vice Mayor Montano/Councilmember Grilli

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

CONSENT CALENDAR

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

Vice Mayor Montano asked to remove item no. 8 (Resolution related to staffing) from consent.

Motion/Second: Vice Mayor Montano/Councilmember Grilli

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

* 2. Veterans Commission

Re-appointed Liliana Ramos to the Milpitas Veterans Commission into the seat previously held, to a term that expires in February of 2019.

* 4. Fee Waiver Request

Item was removed from the agenda.

* 5. Resolution

1) Adopted Resolution No. 8597 awarding a construction contract including Add Alternates A, B, and D to Marina Landscape, Inc. for Phase 1 Recycled Water Conversion Sites Project No. 7126 and No. 3417, in the amount of \$586,120.
2) Authorized the City Manager to execute the agreement Including Add Alternate Items A B, and D to Marina Landscape Inc., for Phase 1 Recycled Water Conversion Sites, Project No. 7126 and No. 3417, in the amount of \$586,120.
3) Authorized the City Engineer to execute change orders for Phase 1 Recycled Water Conversion Sites, provided that the change orders do not exceed the established construction contingency amount for the project, and do not require additional appropriation.

* 6. Resolution

Adopted Resolution No. 8598 making a finding of necessity regarding subcontracting of milling operations to Anrak Corp. for the Bridge Improvements Project No. 4271.

* 7. Resolution

Adopted Resolution No. 8599 authorizing the City Manager to execute a separate agreement with vendor Peelle Technologies, selected by the originating agency, the City of Saratoga, and incorporate by reference the original solicitation, terms, conditions, and pricing for the not-to-exceed amount of \$59,992.50.

*9. HF&H Agreement

Item was removed from the agenda.

*10. Demand

Authorized payment of invoices in the amount of \$17,501.74 to ACCO Engineered Systems from Capital Improvement Project No. 3406 for services on the Public Works/ Police Department building's HVAC system.

*11. Demand

Authorized the City Manager to approve payment to Preston Pipelines in the amount of \$20,071.31 from the Water Maintenance and Repair budget for repairs to cement water line on Hillview Court.

PUBLIC HEARING

2. Annexation into CFD 2008-1 Assistant City Engineer Judy Chu described this effort to add parcels into the Community Facilities District (CFD) No. 2008-1 for the new residential development to be constructed by D.R. Horton, known as Centre Pointe. This would be one of the latest residential projects coming to the Transit Area Specific Plan location in the south of Milpitas. Actions required by City Council at this meeting included a vote to incorporate the parcels into the CFD, to approve the project's final map and to authorize the City Manager to execute at Subdivision Improvement Agreement.

Ms. Chu responded to several inquiries from Councilmembers about the site and the details of the project.

Mayor Esteves opened the public hearing and no one came to the podium.

(1) Motion: to close the public hearing, following no speakers

Motion/Second: Councilmember Grilli/Vice Mayor Montano

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

(2) Motion: to adopt Resolution No. 8595 making certain determinations and authorizing submittal of the levy of special taxes to the qualified electors of certain territory (Centre Pointe by D. R. Horton) proposed to be annexed to CFD No. 2008-1 for public services

Motion/Second: Councilmember Giordano/Vice Mayor Montano

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

The City Attorney requested that the City Clerk open the ballot(s) submitted for the election regarding parcels to be included in the Community Facilities District. Mary Lavelle then reported one vote of yes.

(3) Motion: to adopt Resolution No. 8596 declaring the result of the special election and adding Annexation No. 10 to the CFD No. 2008-1 for public services; and, to direct the City Clerk to record notice of the annexation pursuant to Section 3117.5 of the California Streets and Highways Code

Motion/Second: Councilmember Giordano/Vice Mayor Montano

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

(4) Motion: to approve Final Tract Map No. 10363 for 241 new dwelling units located at 1515, 1557 and 1585 Centre Pointe Drive, including approval of street names and acceptance of all offers of dedications as stated and depicted on the final map upon completion and acceptance of improvement; and, to authorize the City Manager to execute the Subdivision Improvement Agreement

Motion/Second: Councilmember Giordano/Vice Mayor Montano

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

NEW BUSINESS

3. Closing at Montague

Transportation Engineer Steve Chan introduced Yvonne Liao, of the Santa Clara Valley Transportation Authority (VTA), who served as staff for the joint powers authority on the project to widen Montague Expressway. Ms. Liao gave an update to the City Council on the project and the planned closure of Milpitas Blvd. at Montague for five weeks.

Mayor Esteves made very clear his demand that VTA contact affected businesses in the area of the closure and to be offered compensation, if negatively financially affected.

Mayor Esteves asked that VTA to provide a timeline for the completion of this project. He sought assurance that the widening would be completed prior to the opening of the new Milpitas BART station.

The Mayor asked for comments from the audience.

Voltaire Montemayor, Milpitas resident, said if rain came early, it would affect the outcome of this project. He requested to have contingency equipment, just in case.

Mayor Esteves thanked the Santa Clara VTA, Water District and County staff for coming to this meeting to provide helpful information and answer questions.

Motion: to receive the oral report regarding the Montague widening project and the planned closure of Milpitas Blvd. at Montague

Motion/Second: Vice Mayor Montano/Councilmember Grilli

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

RESOLUTION

8. Resolution

Vice Mayor Carmen Montano inquired about funding and the staffing requested for the City Clerk's office, among other department needs. Human Resources Director Tina Murphy and City Manager Tom Williams responded, defining the tasks of the half-time Office Assistant in the Clerk's office related to the Passport Application program and other customer service work.

Motion: to approve and adopt the following:

1) Adopt Resolution No 8600 amending the Classification Plan to reflect the budgetary authorization of (1) addition of one half-time Office Assistant I/II in the City Clerk's Office, (2) addition of one Senior Public Works Lead for the Streets Division of the Public Works Department, (3) deletion of one Marketing Assistant in the Recreation Services Department, (4) addition of one Marketing Coordinator to the Recreation Department, (5) deletion of one Public Services Assistant II in the Recreation Services Department, and (6) addition of one Senior Public Services Assistant to the Recreation Department.

2) Approve a budget appropriation in the amount of \$40,000 from the General Fund to the City Clerk's budget for the half-time Office Assistant I/II.

3) Approve a budget appropriation in the amount of \$179,000 from the CFD No. 2005-1 fund to the Public Works budget for one Senior Public Works Lead and one Maintenance Worker III in the Public Works Department

Motion/Second: Vice Mayor Montano/Councilmember Grilli

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

ADJOURNMENT

Mayor Esteves adjourned the City Council meeting at 9:13 PM.

The foregoing minutes were approved by Milpitas City Council on November 1, 2016.

**Mary Lavelle
Milpitas City Clerk**