



## REGULAR MEETING OF THE MILPITAS CITY COUNCIL

For assistance in the following languages, you may call:

Đối với Việt Nam, gọi 408-586-3122

Para sa Tagalog, tumawag sa 408-586-3051

Para español, llame 408-586-3232

### **AGENDA** **TUESDAY, APRIL 2, 2019** **COUNCIL CHAMBERS, 455 E. CALAVERAS BLVD., MILPITAS, CA** **5:30 PM (CLOSED SESSION)** **7:00 PM (PUBLIC BUSINESS)**

#### **CALL MEETING TO ORDER by Mayor and ROLL CALL by City Clerk**

#### **ADJOURN TO CLOSED SESSION**

##### **(a) CONFERENCE WITH LABOR NEGOTIATORS - COLLECTIVE BARGAINING**

Pursuant to California Government Code Section 54957.6

City Negotiator: Liz Brown, Human Resources Director

Employee Groups: Professional and Technical Group & Mid-Management and Confidential Group

Under Negotiation: Wages, Hours, Benefits, and Working Conditions

##### **(b) PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

Pursuant to Government Code Section 54957

Employee Position: City Manager

**CLOSED SESSION ANNOUNCEMENT:** Report on action taken in Closed Session, if required per Government Code Section 54957.1, including the vote or abstention of each member present

#### **PLEDGE OF ALLEGIANCE**

#### **INVOCATION**

#### **PUBLIC FORUM**

Those in the audience are invited to address City 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 spoken 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. Council may instruct the City Manager to place the item on a future meeting agenda.

#### **ANNOUNCEMENTS**

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

#### **APPROVAL OF AGENDA**

## **CONSENT CALENDAR**

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 City Councilmember, member of the audience or staff requests 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.

- C1. **Receive City Council calendar for the month of April 2019 (Staff Contact: Mary Lavelle, 408-586-3001)**
- C2. **Approve City Council meeting minutes for the dates of March 12 and 19, 2019 (Staff Contact: Mary Lavelle)**

Recommendation: Approve meeting minutes of the Special City Council meeting on March 12, 2019 and of the Regular City Council meeting on March 19, 2019.

- C3. **Adopt a Resolution to Award Americans with Disabilities Act (ADA) Curb Ramp Transition Projects No. 4283 and No. 4287 (Staff Contact: 408-586-3301)**

Recommendation: Adopt a resolution awarding a construction contract and authorize the City Manager to execute the contract to the lowest responsible and responsive bidder, J.J.R. Construction, Inc., in the amount of \$660,063.00 for the ADA Curb Ramp Transition Project and authorize the Engineering Director/City Engineer to negotiate and execute contract change Orders in an aggregate amount not to exceed \$132,000 for the project.

- C4. **Accept the FY 2019 Citizen Options for Public Safety (COPS) Grant (Staff Contacts: Jared Hernandez, 408-586-2406 and Kevin Moscuzza, 408-586-2412)**

Recommendation: Accept the 2019 Citizen Options for Public Safety Grant in the amount of \$113,782 and approve a budget amendment.

- C5. **Authorize the Milpitas Police Department to Respond to the Santa Clara Valley Transportation Authority's Request for Proposal S19032 to Provide Supplemental Law Enforcement Services at the Milpitas BART station campus at 1755 S. Milpitas Boulevard (Staff Contact: Armando Corpuz, 408-586-2402)**

Recommendation: Authorize the Milpitas Police Department to respond to the Santa Clara Valley Transportation Authority's Request for Proposal S19032 to provide supplemental law enforcement services at the Milpitas BART station campus at 1755 S. Milpitas Boulevard.

- C6. **Approve three members of the Milpitas Police Department Honor Guard to travel to Gilbert, Arizona to participate in funeral services for retired Milpitas Police Lieutenant Steven Petrakovitz (Staff Contact: Jared Hernandez, 408-586-2406)**

Recommendation: Approve out of state travel to Arizona for three members of the Milpitas Police Department's Honor Guard so they may participate in funeral services for retired Police Lieutenant Steven Petrakovitz, with costs paid out of the Police Department budget.

## **PUBLIC HEARING**

7. **Hold a Public Hearing and Adopt a Resolution for Time Extension request for an approved Site Development Permit, Site Development Permit Amendment, Conditional Use Permit and Vesting Tentative Map to develop a four-story, 18-unit residential condominium building, up to 52 feet in**

**height, on a vacant 0.4-acre parcel located at 1316 South Main Street (Staff Contact: Michael Fossati, 408-586-3274)**

Recommendations:

- 1) Open the public hearing, receive public comments and move to close the public hearing.
- 2) Adopt a resolution approving the Time Extension (Permit No. TE18-0003) for a Site Development Permit (SD14-0021), Site Development Permit Amendment (SA18-0002), Conditional Use Permit(UP14-0022), and Vesting Tentative Map (MT14-0005) to develop a four-story, 18-unit residential condominium building, up to 52 feet in height on vacant 0.4-acre parcel at 1316 South Main Street.

**COMMUNITY DEVELOPMENT**

- 8. Receive Staff Report on Tenant Protection Task Force and Provide Direction (Staff Contact: Sharon Goei, 408-586-3260)**

Recommendations:

1. Receive staff report on Tenant Protection Task Force.
2. Direct the City Manager to increase the Project Sentinel contract by \$10,000 for more outreach and engagement, with a focus on pre-eviction services, and to return to City Council with budget proposals to enhance tenant protection services and improved data analytics.
3. Provide feedback on any Task Force issues or core values that staff should further analyze.

**COMMUNITY SERVICES AND SUSTAINABLE INFRASTRUCTURE**

- 9. Adopt a Resolution Authorizing City Manager to Execute a Purchase and Sale Agreement and all related closing documents for Property located at 1831-1841 Tarob Court (APN 086-036-030) within the Transit Area Specific Plan (TASP) to accommodate extensions of South Milpitas Boulevard and Sango Court and Approve a Budget Amendment (Staff Contact: Steve McHarris, 408-586-3059)**

Recommendation: Adopt a resolution authorizing City Manager to execute a Purchase and Sale Agreement and all related closing documents for property at 1831-1841 Tarob Court (APN 086-036-030) within the Transit Area Specific Plan (TASP) to accommodate extensions of South Milpitas Boulevard and Sango Court and approve a budget amendment.

- 10. Consider Fiscal Year 2019-20 Funding for Library Open Hours (Staff Contact: Renee Lorentzen, 408-586-3409)**

Recommendations:

- 1) Approve funding in the amount of \$160,624 to maintain Milpitas Library current open hours and direct staff to incorporate this action into the City's Fiscal Year 2019-20 Operating Budget.
- 2) Consider funding an additional two hours per week on Friday evenings from 7:00 PM – 9:00 PM in the amount of \$58,359 and if approved, direct staff to incorporate this action into the City's Fiscal Year 2019-20 Operating Budget.
- 3) Evaluate the funding of the additional programs and services during the Fiscal Year 2019-20 budget process.

**PUBLIC SAFETY**

- 11. Receive Fire Department Standards of Cover Briefing (Staff Contact: Rick Frawley, 408-586-2424)**

Recommendation: Receive Fire Department Standards of Cover Briefing completed by Citygate Associates.

## **LEADERSHIP AND SUPPORT SERVICES**

12. **Discuss the formation of a City Council Agenda Subcommittee and provide direction to staff on next steps (Staff Contact: Ashwini Kantak, 408-586-3053)**

Recommendation: Discuss the formation of a City Council Agenda Subcommittee and provide direction to staff on next steps.

## **REPORTS OF MAYOR & COUNCILMEMBERS**

13. **Consider Recommendations for Appointments to the Milpitas Planning Commission and Additional Appointments by the Mayor to Six Commissions (Contact: Mayor Tran, 408-586-3029)**

Recommendations:

1. Receive Mayor and Councilmember recommendations for appointments to the Planning Commission, and consider confirming appointments.
2. Receive Mayor's recommendations and approve appointments to the Arts Commission; Economic Development & Trade Commission; Parks, Recreation and Cultural Resources Commission; Public Safety & Emergency Preparedness Commission; Science Technology & Innovation Commission; and the Veterans Commission.

## **NEXT AGENDA PREVIEW**

14. **Receive and Review Preview Agenda for Regular City Council Meeting on April 16, 2019 (Staff Contact: Mary Lavelle, 408-586-3001)**

## **ADJOURNMENT**

### **NEXT REGULAR CITY COUNCIL MEETING** **APRIL 16, 2019**

#### **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: [cdiaz@ci.milpitas.ca.gov](mailto:cdiaz@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](http://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. City Council agendas and related materials can be viewed online here: [www.ci.milpitas.ca.gov/government/council/agenda\\_minutes.asp](http://www.ci.milpitas.ca.gov/government/council/agenda_minutes.asp) (select meeting date)

#### **APPLY TO SERVE ON A CITY COMMISSION**

Commission application forms are available online at [www.ci.milpitas.ca.gov](http://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, please call the City Clerk at 408-586-3001 or send an e-mail to [mlavelle@ci.milpitas.ca.gov](mailto: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.*