



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 (REVISED AS OF MAY 17, 2019)

TUESDAY, MAY 21, 2019
COUNCIL CHAMBERS, 455 E. CALAVERAS BLVD., MILPITAS, CA
&
BARBARA LEE SENIOR CENTER, 40 N. MILPITAS BLVD., MILPITAS, CA

6:00 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

PRESENTATIONS

- Certificates to Members of Community Emergency Response Teams (CERT)
- Commendations to Participants in the Community Advisory Commission's Annual Mobile Home Park Spring Clean Up

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 Councilmember, member of the audience or staff requests the 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 Calendars of Meetings for May and June 2019 (Staff Contact: Mary Lavelle, 408-586-3001)

C2. Approve City Council meeting minutes of April 30 and May 7, 2019 (Staff Contact: Mary Lavelle, 408-586-3001)

Recommendation: Approve City Council meeting minutes of April 30 (special meeting) and May 7, 2019 (regular meeting).

C3. Permanently Change the Milpitas National Night Out day to align with the Nationally Recognized Date of the first Tuesday in August (Staff Contact: Police Captain Raj Maharaj, 408-586-2416)

Recommendation: Move to permanently change the Milpitas National Night Out day to align with the Nationally recognized date of the first Tuesday in August.

C4. Authorize the City Manager to Execute a Stormwater Management Facilities Operation and Maintenance Agreement for Hudson Campus Center, LLC for Development at 115 North McCarthy Boulevard (Staff Contact: Steve Erickson, 408-586-3301)

Recommendation: Authorize the City Manager to execute a Stormwater Management Facilities Operation and Maintenance Agreement for Hudson Campus Center, LLC for development at 115 North McCarthy Boulevard.

C5. Approve the 5-Year Agreement with McCampbell Analytical, Inc. for Water Quality Laboratory Testing Services (Staff Contact: Tony Ndah, 408-586-2602)

Recommendation: Authorize the City Manager to execute a Professional Service Agreement with McCampbell Analytical, Inc. for Water Quality Laboratory Testing Services for a five-year agreement amount not to exceed \$230,140.

C6. Approve Amendment No. 1 to the Contract with West Coast Arborist, Inc. for City Owned Tree Maintenance Services (Staff Contact: Tony Ndah, 408-586-2602)

Recommendation: Authorize the City Manager to approve Amendment No. 1 to the contract with West Coast Arborist, Inc. in the amount of \$150,000 for citywide tree removal services.

C7. Adopt a Resolution Directing Staff to Fly the Eritrea Independence Day Flag at Cesar Chavez Plaza (Staff Contact: Renee Lorentzen, 408-586-3409)

Recommendation: Adopt a Resolution directing staff to fly the Eritrea Independence Day Flag on May 24, 2019 at the Cesar Chavez Plaza.

PUBLIC HEARINGS

8. Conduct a Public Hearing and Adopt a Resolution Confirming the Assessment and Ordering the Levy for the Landscaping and Lighting Maintenance Assessment District No. 95-1, McCarthy Ranch for Fiscal Year 2019-20 (Staff Contact: Steve Erickson, 408-586-3001)

Recommendations:

- a) Open the public hearing, receive any comments, and move to close the hearing following any testimony.
- b) Adopt a Resolution confirming the assessment and ordering the levy for Landscaping and Lighting Maintenance Assessment District No. 95-1, McCarthy Ranch for Fiscal Year 2019-20.

9. Conduct a Public Hearing and Adopt a Resolution Confirming the Assessment and Ordering the Levy for the Landscaping and Lighting Maintenance Assessment District No. 98-1, Sinclair Horizon, for Fiscal Year 2019-20 (Staff Contact: Steve Erickson, 408-586-3301)

Recommendations:

- a) Open the public hearing, receive any comments, and move to close the hearing following any testimony.
- b) Adopt a Resolution confirming the assessment and ordering the levy for Landscaping and Lighting Maintenance Assessment District No. 98-1, Sinclair Horizon for Fiscal Year 2019-20.

LEADERSHIP AND SUPPORT SERVICES

10. Consider Recommendation from Councilmember Nuñez for One Appointment to the Milpitas Planning Commission (Contact: Councilmember Nuñez, 408-586-3023)

Recommendation: Receive Councilmember Nuñez's recommendation of Ricky Ablaza, and consider confirming his appointment by Mayor Tran to a term on the City of Milpitas Planning Commission that would expire in December 2020.

NEXT AGENDA PREVIEW

11. Receive Preview of Next Regular City Council meeting on June 4, 2019 (Staff Contact: Mary Lavelle, 408-586-3001)

City Council, staff and members of the audience are requested to depart the Council Chambers and move to the Senior Center for the study session next.

STUDY SESSION AT BARBARA LEE SENIOR CENTER (Starting time approximately at 8:00 PM)

12. **Receive an update on the General Plan Update project and Recommendations from the General Plan Advisory Committee (GPAC), Discuss the Land Use Alternatives Report, and Provide Direction to staff regarding the Preferred Land Use Map (Staff Contact: Ned Thomas, 408-586-3273)**

Recommendations: Receive update on the General Plan Update project from the consultant team and staff; receive recommendations from the General Plan Advisory Committee (GPAC) and discuss the Draft Land Use Alternatives Report; and, provide direction to consultant team and staff regarding the preferred General Plan Land Use Map.

ADJOURNMENT

NEXT REGULAR CITY COUNCIL MEETING **Tuesday, June 4, 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 / 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. 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

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, please 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.