

**MEETING MINUTES
CITY OF MILPITAS**

Minutes of: Joint Meeting of the Milpitas City Council, Housing Authority & Milpitas Municipal Financing Authority
Date: Tuesday, October 15, 2019
Time: 6:00 PM Closed Session
7:00 PM Open Session
Location: Council Chambers, Milpitas City Hall,
455 East Calaveras Blvd., Milpitas

CALL TO ORDER Mayor Tran called the joint meeting to order at 6:00 PM. City Clerk Mary Lavelle called the roll.
PRESENT: Mayor Tran, Vice Mayor Dominguez and Councilmember Nuñez
ABSENT: Councilmembers Montano and Phan were absent at roll call. She arrived at 6:02 PM. He arrived in Closed Session.

CLOSED SESSION City Council convened in Closed Session to discuss one matter listed on the agenda.
City Council convened at the dais for the Open Session regular agenda at 7:00 PM.

ANNOUNCEMENT City Attorney Chris Diaz stated out of Closed Session there was no reportable action.

PLEDGE Girl Scouts Troop No. 60852 presented the flags and led the pledge of allegiance.

INVOCATION Mayor Tran offered his own prayer to start the meeting and asked for a moment of silence in memory of Pastor Roberto Gonzalez.

PUBLIC FORUM Allysson McDonald requested that item no. 19 (rent relief program) be moved up on the agenda, so it can be heard earlier in the meeting. Lots of speakers came to hear this item and to speak.
Johnny Reed, long time resident, spoke about South Park Victoria and Landess, where he was concerned about the location where Rite Aid previously operated. He asked about Biagini and getting the project done soon, since it had been under construction for a year and a half. Also, he thanked police for the recent ice cream event on Jacklin.
Rob Means, resident, addressed Council on personal rapid transit.
David, a Milpitas man from the Silicon Valley Leadership Group, invited all City Council members to participate in the annual Turkey Trot event on Thanksgiving morning.
Voltaire Montemayor, resident, said the city needed a place where everyone can go to assemble for large events, a multi-purpose facility.

ANNOUNCEMENTS None

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. By roll call, none were reported.

APPROVAL OF AGENDA Motion: to approve the meeting agenda, as amended

Councilmember Nuñez heard a request to move an item up in the order on agenda, while the Mayor wanted to move the agenda in order, as posted on the agenda, since all matters were urgent.

Mayor Tran asked to move items no. 16, 17, and 18 (Milpitas Municipal Financing Authority bond items) to be heard prior to the public hearings.

Vice Mayor Dominguez said on item C3 (findings related to development project at 2001 Tarob Ct.), she wanted to allow the developer to answer some questions, however, it was on consent.

City Attorney Chris Diaz said the bond items could not be on consent. He urged the public hearings to proceed first, prior to all other matters due to the noticing of those. On consent item no. C3, if the desire of the City Council was for some new information, if so, then a public hearing would need to be scheduled and noticed for a later meeting date (if the Council wanted to accommodate what the Vice Mayor had requested).

Councilmember Nuñez asked to remove the Commission work plans (agenda items no. 8, 9, 10) and have those return for discussion at a future meeting, so he could ask questions.

Mayor Tran then asked to remove item no. C3 from the agenda and re-notice the item as a public hearing for a later date.

Motion: to approve the City Council agenda with the removal of consent items no. 3, 8, 9 and 10

Motion/Second: Councilmember Nuñez/Councilmember Montano

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

CONSENT CALENDAR

Motion: to approve the consent calendar including agenda items no. 1, 2, 4, 6, 7 and 11, excluding items numbered 3, 5, 8, 9, 10

Councilmember Montano wanted to ask questions about item no. C5, so she asked for it to be removed from consent. Mayor Tran said that would be fine, while it would be heard at the end of the discussion of all other scheduled agenda items.

Motion/Second: Vice Mayor Dominguez/Councilmember Nuñez

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

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| C1. Council Calendars | Received City Council calendars for October and November 2019. |
| C2. Meeting Minutes | Approved City Council meeting minutes of September 24, October 1 and 4, 2019. |
| C3. Findings Fees in lieu | This item was removed from the agenda. |
| C4. Resolution | Adopted Resolution No. 8914 granting acceptance of the Americans with Disabilities Act (ADA) Curb Ramp Transition Projects No. 4283 and No. 4287 and granting authorization to the Director of Engineering/City Engineer to file a Notice of Completion. |
| 5. Agreement with VTA | This item was removed from consent, but was not heard. It would be rescheduled to the next meeting agenda. |
| C6. Update Travel Policy | Approved the revised travel policy SOP No. 06-01, regarding reimbursement of expenses for elected officials, to be consistent with Article 2.3 Section 53232.2 of the California Government Code. |

- C7. OpenGov, Inc. Authorized the City Manager to execute an agreement with OpenGov, Inc. for a 5-year contract amount not to exceed \$410,450 for the purchase of budget performance software and consolidation of “Management Reporting” and “Open Town Hall” software already owned by the City.
- 8. Work plan Arts Commission work plan was removed from the agenda.
- 9. Work plan Library Advisory Commission work plan was removed from the agenda.
- 10. Work plan Senior Advisory Commission work plan was removed from the agenda.
- C11. EDTC appointment Appointed Casey McNeil from the Flex corporation as the Technology and Trade representative on the Economic Development and Trade Commission to a currently vacant term as a voting Commissioner into a 3-year term that expires in April 2020.

PUBLIC HEARINGS

12. Resolution – Amendment to Spinnaker PUD Planning Director Ned Thomas explained the request for an amendment to adopted conditions of approval at a long constructed project - Spinnaker Pointe Apartments at 231 Dixon Landing Road, concerning a change in roof materials for all buildings and carports. The apartments were originally approved in 1986.

Mayor Tran opened the public hearing.

Allysson McDonald, resident, supported the idea of the change in roof tiles at this site.

Tiffany Vuong, resident, asked if residents would have to move elsewhere while this work was being done and if the landlord was required to compensate residents then.

Mr. Thomas responded that residents would not have to move, as work would be done in phases. Fireplace upgrade and improvements would also be done during the time of the work on the roof.

Mr. Liddy from the project management team spoke on behalf of the long term owners. The plan was to replace the clay tile roof since it was worn out and would be updated with an eight-phase roof replacement. No residents would be displaced and work would be done in daytime hours.

Rob Means, resident, spoke of when he added on new roof to his home. He asked why a steel roof material was not chosen. Mr. Liddy responded on the rationale for asphalt shingles, a style chosen by the owner to match the color of the building.

Voltaire Montemayor, resident, talked about safety in construction and bricks.

Motion: to close the public hearing, following five speakers

Motion/Second: Councilmember Montano/Councilmember Nuñez

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

Motion: to adopt Resolution No. 8915 approving an amendment (PA19-0001) to Planned Unit Development No. 45 (Spinnaker Pointe Apartments) to amend the conditions of approval allowing a change in roof materials for all buildings, including carports, on a 9.24-acre site at 231 Dixon Landing Road

Motion/Second: Councilmember Phan/Councilmember Montano

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

13. Ordinance No. 38.837 – Assembly Uses

Planning Director Thomas reported that the City Council had heard this item (ordinance) previously in August. It was brought back to Council at this meeting with modified recommendations to zoning regulations for industrial land uses in the city.

Economic Development Director Alex Andrade gave a report describing the current efforts of economic development work in Milpitas. His department’s work included identifying the ongoing need for industrial space for companies and workplaces for jobs in the City.

Next, Senior Planner Rozalynne Thompson addressed specifics of the zoning text amendment (in the proposed ordinance), designed to restrict assembly and other non-industrial uses in the M2 Heavy Industrial Zone, and allow for one exception for potential expansion of non-conforming uses through the end of 2020 only.

Mayor Tran asked staff some questions about what organizations would seek the exemption to allow 25% expansion. He mentioned the new Charity Bingo operation on S. Milpitas Blvd.

Councilmember Nuñez asked the City Attorney to clarify that the year was 2020, for an end to the exception in the ordinance. Mr. Diaz replied yes, the ordinance would end any allowance for expansion of non-conforming uses only until December 31, 2020.

Mayor Tran opened the public hearing.

Rob Means, 1421 Yellowstone residence, supported what staff explained to keep the industrial zone for industrial uses, as required. The City needed businesses to be in those areas and to pay taxes, which religious and other uses did not.

Voltaire Montemayor, resident, wanted to make sure the city would not be plugged in to any misconception.

Motion: to close the public hearing, following two speakers

Motion/Second: Councilmember Montano/Vice Mayor Dominguez

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

Next, the City Attorney read aloud the title of Ordinance No. 38. 837, “An Ordinance of the City Council of the City of Milpitas Amending Sections of Chapter 10 of Title XI of the Milpitas Municipal Code Relating to Assembly and Other Non-Industrial Uses in the M2 Heavy Industrial Zoning District and Making Findings of CEQA Exemption.”

Motion: to waive the first reading beyond the title and introduce Ordinance No. 38.837 to amend Milpitas Municipal Code Section 2 (“Definitions”), Subsection 4.02 (“Residential Use Regulations), Subsection 5.02 (“Commercial Use Regulations), Subsection 7.02 (“Industrial Use Regulations”), Subsection 7.04 (“Industrial Zone Special Development and Performance Standards”), and Subsection 56.04 (“Nonconforming Use of Land”)

Motion/Second: Councilmember Montano/Vice Mayor Dominguez

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

14. Ordinance – Rent Review Program

Building Safety & Housing Director Sharon Goei and Housing Authority Administrator Robert Musallam presented the proposed rent review program. Ms. Goei gave a summary of prior actions to date on the topic of a rent review program and recent affordable housing policy steps, including the state’s Governor signing Assembly Bill 1482, which would provide tenant protections and rent control statewide starting in January.

An Urgency Ordinance with necessary findings would require a 4/5 vote of the City Council, which was offered along with a proposed Regular Ordinance brought by staff for City Council consideration and vote at this meeting. Ms. Goei displayed a chart/table showing AB 1482 rent cap versus a rent review ordinance with impacts on Milpitas. She defined and explained the Consumer Price Index (CPI), one of the measurements for the state's rent control cap. There were approximately 1400 subsidized housing units in the City of Milpitas, and more than 2,000 newer rental units in the transit area, near BART.

Mayor Tran asked about Project Sentinel's funding allocated by City Council. He appreciated seeing the study on results in the City of Fremont, regarding its new rent review program. The Mayor was concerned about signing up for a two-year commitment with Project Sentinel for this program at \$50,000 per year. He sought more people to be served than in Fremont's report.

Councilmember Nuñez thanked the staff for all the work on this and other housing topics. He inquired about Project Sentinel and how it would operate the program.

Vice Mayor Dominguez asked if subsidized units were included in the ordinance. Staff replied no, since the local ordinance was to mimic state law. Ms. Dominguez wanted to include those important units, as a category of housing covered by the ordinance. She thanked the City Council Housing Subcommittee, and wanted to adopt the urgency ordinance.

Councilmember Montano felt the Council was coming to a consensus, after the Housing Subcommittee had met a lot in the last nine months, and commended staff on all its work.

Councilmember Nuñez asked if the source of income discrimination legislation had been signed or not. Staff believed it had been signed by the Governor.

Next, Mayor Tran opened the public hearing.

Yolie Garcia, resident of 48 years, read aloud a statement supporting policies for rent control, just cause eviction and protections for tenants in the city.

Voltaire Montemayor, resident, mentioned the CPI, Governor's signed bill AB 1482, and concern about evictions.

Sherry Burns, of the Silicon Valley Independent Living Center (SVILC), had served on the City's Task Force on Housing last year, and while this step would not solve all tenant problems, it was one piece of the puzzle to help tenants in their rental housing in Milpitas. She supported Council adoption of the urgency ordinance.

A man who lived in Milpitas since 1993 said landlords tried to keep good tenants in rental housing.

Allysson McDonald, resident, preferred to have rent control in Milpitas, and she knew state law was coming in and spoke of having a 5% limit for rent control.

A woman resident spoke about rent control and why an urgency ordinance was a waste of resources. This did not apply to single family homes, which also were rented out.

Evan, homeowner of 15 years in Milpitas, said rent control at 5% limit increase should be approved along with other cost increases, like homeowner dues and utilities.

Rob Means, resident, felt the last speaker did not understand what this program was going to do. This was not a real hard cap on rent increases with no "teeth" in this law.

Motion: to close the public hearing, following eight speakers

Motion/Second: Councilmember Montano/Vice Mayor Dominguez

Motion carried by a vote of:

AYES: 5

NOES: 0

Mayor Tran thanked Councilmembers Montano and Nuñez for working together as the Housing Subcommittee to bring these proposals to the full Council. He still wanted only a one-year agreement with Project Sentinel for only \$50,000 in the current fiscal year.

Councilmember Nuñez reviewed what staff had said. He wanted to support the Mayor on the one year, so there could be a good review after that first year and to come back to City Council. Mr. Nuñez wanted the urgency ordinance.

Councilmember Montano asked about a one year window with Project Sentinel, and if that would work. Staff explained the first year for \$50,000 had been approved by City Council previously on September 17. The second year was proposed, but had not been approved yet.

Councilmember Phan agreed with the Mayor on a one year time frame, to incentivize results and explore further opportunities.

The City Attorney heard consensus on the urgency ordinance, subjecting it to include subsidized housing units, which he would need to amend in the appropriate section with the language. He did a poll of members about that part, and all Councilmembers concurred. Next, the City Council took a vote on the recommended urgency ordinance, and did not consider introducing the proposed draft regular ordinance.

City Attorney read aloud the title of Ordinance No. 302, “An Urgency Ordinance of the City Council of the City of Milpitas Enacted Pursuant to California Government Code Section 36937 Adding Chapters 2 and 3 to Title XII of the Milpitas Municipal Code Relating to the Adoption of a Rent Review Program and Tenant Protections.”

Motion: to adopt Urgency Ordinance No. 302 enacted pursuant to California Government Code Section 36937 to add Chapters 2 and 3 to Title XII of the Milpitas Municipal Code relating to the adoption of a rent review program and tenant protections; with one modification to allow for including subsidized housing unit tenants

Motion/Second:

Councilmember Nuñez/Councilmember Montano

Motion carried by a vote of:

AYES: 5

NOES: 0

15. Ordinance – Just Cause Eviction protection

Ms. Goei gave the same history on the topic of just cause eviction protection for tenants as the ordinance on rent review (item above), which had been discussed at the same meetings she detailed including the many City Council Housing Subcommittee meetings.

Next, Mayor Tran opened the public hearing.

Ana Narajo, resident, expressed why she felt the families in Milpitas needed just cause eviction protection in the City of Milpitas. Families were in anxiety and stress.

Huascar Castro, from Silicon Valley at Home, supported the urgency ordinance for just cause eviction protection. His agency was concerned about the sunseting sections, since he wanted it to be long lasting.

A girl resident, Paloma, wanted to speak up for families and renters in Milpitas.

A girl resident, Diana, spoke in favor of rent control and support for families. People were suffering due to high rents.

Veronica Salce, Milpitas resident, spoke in favor of rent control and just cause eviction protection.

A woman spoke against just cause eviction, and to stop evictions for no reason.

Hien La, Sunnyhills resident, asked for help for tenants. Everybody needed a home, a shelter, wherever that was. She asked City Council to do whatever it could to help.

Sandy Perry from the Affordable Housing Network supported urgency ordinance and it could be strengthened, for all tenants not just those who'd been here one year. Include subsidized apartments in the ordinance.

William Au, from the tenants association at Sunnyhills Apartments, was concerned about the just cause ordinance, noting the need to protect hard working tenants. Protect them, he urged the City Council, and their families too.

Tiffany Vuong, resident, was glad the just cause topic was brought by City Council. There should not be a limit on those for a minimum one year. Also include single family homes owned by corporations not individuals, in the protection for all.

Renna, a teacher at Rancho School, spoke of the impact of the housing crisis on students in school, due to worries about families and housing. It interrupted their learning. She supported just cause protections.

Jeffrey, on behalf of Working Partnerships, thanked the Council for its leadership on this issue. He supported Council action on the urgency ordinance and to remove the date in section 6 to take out the one year lease requirement as well as the sunset date.

Allysson McDonald, resident, was glad the City Council brought this topic for a vote. Project Sentinel had recently heard from more residents who'd received notice of rent increases since AB 1482 was adopted. She supported the just cause ordinance and to include everyone from the first day of being a tenant. Also, increase relocation assistance required.

Rob Means, resident, asked to extend just cause protection to more residents. He asked the City Council to strike out no. 7 exemption for housing that was built over the last 15 years.

Michael Trujillo, from the Law Foundation, asked for Council to adopt JCE protection via the urgency ordinance and to eliminate loopholes in the state law.

Christian, resident, wanted tenant protections in the City. AB1482 had limited protections for tenants across the state. Long term protections were needed.

A man from the Silicon Valley Rising organization in San Jose asked for changes to make this legislation most helpful and to include subsidized housing units. He said to make sure all tenants got a 12-month lease.

Voltaire Montemayor, resident, said this would help the poor.

Tom Valore, resident, hoped the City Council noticed what the previous speaker (teacher) had said. Bold action was needed to address the problem, aggressively.

A woman resident asked if Council investigated how many evictions there were in Milpitas. She noted so many San Jose people coming to Milpitas and to these meetings.

A man resident noticed many speakers came from outside Milpitas to address City Council.

Sherry of SVILC said this was a piece of the puzzle, as she mentioned on the last item. There should be no retaliation toward tenants. Expand protection for all tenants with no time limits and include subsidized units in the law.

A Fremont resident named Mac did not see any necessity to have Milpitas adopt this law.

Motion: to close the public hearing, following 23 speakers

Motion/Second: Vice Mayor Dominguez/Councilmember Phan

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

Mayor Tran felt this type of legislation would help some people in the community, along with AB 1482.

Councilmember Nuñez wanted to add to the ordinance to include mandatory leases of one year, landlords could not require month to month, only allow for one annual rent increase and to miss multiple increases. Continuity was sought by landlords. He mentioned Lakewood, CA recently adopted regulation, and he favored the urgency ordinance.

Vice Mayor Dominguez said Milpitas was long waiting for the JCE ordinance. She noticed that government moves very slowly, and had been discussing this and other tenant items for many months. She wanted to have a permanent just cause protection ordinance and would like to support asking landlords to have one year leases for tenants. Include subsidized housing units in the urgency ordinance, and be considered permanent.

Councilmember Phan referred to Mr. Nuñez' remarks on month-to-month leases. For tenants that wanted the month-to-month lease, he asked his colleague if that could be allowed so tenants could choose.

City Attorney Diaz responded to Council, explaining he had not yet researched if Council could do the two things Mr. Nuñez asked for (mandatory one year lease, and some limitation on increases to be only within one 12 months timeframe).

Councilmember Montano remarked on the 12 months living requirement as in state law. She agreed with editing the local ordinance not to require that. She then moved introduction of the Urgency Ordinance.

The City Attorney clarified that the action was to adopt the Urgency Ordinance presented by staff, and including changes they had discussed. He polled the five members, who were in favor.

Mr. Diaz read aloud the title of Urgency Ordinance No. 303, "An Urgency Ordinance of the City Council of the City of Milpitas Enacted Pursuant to California Government Code Section 36937 Adding Chapter 4 to Title XII of the Milpitas Municipal Code Relating to Just Cause Eviction Protections for Tenants."

He asked about changing it for all tenants, not only those who'd been in a unit for a year.

Vice Mayor Dominguez talked with Councilmember Montano about the one year rule. Mr. Diaz responded and explained state law sections on the one year residency requirement.

City Attorney Diaz explained that would require modification to Title XII Section 4.00. He read aloud some recommended revised language, if Council wanted to agree with what the Vice Mayor recommended for amendment.

Councilmember Montano asked how prevalent it was that people rented month-to-month. Staff explained that was very difficult data to obtain, though research was done. Most people prefer one year leases, while some prefer month-to-month.

The City Attorney said the Council could adopt what was brought this evening, and could later bring this back again for amending to include more language if Council desired (after the attorney researched it fully).

Vice Mayor Dominguez watched videotape of the last meeting on this topic. Many landlords were going to month-to-month lease for tenants.

The Vice Mayor wanted to make a motion, and to move forward passing the urgency just cause ordinance with removing the language so as to make it effective on day one of a contract (not 12 months required) and must have a sunset date. Then the Subcommittee could later consider a permanent ordinance. She wanted no sunset date.

Ms. Goei displayed a third slide, if Council wanted to make the provisions permanent, it could add a Whereas to make the local law more restrictive than the state law as of January 1. Also, findings needed to be added for this section to be incorporated.

Councilmember Montano recommended to bring this back to the Subcommittee, on the details.

Next, the Public Hearing was re-opened, so that the attorney from Law Foundation was invited back to the podium to respond to the Vice Mayor with explanation on how prevalent month to month leases were in Milpitas.

Bob Runton, Fremont resident, asked - in Milpitas - what did "just cause" mean exactly. He asked if there was there a presumption that a lease renewed automatically. He asked, what about seniors, who chose to rent out a room to someone and wanted the month to month lease to find out if it would work out.

By consensus vote, the City Council the voted to close the public hearing again.

Councilmember Nuñez wanted to get something done and to vote on what was brought to the Council in the urgency ordinance.

Motion: to adopt Urgency Ordinance No. 303 enacted pursuant to California Government Code Section 36937 to add Chapter 4 to Title XII of the Milpitas Municipal Code relating to just cause eviction protection for tenants; and to direct staff to include subsidized housing as the one modification only

Motion/Second: Vice Mayor Dominguez/Councilmember Nuñez

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

LEADERSHIP

16. Resolution – Debt Management Policy

The next three items were related to the Milpitas Municipal Financing Authority.

Finance Director Walter Rossman gave an overview of the updated debt management policy and asked the City Council to adopt it by Resolution.

Motion: to adopt Resolution No. MFA 1 of the Board of the Milpitas Municipal Financing Authority approving a Debt Management Policy, consistent with the policy previously approved by the City and its related entities

Motion/Second: Councilmember Phan/Councilmember Montano

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

17. Wastewater System Bonds

Mr. Rossmann listed the Financing team members for preparing the bond issue. He gave an overview and background on the need for the bonds proposed for funding major capital improvements, in this case for an upgrade to the wastewater system. Mr. Rossman defined 30 year bonds which would be issued at a low interest rate. City of Milpitas held an AA+ rating for bond issuance as provided by Standard & Poor's for the wastewater bonds.

The Jones Hall firm's representative Mr. James Fabian addressed the City Council on its responsibilities for this financing mechanism, referring to the many documents provided to Councilmembers in the agenda packet.

In further detail, Mr. Rossman provided a financial summary of bond issuance for \$35 million in bonds at a fixed rate over 30 years, and on parity with 2017 refunding bonds.

Mayor Tran asked Public Works Director Tony Ndah about the funding that would go to the wastewater system, and how much of system improvements this funding would apply to. Mr. Ndah said the funds would go to the regional wastewater treatment plant, in which the City participates with other local governments and a had responsibility to pay towards. The improvements were in the Capital Improvement Program (CIP).

Councilmember Montano asked additional questions about the work to be done on the wastewater treatment plant. Then, the City Council took the following action.

Motion:

1. to adopt Resolution No. 8916 of the City Council of the City of Milpitas and Resolution No. MFA 2 of the Milpitas Municipal Financing Authority authorizing and directing the City Manager, Assistant City Manager or Director of Finance to execute the sale and issuance of 2019 Wastewater Revenue Bonds with an estimated aggregate principal amount of not-to-exceed \$36 million to finance the acquisition, construction and/or improvement of capital improvements to the Wastewater System, and
2. to authorize the Interim City Manager to execute a contract with Jones Hall, a Professional Law Corporation, for Bond Counsel Services.

Motion/Second: Councilmember Montano/Councilmember Nuñez

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

18. Water Revenue Bond

Similar to item above, this time for the City's water system and its needed improvements, staff reviewed the plan for bond financing for major projects including well upgrade, automated meter replacement, and Water Supervision Control & Data Acquisition System.

A similar financing team and steps were planned as for the wastewater bonds, but with as different financial institution. For the water system, the city planned a bond issuance of \$20 million over 30 years at a fixed rate. City Council then took the following actions.

Motion:

1. to adopt Resolution No. 8917 of the City Council and Resolution No. MFA 3 of the Milpitas Municipal Financing Authority authorizing and directing the City Manager, Assistant City Manager or Director of Finance to execute the sale and issuance of 2019 Water Revenue Bonds with an estimated aggregate principal amount not to exceed \$21.0 million to finance the acquisition, construction and/or improvement of capital improvements to the Water System, and,
2. to authorize the Interim City Manager to execute a contract with Jones Hall, a Professional Law Corporation, for Bond Counsel Services.

Motion/Second: Councilmember Nuñez/Vice Mayor Dominguez

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

COMMUNITY DEVELOPMENT

19. Resolution – Pilot Rent Relief Program

Housing Authority Administrator Robert Musallam presented background on what occurred to date, and direction given by the City Council Housing Subcommittee for a pilot rent relief

program to assist residents. They arrived at a proposal to have the pilot rent relief program for City Council to adopt, in order to provide assistance to qualified residents in need. He displayed the list of low income and other residents who would be eligible for the relief, with types of assistance and relief amount with \$5,000 as the maximum.

Silicon Valley Independent Living Center was the agency that staff recommended to implement the one year pilot program.

Mayor Tran asked for comments and Voltaire Montemayor spoke at the podium.

The Mayor wanted to know the specific definition of low and moderate income. Mr. Musallam explained how the federal government applied a formula with a percentage of area median income. He wanted to ensure it would cover victims of domestic violence, and staff reviewed community partners. Mr. Tran asked the cost for paying SVILC, which was estimated at \$1290 per referral. This estimate was to help 15–20 Milpitas families, with the \$100,000 proposed for this pilot program. The Mayor felt the number to be served was low, and maybe not worth it, unless the city could afford to help hundreds.

Councilmember Nuñez noted that the Parent-Teacher Council started its own rent program, with very little money. He would want to partner with the City on this. The Milpitas Community Collaborative would want to partner also.

Mayor Tran wanted to help one primary group of residents (first bullet on the staff slide) for low to moderate income individuals and families with dependent children under age 18.

Councilmember Phan agreed with Mr. Nuñez and Mr. Tran. He wanted to ensure all resources were joined with city funding to help with services to those most in need, and in particular, the Housing Trust.

Vice Mayor Dominguez was in favor of this proposal.

Councilmember Montano wanted a minimum of one year residence, to be eligible. She asked about the concept of requiring some volunteer effort to contribute to receive funds (like a Sunday program in San Jose schools). Maybe change the maximum to lower than \$5,000.

Councilmember Nuñez spoke of how he'd like the program to work for most residents. He wanted to help students in the MUSD, especially homeless students.

Motion: to adopt Resolution No. 8918 authorizing the creation of a Pilot Rent Relief Program; approve a budget amendment to appropriate \$100,000 from the Affordable Housing Fund into the FY 2019-20 Housing operating budget for Silicon Valley Independent Living Center (SVILC) to implement the Pilot Rent Relief Program; and, to authorize the City Manager to prepare and execute a one-year Professional Services Agreement with Silicon Valley Independent Living Center to manage the Milpitas Pilot Rent Relief Program

Motion also included direction to staff that the program shall find a way to meet homeless families with Milpitas Unified School District students (with at least one grading period/one report card) and to work with the School District (including upcoming Collaborative meeting) to best meet the needs of Milpitas families.

Motion/Second: Councilmember Nuñez/Vice Mayor Dominguez

Mayor Tran invited a speaker from the audience before voting.

Resident Tom Valore came forward and said thank you to Councilmembers for such a program. No information was given on what happened after the one year as only a "pilot" program. He felt the City could afford a lot more than \$100,000 in the next year's budget to assist residents. Mr. Valore strongly recommended extremely low and low income families to receive assistance.

Motion carried by a vote of:

AYES: 5

NOES: 0

**20. Housing Authority
Resolution – Bylaws**

This item was not heard, and would move to another agenda.

NEXT AGENDA

21. Preview next agenda

Noted receipt of list of agenda items for the November 5, 2019 City Council meeting.

ADJOURNMENT

Mayor Tran adjourned the joint meeting on Wednesday, October 16, 2019 at 12:12 AM.

The foregoing minutes were approved by Milpitas City Council on November 5, 2019.

**Mary Lavelle
Milpitas City Clerk**