



SPECIAL 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

CITY OF MILPITAS - NOTICE OF SPECIAL MEETING

NOTICE IS HEREBY GIVEN that a Special Meeting of the Milpitas City Council has been called. It is scheduled for 4:00 p.m. on Tuesday, June 2, 2020 via Teleconference/webinar only (no physical meeting space), which is permitted via California Governor's Executive Order.

Submit any Public Forum comments, to be read aloud, via form available online:

<https://www.ci.milpitas.ca.gov/spcomment/>

Meeting will be livestreamed. Go to:

Facebook: <https://www.facebook.com/CityofMilpitas/>

YouTube: <https://www.ci.milpitas.ca.gov/youtube>

Web Streaming: <https://www.ci.milpitas.ca.gov/webstreaming>

AGENDA

TUESDAY, JUNE 2, 2020

MILPITAS, CA

4:00 PM

CALL TO ORDER / ROLL CALL / PLEDGE

APPROVAL OF AGENDA

ANNOUNCEMENT OF CONFLICT OF INTEREST

PUBLIC FORUM

Those interested are invited to address City Council on any subject not on tonight's agenda. Speakers may submit written comments via online form, and remarks read aloud by the City Clerk are limited to three minutes, or less. 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. Form available to submit comments here:

<https://www.ci.milpitas.ca.gov/spcomment/>

AGENDA ITEMS

- 1. Receive Report on June 13, 2020 Opening of Bay Area Rapid Transit (BART) at the Milpitas Transit Center (Staff Contact: Ashwini Kantak, 408-586-3053)**

Recommendation: Receive report on June 13, 2020 opening of Bay Area Rapid Transit (BART) at the Milpitas Transit Center.

2. Receive Update on Status of COVID-19 testing in Milpitas and Provide Direction to Staff on the County's fixed testing site and mobile testing (Staff Contact: Geoffrey Maloon, 408-586-2818)

Recommendations:

- a) Receive an update regarding the status of COVID-19 testing in Milpitas.
- b) Provide direction on expanded hours and additional staffing costs in the amount of \$25,000 at the County's fixed testing site through August 7.
- c) Approve continuing mobile testing and additional staffing costs of \$65,000 through August 7 and provide direction to staff on additional considerations related to mobile testing.

3. Receive Report on Lighting of Milpitas City Hall and Celebrating Milpitas Unified School District Graduations (Staff Contact: Renee Lorentzen, 408-586-3409)

Recommendation: Receive verbal report from staff at June 2 Special City Council meeting.

ADJOURNMENT

MILPITAS CITY COUNCIL CODE OF CONDUCT

- Be respectful and courteous (words, tone, and body language).
- Model civility.
- Avoid surprises.
- Praise publicly and criticize privately.
- Focus on the issue, not the person.
- Refrain from using electronic devices while on the Council dais.
- Share information with all Councilmembers in advance of Council meetings.
- Disclose conflicts of interest and affiliations related to agenda items.
- Separate governing from campaigning.
- The Council speaks with one voice after making policy on issues.
- Respect the line between policy and administration.
- Council will hold one another accountable to comply with this Code of Conduct.

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 City agencies exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and 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 City website. City Council agendas and related materials can be viewed online: www.ci.milpitas.ca.gov/government/council/agenda_minutes.asp (select meeting date)

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.



CITY OF MILPITAS AGENDA REPORT (AR)

Item Title:	Receive Report on June 13, 2020 Opening of Bay Area Rapid Transit (BART) at the Milpitas Transit Center
Category:	Community Development
Meeting Date:	6/2/2020
Staff Contact:	Ashwini Kantak, Assistant City Manager, 408-586-3053
Recommendation:	Receive report on June 13, 2020 opening of Bay Area Rapid Transit (BART) at the Milpitas Transit Center.

Background:

Santa Clara Valley Transportation Authority’s (VTA) Silicon Valley BART Extension Program (SVBX) will expand BART service into Santa Clara County with new BART service stops at Milpitas Transit Center and Berryessa Transit Center. The Milpitas Transit Center is envisioned as a critical transit hub in Milpitas, connecting the new Milpitas BART, Light Rail, and bus services from Santa Clara Valley Transit Authority (VTA) and Alameda-Contra Costa Transit (AC Transit). Construction of the Silicon Valley Extension Program started in 2012. VTA and the City entered into an agreement for VTA to implement utility and transportation infrastructure improvements as part of BART extension program that were funded by the City. The VTA constructed improvements benefitting the City include:

- Upsize and relocation of city utilities: City funded approximately \$800,000 for the upsizing of city water, sewer, and storm drain utilities to improve system capacity.
- Acquisition of right-of-way and construction of extension to South Milpitas Boulevard: City provided \$17 million in Transit Area Specific Plan (TASP) funding for the design and construction of this street extension.
- Construction of the Montague Expressway Pedestrian Overcrossing at Piper Drive: City contributed approximately \$8 million in TASP funding for the design and construction of the project. Approximately \$11 million in additional funding was acquired through Federal and State grants.
- Construction of pedestrian warning signals at the Dixon Landing Road Union Pacific Railroad crossing: City contributed \$100,000 for this safety improvement.
- Construction of the widening of Montague Expressway from Gladding to Pecten Court: Work included replacement of the bridge over Berryessa Creek, TASP sidewalk, street light, and landscape improvements. The City initiated the design phase and contributed approximately \$1 million of TASP funding for these improvements.

Bus services started operations from the new Transit Center on December 28, 2019 and Milpitas BART is slated to begin operations on June 13, 2020. This staff report provides an update on the City’s preparations for the opening of BART. A verbal presentation will also be provided by VTA staff at the June 2 Special City Council meeting.

Analysis:

Several City departments have been working very closely with VTA and BART on the SVBX project.

Fire

Since the inception of the BART/VTA project in 2005, the Fire Department has been collaborating with both VTA and BART in support of the completion of the Milpitas extension. Fire Prevention staff worked closely with the VTA design team during the design phase. During construction, staff continued to work with VTA/BART providing advisory plan reviews and construction inspections relative to the fire life-safety & fire protection systems, as per the Master Agreement that was established in September 2010. Fire Prevention staff was also instrumental in the approvals and validation of radio communication systems in the BART parking structure. This was in support of the Silicon Valley Regional Communication System.

The Fire Suppression Division has been involved in response planning and training in both the construction phase and the revenue service phase. The Fire Department received funding for a technical rescue trailer from VTA to support various scenarios in both construction and revenue service and conducted multiple technical rescue training evolutions. During construction, Fire staff responded to one construction related technical rescue incident. As system testing increased in the past two years and the project progressed into future revenue service, the Fire staff participated in several fire suppression scenarios with both San Jose and Fremont Fire. These simulations required the use of a rescue train to respond with firefighters to a simulated train fire on the tracks between San Jose and Milpitas. Additionally, the Fire Department participated in an active shooter exercise with regional fire and law resources. The Fire Department utilized the newly developed active shooter protocol to deploy to a mass causality exercise. The Fire Department has also been attending and participating in regional meetings and training including the BART Fire Liaison Committee. A final rescue scenario training has been planned for May 31st to validate response policy.

Police

Since October 2018, the VTA has worked with three Santa Clara County law enforcement agencies, one of which was the Milpitas Police Department, over supplemental law enforcement services at the Milpitas BART station and the Berryessa BART station, in San Jose. In March 2019, the VTA released a Request for Proposal for Supplemental Law Enforcement Support Services on the VTA properties. Staff expects the VTA will award the contract for law enforcement services at the Milpitas BART station to the Santa Clara County Sheriff's Office, on June 4, 2020. The Sheriff's Office cost for services is significantly less than the City of Milpitas costs.

The Milpitas BART Station is located in an area that will, likely, have three police agencies having jurisdiction in the area. The BART Police Department will have jurisdiction on the station platforms and the Milpitas Police Department will have jurisdiction in the City streets around and through the VTA property. Again, the Santa Clara County Sheriff's Office will likely be awarded the VTA contract for Supplemental Law Enforcement Services at the Milpitas BART station and the Sheriff's Office is expected to have a deputy on site at all hours throughout the week. The Milpitas Police Department will support the other law enforcement agencies and respond to in-progress violent crime in both BART and VTA jurisdiction, when support is needed.

The Milpitas Police Department operates the nearest Public Safety Answering Point (PSAP). Therefore, Milpitas Police dispatchers will be responsible for answering incoming 9-1-1 phone calls that may be associated to the site, triaging those calls, and routing those calls to the appropriate law enforcement agency. The Police Department staff expects there will be stationary phones on the VTA property that links the phone to the appropriate Santa Clara County department.

Staff expects an increase in workload in the area of the BART station. The station opening may bring additional traffic, cause quality of life concerns, and may increase crime in the area. The increased workload, at this point, is unknown. During the first week of the station opening the Police Department will deploy increased staffing in the area to monitor vehicle and traffic pedestrian, remain highly visible, and be responsive to crime and community concerns. Community Service Officers will patrol the area and ensure compliance with parking restrictions. In FY 19-20, the City Council approved funding for a Transit Area Police Substation and police department staff is researching appropriate locations for the substation. The substation will provide a location from where officers can better serve the transit area. Lastly, the police department will proactively analyze crime data, analyze traffic collision data, and monitor quality of life issues to make swift deployment adjustments. At this time, the Police Department's staffing is sufficient to remain responsive to community

needs in the area. Currently BART ridership is less than ten percent of normal ridership and it is expected the BART station opening impact on police services will be light while the shelter in place order remains in effect and businesses remain closed. As ridership increases over time, staffing needs will continue to be evaluated and any future recommendations for additional resources will be discussed as part of the annual budget process.

Engineering and Public Works

Engineering and Public Works staff reviewed and permitted construction plans and provided construction inspection services for the various VTA projects that impacted city right of way including work upon City utilities, the extension of South Milpitas Boulevard, and the widening of Montague Expressway. City staff assisted the VTA and coordinated the review and approval of various land acquisition documents.

In addition to the coordination by several departments through the planning, design, and construction of the project, the City Manager's Office is working with VTA on communications related to the BART opening and will help with outreach to the Milpitas community.

Fiscal Impact:

Acceptance of the report does not have any fiscal impact.

California Environmental Quality Act:

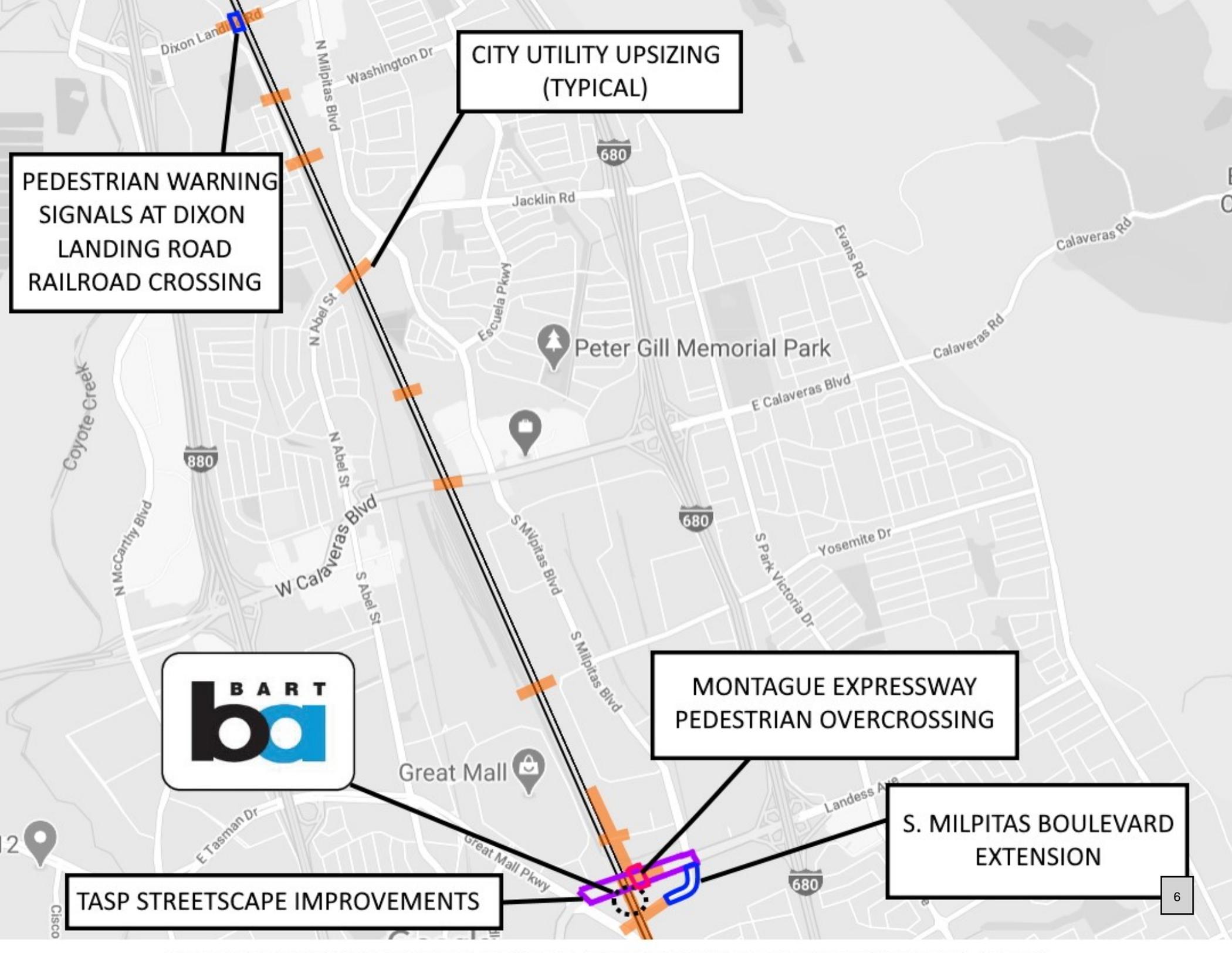
Not applicable

Recommendation:

Receive report on June 13, 2020 opening of Bay Area Rapid Transit (BART) at the Milpitas Transit Center.

Attachment:

City improvements constructed with BART Extension (graphic)



PEDESTRIAN WARNING SIGNALS AT DIXON LANDING ROAD RAILROAD CROSSING

CITY UTILITY UPSIZING (TYPICAL)

MONTAGUE EXPRESSWAY PEDESTRIAN OVERCROSSING

S. MILPITAS BOULEVARD EXTENSION

TASP STREETSCAPE IMPROVEMENTS





CITY OF MILPITAS AGENDA REPORT (AR)

Item Title:	Receive update on the status of COVID-19 testing in Milpitas and provide direction to staff on the County’s fixed testing site and mobile testing
Category:	Public Safety
Meeting Date:	6/2/2020
Staff Contact:	Geoffrey Maloon, 408-586-2818
<u>Recommendations:</u>	<ol style="list-style-type: none"> 1. Receive an update regarding the status of COVID-19 testing in Milpitas. 2. Provide direction on expanded hours and additional staffing costs in the amount of \$25,000 at the County’s fixed testing site through August 7. 3. Approve continuing mobile testing and additional staffing costs of \$65,000 through August 7 and provide direction to staff on additional considerations related to mobile testing.

Background:

COVID-19 has severely impacted nations and communities across the globe. There is universal agreement among public health experts, scientists, physicians and emergency managers that widespread testing is one of the keys to lifting stay-at-home/shelter-in-place orders. Santa Clara County and the United States have been lagging in the availability of widespread, accessible testing, which is hampering our ability to lift these orders.

City staff have been working with the County hospital system, County Office of Emergency Services (OES), and a Milpitas-based medical testing lab named IGeneX to establish and increase testing capability in the City of Milpitas through both fixed and mobile testing options.

Fixed Testing Site

On April 15, 2020, the County Hospital and Clinic System opened a small fixed testing site at the Milpitas Sports Center. From its April opening until May 22 the site operated daily, Monday – Friday from 8:00 am – 12:00 pm by appointment only and was averaging approximately 6 – 8 tests per day for Santa Clara Valley Health patients only. At the April 21 City Council meeting, staff presented information on the fixed testing site and discussed potential options to expand testing at this site in the future to enable broader testing of Milpitas residents or essential workers. Council directed staff to bring back additional information and potential costs to accomplish expanded testing.

The current partnership with the County hospital system includes the following commitment of City resources; two staff to screen patients and complete morning setup, one staff person to staff the Sports Center, and staff assisting with setup and breakdown of traffic control equipment and decontamination and breakdown of tables and chairs.

Mobile Testing Site

At its meeting on May 5, City Council approved and authorized the City Manager to enter into an agreement with IGeneX to provide and conduct tests for mobile COVID-19 testing for Milpitas businesses and residents. This Council direction also included support for funding of up to \$75,000 for City staff to implement a new mobile testing unit that would focus on testing the most vulnerable demographic groups in the City, including the elderly, unhoused, and essential workers.

Analysis:

Fixed Testing Site

Over the past few weeks the County has initiated a ramp up of testing efforts. On May 22, the County began to allow testing of asymptomatic patients, patients without appointments, and patients who had no health coverage or coverage other than through Santa Clara Valley Medical Center. This has resulted in a significant increase, with 20 patients tested on May 22 and over 40 patients tested on May 26.

The County has requested the City provide support to enable having the site open from 8:00 am – 5:00 pm, seven days per week, including holidays, as soon as possible. The increased traffic due to potentially longer hours, summer heat, school district needs, and resumption of traffic related to skate park construction has resulted in the Sports Center site becoming untenable for continued, high-volume testing. An alternative site in the Milpitas Library parking garage was identified and testing at the new site is slated to begin on June 1, 2020. The proposed new location at the Library can be secured every night, allowing the site to remain fixed without the need for significant breakdown of equipment and traffic control devices. It is anticipated that the expanded testing criteria and the waiving of insurance restrictions is likely to serve significant numbers of Milpitas residents.

The expanded hours will require three City staff per day, Monday – Friday from 8:00 am – 5:00 pm, continued use of City resources such as generators, tables and chairs, continued use of traffic-control devices, and continued assistance from Fire for decontamination and breakdown of equipment. County Health and Human Services has proposed staffing the intake and traffic control on Saturdays and Sundays with Fire staff providing decontamination and equipment breakdown seven days per week.

Additional staffing costs are estimated to be approximately \$550 per day. In order to be more cost effective and maximize reimbursement from FEMA, the testing site will be staffed by part time staff specifically brought on board for this purpose and no additional costs per day will be incurred by expanding testing hours.

Given the benefit to the Milpitas community, the use of more effective part time staff, and the fact that a majority of these costs are anticipated to be reimbursed by FEMA, staff is recommending moving forward with staff support for the fixed testing site through August 7; staff will check in with City Council on August 4 regarding next steps.

Mobile Testing

At the May 5 City Council meeting, staff had outlined several steps that needed to be completed prior to starting the mobile testing:

1. Receive approval from the County for City staff to administer the tests
2. Develop and execute a contractual agreement with IGeneX, in a form approved by the City Attorney
3. Finalize the policy and procedure that will guide the testing personnel
4. Finalize a schedule of Fire department staff to administer the tests
5. Train all testing personnel to administer the tests

Approval from the County for Fire Department paramedics and EMTs to administer the tests was received on May 7, 2020. Staff training was completed on May 18 and policies and procedures were put in place on May 20. An agreement with IGenex was executed on May 22 and the mobile testing unit was placed in service on May 27, starting with residential board and care facilities located throughout the City as well as drive-up sites in strategic locations. A two-week pilot period is currently envisioned to allow staff to work out the logistics prior to conducting broader outreach to larger facilities and the community at large.

The City will schedule appointments with facilities that are eligible for testing, such as elderly care facilities, senior mobile home parks, and at essential businesses that have high contact with the public, such as grocery stores. Fire Department paramedics and EMTs will administer the tests, and IGeneX will provide the testing materials and process the test results. IGeneX will directly bill Medicare and eligible insurance carriers, and will seek Federal reimbursement from the Health Resources and Services Administration (HRSA) through their COVID-19 Uninsured Persons Program.

However, individuals who have insurance coverage with Staff Model HMOs, such as Kaiser Permanente, will not be covered and should contact their healthcare provider directly to request testing. Individuals without valid ID or health insurance may still be eligible for testing through [Santa Clara County](#).

Patients who test positive for COVID-19 will be notified by City staff within 24 hours. Those who receive a negative test result, indicating no COVID-19, will receive their results by mail.

The pilot period of mobile testing began on May 27, with testing occurring at Fire Stations, board and care facilities, senior mobile home parks and City parks. Between May 27-29, 109 tests were administered, of which 88 tests were administered to individuals who live or work in Milpitas. The City expects to be able to test up to 100 people per day.

Communication and Outreach Strategy

During the Pilot Period from May 27 – June 7, there will be limited communication about the testing site in order to mitigate the potential risk of walk-up crowds gathering for testing. Appointments will be made only through facility managers during the pilot period, with limited walk-up appointments at publicly accessible testing locations (parks, City facilities, etc.), and the City will not be posting the testing schedule publicly or accepting appointments from individuals.

On June 1, a dedicated phone line will be available for any questions about testing and other COVID-19 resources. The dedicated phone line is in response to the number of inquiries from community members about the mobile testing site. Staff answering this phone line will share the upcoming dates and locations of publicly accessible testing sites.

After the Pilot Period, appointments for the mobile testing site will be made by City staff, managers of care facilities and mobile home parks, or essential businesses. Appointments will be able to be made online or by calling the dedicated phone line. Walk-up signs will also be posted.

The City will conduct broad outreach on social media, the City website, in the weekly joint press release with Milpitas Unified School District, through the distribution of flyers, via community partners, and through other appropriate channels. Information about mobile testing, including, locations for each week will be shared in English, Spanish, Vietnamese and Chinese.

The mobile testing concept has been shared with the Testing Unit in the County Emergency Operations Center. The County has been very interested in the Milpitas mobile testing model and has begun outreach to other cities to implement similar mobile testing units throughout Santa Clara County.

Additional Mobile Testing Considerations

On May 5, City Council expressed an interest in using mobile testing to test the unhoused population in Milpitas. If an unhoused individual were to test positive for COVID-19, several services would need to be provided including housing to isolate the individual or other family workers, food, medical services, wellness checks, and other services. The County has been providing these services to the unhoused population through the Project Roomkey initiative, a partnership with the state of California and local hotels and motels, and the City will facilitate connecting these individuals with the County. It is important to note that with the ramp up proactive testing across the region, the County may run out of capacity to provide housing and other services

The County's Valley Health system has also launched an effort to test the unhoused population and staff is recommending coordinating with Valley Health to ensure the unhoused population in Milpitas is covered under this program.

The mobile testing site is also able to provide testing to businesses and their employees in the case of essential businesses that have many interactions with the public, such as grocery stores. Local essential businesses would be able to request testing at their location, potentially preventing or limiting the spread of the disease by asymptomatic carriers.

There has been some interest from other local businesses to have their employees tested through the mobile testing model with reimbursement to be provided for staffing costs. At this time, staff is recommending focusing on the vulnerable populations and essential businesses and monitoring other testing efforts led by the County to meet the needs of other businesses. If there continues to be a need for testing employees of local businesses staff will bring forward additional recommendations to Council in the future.

On May 5, City Council authorized mobile testing through June 30. Staff is recommending extending mobile testing through August 18; staff will return to Council on August 4, with additional recommendations, if any.

Fiscal Impact:

Continued dedication of City resources, including additional personnel costs associated with full-day staffing Monday – Friday for the fixed testing site. Estimated costs through August 7 are \$550 per day for a total of approximately \$25,000.

Continued costs associated with staffing the mobile testing unit with Fire Department personnel will be incurred. Council approved \$75,000 for overtime and equipment through June 30, but since testing was launched on May 27, the cost through June 30 is now anticipated to be approximately \$65,000. Costs anticipated from July 1 – August 7 are estimated to be \$75,000, thus additional funding required for mobile testing would be \$65,000, for anticipated total funding for mobile testing to be \$140,000.

Money will be expended from the appropriated Contingency Reserve account. Per discussion with FEMA, this effort qualifies as a FEMA reimbursable activity under the category of temporary medical facility. FEMA will reimburse at least 75% and may recommend an increase up to 90% of eligible costs. Additionally, FEMA reimburses up to 5% of management costs. The remaining costs as well as any costs FEMA deems ineligible will be borne by the General Fund.

California Environmental Quality Act:

Not applicable

Policy Alternatives:

Alternative 1: Do not approve staffing for expanded hours for the County’s fixed testing site through August 7.

Pros: The City will not have to front staffing costs in the amount of approximately \$25,000

Cons: Widespread COVID-19 testing will not be available to Milpitas residents and businesses

Reason not Recommended: Widespread COVID-19 testing is one of the pillars to the local, County, and State plans to safely reopen the economy. Without widespread testing (and the resulting ability to track and limit the spread of the coronavirus), and without a functional vaccine, there is no way to safely lift the stay-at-home orders. Additionally, the City will be seeking reimbursement for 80%-95% of a majority of the costs.

Alternative 2: Do not provide any additional funding, and stop mobile testing after June 30, 2020.

Pros: The City will not have to front additional overtime costs for Fire department staff in the amount of \$75,000

Cons: The City will not be able to offer convenient testing to its most vulnerable populations that may be unable to go to fixed testing sites.

Reason not Recommended: Vulnerable populations in Milpitas such as those in elder care facilities are unable to visit fixed testing sites. Mobile testing for these types of facilities will supplement the fixed testing site in Milpitas and will facilitate widespread testing in the City and help the safe re-opening of the community. Additionally, the City will be seeking reimbursement for 80%-95% of the costs.

Recommendations:

1. Receive an update regarding the status of COVID-19 testing in Milpitas.
2. Provide direction on expanded hours and additional staffing costs in the amount of \$25,000 at the County's fixed testing site through August 7.
3. Approve continuing mobile testing and additional staffing costs of \$65,000 through August 7 and provide direction to staff on additional considerations related to mobile testing.

Attachment:

None