



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

City Council meeting will be held via teleconference /Zoom webinar only (no physical meeting space).
Submit any Public Forum or agenda item comments in writing on the form online, to be read aloud by
the City Clerk.

Meeting shall 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>

Virtual public comments may be submitted on a form from the City website:

<http://www.ci.milpitas.ca.gov/publiccomment>

AGENDA

TUESDAY, AUGUST 18, 2020

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

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(a) CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to California Government Code §54957.6

Agency designated representative: Francine Hunt

Employee Group: Milpitas Police Officers Association

(b) CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Pursuant to California Government Code §54956.8

Potential Property: Assessor Parcel Numbers 028-34-001 through 028-34-094

Agency negotiator: Steven McHarris

Under negotiation: Price and terms of payment

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 (assigned to Councilmember Montano)

PRESENTATION

- Proclaim *Women's Equality Day* on August 18, 2020

PUBLIC FORUM (7:05 PM)

Those interested are invited to address City Council on any subject not on tonight's agenda. Comments must be submitted in writing via form online, may state name and city of residence for the Clerk's record, and limit spoken remarks 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.

Virtual public comments may be submitted on a form from the City website: www.ci.milpitas.ca.gov/publiccomment

ANNOUNCEMENTS AND FUTURE AGENDA ITEMS

Members of the City Council may make brief announcements or suggest future agenda items at this time. For future agenda items, the City Council shall not debate the topic or engage in discussion, but shall simply state a "yes" or "no" as to whether to direct the City Manager to place the item on a future meeting agenda. If a majority of the City Council agrees to place an item on a future meeting agenda, the City Manager shall place the item on a subsequent agenda for City Council discussion.

ANNOUNCEMENT OF CONFLICT OF INTEREST AND CAMPAIGN CONTRIBUTIONS

APPROVAL OF AGENDA

CONSENT CALENDAR (7:30 PM)

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 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.

C1. Receive City Council Calendars of Meetings for August and September 2020 (Staff Contact: Mary Lavelle, 408-586-3001)

C2. Approve City Council Meeting Minutes of August 4, 2020 (Staff Contact: Mary Lavelle, 408-586-3001)

Recommendation: Approve draft meeting minutes of the Regular City Council meeting held on August 4, 2020.

C3. Adopt a Resolution Granting Acceptance of the McCarthy/Sandisk Traffic Signal, Project No. 4292, and Authorizing the City Engineer to file a Notice of Completion and Authorizing him to issue Notice of Final Acceptance After the One-year Warranty Period (Staff Contact: Steve Chan, 408-586-3324)

Recommendation: Adopt a resolution granting acceptance of the McCarthy/Sandisk Traffic Signal, Project No. 4292, and authorizing the City Engineer to file a Notice of Completion and authorizing him to issue a Notice of Final Acceptance after the one-year warranty.

C4. Adopt a Resolution Amending the City of Milpitas Classification Plan to Adjust Salary Ranges Consistent with the Approved and Adopted All Job Classifications Salary Table Effective July 5, 2020 (Staff Contact: Francine Hunt, 408-586-3085)

Recommendation: Adopt a resolution amending Resolution No. 1626, the Classification Plan, to adjust salary ranges for Milpitas Employees Association, consistent with the approved and adopted pay schedule titled "All Job Classifications Salary Table Effective July 5, 2020."

C5. Authorize the City Manager to Terminate the Professional Services Agreement with Engie Services U.S., Inc. for Convenience (Staff Contact: Tony Ndah, 408-586-2602)

Recommendation: Authorize the City Manager to terminate the Professional Services Agreement with Engie Services U.S. Inc. for conducting an investment grade audit of City facilities and land due to convenience.

COMMUNITY DEVELOPMENT (7:45 PM)

6. Receive a Staff Presentation on a Vehicle Miles Traveled (VMT) Policy to Implement Senate Bill 743 and Transition from Level of Service (LOS) to VMT for California Environmental Quality Act (CEQA) Analysis (Staff Contact: Jay Lee, 408-586-3077)

Recommendation: Receive a staff presentation on a vehicle miles traveled (VMT) policy to implement Senate Bill 743 and transition from level of service (LOS) to VMT for California Environmental Quality Act (CEQA) analysis.

LEADERSHIP AND SUPPORT SERVICES (8:15 PM)

7. Approve the Coronavirus Relief Funds Expenditure Justification Plan (Staff Contact: Walter C. Rossmann, 408-586-3111)

Recommendation: Approve the Coronavirus Relief Funds Expenditure Justification Plan and direct the Finance Director to submit the Plan to the State of California.

REPORTS OF MAYOR & COUNCILMEMBERS - from assigned Commissions, Committees and Agencies (9:00 PM)

8. Receive and Direct Staff on List of Agenda Items Requested by City Councilmembers (Contact: Mayor Tran, 408-586-3029)

Recommendation: Review list of items presented (list in agenda packet) that have been requested by City Councilmembers on a form, at a Council meeting, or through the City Manager. Direct items to a City Council Subcommittee, to be placed onto a specific meeting date, or specify alternate direction to staff. No substantive discussion about any specific item shall occur and the City Council shall hold all debate about the item until the item is scheduled as a full agenda item.

9. Discuss and Provide Direction to Staff on Agenda Topic Requested by Councilmember Dominguez on Required Implicit Bias Training (Contact: Councilmember Dominguez, 408-586-3031)

Recommendation: On June 16, 2020, Councilmember Dominguez requested the City Council to consider adding a requirement for City officials to receive "implicit bias" training, as a topic on an upcoming agenda. Council shall discuss and provide direction to staff if it would like to include this subject, requiring staff work of four hours or more, on a particular Milpitas City Council meeting agenda.

10. Discuss and Provide Direction to Staff on Agenda Topic Requested by Councilmember Montano Regarding City-wide Beautification Efforts (Contact: Councilmember Montano, 408-586-3024)

Recommendation: On June 30, 2020, Councilmember Montano requested the City Council to consider a discussion on citywide beautification efforts through volunteer programs, as a topic on an upcoming agenda. Council shall discuss and provide direction to staff if it would like to include this subject, requiring staff work of four hours or more, on a particular Milpitas City Council meeting agenda.

11. Discuss and Provide Direction to Staff on Agenda Topic Requested by Councilmember Montano - to Read Aloud the City Council Code of Conduct (Contact: Councilmember Montano, 408-586-3024)

Recommendation: On June 2, 2020, Councilmember Montano requested the City Council to consider adopting a policy to require the City Council Code of Conduct be read aloud at the beginning of each City Council meeting, as a topic on an upcoming agenda. Council shall discuss and provide direction to staff if it would like to include this subject, requiring staff work hours to draft a policy, on a particular Milpitas City Council meeting agenda.

12. Discuss and Provide Direction to Staff on Agenda Topic Requested by Councilmember Montano - to Celebrate Mexican Independence Day Annually (Contact: Councilmember Montano, 408-586-3024)

Recommendation: On June 2, 2020, Councilmember Montano requested the City Council to consider adding a report from staff on support for a celebration in Milpitas of Mexican Independence Day each year near September 16, as a topic on an upcoming agenda. Council shall discuss and provide direction to staff if it would like to include this subject, requiring staff work, on a particular Milpitas City Council meeting agenda.

NEXT AGENDA PREVIEW

13. Receive Preview List of Anticipated Items for the Next Regular City Council Meeting Scheduled on September 1, 2020 (Staff Contact: Mary Lavelle, 408-586-3001)

Recommendation: Receive list of anticipated agenda items for the September 1, 2020 City Council meeting.

ADJOURNMENT (10:15 PM)

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)

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.