DRAFT (UNAPPROVED) MEETING MINUTES
CITY OF MILPITAS

Minutes of:	**Regular Meeting of Milpitas City Council**
Date:	**Tuesday, November 15, 2005**
Time:	**6:00 PM (Closed Session)** **7:00 PM (Public Business)**
Location:	**Council Chambers, Milpitas City Hall,** **455 East Calaveras Blvd.**

ROLL CALL

Mayor Esteves called the meeting to order at 6:00 PM.

PRESENT: Mayor Esteves, Councilmembers Giordano, Livengood and Polanski

ABSENT: Vice Mayor Gomez

CLOSED SESSION

Mayor Esteves publicly stated the Council would convene in Closed Session to discuss the the following three issues:

(1) CONFERENCE WITH LABOR NEGOTIATORS – COLLECTIVE BARGAINING
(Pursuant to Government Code Section 54957.6)
City Negotiators: Ed Kreisberg, Art Hartinger, Carmen Valdez
Employee Organizations: Police Officers Association (MPOA)
Under Negotiation: Wages, Hours, Benefits, Working Conditions

(2) CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(Pursuant to Government Code Section 54956.8)
Property: 110 Meadowland Dr., Milpitas, California
Agency Negotiators: City of Milpitas, Steve Mattas. Negotiating Party: Williamson / Wilson.
Under negotiation: Terms and Conditions for Disposition of property

(3) CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Pursuant to California Government Code Section 54956.9(a))
City of Milpitas v. Turner Construction et al., Santa Clara County Superior Court Case No. 103CV815946 Consolidated with Case No. 103CV008400

The City Council reconvened in Open Session at 7:14 PM with Mayor Esteves presiding and three Councilmembers present.

CLOSED SESSION ANNOUNCEMENT

None

PLEDGE

Boy Scouts Troop No. 92 Color Guard led the Pledge of Allegiance.

INVOCATION

Mayor Esteves offered the invocation.

MINUTES

MOTION: approve minutes of the November 1 City Council meeting, as amended.

Motion/Second: Councilmember Giordano / Councilmember Livengood

Motion carried by a vote of:

AYES: 4
NOES: 0
ABSENT: 1 (Gomez)

SCHEDULE OF MEETINGS MOTION: to approve the Schedule of Meetings, as amended.

Councilmembers noted the following changes to meeting dates for the calendar:
- VTA workshop scheduled at 8:30 AM on Thursday, December 1
- Bay Area Water Conservation Agency meeting was changed to November 17 in Foster City
- Sister Cities Commission was changed from November 24 to November 17
- Community Advisory Commission meeting in December was canceled

Motion/Second: Councilmember Giordano / Councilmember Livengood

Motion carried by a vote of: AYES: 4
NOES: 0
ABSENT: 1 (Gomez)

PRESENTATIONS

Proclamation

Mayor Esteves proclaimed "Hunger and Homelessness Awareness Week" for the week of November 13-19, 2005.

Mr. Barry Del Buono, Executive Director of Emergency Housing Consortium, was pleased to accept the proclamation, explaining the Emergency Housing Coalition is all about helping people in need throughout the Santa Clara Valley.

Presentation

1. Annual Neighborhood Beautification Awards for 2005

Staff provided a slide show of the winners noted below. Each winner received a gift certificate and a commendation from the Mayor.

Building a Sense of Community
Winner - Nathan Mitchell - Parc Metropolitan H.O.A.-Metropolitan Dr.
Theresa Olive accepted on his behalf.

Attractive Non-Residential
Winner -Standard Industries- 750-885 Yosemite Business Park. Two gentlemen accepted from Mission Peak Homes and Warehouse Properties.

Staff Choice Award
Winner - Ong Ky – 1052 Dempsey Rd. (Plaque to be mailed)

CENTRAL AREA

Attractive Residential
Winner - Mr. and Mrs. Olszewski – 1161 Kovanda Way. The couple accepted.

Nominations
Mona Freeman and Cindy Hickman – 191 Tiny St. Both accepted.

Attractive Multi-Family Units
Winner - Nhuy Nguyen – Friendly Village Mobile Home Park-136 Via Del Monte. (Certificate to be mailed)

Attractive Homeowners Associations
Winner - Mr. & Mrs. Huang – Beresford HOA - 278 Woodward Dr. Entire family accepted.

HILLSIDE AREA

Attractive Residential
Winner - Mr. & Mrs. Mujtaba - 2237 N. Park Victoria Dr. Mr. Mujitaba accepted.

Attractive Homeowners Association
Winner - Mr. & Mrs. Brubaker – Summit Pointe H.O.A. –1785 Pebble Beach Ct. The couple accepted.

Nominations
Mr. and Mrs. Sordello – Summit Pointe H.O.A.- 1458 Tularcitos Dr. (Certificate to be mailed)

EAST VALLEY FLOOR AREA

Attractive Residential
Winner - Omar Gavino and Rodelyn Baquinon – 520 Roswell Dr. (Certificate to be mailed)

Nominations
Timothy Mandelke – 1725 Fair Hill Dr. (Certificate to be mailed)

Attractive Multi-Family Units
Winner - Mai Do Rafe – Duet Home - 1289 Chewpon Ave. She and her son accepted.

Attractive Homeowners Associations
Winner - Mr. and Mrs. Puthiyadam – Hill Crest Villas H.O.A. – 2378 Cresthaven St. Mrs. Puthiyadam accepted.

WEST AREA

Attractive Residential
Winner - Carolyn Nguyen – 399 Spense Ave. (Certificate to be mailed)

Attractive Multi-Family Units
Winner - Mr. and Mrs. Nguyen – Duet Home– 1623 Pinewood Way. He and two sons accepted.

Attractive Homeowners Association
Winner - Mr. and Mrs. Anderson – Starlight Pines HOA – 1681 Greenwood Way. The couple accepted the final award.

The City Council, staff and audience took a break for a reception and refreshments at 7:34 PM.

The City Council reconvened the meeting at 7:52 PM.

CITIZENS FORUM

None

ANNOUNCEMENTS

City Manager Charles Lawson offered congratulations to Public Works employee Valentin Vallejos, who retired after 15 years of service. He also thanked Police Chief Nishisaka and the Milpitas Police Officers Association for the recent retirement reception given for him.

Mayor Esteves congratulated Mr. Lawson upon his retirement as the Police Chief (currently City Manager) and noted several of his achievements including making Milpitas one of the safest cities in the state.

Councilmember Polanski thanked the community for turning out for the November 11 Veterans Day celebration, and the new benches installed at Veterans Park were terrific for the City.

Mayor Esteves offered thanks to all military veterans in the City.

Councilmember Giordano highlighted Gerald Rosenquist, one of the newly appointed members on the Terrace Gardens Board of Directors. She noted hard work that Terrace Gardens Board of Directors was doing at its Board met twice each month. She acknowledged by name all members of the Board.

Councilmember Giordano then read aloud the following statement:

"In an effort to ensure that this Council moves forward on the people's business and to support Councilmember Polanski's request to cancel the December 20 meeting, I am requesting that we have two special meetings on Monday the 28th and Tuesday the 29th and that we add two agenda items for the special meeting on Wednesday the 30th.

The agenda item I am requesting for Monday and Tuesday is: the Mayor's recommendations to the Open Government subcommittee and the Council consideration.

The additional agenda items for Wednesday the 30th are one, again 1) Mayor's recommendations to the Open Government Subcommittee and Council consideration; and, the second item would be 2) the Vice Mayor's recommendations to the Open Government subcommittee and Council consideration.

I believe that this process has dragged on too long. After the last meeting, I understood that the Mayor would return this meeting with more recommendations. I was disappointed to see that there was nothing on the agenda. I do not believe that we should drag this out any longer and I believe it must stop.

The residents of Milpitas expect us to do our job and they deserve to have to us to do it. For the record, I cannot support canceling any meetings when we have important unfinished business, even though it would make my life a lot easier during the Christmas week.

Mr. Mayor, I am asking you to deal with this issue in a professional manner. The time for politics is over, face the realities of the situation and I hope you will avoid any extra meetings. I hope that we can start the new year fresh with a new perspective. I ask that this rests in your hands, Mr. Mayor."

Councilmember Polanski clarified that the meeting schedule was business as usual and that she had not made any formal request to change the Council's schedule.

Mayor Esteves offered congratulations to the India Community Center on the second anniversary of the facility, with its theme "building for tomorrow." He announced the next event in Milpitas was the Berryessa Creek Trail opening ceremony on Saturday, November 19 at 10:30 AM.

ANNOUNCEMENT OF CONFLICT OF INTEREST

None

APPROVAL OF AGENDA

MOTION: to approve the agenda, as submitted

Motion/Second: Councilmember Livengood/ Councilmember Giordano

Motion carried by a vote of:

AYES: 4
NOES: 0
ABSENT: 1 (Gomez)

CONSENT CALENDAR

Mr. Lawson stated that Item No. 5 was a consent calendar item, and staff requested Item No. 8 be removed from Consent Calendar.

MOTION: to approve the Consent Calendar, as amended

Motion/Second: Councilmember Livengood /Councilmember Giordano

Motion carried by a vote of:

AYES: 4
NOES: 0
ABSENT: 1 (Gomez)

*** 5. Approve Three Group, and One Individual, Youth Sports Assistance Fund Grants**

Approved three Groups and one Individual Youth Sports Assistance Grants, as recommended by the PRCRC, leaving a grant balance of $2,500 for the remainder of the fiscal year, as follows:

1. Milpitas PAL Soccer Program for $1000
2. Milpitas Youth Soccer Club for $1000
3. Milpitas PAL Football for $1000
4. Martin McKeefery for $500 for race car competition finals participation

*** 9. Adopt Resolution Granting Initial Acceptance: 2005 Street Slurry Seal Project, Project No. 4223**

Adopted Resolution No. 7564 granting initial acceptance of the project subject to the one year warranty period and reduction of the faithful performance bond to $9,616.

*** 10. Award the Bid for Two Ford Trucks**

Awarded the bid for the F-350 truck to S&C Ford for $34,942.45 including tax and tire fee, and the F-550 truck to East Bay Ford Truck Sales, Inc. / Jack Hubbard for $49,976.21 including tax and tire fee.

*** 11. Award the Bid for Defibrillators**

Approved the purchase of ten (10) defibrillators from Philips Medical Systems for the not to exceed amount of $10,969.51 including tax.

*** 12. Approve a Third Year Adjustment and a One-Year Extension of the Valley Oil Company Contract**

Approved Amendment No. 7, an $80,000 increase to the third year of the Valley Oil Company contract for a total of $639,332.46.

Approved Amendment No. 8 to Valley Oil Company contract authorizing the City Manager to extend the contract for one more year, and issue a purchase order in the amount of $635,000 for the fourth contract year, subject to approval as to form by the City Attorney.

*** 13. Approve Agreement Amendment: Harris & Associates for Staffing**

1. Approved agreement amendment No. 2 with Harris & Associates and authorize City Manager to execute the same, subject to approval as to form by the City Attorney.

2. Approved budget appropriation in the amount of $240,000 from General Fund, to be reimbursed by private development funds

*** 14. Authorize the City Manager to Execute Agreement Amendment: Olivia Chen Consultants (OCC), Gibraltar Reservoir and Pump Station Improvements, Project No. 7101**

Authorized the City Manager to execute the agreement amendment with Olivia Chen Consultants, in the amount of $9,206, subject to approval as to form by the City Attorney.

*** 15. Award the Bid for Commercial Recycling Promotions**

Awarded the bid for Commercial Recycling Promotions to The Box Lady in the not to exceed amount of $8,933.33 including tax.

*** 16. Approve Payment Requests to Two Vendors/ Contractors**

Approved the following two payments:

1) $25,000 to Milpitas Unified School District for the City's share of secretarial services for the Youth Services Bureau for the Police Department.

2) $2,437 to Skyhawks Sports Programs for additional services for youth summer sports program. Staff planned for 288 participants but actually received registrations for 310. This requires an increase to the existing $24,000 purchase order to cover the increased services necessary to accommodate additional participants.

PUBLIC HEARINGS

2. Approve Vesting Major Tentative Map (MA2005-2) to Subdivide 4.56 Acres Into 12 Parcels For a Proposed Multi-family Residential Development with 147 Condominium Units for the Property Located at 1696 So Main St. (APN 86-34-017) and Montague Expressway

Associate Planner Staci Pereira presented the map and project proposal. The lots identified on the map would be for a condominium development. She described the parcel layout and current buildings on it. Proposed were 19 residential buildings, four stories each, with recreation, trash collection, driveways and additional features.

The new site plan was displayed with all entries in/out of the project area described. It was reviewed on October 12 by the Planning Commission, which recommended approval to the City Council, with some conditions added.

Mr. Pat Brown of Oak Springs Investment, representing the applicant, presented further detail on the residential project. He displayed site plan with buildings and landscaping, stating units would be an average of 1400 sq. ft. (32 units/acre) for high density housing.

Mayor Esteves inquired about driving access on Montague, asking if this issue was something the City had been in contact with the County regarding. Staff responded positively and also explained that the Fire Department approved the access proposed in the plan. No residents will enter or exit the site on the Montague side (only emergency vehicles). The Mayor had further questions about the style/type of tiles on roofs.

Councilmember Livengood inquired whether it was typical to divide up property into lots as shown. Staff replied it was done for financing. Mr. Brown further expressed that this lot layout was often done for banking, and consideration of collateral purposes.

Mayor Esteves opened the Public Hearing to receive any testimony.

Mr. Don Peoples, Downtown Association, stated the developer came to the Downtown Association last month, and overall the group was favorable in response to the project proposal. He liked that it was family friendly, and that it honored the Handcraft Tile originators. He and his group were in support the project.

(1) MOTION: to close the Public Hearing

Motion/Second: Councilmember Giordano/ Councilmember Polanski

Motion carried by a vote of:

AYES: 4
NOES: 0
ABSENT: 1 (Gomez)

In response to a Council question, staff stated the City had received no complaints or comments from nearby developments.

Mayor Esteves inquired how would the children's crossing be provided? It would be across Main St. Also there was an existing crosswalk at Main St. Engineer Jaime Rodriguez spoke to future crosswalks in the area also.

Mayor Esteves also mentioned fast food establishments nearby and concern for some odor from cooking. Staff explained that there was attention to this subject. Staff discussed including the need to maintain an effort to have odor-reducing equipment, and also to reveal this issue in sale agreements (include language to this effect).

(2) MOTION: Approve the Vesting Major Tentative Map No. MA2005-2

Motion/Second: Councilmember Giordano / Councilmember Polanski

Motion carried by a vote of:

AYES: 4
NOES: 0
ABSENT: 1 (Gomez)

3. Adopt Resolution to Vacate a Portion of Weller Lane and Winsor Street for the Construction of the North Main Street Improvements, Library, and the Midtown East Parking Garage

Project Engineer Mark Rogge explained the street vacation before the City Council, stating it was required to complete the property acquisition for the new Library and Parking Garage projects.

Mayor Esteves asked about the notification of this Public Hearing, and where it was properly posted. Councilmember Livengood noted a posted sign at Apton Plaza. Staff explained the regions where signs were posted near the project.

Mayor Esteves opened the Public Hearing to receive any testimony, and none was heard.

(1) MOTION: to close the Public Hearing

Motion/Second: Councilmember Giordano/ Councilmember Polanski

Motion carried by a vote of:

AYES: 4
NOES: 0
ABSENT: 1 (Gomez)

(2) MOTION: Adopt Resolution No. 7561 vacating a portion of Weller Lane

Motion/ Second: Councilmember Livengood/ Councilmember Giordano

Motion carried by a vote of:

AYES: 4
NOES: 0
ABSENT: 1 (Gomez)

4. Adopt Resolutions to Authorize the City of Milpitas to Enter into a Joint Exercise of Powers Agreement and to Approve the Issuance of Tax-Exempt Bonds by the CA Municipal Finance Authority for DeVries Senior Housing Project

Housing Planner Felix Reliford explained the reason for the TEFRA (Tax Equity and Fiscal Responsibility Act of 1982) hearing, for the issuance of bonds for the housing project approved, as issued through the California Municipal Finance Authority (CMFA). He stated that CMFA was the mechanism for input before the bonds were issued. It was also proposed that the City join the CMFA by becoming a member of the Joint Exercise of Powers Agreement.

Mayor Esteves opened the public hearing for public comment, and none was heard.

(1) MOTION: to close the public hearing

Motion/Second: Councilmember Livengood / Councilmember Giordano

Motion carried by a vote of:

AYES: 4
NOES: 0
ABSENT: 1 (Gomez)

(2) MOTION: Adopt Resolution No. 7562 approving the City's membership in the California Municipal Finance Authority (CMFA) and approving, authorizing and directing the execution of CMFA's Joint Exercise of Powers Agreement.

Motion/Second: Councilmember Livengood / Councilmember Polanski

Motion carried by a vote of:

AYES: 4
NOES: 0
ABSENT: 1 (Gomez)

(3) MOTION: Adopt Resolution No. 7563 approving the issuance of tax-exempt bonds by CMFA for MP Milpitas Affordable Housing Associates, a California Limited Partnership, or a partnership established by Mid Peninsula Housing Coalition or an affiliate thereof, to finance the DeVries Place multifamily apartment project.

Motion/Second: Councilmember Livengood / Councilmember Polanski

Motion carried by a vote of: AYES: 4
NOES: 0
ABSENT: 1 (Gomez)

RA1.
CALL TO ORDER

Mayor/Agency Chairman Esteves called to order the regular meeting of the Milpitas Redevelopment Agency, meeting jointly with the City Council, at 8:43 PM.

RA2.
ROLL CALL

PRESENT: Mayor/Chair Esteves, and Agency/Councilmembers Giordano, Livengood and Polanski

ABSENT: Vice Mayor/Vice Chair Gomez

RA3.
MINUTES

Motion: to approve the Redevelopment Agency minutes of November 1, 2005, including joint meeting with the City Council, as submitted.

Motion/ Second: Agency/Councilmember Polanski/Agency/Councilmember Giordano

Motion carried by a vote of: AYES: 4
NOES: 0
ABSENT: 1 (Gomez)

RA 4. Approval of Agenda and Consent Calendar

Motion: to approve the agenda and consent calendar

Motion/Second: Agency/Councilmember Polanski/ Agency/Councilmember Giordano

Motion carried by a vote of: AYES: 4
NOES: 0
ABSENT: 1 (Gomez)

RA 5. Review of Proposal from Senior Housing Solutions to Provide 20% Low-Income Housing Set-Aside Funds for the Acquisition of a Single-Family Residence to develop affordable housing for seniors

Housing Planner Felix Reliford stated the City had recently received a request from Senior Housing Solutions to purchase a single family residence, maintain it, and offer it to low-income senior residents only. Staff gave an overview of the Senior Housing Solutions organization. Also, Mr. Bob Campbell, Executive Director of Senior Housing Solutions, was present to respond to any questions from the Council/Agencymembers.

If approved by the Redevelopment Agency, the applicant must execute a Regulatory Agreement, which required long-term affordability restrictions for this project for a period of 99 years.

Councilmember Giordano asked the developer where this type of project had been done in the past. Mr. Campbell responded that six other cities had projects which included RDA funding in the senior housing project.

Councilmember Giordano further inquired whether the City would define residents for the project to come from within Milpitas only. Staff replied that the proposal had a gap in needed funds, so some compromise might need to be reached. Mr. Reliford explained that federal housing law says no discrimination, while the City can give preference to Milpitas residents.

Councilmember Livengood stated he would support the project. Seniors have different lifestyles and tastes (i.e. Terrace Gardens vs. single family house). He wanted to see what happened with the residence house and how successful it would be for the community. He felt neighborhoods like this arrangement, that it was welcome.

Councilmember Polanski asked what was the maximum that could be requested, from the Community Development Block Grants for this project? 65 % of CDBG funding is for non-public services, such as housing. Her recommendation was to ask for more.

Mayor Esteves reiterated that non-public CDBG services funds for Milpitas was around $465,000. He asked staff who were the recipients. Mr. Reliford replied that he would

have to review previous funding list for a complete answer. The Mayor stated that he was not comfortable with the CDBG part of recommendation, since there are other groups already who seek funding.

Councilmember Livengood stated that if this project was approved tonight, it did not mean the City cannot fund other CDBG applicants.

MOTION: approve the following actions:

1. Approve the allocation of $250,000 from the RDA 20% Low-Income Housing Set-Aside funds to financially assist this project.
2. Direct staff to prepare a letter to the Housing Trust Fund of Santa Clara County in support of this project and the allocation of $100,000 provided for affordable housing in Milpitas.
3. Direct Senior Housing Solutions to apply for Community Development Block Grant funding to financially assist this project during the next funding cycle (in January 2006).
4. If approved, the applicant must execute a Regulatory Agreement, which required long-term affordability restrictions for this project for a period of 99 years.

Motion/ Second: Agency/Councilmember Livengood/Agency/Councilmember Giordano

Mayor Esteves stated his preference for single family homes for seniors, but also was concerned about the direction on the CDBG funding.

Motion carried by a vote of:

AYES: 3
NOES: 1 (Esteves)
ABSENT: 1 (Gomez)

*** RA 6. Approve New Capital Improvement Project, Budget Appropriation, and Authorize City Manager to Execute Agreement Amendment, Central Pacific Engineering, for Sports Center Swimming Pool, Project No. 8180**

Approved a new Capital Improvement Project No. 8180, the Sports Center Pool Resurfacing.

Appropriated $42,000 from RDA Tax Increment, for application to Pool Resurfacing.

Authorized the City Manager to execute an agreement amendment with Central Pacific Engineering in the amount of $26,500.

*** RA 7. Award Construction Contract and Approve Budget Appropriation: Sports Center Underwater Pool Lighting, Project No. 8163, Contractor RAN Electric, Inc.**

Approved a budget appropriation for $25,000 and awarded a Construction Contract to RAN Electric, Inc. in the amount of $ 43,876.

*** RA 8. Adopt Resolution Granting Initial Acceptance: Interim Senior Center Re-Roofing, Project No. 8178**

Adopted Resolution No. RA 246 granting initial acceptance of the project, subject to the one-year warranty period and reduction of the faithful performance bond to $9,093.50.

*** RA 9. Approve Agreements for Purchase of Real Property, Property Owners; Public Storage Inc., Public Storage Properties, LTD, and Bay Valley Professional Center LLC; Montague Expressway Widening, Project No. 4179**

1. Approved Agreement for Purchase of Real Property in the amount of $4,000 from Public Storage Inc.;
2. Approved Agreement for Purchase of Real Property in the amount of $12,200 from Public Storage Properties, LTD;
3. Approved Agreement for Purchase of Real Property in the amount of $23,600 from Bay Valley Professional Center LLC.

RA 10. ADJOURNMENT Chair/Mayor Esteves adjourned the Redevelopment Agency meeting at 9:02 PM.

REPORTS OF OFFICERS, COMMISSIONS, AND COMMITTEES

Transportation Subcommittee

6. Approve the Budget Appropriation For a New Capital Improvement Project Entitled Abel St/ South Main Street Plan Line Study, Project No. 4230, and Conceptual Approval of Proposed Traffic Impact Fee For New Developments

Principal Engineer Jaime Rodriguez discussed the proposed new Capital Improvement Project in the noted traffic area and the request for approval of a traffic impact fee assessment.

He discussed recent housing and traffic developments in the Abel Street area. Full or Partial or Limited Access could be granted for the driveway access in and out of the new developments. Proposed streetscape elements would beautify the area and improve safety for residents. Staff displayed the recommended Plan Line of the study area, including location of the medians proposed.

Councilmember Livengood inquired whether there were sidewalk issues at south end of Main St. Staff stated there would be sidewalks all the way to Cedar. Also, there was an automatic need for a developer to build sidewalks at new developments. Mr. Livengood suggested a lot of traffic safety devices be installed and tested in this area of the City.

Mr. Rodriguez thanked the Council Traffic Subcommittee and the Planning Commission, for their full support given to this new Project.

Mayor Esteves inquired whether this was part of the total Midtown streetscape improvement. Staff replied that it was within the MidTown region, but these elements were not included of the Mid Town Specific Plan.

MOTION: approve the following actions

1. Approve a new Capital Improvement Project No. 4230, Abel Street/South Main Street Plan Line Study, and
2. Appropriate $150,000 from the Street Fund to be applied to this new project.
3. Conceptually approve Proposed Traffic Impact Fees for New Development in the Study Area ($144 per linear foot frontage of Abel St/Main St) .

Motion/Second: Councilmember Polanski / Councilmember Livengood

Motion carried by a vote of:

AYES: 3
NOES: 0
ABSENT: 2 (Gomez, Giordano)

Councilmember Giordano departed Council Chambers and the meeting at 9:10 PM.

NEW BUSINESS NONE

ORDINANCES

7. Introduce Traffic Ordinance No. 43.202, Amending the Traffic Code, to Change Speed Zones Boundaries and Speed Limits on Calaveras Blvd/Rd Between Sinclair Freeway I-680 and City's Easterly City Limits

Principal Engineer Jaime Rodriguez discussed speed limits on four segments of Calaveras Rd/Calaveras Blvd. Speed surveys were required every seven years, while in this City surveys had been done every five years. He displayed information on current speed limits, and provided the proposed changes on the road segments. Additionally, two vehicle speed feedback signs were suggested to encourage drivers to slow down.

Staff request was for speed limits at 35 mph, in three locations. This issue was previously presented to the Council's Traffic Subcommittee, which fully supported the recommendation to approve an Amendment to the Traffic Code, changing speed zone boundaries and speed limits on Calaveras Blvd/Rd between Sinclair Freeway (I-680) and City's Easterly City Limits.

(1) MOTION: Waive first reading of Ordinance No. 43.202 beyond the title

City Attorney Steve Mattas read the title: "An Ordinance of the City Council of the City of Milpitas Amending Chapter 100, Title V of the Milpitas Municipal Code Related to Traffic."

Motion/Second: Councilmember Livengood / Councilmember Polanski

Motion carried by a vote of: AYES: 3
NOES: 0
ABSENT: 2 (Gomez, Giordano)

(2) MOTION: Introduce Traffic Ordinance No. 43.202

Motion/Second: Councilmember Livengood / Councilmember Polanski

Motion carried by a vote of: AYES: 3
NOES: 0
ABSENT: 2 (Gomez, Giordano)

8. Ordinance No. 201.4 Amending Milpitas Municipal Code, Chapter 2, Tree and Planting, to Add a Heritage Tree Program, ZT2005-5

Public Works Supervisor Carol Randisi explained the staff's request to re-introduce the Heritage Tree Ordinance. Due to a clarification about how to remove a heritage tree from the inventory list, the text had been amended to include this step.

(1) MOTION: Waive first reading beyond the title

City Attorney Steve Mattas read the title "An Ordinance of the City Council of the City of Milpitas Amending Chapter 2 of Title X of the Milpitas Municipal Code "Tree and Planting" to Establish a Heritage Tree Program"

Motion/Second: Councilmember Livengood/ Councilmember Polanski

Motion carried by a vote of: AYES: 3
NOES: 0
ABSENT: 2 (Gomez, Giordano)

(2) MOTION: introduce the Heritage Tree Ordinance No. 201.4

Motion/Second: Councilmember Livengood/ Councilmember Polanski

Motion carried by a vote of: AYES: 3
NOES: 0
ABSENT: 2 (Gomez, Giordano)

RESOLUTION

Resolution was adopted on the Consent Calendar.

BIDS AND CONTRACTS

Items were adopted on the Consent Calendar.

CLAIMS AND DEMANDS

Item was adopted on the Consent Calendar.

ADJOURNMENT

Mayor Esteves adjourned the meeting at 9:31 PM. The meeting was adjourned to November 30 at 6:00 PM, when the City Council planned to interview Planning Commission applicants.

Meeting minutes respectfully submitted by:

Mary Lavelle, City Clerk