UNAPPROVED MINUTES
CITY OF MILPITAS

Minutes:	Regular Meeting of Milpitas City Council (Including Joint Meeting with Redevelopment Agency)
Date of Meeting:	April 15, 2003
Time of Meeting:	6:30 p.m. (Closed Session) 7:30 p.m. (Regular Session)
Place of Meeting:	City Hall Council Chambers, 455 E. Calaveras Blvd.

ROLL CALL

Mayor Esteves called to order the regular meeting of the Milpitas City Council at 6:33 p.m. Present were Mayor Esteves, Vice Mayor Dixon, and Councilmembers Gomez, Livengood (arrived at 6:45 p.m.), and Polanski.

CLOSED SESSION

Mayor Esteves publicly stated the Council would convene in Closed Session to discuss the following item listed on the agenda:

CONFERENCE WITH REAL PROPERTY NEGOTIATOR
(Pursuant to Government Code Section 54956.8)
Property: APN Nos. 86-05-021, 86-05-009, and 86-11-013
Negotiating Party: Thomas J. Wilson
Under Negotiation: Terms and Conditions for Acquisition/Lease of Property

Mayor Esteves adjourned the meeting to closed session at 6:34 p.m.

The City Council meeting reconvened at 7:30 p.m. with Mayor Esteves presiding and Vice Mayor Dixon and Councilmembers Gomez, Livengood, and Polanski present.

CLOSED SESSION ANNOUNCEMENTS

There were no closed session announcements.

PLEDGE

Members of Troop 170 presented the Colors and led the Council and audience in the Pledge of Allegiance.

MINUTES

MOTION to approve the City Council minutes of April 1, 2003, including joint meeting with the Redevelopment Agency, as submitted.

M/S: Dixon, Polanski Ayes: 5

SCHEDULE

Vice Mayor Dixon reported she had a VTA ad hoc committee meeting on April 16, a Congestion Management meeting on April 17, and a special VTA workshop session at 8:30 a.m. on April 25.

MOTION to approve the Schedule of Meetings as amended.

M/S: Livengood, Gomez. Ayes: 5

PRESENTATIONS

Mayor Esteves introduced dignitaries from Dagupan City, Philippines Vice Mayor Ramon Vittorio Fernandez, First Councilor Farah Decano, City Administrator Rafael Baraan, and Public Relations Officer Mel Velasco. Mayor Esteves announced that there was an item later on the agenda to formalize a sister-city relationship with Dagupan City.

Mayor Esteves invited representatives of the Housing Trust of Santa Clara County to the podium to address the Council. Carl Guardino, President and CEO, Silicon Valley Manufacturing Group and Board Member of the Housing Trust, said with him was Roccie Hill, Executive Director of the Housing Trust, and commented that Milpitas played a leadership role in the formation of the Housing Trust with one of the first investments of $500,000, and they were present to report back on what they have been doing with that

leadership investment. Rocci Hill noted that information packets were distributed to the Council and contained details about what had been done so far. Ms. Hill said this was the most successful capital fund-raising campaign in the history of Silicon Valley and the goal was to help 4,800 families into housing and to leverage $200 million. Mr. Guardino reported on the success of the campaign to date stating that so far they had invested $9.7 million; had leveraged $507 million in private development; had assisted or were in the process of assisting 2,100 families in purchasing first-time homes; in the area of affordable rental units, they helped nine developers who have built or are building 999 affordable rental homes; and in the area of homeless and transitional housing, they have helped 12 developers build or are building 527 of those critical units. Mr. Guardino reported in Milpitas ten first-time home buyers were helped. Roccie Hill reported they were working with Catholic Charities in building a multi-family rental building in Milpitas in the Midtown area, this was in the very preliminary stage of development, and they still had money to loan. Ms. Hill encouraged City employees and other employees in Milpitas to call them. Mr. Guardino said the purpose of their visit was to let the Council know what they were doing. Ms. Hill thanked the Council for its support. Mayor Esteves thanked Mr. Guardino and Ms. Hill for coming and updating the Council on their activities because housing was such a critical need.

Mayor Esteves read a proclamation declaring April 13-19, 2003, as "Public Safety Telecommunications Week" and presented it to Linda Trudeau, 2002 Dispatcher of the Year .

Mayor Esteves read a proclamation declaring April 21-27, 2003, as "Community Development Block Grant Program Week" and presented it to Gloria Anaya and Felix Reliford of the City's Neighborhood Services Department.

Mayor Esteves read a proclamation declaring April 26, 2003, as "Arbor Day" in Milpitas and presented it to Reynard Elzey. Mayor Esteves reminded everyone of the Arbor Day celebration 10:00 a.m. to 2:00 p.m. at Cardoza Park.

Mayor Esteves presented a Commendation to Ricky Duane Davis on his achievement of the rank of Eagle Scout.

CITIZENS FORUM

Mayor Esteves invited members of the audience to address the Council on any subject not on the agenda, requesting that remarks, including any visual or technology-assisted presentations of any kind, be limited to two minutes or less, and noted that the City Clerk would be using the timer and when the red light at the podium came on, two minutes would be up.

Frank Uzynski said the purpose of government was to provide for the safety of its people and complained about speeding on Hillview Drive, which had been classified as a residential neighborhood where the speed was limited to 25 mph according to the State of California, and said staff had admitted that more than 50% of the vehicles traveling on Hillview exceed the speed limit. Mayor Esteves said he would be willing to meet with Mr. Uzynski with the City Manager to learn more about the details.

Art Swanson said he was surprised to see Mr. Uzynski tonight, another surprise was Dagupan City, where he served during the war, and requested the public comment time be increased to three minutes.

Rob Means, addressing the troops in Iraq, expressed concern about the illnesses in the country and the uranium dust from munitions, which was creating respiratory problems; asked that the Council get the word out about the toxic nature of the munitions and the affects on our own soldiers, and requested that when employees who had been in that area come back from their reserve status, a urine test be conducted to check for uranium to determine if they have been contaminated and are at risk.

Joette Davis said she lived on Park Victoria Drive and commented on a house that was made into a 4-plex; she had tried to add a granny-plex onto her residence and had been refused; the

owner of the 4-plex was in the process of converting another home into a multiple dwelling; staff had been contacted and said the matter would be checked into, however, she had not received any information regarding multi-plex usage in a single residency zone; and cars parking in her driveway had become quite a problem. City Manager Wilson asked Ms. Davis to contact Gloria Anaya with the details and assured her that staff would have a response.

ANNOUNCEMENTS

Councilmember Polanski said she had the opportunity to read to Weller kindergarten children at the recent "Read Across Weller Day" and complimented the Police Department on the recent DARE graduations.

Vice Mayor Dixon thanked the organizers of the GENCO Group for an outstanding evening of cultural events; reported that she attended the Joint Powers Authority meeting with the Santa Clara County Libraries and next week they would be recommending the selection of June Bragman Associates to do the poll getting ready for the bond extension that would be coming up in 2004; and the Bicycle Transportation Advisory Committee was in the process of updating its City Bike Map, which possibly would include the Historical Bike route.

Mayor Esteves said he had participated in the Blue Ribbon Week to recognize Child Care providers and thanked the providers for what they do for the young children; and reminded and invited everyone to attend the State of the City address on Monday, April 21, 2003, at 5:30 p.m. at City Hall.

Vice Mayor Dixon announced that the Annual Evacuation/Mass Feeding Drill would be taking place at Weller Elementary School on Thursday, April 24, 2003, at 11:00 a.m.

Mayor Esteves thanked the Sikh Community for recently hosting the Sunnyhills Neighborhood breakfast.

AGENDA

Councilmember Livengood suggested moving Item 5 (Request for Sister City Relationship) forward on the agenda, possibly before the Redevelopment Agency. Mayor Esteves said he had a similar suggestion and recommended moving it ahead of the public hearing.

MOTION to approve the agenda as submitted.

M/S: Gomez, Livengood. Ayes: 5

CONSENT CALENDAR

Mayor Esteves inquired if anyone wished to make any changes to the Consent Calendar. There were no requests.

MOTION to approve the Consent Calendar, items with asterisks on the agenda, as submitted in accordance with the staff recommendations.

M/S: Livengood, Polanski. Ayes: 5

*7.
Bay Area Water Supply & Conservation Agency Representative

Appointed Councilmember Livengood to the Bay Area Water Supply and Conservation Agency.

*8.
Looking Glass Networks, Inc. (Project No. 3158)

Authorized the City Manager to execute the Encroachment Permit Agreement with Looking Glass Networks, Inc., a Delaware Corporation (Project No. 3158), subject to the approval by the City Attorney as to form.

*9.
Ordinance No. 133.6
Dog Park Regulations

Waived full reading of the ordinance, and adopted Ordinance No. 133.6, Adding Section 7.01 to Chapter 9, Title V of the Milpitas Municipal Code Related to Regulations for the use of the City Dog Park located at Ed Levin Park.

*10. Eighth Amendment to Redevelopment Plan No. 1	Adopted Resolution No. 7293 authorizing the Joint Public Hearing and related actions for eighth amendment to Redevelopment Plan No. 1.
*11. National Housing Trust Fund Endorsement	Adopted Resolution No. 7294 to support the endorsement of the National Housing Trust Fund legislation (HR1102) for affordable housing opportunities in Santa Clara County.
*12. Overflow Sewer sewer (Project No. 6092)	Adopted Resolution No. 7295 granting final acceptance and release of the bond for overflow near Hillview Drive (Project. No. 6092).
*13. SBWR Infill Pipeline (Project No. 6093)	Adopted Resolution No. 7296 granting final acceptance and release of the bond for SBWR Infill Pipeline Tasman/Barber Segment (Project No. 6093).
*14. Tax Sale Objection APN 088-50-090	Adopted Resolution No. 7297 objecting to the sale of APN 088-50-090 by the County of Santa Clara at the Tax Collector's Public Auction.
*15. Well Upgrade Program (Project No. 7076)	Authorized the City Manager to enter into the agreement amendment with Luhdorff & Scalmanini for well upgrade program (Project No. 7076) in the amount of $12,000, subject to approval as to form by the City Attorney.
*16. Manor Pump Station (Project Nos. 3385 and 3396)	Awarded the contract to D.W. Nicholson Corporation for Manor pump station improvements (Project Nos. 3385 and 3396) in the amount of $256,500.
*17. Personnel Investigation Services	Approved contract with Patricia Elliot for personnel investigation services, subject to approval as to form by the City Attorney, and approved a purchase order for Patricia Elliot in the amount of $10,000.
*18. Cathodic Protection System Repair (Project No. 7050)	1. Approved plans and specifications. 2. Authorized advertising for bid proposals.
*19. Base Station Radio Equipment (Project No. 8125)	Authorized the sole source purchase of the base station radio equipment from Motorola, Inc., in the amount of $69,862.47.
*20. Miscellaneous Vendors	Approved the following purchase requests: 1. $9,015.00 to Wattis Construction Co. for the emergency asphalt repair due to street failure at Milpitas Blvd. and Beresford Ct. for the Street Maintenance Division. (Funds are available from the Pavement Improvement Program project (Project No. 4182) for this emergency repair.) 2. $9,475.00 to Danka Office Imaging for the print shop copy machine maintenance and copy charges for the remainder of the fiscal year for the City Clerk Division. (Funds are available from the City Clerk's operating budget for the maintenance costs.)
*21. Payroll Register	Approved the Payroll Register for the period ending March 3, 2003, in the amount of $1,564,339.59.

REPORTS OF OFFICERS & BOARDS

5. Mayor Esteves introduced the Dagupan City officials present in the audience; Vice Mayor

Sister City Relationship
Dagupan City, Philippines

Ramon Vittorio Fernandez; First Councilor Farah Decano; City Administrator Rafael Baraan, and Public Relations Officer Mel Velasco. Mayor Esteves acknowledged the Sister Cities Commissioners in the audience Debra Garcia, Arlyn Swiger, and Willie Iringan and Council Liaison Councilmember Livengood.

Sister Cities Commission Chair Debra Garcia reported the Commission unanimously recommended the relationship with Dagupan City, Philippines; outlined the major points considered in making its decision as being support from within the community of Milpitas (demonstrated support from its members attending the January and February Sister Cities Commission meetings), the nature of the relationship with Dagupan City (provided a letter from Milpitas citizens and business persons in support of the relationship; an exchange of municipal information as accepted by the Sister Cities Commission), and the duration of the relationship (2-year period); and the Sister Cities Commission also recommended consideration of expanding the relationship to include cultural exchanges.

Mayor Esteves invited representatives from Dagupan City to comment.

First Councilor Farah Decano said she took great pride in representing Dagupan City on this significant and historical occasion, commented that Dagupan City and Milpitas had a lot in common; with the Sisterhood Agreement, Dagupan City will now be very confident that it has a sister city to look up to, face world changes side by side and hand-in-hand, and she hoped the Sisterhood Agreement shall not be an end in itself, but a means towards the betterment of our cities.

Ramon Vittorio Fernandez, Dagupan City Vice Mayor, extended the heartfelt solicitations of the Mayor and people of Dagupan City; stated the partnership between Milpitas and Dagupan City started with Mayor Benjamin Lim and then Councilmember Esteves and former Mayor Manayan in August 2002; Dagupan City adopted a resolution declaring the intent to forge a sister city relationship with the City of Milpitas on January 6, 2003; was looking forward to the breaking of new ground of information and ideas exchange; what was so unique about this sister cities relationship was the fact that Milpitas' Mayor, Joe Esteves, is a native of Dagupan City; invited the Milpitas City officials and residents to a grand homecoming in Dagupan City; and believed although the Memorandum of Understanding was initially drafted to a two-year partnership, this partnership would go on for many years.

Mayor Esteves said he was very honored the representatives of Dagupan City were here tonight and recognized other member of team who had a hand in this and members of the Dagupan City Association who were present in the audience and who were in support of the Milpitas/Dagupan City sister city relationship.

Councilmember Livengood thanked the Sister Cities Commission for the excellent job it did in making sure this relationship was solid because it was hard work; complimented Vice Mayor Fernandez for his statement about this being historical because the Filipino-American Community of Milpitas has had a tremendous influence on the positive things done in the City; and he was looking forward to a visit some day.

MOTION to approve the Sister Cities Commission's recommendation to enter into a two-year sister city relationship with Dagupan City, Philippines and authorize a signing of the Memorandum of Understanding with Mayor Esteves and an elected official representing Dagupan City.

M/S: Dixon, Livengood. Ayes: 5

Mayor Esteves presented the ceremonial pen to Dagupan City Vice Mayor Fernandez; Dagupan City Vice Mayor Fernandez, on behalf of the city government of Dagupan City, presented Mayor Esteves with a plaque symbolizing the sisterhood pact between the cities of Milpitas, CA USA and Dagupan City, Philippines.

Mayor Esteves asked all whom were present for the Sister City signing to gather for a group picture.

RECESS

Mayor Esteves called for a refreshment break at 8:28 p.m. The Council meeting reconvened at 8:53 p.m.

PUBLIC HEARING

1.
CDBG Funding
FY 2003-04

Sr. Housing & Neighborhood Preservation Specialist Gloria Anaya explained the Community Development Block Grant (CDBG) program for Fiscal Year 2003/2004 was $726,000, which represented a $33,000 increase from the previous year; an additional $219,264.57 was available to fund 2003/2004 projects, for a total of $945,264.57; a total of $125,249 was available to fund public services, and a total of $674,815.57 was available to fund the non-public services. Ms. Anaya stated that the Community Advisory Commission, on March 5, 2003, held a public hearing and reviewed the CDBG applications and recommended $806,393.57 in total funding, including $131,578 for public services. Ms. Anaya noted $6,329 of the figure was coming out of the 20% CDBG General Administration to cover housing services for Project Sentinel; the remaining $138,871 was committed for General Program administration.

Principal Housing Planner Reliford reported the HUD one-year Action Plan was required by entitlement cities to obtain CDBG funding; the Action Plan identified the resources, activities, strategic plan, and citizen participation process as they relate to the Milpitas 5-year comprehensive consolidated plan previously approved by the Council and HUD; as required by the CDBG Citizen Participation Plan, the Action Plan was advertised for 30 days for public review and comment, copies were also available for service providers, placed at the public library, and at City Hall; staff had received no public comments; upon City Council approval, the Action Plan would be sent to HUD prior to the May 15, 2003, deadline.

Vice Mayor Dixon, referring the first three paragraphs on the top of page 2 of the Action Plan, inquired if staff had ever deviated from the requirement that it review the project financing plan to ensure that all agencies were utilizing all available funding and leveraging funds to the maximum extent possible. Mr. Reliford responded before tonight, staff had not deviated from that requirement. Vice Mayor Dixon requested staff expand upon why there had not been a recommendation for the particular application and inquired if it was based upon Federal guidelines. Mr. Reliford, referring to the Sunnyhills application, answered that one of the criteria that had been established by the Council and what staff reviewed was the leveraging of funds; as it was a new entity requesting funds, its whole budget was the requesting funding from the CDBG program, and subsequently they did not show staff it was leveraging funds as other agencies had and it was also a duplication of services..

Mayor Esteves opened the public hearing and invited comments.

Al Garcia said he was speaking as a member of the Community Advisory Commission and someone who participated in the process, thanked staff for being innovative and coming up with extra money and suggested that for the next year, the following changes might be taken into consideration: the funding amount be increased from $5,000; the financial viability of the agencies applying for funds be examined; and ensure the public service priorities are reviewed [1) Senior Services, 2) Homeless Sheltering, 3) Child Care, 4) Youth/Teen Services, 5) Crime Prevention, and 6) Battered Women].

Mr. Reliford responded the CDBG funding program priorities are set every two years and staff would be back in the Fall to establish those priorities.

Neil MacKenzie, representing the Sunnyhills Neighborhood Association, said in the application, it was explained that even though the Association was not leveraging dollars, it

was leveraging a lot of volunteer time, which the Association believed had monetary value, and the plan was to take the program out and try to show that because there was City funding, other grants could be gotten from other non-profits.

Councilmember Polanski inquired if the Sunnyhills Neighborhood Association had agreements with the School District or the three schools where its program would begin. Mr. MacKenzie stated he had spoken with Marsha Grilli and Michelle Dimas at Weller; thought the program would start at Weller and then be expanded; and only verbal agreements had been received. Mr. MacKenzie said that he had never been advised to go beyond verbal agreements/encouragement he had received. Councilmember Polanski expressed concern that CDBG funds were being used for a program that had not been tested.

Vice Mayor Dixon, referencing the $30,000 for administrative cost, inquired how the figure was arrived at. Mr. MacKenzie stated he had looked at other programs similar to what Sunnyhills Neighborhood Association wanted to do and pulled figures from what those programs had looked at; he talked to people at Weller regarding the cost of reimbursement for administration staff, etc. Vice Mayor Dixon said she would be more comfortable if this was brought through a different channel before taxpayer funds were applied for through the CDBG program and suggested that Mr. MacKenzie attend a City/School communication meeting.

Councilmember Gomez inquired if the policy (that the City normally does not fund organizations that do not have a track record) was explained to the CAC. Al Garcia responded it had not specifically been explained; however, long term Community Advisory Commissioners did recognize that. Councilmember Gomez inquired why $5,000 had been recommended for the Sunnyhills Neighborhood Association. Mr. Garcia stated when the Commissioners read and heard the proposal, it made sense.

Mayor Esteves commented that this fund was for a year's program and inquired if there were checkpoints throughout the year on how the program was doing. Mr. Reliford stated that quarterly, subrecepients are required to submit a status report regarding meeting their overall goals and objectives, staff checks the report against the original submittal, if staff determines the goals are not being met, a phone call to the organization is made informing them that they need to pick it up a bit. Mayor Esteves inquired if an organization was not meeting expectation, what recourse was taken. Mr. Reliford stated there was no recourse until the following year.

Ms. Anaya added that in addition to the quarterly reviews and monitoring the agencies, staff confirms that the agency has completed what it said it would; at the beginning of the process, the organization and the City sign an agreement that indicates what the scope of services would be; and there may be times when the quarterly reimbursement request is not given because the organization is falling behind on its goals, at which time staff will sit down with them to determine how they can be assisted in meeting their goals.

Councilmember Polanski suggested the CAC hold a workshop prior to the CDBG funding to go over everything and explained how the CAC arrived at the funding recommendations. Councilmember Polanski said it would be her recommendation that Project Sentinel be funded for the full $15,000. Mr. Reliford explained that Project Sentinel would be funded for the full $15,000; $8,671 from the Public Services and the balance of $6,329 that would equal $15,000 would come out of Program Administration; pursuant to the HUD guidelines, fair housing services are considered an extension of staff and was the only type of service that Program Administration could be used for.

Councilmember Polanski, referring to public services, stated the CAC had not recommend the same amount as staff had and felt the Senior Center modulars and inside improvements needed the full amount recommended by staff. Mr. Reliford stated if the Council desired to, the $2,000 could come out of the single-family rehab program.

Ann Marquardt, Project Sentinel Director, thanked the Council for its past year funding and said she would forward to the Council a written update status and would like to work with staff in the coming year to identify other funding sources that might relieve some of the pressures on CDBG.

MOTION to close the public hearing.

M/S: Dixon, Livengood. Ayes: 5

Vice Mayor Dixon inquired if Mr. Mohsin's vote for the $20,000 was a conflict of interest as his wife was one of the directors of the organization. Vice Mayor Dixon noted that another Commissioner stepped down because his brother was associated with an organization. City Attorney Mattas said if the directors were unpaid, it could be both a remote interest and, therefore, would not prohibit the entity from entering into it and, if they're unpaid, then there's no financial interest, it may not be a conflict but he would have to look at that more closely.

Vice Mayor Dixon, referring to her eight years with the County CDBG Program, expressed concern that if there was any association, there was the perception you could be swaying other members of the Board. Mr. Mattas said he would look into the matter.

Councilmember Gomez inquired if it would change the recommendation. Vice Mayor Dixon said if Mr. Mohsin hadn't voted, the $5,000 would probably go down to $3,000.

Vice Mayor Dixon said she had a problem when one individual technically could just skew the numbers, thought it was time to go back to the drawing board and have a subcommittee meeting with staff and maybe the Chair and see about looking at a different priority of categories and to talk about specific guidelines, and one of those would be not to be able to play around with the numbers and throw in a high number, which does essentially mess up the average according to the way it was done.

Councilmember Livengood said he felt the chart was very close and showed that the Commissioners viewed the applications almost uniformly; he would support the recommendation from the CAC although they may not be exactly as he would map them out; addressing the Sunnyhills Neighborhood Association recommendation, said he would be supporting giving the organization $5,000 as he felt they had become a leader in Neighborhood Associations in Milpitas, a role model; wanted to give them an opportunity; and thanked the Community Advisory Commission for the work done on this issue.

Vice Mayor Dixon, addressing the Sunnyhills Neighborhood Association application, stated she wanted to find a workable solution; because a lot of the plan was laid out on assumptions, inquired if Mr. MacKenzie would be willing to join the City at its City/School meeting with the proposal so that some of the issues could be fine-tuned. Mr. MacKenzie felt there would be not problem with attending the meeting. Vice Mayor Dixon inquired if just one school would be used to see if the program could be gotten off the ground. Mr. MacKenzie stated for right now, it would just be Weller, but in the future they would like to go to other schools.

Councilmember Polanski requested clarity on the non-public services, and wanted to make sure that there was funding to cover the needs of the Senior Center – the modules and the site improvement. Mr. Reliford expressed assurance the funding was there for the Senior Center. Councilmember Polanski commended the Community Advisory Commission on an excellent job.

Mayor Esteves expressed appreciation to the Community Advisory Commission commenting that they worked very hard on this, he was happy with the quarterly monitoring of the organizations, and also thanked the staff for their hard work.

MOTION to approve the CAC recommendations for CDBG funding for FY2003-2004 as submitted.

M/S: Polanski, Livengood.

Vice Mayor Dixon said she still wanted to put together a subcommittee to sit down with the Chair and staff to go over some of the guidelines to help the Commissioners understand the background of the groups.

Councilmember Polanski, the maker of the motion, and Councilmember Livengood, the second to the motion, agreed to amend the motion to include forming a subcommittee as per Vice Mayor Dixon's request.

VOTE ON MOTION with the inclusion of a subcommittee: Ayes: 5

MOTION to adopt the one-year action plan.

M/S: Polanski, Dixon. Ayes: 5

JOINT REDEVELOPMENT AGENCY AND CITY COUNCIL MEETING

RA1.
CALL TO ORDER

Mayor Esteves called to order the regular meeting of the Milpitas Redevelopment Agency, meeting jointly with the City Council, at 9:42 p.m.

RA2.
ROLL CALL

Present were Mayor Esteves, Vice Mayor Dixon, and Agency/Councilmembers Gomez, Livengood, and Polanski.

RA3.
MINUTES

MOTION to approve the Redevelopment Agency minutes of April 1, 2003, including joint meeting with the City Council, as submitted.

M/S: Livengood, Dixon. Ayes: 5

RA4.
AGENDA

MOTION to approve the agenda and consent calendar as submitted.

M/S: Livengood, Dixon. Ayes: 5

RA5.
CIVIC CENTER UPDATE

Redevelopment Projects Manager Greg Armendariz reported there were three items for the Council's approval: One contract change order, two purchase orders, and a $45,000 appropriation for the third floor improvements.

Using a PowerPoint presentation, Mr. Armendariz outlined the change order in the amount of $128,224 to provide compensation for additional work provided by ACCO, the HVAC/mechanical contractor, explaining that an additional air handler unit had been provided to improve the operating efficiencies for the Council Chambers, acoustical work done to the HVAC system into the Council Chambers. Mr. Armendariz further stated that the change order resolved the last outstanding claim.

Mr. Armendariz reported the first purchase order was for $441 for labor to assist the City in trouble shooting the automatic shade system in the Committee Room; the second purchase order was with Weidner Architectural for $5,131 for a time and materials change order that provided for additional signage for the garage, private office, stairwells, and building entrances.

Mr. Armendariz said there was an appropriation for the 3rd floor public access improvements; on February 4, 2003, the Council approved staff's recommendation of $45,000 for the improvements, however, an appropriation was not been made at that time.

Mr. Armendariz presented an update on the project's expenses, stating after tonight's approval of contract change order and purchase orders, plus the addition of some purchase order savings, totaling $84,892, there was a project contingency remaining of $189,534.

Assistant Project Manager Mark Rogge outlined the progress of the 3rd floor modification, stating that the work was approximately 50% underway regarding getting the work ordered; Information Services would be doing the needed security adjustments; there was approximately $4,000 in the project contingency fund. Mr. Rogge stated that the detail plans for the 4th floor modifications were being developed, and the main progress was developing the plans and doing some coordination.

MOTION to:
1. Approve the contract change order included in the contract change order summary sheet and the two purchase orders;
2. Appropriate $45,000 for the City Hall Third Floor Improvements from the RDA Tax Increment;
3. Note receipt and file project close out progress report.

M/S: Dixon, Livengood. Ayes: 5

RA6.
REDEVELOPMENT PLAN 8th AMENDMENT

Assistant City Manager Blair King reported the proposed Eighth Amendment to the Milpitas Redevelopment Plan covered three basic areas: Add 691 acres of the Midtown area to the Redevelopment Plan; raise the current tax increment cap to a combined limit for the new and existing area to $2.4 billion; and a combined bonded debt limit of $498 million. Mr. King further reported there were some text changes to make the Redevelopment Plan contemporary with the current law and presented a pictorial view of the proposed added area, which was essentially the Midtown area. Mr. King stated that the Redevelopment did not, in terms of this project, change land use nor would it raise taxes.

Mr. King outlined the Redevelopment Amendment process, stating it was prescribed by state law; the Midtown Specific Plan was the start when a resolutional survey was adopted; next was this report to the City Council; technically, the Redevelopment Agency Board had a report that would be transferred to the City Council; the City Council had accepted that report and called for a public hearing, which was scheduled for May 20, 2003; approximately 5,300 notices would be sent to property owner/tenant/resident within the new project area and a notice would be in the paper for five consecutive issues.

Vice Mayor Dixon complimented the Assistant City Manager on the presentation given at the first public hearing a couple weeks ago.

Councilmember Polanski thanked Assistant City Manager King and staff for providing all the information regarding the eighth amendment.

MOTION to adopt Resolution No. RA199 approving the report to the City Council and authorize a Joint Public Hearing and related actions.

M/S: Dixon, Polanski. Ayes: 5

RA7.
2003-2008 CAPITAL IMPROVEMENT PROGRAM

City Engineer Mike McNeely, using a PowerPoint presentation, presented an overview of the proposed 2003-2008 Capital Improvement Program highlighting that the Program proposed an extensive project reprioritization, focused on project delivery, had a goal to deliver $30 million in projects through June 2004, and evaluated resources for delivery of the Council's highest priority projects. Mr. McNeely stated that total funded dollars, if the proposed proposal was funded, would involve funding a total available for Capital Improvement projects of approximately $45 million, including money currently available and new monies in July of 2003. Mr. McNeely stated that the Parks, Recreation, and Cultural Resources Commission had reviewed the Parks section and the Planning Commission had approved the

Plan for conformance with the General Plan. Mr. McNeely suggested going through each category (Community Improvements, Parks, Streets, Water, Sewer, and Storm) and receiving questions and comments from the Council.

Mayor Esteves began by pointing out that the chart on page 4 was not drawn to scale and looked deceptive. Mayor Esteves asked what was the gross total Capital for the next fiscal year. Mr. McNeely responded it was approximately $20 million. Mayor Esteves asked how that compared with the previous year and how much was done in the previous years excluding City Hall. Mr. McNeely said he would have to check on that but the amount was a bit smaller because of excluding City Hall and reprioritizing some projects. Mayor Esteves asked if it was close to $20 million explaining that he wanted to keep performance as much as possible at par with previous years. Mr. McNeely responded the budget for 2002/03 was approximately $12.9-$13 million. Mayor Esteves asked for clarification that $20 million was proposed for the next fiscal year and only $12 million for the previous year. Associate Civil engineer Doug DeVries explained some of the changes this year in the way the Capital Plan was being presented and the fact that you could actually see the projects and how much was going to be delivered as opposed to accumulating dollars that don't tell you what the deliverable amounts are; this was a restructuring of the format to show the kind of effort that would actually be done next year.

Mayor Esteves said he hoped in the next presentation there would be a listing of all the projects that could be the breakdown of the $30 million. Mr. McNeely responded that was basically the projects that were listed without the dollar amounts associated with them. City Manager Wilson said staff would do that, it was not provided with this but these projects, starting with Community Improvement through all of the projects, constituted the $30 million of deliverables; staff will put the breakdown of those numbers next to each project for the Council so that when they are presented on the 13th at the budget hearing, the Council will have the breakout.

Councilmember Livengood said he was having a problem with the new format and using the Library as an example, said the Council had designated $5 million in the General Fund plus another two or three million but the only thing shown in the Capital Improvement Program budget was the study. Councilmember Livengood expressed concern that it didn't seem complete to him, he understood what the intent was but it didn't make it clear for him to understand exactly where the money was going.

Vice Mayor Dixon asked if the $90,000 that was supposedly coming from the State 9-1-1 system for the Expanded Public Safety Technology (page 6) was guaranteed or might it be lost now from the State. Deputy Information Services Director Terry Medina responded there was no guarantee but there was a commitment from the State in order to implement that the E9-11 for the cellular phone location.

Vice Mayor Dixon, referring to the transient occupancy tax (TOT) on page 7, requested that for the budget hearing she would like to have the TOT broken out into just the percentage that was put to the voters so there would be a clear idea what that increase was going to be for the Library. Vice Mayor Dixon asked if the Public Works parking lot expansion to the south of the Corporation Yard was on John Minnis' property, would it be a lease, and how long would the lease be? City Manager Wilson responded a lease was proposed, it hadn't been worked out yet, but it would obviously be a long-term lease. Vice Mayor Dixon commented that if staff didn't have answers for her tonight, they could make a note of it and get back to her off-line. Vice Mayor Dixon asked how long or how far away was the project for the fiber optic ring installation to connect the Sports Center. Mr. Medina responded staff was working on the project right now and this was the last major leg with the exception of the temporary Senior Center, which staff was also going to look at wireless from Fire Station 1.

Vice Mayor Dixon, referring to the housing project on page 17, questioned the original 5.9 million dedicated towards the senior housing project and the statement that the DeVries house

and the senior housing project were completely separate but it talked about putting funds into a seismic safety study and asked if that money was coming out of this or was it coming out of a different source. Mr. McNeely responded that money would come out of this at a later date – after the Senior facility was concluded. Vice Mayor Dixon asked for confirmation that they were separate projects. Mr. McNeely said they were to his knowledge but he would have to get back to her on that one.

Mayor Esteves, referring to page 8 under comments, said the second sentence said costs include historical expenditures for the renovation of the old City Hall of approximately $1 million and asked what that was. Projects Manager Greg Armendariz responded the budget for City Hall was $38.5 million; this sheet showed the $39.8 million and reflected the historical costs long before City Hall relocated to the Great Mall; some roofing improvements were done to the old City Hall when the project was established close to ten years ago so this was just tracking historical costs.

Mayor Esteves inquired if only $176,000 was expected to be spent for Senior Center renovations in the next fiscal year (page 27). Mr. McNeely said staff was looking at this figure and would come back with a figure through the subcommittee very shortly on a design cost. Mayor Esteves suggested putting amounts under the column for 2003/04 because they were all zeros.

Vice Mayor Dixon, referring to page 47, the Alviso Adobe renovation site improvement, said she was asking her annual question, she had brought this up every year since the $100,000 donation from Shapell Industries to the Historical Society to hold towards the renovation of the Adobe, and every year there was a different spin on it and now she was reading the money only goes to the City after the Adobe has been renovated. Vice Mayor Dixon asked what was the status of getting property access to the Adobe. Mr. McNeely said the goal was to redouble efforts this next year to pin that down, a willing owner who would step to the plate and agree hadn't been found, and staff had talked to the church and the owners across the roadway and was continuing with that dialogue. City Manager Wilson commented that the Historical Society money was worked out with a subcommittee, there was a document that was being finaled that will provide a commitment from the Historical Society to the City of the Shapell money but the money does come at the end of the project. Vice Mayor Dixon commented that when you see the financing brackets down at the bottom of the page, there was a zero under Milpitas Historical Society grant so it was misleading to a degree.

Vice Mayor Dixon, referring to page 56, Bobby Sox field improvements, said she wanted to clarify that $75,000 was for three concrete pads, electrical service, and the Bobby Sox League was looking at furnishing a storage shed and a bating cage and the $75,000 was just for the concrete and the electrical alone. Mr. McNeely responded to his knowledge, that was it. Vice Mayor Dixon, referring to the Sports Center Master Plan improvements on page 63, expressed concern about the ongoing issue of traffic circulation and wanted to make sure staff stayed on that with the School District because it appeared they were willing to talk about it. Mr. McNeely said there were several options and staff has had several discussions with the School District. City Manager Wilson added that the commitment for this year on that site was to get the circulation defined and done because it was a problem and the location of the new fields couldn't be reorganized until the circulation problem was solved. Vice Mayor Dixon said it was critical in her mind to solve it as soon as possible because everything was being put on hold and it didn't make sense to improve those fields to make it even more popular and create an even bigger traffic problem.

Councilmember Polanski commented that this presentation was brought to the Parks, Recreation, and Cultural Arts Commission, it was a good presentation, and one of the areas discussed was the circulation and until the circulation was worked out for parking and the flow of people in and out of the Sports Center, it didn't make sense to move forward with some of the other improvements.

Councilmember Gomez, referring to Athletic Court resurfacing on page 54, said he noticed that the City was resurfacing the high school tennis courts and asked why and weren't they the responsibility of the School District. Assistant City Manager Blair King responded the City has an agreement with the High School to share 50% of the maintenance cost; there were a variety of athletic courts that need resurfacing; staff was not proposing that the High School courts be pursued at this time since it was anticipated the High School/School District probably would not have the money to join in a 50/50 effort.

Councilmember Gomez, referring to Penitencia Creek Trails Feasibility Study on page 69, inquired why it ended at West Calaveras instead of going all the way up to where Penitencia Creek connects with Berryessa Creek further north. Mr. McNeely said that would be evaluated and all alternatives would be looked at.

Mayor Esteves said he noticed that many of the projects didn't have any figures under 2003/2004 and he assumed staff was going to fill those out. Mr. McNeely said the numbers were noted, on each project there was an available funds and many of those projects have available funds; if there were no available funds, that meant they were being programmed out for the future years. Mayor Esteves used Peter Gill Park (page 51) as an example stating that it showed available funds of $70,000 but nothing being spent in 2003/04. Mayor Esteves said he would like to make it simple; if it will be spent in that fiscal year, put a number in that fiscal year. Mr. McNeely said the prior year had always been a point of confusion; if it's appropriated in the prior year, it has always been in the prior year and was a Finance requirement. Mayor Esteves said he was saying that if it's scheduled to be done in that year, put the amount there.

Mayor Esteves inquired if the DeVries house was under maintenance since he didn't see anything for the DeVries house. Mr. McNeely responded it was and anything that would be done in the project would be in the Senior Housing project. Mayor Esteves said the reason he mentioned this was that it could be very timely for next year and the 50th Anniversary to have something to show.

Rob Means, referring to the Hetch Hetchy landscape improvement on page 46, said this was a small $50,000 project that has been dropping through the cracks for years and he didn't want it to drop through the cracks one more time; this was a small little stretch just north of three schools that has got a dirt trail that needs to be upgraded so that it connects Augustine Park and the High School, Pomeroy, and Russell Schools. Mayor Esteves said he agreed, he had been there and it was the only area left that was not developed. City Manager Wilson said staff would like to bring this back for the Council's consideration and include it in the project.

Vice Mayor Dixon, referring to the Tasman Extension/Great Mall Parkway to 880 on page 87, inquired about the appropriation of $1,584,000 supposedly from the VTA for the landscaping project. Mr. McNeely said there was an agreement with VTA and they were committed because they want that in also before the opening of the Light Rail.

Vice Mayor Dixon, referring to the traffic signal modifications on page 90, commented that this had to do with the installation of battery back-up so that when the power goes off, we have the ability now to have the street lights work and inquired if there was grant money for this. Mr. McNeely responded the City did receive one grant for a portion of it. City Manager Wilson commented that Milpitas was a leadership community on the installation during the blackout time; it was a reimbursement after expending the dollars, and the City did get its share of reimbursement on that which included the LED (light emitting diode) function.

Vice Mayor Dixon, referring to the Calaveras/Piedmont/Evans intersection improvements on page 111, noted the status block talked about construction estimated at $822,000 and included the ultimate widening between Gadsden/Piedmont but no traffic signal at Calaveras/Piedmont/Evans which confused her because she thought a light was planned there. Mr. McNeely said staff was no recommending the light at that location at this time; there

wasn't the money for it and the stop controls had been working effectively. Vice Mayor Dixon agreed the four-way stop had worked out excellent.

Councilmember Gomez, referring to Utility Undergrounding on page 89, inquired how it was determined where utilities need to be undergrounded. Mr. McNeely responded in the past, the Council had acted on a priority list; now that the undergrounding program was underway after the PG&E bankruptcy, there was some money available; when the MidTown evaluation was completed, staff would be coming back to the Council with a proposed list of priorities.

Councilmember Gomez, referring to the Pavement Improvement Program on page 96, asked for confirmation that it covered every public street. Mr. McNeely said it was a City-wide program and almost every year there was a major project. Councilmember Gomez asked if there was a backlog. Mr. McNeely said there was a backlog of streets that could be done if there was the money. Councilmember Gomez asked if there was a list with all the streets in the City and a targeted date as to when they are to be resurfaced. Mr. McNeely said there was. Councilmember Gomez noted that residents could call the Public Works Department to find out when their street was going to be resurfaced.

Mayor Esteves asked if there were any comments on the Water, Sewer, and Storm Drain Projects. There were none.

City Manager Wilson said at this point, this was just for submission as a starting point; staff would come back to the Council with the revisions and adjustments and answers to the questions; this would become part of the adoption process at the budget hearing scheduled for May 13th and, if necessary, May 15th.

***RA8.**
VALUATION ANALYSIS AGREEMENT

Authorized the City Manager/Executive Director to execute Amendment 1 to the Agreement between Milpitas Redevelopment Agency and Keyser Marston Associates in the amount of $14,999.00 for a valuation analysis of Assessor Parcel Numbers 86-05-021, 86-05-009, and 86-11-013, subject to approval as to form by the City Attorney.

***RA9.**
AUDIT CONTRACT AMENDMENT

Authorized the City Manager to execute an amendment to extend the contract with Maze & Associates Accountancy Corporation for fiscal year 2002-03 for $84,152, subject to approval as to form by the City Attorney.

***RA10.**
INTERIM SENIOR CENTER PROJECT

1. Established new Capital Project No. CP 8151, Interim Senior Center, with a total budget of $573,000 with $431,815.57 from CDBG (July 1, 2003) and the remainder from the Redevelopment Agency; and
2. Appropriated $141,584.43 from unallocated Redevelopment Agency funds to the Interim Senior Center project.

RA11.
ADJOURNMENT

There being no further Redevelopment Agency business, Mayor Esteves adjourned the Redevelopment Agency meeting at 10:45 p.m.

The City Council meeting continued.

Mayor Esteves asked that item 6 (Utility Financial Master Plan) be moved up and taken next.

UNFINISHED BUSINESS

6.
Utility Financial Master Plan (Project No. 7096)

Principal Civil Engineer Darryl Wong reported the Master Plan was a guideline for the City for long-term Water/Sewer/Storm Drain funding; was a one-year intensive effort; was the first comprehensive financing guide that would help provide for proper funding to maintain the City's utility systems into the future and continue the good level of service to the community; and the primary factors were the wholesale costs, the City operational costs, and the Capital Improvement Projects. Mr. Wong explained that the project's objective was to develop a comprehensive 20-year financial plan and rate structure that will result in adequate

resources for providing quality services while maintaining balanced utility budgets; the project team consisted of City staff with participation from Engineering, Finance, and Public Works; there was also a citizen's Task Force representing the residential, industrial, institutional, and senior citizen sectors, and an expert consult, Bartle Wells Associates, an independent group providing rate and finance expertise. Mr. Wong expressed gratitude to the Task Force for its nine-month effort and introduced some of its members.

Using a PowerPoint presentation, Mr. Wong outlined the objective/background, findings, and recommendations for the Master Plan; stated there were now specific goals recommended by the consultant to build and maintain prudent fund reserves and to set aside funds for infrastructure replacement; update connection fees to recover costs; and, addressing the storm drains, it was suggested to apply connection with utility rates this year and to develop rates for future Council consideration.

Vice Mayor Dixon, referring to the connection fee and, according the report, the fact that the fees had not been updated in over 18 and 24 years respectfully, inquired how that happened.

Mr. Wong responded part of the problem was that staff should have paid more attention; also, the basis of the fee was very complicated. Mr. Wong explained that the consultant had provided a logical method of charging on a fair basis to all customers based upon flow, which would provide a fair distribution and a defensible distribution of connection fee going into the future.

Vice Mayor Dixon inquired, when talking about connection fees, was staff referring to new or used home purchases. Mr. Wong stated the connection fees were related to any new connection. Vice Mayor Dixon, referring to operating and maintenance costs projected to increase gradually in future years, in particular personnel costs, stated there were no numbers shown in the report and inquired if there was a percentage of employees that the increase was connected to. Mr. Wong said the statistics used were numbers received through the Finance Department. City Manager Wilson commented that the information was based upon present contracts and the PERS increases projected by PERS were not defined.

Vice Mayor Dixon, looking at the 20 year chart that showed Milpitas was one of the cities that did not currently have a storm water drain fee, inquired if any of the cities other than Milpitas was looking at incorporating a storm water drain fee. Mr. Wong responded all of the cities were looking at it, however, they are being very cautious because of the legal implications and Prop 218, which requires going out to the electorate for 2/3s approval and that was something that needed to be evaluaterd. Vice Mayor Dixon said her opinion would be to go to the voters as it was a substantial jump from zero to over $1,900.

Vice Mayor Dixon pointed out to the public that Milpitas' rates have fallen behind the cost of providing utility services and felt public education would be paramount. Vice Mayor Dixon expressed further concern about the cost of unanticipated events, and inquired what would happen if something unanticipated did happen within the five years when it was not expected that the City would be able to recoup monies. Mr. Wong responded in the past funds were borrowed from other funds with the idea that it would be paid back over a period of time with interest.

Vice Mayor Dixon acknowledged that during a drought, the residents use less and the City is charged higher rates and said she was in favor of the monthly billing period. With respect to the sewer connection fees, Vice Mayor Dixon said she liked what she saw so far; the only hesitation she had was the drastic jump in the numbers; and felt that the storm drain connection fees, which would be going from zero to $1,917, should go before the voters. Vice Mayor Dixon said she thought it was a good report and thanked everyone involved in putting the report together.

Councilmember Polanski agreed that public education was very important and there was the need to emphasize the health issue involved in providing the services.

Mayor Esteves also thanked everyone involved in putting the report together.

Councilmember Livengood acknowledged one of the important parts of the report was that it begins to put the City on a path of developing sufficient reserves so issues can be dealt with (i.e., emergencies); he thought it had been too long since attention was paid to the reserves; it would assure being able to preserve public safety and health; and this plan will call for increases in rates but that money would be going to good use in improving the system and providing security for the residents.

MOTION to approve the Utility Financial Master Plan, with thanks to the staff, the consultants, and the community members for their hard work and dedication over the last year to get this job done, and including a report back relating to Proposition 218 from the City Attorney.

M/S: Livengood, Polanski. Ayes: 5

REPORTS OF OFFICERS & BOARDS (CONTINUED)

2.
Appoint Economic Development Commission

Mayor Esteves said he thought it was time to start moving with the Economic Development Commission so the Commission could begin working.

MOTION to appoint the following individuals to the Economic Development Commission: Dhaval Brahmbhatt (Technology); Vicente Songcayawon (Commercial Real Estate); Joseph Gigantino, Jr. (Retail Business); Ray Maglalang (Residential Real Estate); Diane McDonough (Hotels/Accommodations); Michael Pham (Restaurants); Donald Peoples (Resident); Dr. Karl Black (School District); Frank DeSmidt (Chamber of Commerce); Christie Gammon (Alternate No. 1); and Tuong Nguyen (Alternate No. 2).

M/S: Gomez, Dixon. Ayes: 5

3.
Terrace Gardens Update

Councilmember Polanski placed this item on the agenda and reported she wanted to provide the Council with information on Terrace Gardens because there had been a lot of discussion over the years about the mandatory food program. Councilmember Polanski, the Council representative on the Terrace Gardens Board of Directors, said she thought it was important to share some of the information provided by the John Stewart Company, the property management company for Terrace Gardens, regarding a survey of other comparable properties. Councilmember Polanski reviewed the survey and reported that the meal cost at Terrace Gardens went up, and some of the residents were not happy with the increase and might be calling the Council because they think the Board answers to the Council (even though they are separate entities). Councilmember Polanski said she hoped to bring back periodic reports on Terrace Gardens.

Councilmember Livengood asked for clarification that the cost reductions had already been approved by the Board and there were mixed reactions from the residents. Councilmember Polanski responded about a third of the residents don't want a mandatory meal program at all; the Terrace Gardens Board felt very strongly about having the mandatory meal program not only for the nutritional value but also for the socialization benefit. Councilmember Livengood inquired if any of the other projects had voluntary meal programs where residents have the option of signing up. Councilmember Polanski responded no and because of the size of Terrace Gardens, it would be very difficult to find a food service provider for a smaller number. Councilmember Livengood asked if there would be an evaluation of the program. Councilmember Polanski said there would be an evaluation.

MOTION to note receipt and file update on Terrace Gardens.

M/S: Dixon, Gomez. Ayes: 5

4.
Cancel Council Meeting (July 2004)
Change Start Time for Council Meetings

Councilmember Polanski placed this item on the agenda and reported that the Parks, Recreation and Cultural Resources Commission had canceled its meeting in July 2004 so it on would be reflected the 2004 City Calendar. Councilmember Polanski said at the last a meeting she mentioned that number of people had asked her about starting Council meetings at 7:00 p.m., she knew there had been conflicts in the past for some Councilmembers, but she was open for any discussion.

Vice Mayor Dixon said she would be in favor of changing the starting time because there were a number of elderly people who come to the meetings; if the Council meeting time was changed to 7:00 p.m., she requested that the Civic Center Subcommittee meeting be moved to another day.

Councilmember Livengood expressed concern for the timing when a change would take place; he didn't want to do it this year because the calendar was already printed; during his time on the Council, meetings have started at 7:00, 7:30, and 8:00 p.m.; and another thing that the Council may want to consider was that 6:00 p.m. was early for him to be present for closed sessions because of his commute. Councilmember Livengood said he thought 7:00 p.m. was fine but with the concern about having information printed correctly on the City Calendar, he thought the time change should begin January 2004. Vice Mayor Dixon commented that by the time the presentations are done, the business portion of the meeting doesn't start until 7:30 p.m. anyway and pointed out that there are already inaccuracies on the calendar.

Mayor Esteves said there didn't appear to be a problem with canceling the meeting in July 2004 or with moving the meeting time to 7:00 p.m. but the question was when to implement the time change – January next year or right now.

Councilmember Gomez said he had a problem with moving the meeting time since he hadn't heard from anybody about the need, and he didn't see the need to change the starting time.

Councilmember Polanski said she received comments to begin the meeting at 7:00 p.m. prior to the item coming up on the agenda to cancel the July meeting; changing the time made sense to her; and she would be supportive of making it effective in May because even the budget hearings will begin at a different time (6:30 p.m.).

MOTION to cancel the July 20, 2004, City Council meeting.

M/S: Polanski, Livengood. Ayes: 5

Mayor Esteves suggesting making the new starting time effective after the July break with the first meeting in August.

MOTION to change the starting time for Council meetings from 7:30 p.m. to 7:00 p.m. effective the first meeting in August 2003.

M/S: Polanski, Dixon. Ayes: 4 Noes: 1 (Gomez)

ADJOURNMENT

There being no further Council business, Mayor Esteves adjourned the City Council meeting at 11:38 p.m.

Gail Blalock, CMC
City Clerk