



MILPITAS CITY COUNCIL MEETING MINUTES

SPECIAL MEETING OF THE MILPITAS CITY COUNCIL

**MONDAY, AUGUST 9, 2021
CITY COUNCIL CHAMBERS, 2nd Floor,
455 E. CALAVERAS BLVD., MILPITAS, CA
6:00 PM (PUBLIC BUSINESS)**

The City Council of the City of Milpitas convened on the Special Meeting day of August 9, 2021, in the City Council Chambers and via teleconference/zoom webinar.

CALL MEETING TO ORDER by Mayor and ROLL CALL by City Clerk

Mayor Tran called the virtual Special City Council meeting to order at 6:00 PM. Roll Call was taken by City Clerk Wood.

PRESENT: Mayor Tran, Vice Mayor Montano, Councilmembers Chua, Dominguez, and Phan

ABSENT: None

PLEDGE OF ALLEGIANCE

Mayor Tran led the Pledge of Allegiance.

PUBLIC FORUM

Those in the audience and via Zoom are invited to address City Council on any subject not on tonight's agenda. In-person speakers wishing to address the Council are requested, but not required to complete a Speaker Card and submit it to the Mayor. In-person speakers will then be asked to come up to the podium and state their name for the record. Those interested in speaking via Zoom may do so by following the instructions on page one (1) of the agenda. Comments may be limited to three (3) minutes or less at the Mayor's discretion. As an item not listed on the agenda, no response is required from City staff or the Council and no action can be taken. The City Council may instruct the City Manager to place the item on a future meeting agenda.

The following spoke under Public Forum.

1. Yolie Garcia

ANNOUNCEMENTS

Members of the City Council or City Manager may make brief announcements at this time. Members of the City Council may also 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 future agenda for City Council discussion.

Councilmember Chua spoke about a recent fire in the Sister City of Dagupan and requested staff look into donating old, obsolete, noncompliance items from the Fire Department to Dagupan.

Vice Mayor Montano announced that she attended the Milpitas Unified School District (MUSD) First Day Back to School Opening Day and attended the Randall Grand Opening of the new state of the art global language school.

City Attorney de los Angeles stated that he would not be asking the reportable campaign contributions question since there were no contracts or development project applications on the agenda. He asked the Mayor and City Councilmembers if they had any financial or personal conflicts of interest related to the item on the agenda. By roll call, no conflicts of interest were reported.

City Attorney de los Angeles read aloud the City Council Code of Conduct.

Motion: to approve the August 9, 2021, Special Meeting agenda.

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

1. **Receive an Update on the American Rescue Plan Act (ARPA), Provide Input to Staff on the Draft ARPA Investment Plan and Delegate Authority to the City Manager to Proceed with Approved Programs, Once Compliance with ARPA Guidance is Confirmed (Staff Contact: Ashwini Kantak, Assistant City Manager, 408-586-3053; Walter C. Rossmann, Deputy City Manager, 408-586-3012; and Lauren Lai, Director of Finance, 408-586-3111)**

Council asked clarifying questions and provided comments.

1. Warren Wettenstein
2. Tom Valore
3. Allysson McDonald
4. Inderjit Mundra

5. Leo Garcia
6. Rick Wakida
7. Kunal Khandwala
8. Barbara Navarro

Council discussed potential funding source options to fully fund all the Parks Rehabilitation projects.

Motion: to accept staff's recommendation for the draft ARPA Investment Plan and proposed programs; and delegate authority to the City Manager including appropriation and contract approval authority up to the approved amount for each program approved by Council, once compliance with ARPA procurement, contracting and reporting requirements is confirmed with an amendment to have staff send a memo to the Finance Subcommittee for any expenditure made over \$100,000.

Councilmember Chua requested that the memo be sent to all Councilmembers.

Mayor Tran confirmed that was the intention.

Motion/Second: Vice Mayor Montano / Mayor Tran

Motion carried by a vote of:

AYES: 5

NOES: 0

Mayor Tran called for a brief two-minute recess.

Council reconvened at 9:32 PM.

2. Review List of Agenda Item Requests from Individual Councilmembers and Provide Direction to Staff on each of the items in Groups 1 and 2 (Staff Contacts: Ashwini Kantak, Assistant City Manager, 408-586-3053; and Walter Rossmann, Deputy City Manager, 408-586-3012)

Assistant City Manager Kantak and Deputy City Manager Rossmann presented a summary of the Council requested items and provide information on the items that require more than four hours of staff time.

Council used an application to electronically vote on the 17 items that require more than four hours of staff time as well as an additional three items that have not yet been initiated and will require less than four hour of staff time.

Mayor Tran asked the City Attorney about item number four Discussion on Mandating Human Trafficking Training Policy to see if the City can legally mandate training for the hotels.

City Attorney de los Angeles provided clarification.

Councilmember Dominguez clarified the intent of the item.

The voting results for each item were displayed and City Clerk Wood summarized the digital votes as follows:

1. ADU Workshop (5-0 vote)
2. Clean-up on Earth Day (4-1 vote Councilmember Phan voted no)
3. Create a Mural to Honor Veterans (4-1 vote Councilmember Phan voted no)
4. Discussion on Mandating Human Trafficking Training Policy *this item was removed because the wording on the agenda did not correctly reflect the intent of the item
5. Recognize Juneteenth as a City Holiday for City Employees (4-0-1 vote Vice Mayor Montano abstained)

6. Explore Opportunity Housing and Prohibit Single Family Zoning (3-1-1 vote Councilmember Phan voted no, and Vice Mayor Montano abstained) * Councilmember Chua withdrew her yes vote and stated she will be abstaining on this item, the vote is changed to 2-1-2
7. Increase City's Rebate Program to Match Similar Valley Water Program (4-0-1 vote Councilmember Dominguez abstained)
8. Increase the Number of Local Businesses Doing Business with the City (5-0 vote)
9. Timeline for hosting Job Fair by the Chamber of Commerce (5-0 vote)
10. COVID-19 Memorial (4-1 vote Vice Mayor Montano vote no)
11. Mini Libraries in the Low-Income Areas of the City (3-1-1 vote Councilmember Phan voted no, and Councilmember Dominguez abstained)
12. Partner with the Chamber of Commerce to Promote the City (4-1 Councilmember Phan voted no)
13. Pilot Neighborhood Association Program (3-1-1 vote Vice mayor Montano voted no, and Mayor Tran abstained)* this item was subsequently withdrawn by the requester Councilmember Dominguez
14. Rental Deposit Fee Reduction for the Senior Center's Auditorium (5-0 vote)
15. Rose Garden with a Children's Memorial Site (4-1 vote Councilmember Phan voted no)
16. Welcome Signs in Key Areas Citywide (5-0 vote)
17. Sliding Scale Permitting Program for Seniors and Low-Income Residents for Necessary Safety Renovations (5-0 vote)
18. Address Street Racing (5-0 vote)
19. Proclaim August 21 as yard sale day in the City of Milpitas (4-0-1 vote Mayor Tran abstained – Mayor Tran asked that the request be sent to him directly for approval)
20. Landmark Policy (5-0 vote Vice Mayor Montano verbally stated she voted yes on this item)

Assistant City Manager Kantak asked for additional clarification on the following items.

ADU workshop – Requested confirmation from the requestor Councilmember Chua if the winter timeline would be ok.

Councilmember Chua stated that the timeline was ok.

Clean-up on Earth Day – Requested confirmation that the event will be designated as the April Beautify Milpitas Event and that it is not an additional event, so it will not require any more funding or resources

Mayor Tran replied with a yes.

Create a Mural to Honor Veterans – Requested direction on location, theme. and timeline.

Mayor Tran requested that it go to the Veterans Commission.

Recognize Juneteenth as a City Holiday for City Employees – Confirmed that this will go to Council in closed session.

Explore Opportunity Housing and Prohibit Single Family Zoning – Stated that as long as the work that is currently being done related to opportunity housing is in line with the request from Councilmember Phan then no additional direction is required.

Increase the Number of Local Businesses Doing Business with the City – There may be some legal considerations so this may have to come back for additional discussion.

COVID-19 Memorial – Requested direction.

Mayor stated that he supported the item but might want to wait on giving direction due to the ongoing pandemic.

Mini Libraries in the Low-Income Areas of the City – Requested clarification what is the vision of the request from Vice Mayor Montano.

Mayor Tran stated that staff should contact the Vice Mayor directly to get direction.

Pilot Neighborhood Association Program - Requested clarification from the requestor from Councilmember Dominguez to confirm the intent of the referral is appropriately captured in the write-up.

Councilmember Dominguez stated the item could be pulled.

Rental Deposit Fee Reduction for the Senior Center's Auditorium – Stated that staff would survey neighboring cities to make sure we are consistent and then bring back options for Council to consider.

Mayor Tran stated that this can come back during the next Master Fee Schedule review.

Rose Garden with a Children's Memorial Site – Requested direction on location, landscaping, plaque, and funding.

Vice Mayor Montano spoke about having it a Tom Evatt Park on Main Street and wanted the Garden Club or volunteers to maintain it. She stated that she would like the garden to be roses since they are drought tolerant.

Mayor Tran asked that the Vice Mayor work with staff to create a plan and bring it back to Council.

Welcome Signs in Key Areas Citywide – Suggested that they align it with the efforts that they currently have in the community with the Metro Plan and Main Street Gateway Specific Plan process and work with private development.

Mayor Tran stated that the key area is every exit off of the interstates and work with organizations to sponsor the signs to limit the fiscal impact and staff time.

Sliding Scale Permitting Program for Seniors and Low-Income Residents for Necessary Safety Renovations – Requested clarification on the options and asked if it was acceptable to modify the existing Milpitas Assistance program to include seniors.

Mayor Tran stated that would be acceptable.

Councilmember Chua commented on item six stating that she would like more information and would like to withdraw her initial yes vote.

ADJOURNMENT

Mayor Tran adjourned the meeting at 10:42 PM.

Draft meeting minutes submitted by City Clerk, Wendy Wood